Office of the Schools Adjudicator

Determination

Case reference:	**VAR2603 and VAR2604**
Admission Authority:	**The governing body for Ewhurst CofE Aided Infant School**
Local Authority:	**Surrey County Council**
Date of advice:	**19 September 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 the governing body for Ewhurst CofE Aided Infant School, for September 2025.

I determine that the published admission number for 2025 will be 15.

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by the governing body for Ewhurst CofE Aided Infant School, for September 2026.

I determine that the published admission number for 2026 will be 15.

The referral

1. The governing body, as the Admission Authority, of Ewhurst CofE Aided Infant School (the School or EIS) has referred to the adjudicator a proposal for variations to its admission arrangements for 2025 (the 2025 arrangements) and 2026 (the 2026 arrangements).

2. The School is a voluntary aided infant school for children aged four to seven years in Ewhurst, a village in Surrey. The School is located in the local authority area of Surrey County Council (the Local Authority or LA) and is categorised by the Department for Education (the DfE) as a “rural primary school”.

3. The School wishes to extend its age range to become a primary school which provides for children aged four to eleven years. The Local Authority is currently undertaking a consultation on this matter and will be the decision maker. The Consultation Document which supports the consultation process states:

> "If the proposal was agreed it would mean that the school would extend its age range to become Ewhurst C of E Primary School from 1 September 2026. The school would grow incrementally so that by September 2029 it would have pupils in all year groups from Reception to Year 6."

4. The School was judged to be 'Good' by Ofsted at its last inspection in June 2025. It has a Church of England religious character and the religious authority for the School is the Diocese of Guildford (the Diocese).

5. The proposed variations are to the published admission number (PAN) for entry to the reception year (Year R). It is proposed to reduce the PAN from 30 to 15 for both 2025 and 2026.

6. Parties to the variation requests are the School, the Local Authority and the Diocese. The proposed variations have the support of the Local Authority and the Diocese. The Diocese stated:

> "The DBE [Diocesan Board of Education] is strongly in support of the school's request to reduce the PAN and the separate proposal to expand the school and we do not believe that this will significantly impact local schools. The DBE believes that in making this request, the governing body as the admissions authority is acting both strategically and responsibly in ensuring that the school remains open for future generations and is able to serve its local community in this part of rural Surrey".

Jurisdiction and procedure

7. 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".

8. The 2025 arrangements were determined by the Admission Authority on 20 September 2023; those for 2026 were determined on 29 January 2025.

9. The governing body has provided me with confirmation that the appropriate bodies have been notified of the proposed variations in line with the Code. I find that the appropriate procedures were followed, and I am satisfied that the proposed variations are within my jurisdiction.

10. In considering the variation requests, I have had regard to all relevant legislation and the Code.

11. In the interests of dealing speedily with this and the many other requests for variations at this time, 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.

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

- the referral from the Admission Authority (undated but submitted 2 July 2025) and supporting documents, including a document pertaining to the consultation regarding the change of age range at the School (the Consultation Document);
- the determined Arrangements for 2025 and 2026 and the proposed variations to those Arrangements;
- responses from the LA, the School and the Diocese to my requests for further information; and
- information available on the websites of the DfE, 'Get Information About Schools' (GIAS), the LA, the School and Ofsted.

13. I would like to extend my thanks to all parties for their responses to my requests for further information.

Consideration of proposed variation

14. 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.

15. There is no formal consultation required for a variation and so parents and others do not have the opportunity to express their views; neither does a variation allow for objections to the adjudicator. In this case, the consultation in respect of extending the age range of the School includes the matter of reducing the PAN as proposed and so does allow those with an interest to express their views. The Local Authority stated:

> "The proposal is currently out to consultation by the LA with the consultation closing on 26th September. At present, there have been over 200 responses received to the consultation, with the majority (currently at around 95%) supporting the proposal. Therefore, the LA is in full support of the school's request to reduce their PAN to 15 in both 2025 and 2026, with the intention that this is a permanent change".

16. Once the PAN has been set for a particular year then no body, except the governing body of a community or voluntary controlled school, can object if that PAN remains the same in subsequent years for which arrangements have not yet been determined. I note here that the Arrangements for 2027 have not yet been determined. This means that if I decide to vary the Arrangements for 2026 by reducing the PAN as proposed, it will have the effect of forming the 'baseline' for subsequent years. The Consultation Document sets out an intention for "a separate consultation in the autumn of 2025 to reduce the PAN to 15 from September 2027 onwards". Although the School may choose to consult on its arrangements, I make it clear that if I vary the PAN for 2026 to 15 then it may remain at 15 for 2027 and subsequent years without any requirement for consultation.

17. The major change in circumstances relied upon by the School is set out in the referral, which states:

> "The school has been affected by falling rolls over recent years because of the lack of a through route to junior education for its pupils. At the height of the pupil population in October 2016, Ewhurst CofE Aided Infant School had 81 children on its roll. In October 2024, this had reduced to 41 children, with the majority of the vacancies year on year being in the Year 2 cohort. . .
>
> It is proposed that the age range of Ewhurst CofE Aided Infant School is extended, meaning that the school would become a primary school from September 2026, offering an education to children from Year Reception through to Year 6. To facilitate this transition to a primary school, the governing body of the school would also need to

reduce the Published Admissions Number of the school from 30 to 15. A consultation regarding the above changes will be [carried out] . . .

Extending the age range of Ewhurst C of E Infant School will mean that the school would become a primary school, offering an education to children from Year Reception through to Year 6. The school would grow incrementally, year on year, rather than admitting additional cohorts of children immediately. This would mean that Year 2 pupils would no longer need to secure a place at an alternative school for their junior education and it is anticipated that this will stabilise the pupil population of the school, so by ensuring that it remains sustainable in the future."

18. The School intends, subject to agreement by the Local Authority, to extend its age range in an effort to secure long-term viability. In order to accommodate this, the PAN must be reduced; there are insufficient classrooms to retain the PAN of 30 and extend the age range. This matter of physical capacity was described by the School:

"The school does not currently have a valid Net Capacity Report but has undertaken detailed feasibility studies with the Local Authority and Diocese of Guildford to ascertain the pupil capacity of the school. Currently as a one-form entry infant school with a PAN of 30 the maximum number of children on roll is 90. A reduction in PAN to 15 and an extension in age range would lead to a maximum number of 105 children on roll. The proposed structure of the school with vertical groupings would lead to 4 classes of children; the school currently has 4 classrooms on site. The Local Authority and the Diocese of Guildford is supporting the school in making minor changes to the school's current buildings and grounds (mostly to provide additional toilets) to accommodate an extra 15 pupils, Key Stage 2 children and a Key Stage 2 curriculum."

19. I have 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 30 to 15 for 2025 and 2026. I have also considered the demand for places at the School, the reasons given for the changes, the potential effect on parental preference and whether the changes are justified taking into account all relevant circumstances.

20. I will first consider demand for places in the area, using data provided by the School and Local Authority.

21. 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. In the Cranleigh planning area, to which the School belongs, there are four schools (including the School) which admit pupils to Year R. Table 1, below, shows: the sum of the PANs at those schools; the number of children on roll at the October census in each of 2022, 2023 and 2024; and the number of children the Local Authority

expected to be admitted in 2025 (as of 5 September). The number of children forecast to require a place in each of 2026 and 2027 is shown, using data provided by the School when it submitted the referral. Table 1 also demonstrates the effect on surplus places of reducing the PAN of the School as has been proposed.

Table 1: School places in the planning area, and the number of children admitted, or forecast to require a place

	2022	2023	2024	2025	2026	2027
Number of places in Year R in schools in the planning area (with a PAN of 30 for the School)	150	150	150	150	150	150
Number of children on roll (2022 – 2024); expected to be admitted (2025) or forecast to require a place (2026 – 2027)	133	124	122	132	143	145
Vacant places	17	26	28	18	7	5
Vacant places as a percentage of total places	11.3	17.3	18.7	12.0	4.7	3.3
Number of places in Year R if variation approved (with a PAN of 15 for the School)	N/A	N/A	N/A	135	135	135
Vacant places if variation approved	N/A	N/A	N/A	3	-8	-10
Vacant places as a percentage of total places if variation approved	N/A	N/A	N/A	2.2	N/A	N/A

22. The DfE document, “Basic need allocations 2025-26: Explanatory note on methodology”, refers to the need for two per cent surplus capacity “to provide an operating margin for local authorities. This helps to support parental choice, pupil population movement, and general manageability of the system”. The data show a proportion of surplus places in the planning area well above this in each of 2022, 2023 and 2024, and that a proportion slightly above two per cent is forecast for 2025 if the PAN is varied as proposed.

23. I am satisfied that if the PAN of the School were to be reduced to 15 for 2025, there would be sufficient places left in the planning area for any children who might be seeking a Year R place.

24. The data above show that if the variation for 2026 was approved then, in both that year and in 2027 there would be insufficient places in the planning area. The referral stated:

> "Although the forecast numbers for all schools in the planning area would suggest that there needs to be 140 places when looking at the actual numbers on roll from the school census on average the forecast is over by 14%. If you apply the average of 14% to the forecasts for 2026/27 and 2027/28, the forecast would be 123 and 125 respectively."

25. I raised my concerns regarding sufficiency of places with the Local Authority and asked it to comment on the School's statement. The Local Authority responded:

> "The local authority is confident that the reduction in PAN at Ewhurst would not present a challenge to the sufficiency of places in the planning area and that a sufficiency of places would be maintained moving forwards. The statement from the school is correct – the LAs pupil projections have historically over-estimated the number of children requiring places in Reception cohorts in the planning area. This has been due to shifting timescales and volumes for a large scale housing development contributing additional pupil yields to the forecasts that have not materialised as it has not yet broken ground – given the changing landscape of this development, on-site provision to cater for the additional pupil yield is a strong possibility and so it is now unlikely to affect the Cranleigh planning area in the long term.
>
> "If we consider the pupil projections for the Cranleigh planning area without additional pupil yield from that housing, they fall well within the 135 places that will be available in Reception in the planning area and therefore there will be adequate places across all schools to cater for this pupil demand."

26. The Local Authority provided the data in table 2 which show the forecasted demand for places in the planning area, adjusted to exclude that which had been predicted from the now-delayed housing developments.

Table 2: The number of children forecast to require a place in the planning area, adjusted to exclude the yield from delayed housing developments

Academic year	Yr R pupil projection
2026-27	117
2027-28	112
2028-29	112
2029-30	113
2030-31	113

27. The data from table 1, along with the revised forecast data from table 2, show that if the PAN of the School was reduced to 15 for 2026, this would result in 18 vacant places, equivalent to 13.3 per cent. This is far higher than the two per cent surplus recommended by the DfE.

28. School place planning is undoubtedly complex and changing timescales for, and details of, large scale housing developments add to that complexity. The LA is confident that, if I approve the variations, there would be sufficient Year R places left in the planning area and that the planned housing, when it comes to fruition, is unlikely to affect demand in that area. On balance, I find that view persuasive. I am satisfied that if the PAN of the School were to be reduced to 15 for 2026, there would be sufficient places left in the planning area for any children who might be seeking a Year R place.

29. I will now consider demand for places at the School. Table 3 uses the proposed PAN of 15 from 2025 onwards and shows the number of children admitted to the School in recent years and the number of first preferences for the School, plus projections for future years. The forecast data were provided by the School when it submitted the referral.

Table 3: The number of children admitted to the School in recent years, with projections for future years

	2023	2024	2025	2026	2027
The PAN for the School	30	30	15	15	15
Number of first preferences	8	9	10	N//A	N/A
Number of children admitted or forecast to require a place	21	12	15	24	24
Surplus places	9	8	0	-9	-9

30. Table 3 shows that in recent years, the number of first preference applications has been well below the proposed PAN. Table 3 also shows that the number of children admitted to the School has been above the number of first preference applications. A first preference is the school that a parent most wants their child to attend; a child will be

offered a place at the highest preference school possible depending on demand for schools and their oversubscription criteria. If a place can be offered at the first preference school it will be but if it cannot, then a second or third preference offer is better from the parent's point of view than a school for which no preference has been made. It is likely that some children have been admitted to EIS because they were refused admission to a school for which their parents had expressed a higher preference.

31. In 2025 there has been no frustration of parental preference in the normal admissions round; all children who wanted a place at the School were offered one. There could, however, be some frustration of parental preference for children seeking in-year admission to the School. Fifteen children (the level of the proposed PAN) have already been admitted and if I approve the variation then the School would not be obliged to admit additional children to Year R. Having said that, in my view the scale of such frustration is likely to be small as most children in the area who require a Year R place for the current academic year are likely to have already secured one.

32. Table 3 also shows that in each of 2026 and 2027, 24 children have been forecast to require a place at the School. With a PAN of 15 this seems likely to result in some frustration of parental preference.

33. In respect of forecasted demand for places at EIS from families resident in the area local to the School, the Local Authority stated:

> "when looking at the pupil projections for the Ewhurst and Ellens Green ward (where the school is situated) the number of pupils resident in the area is consistently around or below 15, which is the PAN requested. It is anticipated that some pupils resident in this ward will continue to prefer to attend a Catholic school in Cranleigh on faith grounds, and there is likely to be some influx from adjacent Wards if a primary provision is established. Nevertheless, we can be sure that there will be adequate places to cater for children in the immediate vicinity of the school should they require them."

34. In support of its statement the Local Authority provided the data in table 4, which set out the number of children resident in the Ewhurst and Ellens Green ward, organised by the year in which it is likely that they will be seeking admittance to Year R.

Table 4: Children resident in the Ewhurst and Ellens Green ward, by expected year of admission

Academic year	Year R children
2026-27	15
2027-28	14
2028-29	14
2029-30	13

35. It seems that the uncertainties of school place planning that I have described above in respect of the planning area have also affected forecasts for the School. I maintain some reservations about frustration of parental preference if the PAN for 2026 is varied as proposed. That is, some parents who wished for their child to be admitted to EIS may be denied entry if the PAN is reduced to 15. This could include children refused a place at a higher preference school. I am also aware that, to a lesser extent, there may be some frustration of parental preference in the current year. Consequently, I have considered whether the benefits to the School of lowering the PAN are a reasonable justification of such possible frustration of parental preference.

36. The School is one affected by the provisions of the School Admissions (Infant Class Size) (England) Regulations 2012 (the infant class size regulations) which 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 (paragraph 2.16 of the Code). The infant class size regulations apply to Year R, Year 1 and Year 2.

37. There are currently 46 children on the School roll, organised into three, single-age classes: Year R (15 children), Year 1 (11 children) and Year 2 (20 children). If the PAN of 30 remains in place, the School would be obliged to admit up to PAN if additional applications were received during the year. Although these children could be accommodated in the current structure as to do so would not breach the infant class size regulations, the admission of any additional pupils would prevent the reorganisation necessary to extend the age range of the School.

38. The School intends to organise its Key stage One pupils into a single, mixed-age class from 2026. The current numbers on roll would make this a class of 26 children, which could be taught as one class. If, however, additional children were admitted to Year R this year such that the total number of Key Stage One children from September 2026 exceeded 30, then another class would be required for which the School does not have space if it is also to extend its age range. A similar situation would apply to admissions to Year R in 2026.

39. The matter of requiring additional classes, and additional staff, also has financial implications. The School described its situation as follows:

> "The current financial position of the school is unsustainable without a reduction in PAN in conjunction with an extension of the age range of the school. The school's current forecasted budget as an infant school with a PAN of 30 shows the following: Year 1 (2025/26) £7,000 in year deficit Year 2 (2026/27) £20,000 in year deficit Year 3 (2027/28) £45,000 in year deficit The school has managed a deficit budget for the past 4 years, using reserves, local charity funding and falling rolls support from the Local Authority. Without this support the school would have been in an unsustainable position. The school's financial reserves will run out at the end of 2025/26 and the Local Authority views the PAN reduction and extension in age range as an alternative to falling rolls funding support or school closure. The variation in PAN and extension in age range will enable to the school to become financially sustainable. The school would transition pupils into KS2 year on year over the next four years from Sept 2026. This increase in pupil numbers into vertically grouped classes would give the school extra funding without having to dramatically increase staffing hours."

40. The School described its intended path towards financial stability:

> "The reduction in PAN from 30 to 15 is an integral part of the school's long term strategy to become a half-form entry primary school. If successful, this strategy enables the school to become financially sustainable in the long term and meet the needs of the local community in the context of local population numbers and other local schools. This reduction in PAN is necessary for 2025-26 and beyond due to the financial position of the school and assuring the future vertical groupings of children in classes from the start of the 2026-27 academic year."

41. I have weighed this case very carefully. All parties have stated strongly that the School needs to extend its age range in order to remain viable. The proposal for that extension has not yet been agreed by the Local Authority but, if agreed, its implementation is contingent upon the PAN being reduced as proposed.

42. For all of the reasons above I agree, on balance, that the proposed reductions in PAN would provide greater stability for the School and its pupils and benefit the School financially.

43. I am satisfied that there will be sufficient Year R places in the planning area to which the School belongs. The specific circumstances of the School and its planned extension in age range is such that in the event of any frustration of parental preference, the potential disadvantage to those applicants is outweighed by the benefits to the School of a reduced PAN.

44. I consider it appropriate to approve the proposed variations now even though the proposal to extend the age range of the School has not yet been agreed. I note that the Admission Authority may, in any case, admit above the level of the PAN if it so chooses.

45. I find that the variation for 2025 is justified by the circumstances and approve the proposed variation.

46. I find that the variation for 2026 is justified by the circumstances and approve the proposed variation.

47. I have noted that the Consultation Document sets out an intention to consult on a PAN of 15 for the School for 2027. As I approve the variation for 2026 there is no requirement for this to take place.

Determination

48. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by the governing body for Ewhurst CofE Aided Infant School, for September 2025.

49. I determine that the published admission number for 2025 will be 15.

50. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by the governing body for Ewhurst CofE Aided Infant School, for September 2026.

51. I determine that the published admission number for 2026 will be 15.

Dated: 19 September 2025

Signed:

Schools Adjudicator: Jennifer Gamble