



Determination

Case reference: ADA4474

Objector: Representative of a school

Admission authority: Northumberland County Council for The Sele First School

Date of decision: 5 January 2026

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I do not uphold the objection to the admission arrangements for September 2026 determined by Northumberland County Council for The Sele First School in Hexham, Northumberland.

I have also considered the arrangements in accordance with section 88I(5) and find there are other matters which do not conform with the 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 the date of the determination unless an alternative timescale is specified by the adjudicator. In this case I determine that the arrangements must be revised by 28 February 2026 to dovetail with the date by which all admission authorities must determine their admission arrangements for 2027/2028.

The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998, (the 1998 Act), an objection has been referred to the adjudicator by a representative of the Governing Body of The Sele First School (the objector), about the admission arrangements (the arrangements) for The Sele First School (the School, The Sele), a Community School with an age range of 3 to 9, for September 2026. The objection is to

the reduction of the School's Published Admission Number (PAN) from 84 to 60 from September 2026.

2. The local authority (LA) for the area in which the School is located is Northumberland. The LA is a party to this objection. Other parties to the objection are the School and the objector, who is a representative of the School's Governing Body.

Jurisdiction

3. The arrangements were determined under section 88C of the 1998 Act by the LA, which is the admission authority for the School. The objector submitted their objection to these determined arrangements on 15 May 2025. I am satisfied the objection has been properly referred to me in accordance with section 88H of the 1998 Act and it is within my jurisdiction. I have also used my power under section 88I of the 1998 Act to consider the arrangements as a whole.

Procedure

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

5. The documents I have considered in reaching my decision include:

- a. a copy of the minutes of the meeting of the LA Cabinet of 11 February 2025 at which the arrangements were determined;
- b. a copy of the determined arrangements;
- c. the objector's form of objection dated 15 May 2025;
- d. the LA's responses to the objection and supporting documents including details of their consideration of consultation responses;
- e. the School's and LA's responses to requests for further information by e mail; and
- f. information available on various websites including the central government website "Get Information About Schools" (GIAS) and the School's website.

I would like to thank the School and the LA for their rapid and detailed responses, for which I am very grateful.

The Objection

6. The Governing Body of the School has objected to the reduction of the School's PAN from 84 to 60 from September 2026 (a reduction of 29%). The Governing Body firmly believes the reduction is not in the best interests of The Sele or the wider community it serves.

7. As part of its objection, the Governing Body asserted that the Admission Authority had not lawfully complied with the Code requirements on consultation (namely paragraphs 1.45 and 1.47).

8. I noted in my jurisdiction and information paper dated 21 August 2025 that although it is open to an adjudicator to determine that there has been a failure to consult in accordance with the relevant legal requirements, and therefore a failure to comply with both the 2012 School Admissions Regulations and the Code, an adjudicator cannot impose a requirement upon an admission authority to re-consult after it has determined the arrangements even if the consultation has not been conducted in accordance with the requirements of the Regulations and the Code. Nor can the adjudicator require the admission authority to re-instate the previous year's arrangements.

Other Matters

9. I raised a number of other matters where the arrangements did not, or appeared not to, comply with the requirements of the Code, including (but not limited to): the arrangements are unclear as to what sort of evidence would meet the "firm evidence" criteria in oversubscription criterion 3, an incorrect date in oversubscription criterion 3, the tie-breaker provision not complying with paragraph 1.13 of the Code. Paragraph 14 of the Code states that "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."

10. Full details of these other matters and an analysis of the issues follow in my "Consideration of Case".

Background

11. The School is a mixed, for children aged 3 to 9, primary phase Community School maintained by the LA. The School has Nursery Classes. As of 9 December 2025, GIAS records the School's capacity at 420 and the number of pupils on roll at 405. This latter figure is of note given the figures provided by the LA in its Cabinet paper of 11 February 2025, which states at paragraph 5.21, that: "in October 2018, the [S]chool had 404 pupils on roll; in October 2022 there were 357 pupils on roll, in October 2023 there were 338 pupils on roll and in October 2024, there were 355 pupils on roll. This indicates that the [S]chool is not immune to the falling birth rate and although it continues to attract students from other catchments, its average size year group has been falling for some time." In the last year it would appear the numbers on roll have increased by 50, a trend seemingly in the opposite direction to the last 3 years and commensurate with the 2018 figure.

12. The School's determined PAN for 2026 admission for Reception is 60, having previously been 84. It is this reduction in PAN which is the subject of this Objection.

13. The LA wants to reduce the number of classes at The Sele from three to two for September 2026 entry, with the consequent number of Reception places decreasing from the minimum of 84 to 60. The LA has confirmed the plans were in response to falling birth rates and trying to ensure all schools within its area are financially and educationally viable.

14. I have noted the significant opposition by parents and teachers to the proposal to reduce The Sele's PAN in a number of press articles from December 2024 (when the proposal was being consulted upon) including on the local BBC website for the Tyne Region, and in the local press.

15. Anecdotally, it appears the School is a popular school with parents and it received a "Good" rating in all areas at its last Ofsted inspection on 14 June 2022.

Consideration of Case

The Objection

16. The objection is to the reduction from 84 to 60 of the School's PAN. The objector has stated that: "[the] PAN reduction is at odds with the spirit of the School Admissions Code which supports parental preference. Demand for places at Sele First grows through the year groups, thus justifying retention of the current PAN; the reduction of this will deny places to those parents who would otherwise seek them." Further, the objector asserted that the admission authority has not lawfully complied with the Code requirements on consultation.

17. The Code at paragraph 1.2 sets out a requirement that "as part of determining their admission arrangements, all admission authorities **must** set an admission number for each 'relevant age group'". This is known as the PAN. The relevant age group is the age group at which pupils are or will normally be admitted to the School, for example, Reception, year 7 and year 12 where the school admits external applicants to the sixth form (see section 142 of the 1998 Act). In this case it applies to Reception.

18. Paragraph 1.3 of the Code sets out the requirements for a community or voluntary controlled school: "the local authority (as admission authority) **must consult** at least the governing body of the school where it proposes either to increase or keep the same PAN. All admission authorities must consult in accordance with paragraph 1.45 below where they propose a decrease to the PAN. Community and voluntary controlled schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish. There is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering any such objection." It is under this provision that the Governing Body of the School have authority to object to the adjudicator.

Lack of proper consultation in contravention of the Code

19. Paragraph 1.45 of the Code sets out the consultation requirements where a decrease to the PAN is proposed: “When changes are proposed to admission arrangements, all admission authorities **must consult** on their admission arrangements (including any supplementary information form) that will apply for admission applications the following school year. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.” Footnote 39 to that paragraph states further that “a consultation on a proposal to increase or keep the same PAN by a local authority as admission authority with the governing body of a voluntary controlled or community school is not a consultation for the purposes of calculating a seven year period without consultation.”

20. Paragraph 1.47 of the Code sets out a list of who the admission authority **must** consult with. This includes at 1.47 (d), a requirement to consult “whichever of the governing body and the local authority is not the admission authority.”

21. The consultation to reduce the PAN at The Sele was part of a wider consultation on the LA’s proposed admission arrangements for community and voluntary controlled schools for 2026/27 and on its School Transport Policy for Children of Compulsory School Age that took place for a period of 6 weeks between 4 November 2024 and 16 December 2024.

22. The consultation response document (Appendix 4 to the LA Cabinet paper of 11 February 2025 at which the admission arrangements for 2026/27 were determined) sets out a number of responses opposing the proposal to reduce the PAN at The Sele: 28 responses from members of the community, 5 responses from prospective parents, 52 responses from parents at the School, 10 responses from staff members as well as objections to the reduction from members of The Sele’s Governing Body. There were only a handful of responses in each category supportive of the proposal (4 overall) and one respondent “did not know”. At the time of the 11 February meeting, there were 355 pupils on roll at The Sele. Only 52 parents responded (albeit some parents had more than one child at the School).

23. The objection states that the LA’s consultation paper failed to provide a holistic analysis of the situation in the west of the county of Northumberland or the implications of the proposed change on other schools beyond The Sele. Further, that the LA did not directly communicate the proposal to families of the School or ensure the wider community was made aware in the local area. In addition to this, that the Northumberland County Council Admissions Arrangements for Community and VA Controlled Schools 2026-2027 consultation paper was “suspiciously difficult to find”; the other Northumberland Schools consultations were listed under their school names on the webpage; The Sele PAN reduction proposal was within the above document with no clear reference to the School until paragraph 3 of the document. The School shared the

PAN Reduction Consultation with families and the community due to the lack of obvious consultation engagement by the Local Authority. Finally, that upon scrutiny of objections submissions, The Sele's Governing Body uncovered a number of responses listed under incorrect categories and state that five senior members of the School staff's objections, despite being submitted to the correct email address within the consultation period timeframe, were not included in the objections presented as part of the consultation and subsequent consideration of the consultation responses. The Governing Body say this throws doubt on the correct recording and reporting of objections received.

24. The LA has told me that: "Council officers met with the headteacher and other [S]chool representatives at The Sele School on 9 October 2024 to explain the Council's rationale for carrying out consultation on reducing the PAN of the [S]chool. It was explained that it was consultation and that a decision would be made by the Council's Cabinet in February 2025 after consideration of the proposal and the feedback received. The [S]chool was advised at that time that it was able to share the consultation document directly with parents of pupils at the School and they were able to hold meetings with parents if they so wished. The Consultation Document, associated admissions arrangements, admissions policy and transport policy were forwarded to the Headteacher on 4 November 2024 at the beginning of the 6 week consultation period. The consultation document and associated documents as set out above were also sent to all headteachers in the Council via the Council's internal document messaging system (E-Courier), emailed to the 6 local authorities in the North East region where there is cross-flow of pupils with Northumberland and made available to all parents resident in Northumberland via publication on the Council's website as required by the Admissions Code. Therefore it is the Council's belief that the requirements for consultation as set out in the Admissions Code have been complied with."

25. Further, the LA in its response have said that "every consultation response received by the Council was included in the Consultation analysis prepared for consideration for the Council's Cabinet" and that "all responses were included in the Background Papers to the report therefore Cabinet members had the opportunity to scrutinise all individual responses, whatever category such responses fell into. It is the Council's belief that all responses submitted were accounted for and submitted to the Council's Cabinet for consideration."

26. It appears to me from the report presented to Cabinet on 11 February 2025 that the consultation responses were set out in considerable detail together with the context and rationale for the proposed reduction in PAN. Although the majority of responses were overwhelmingly not in favour of the PAN reduction, the requirements for consultation set out in the Code were adhered to and from the evidence I have seen, the consultation documentation was shared widely. Further, it appears that conscientious consideration was given to the consultation responses before proceeding with the decision to reduce the PAN at The Sele. I have found no evidence of unlawful or flawed consultation from the information I have been provided with. **I therefore do not uphold the objection that the consultation was flawed or did not accord with the Code.**

Effect of the reduction in PAN on the School and the wider community (including the impact of reduced PAN on out of catchment children) and whether or not it is reasonable

27. Neither the Code nor admissions law generally deals specifically with when a PAN may or may not be reduced. The part of the Code dealing with PANs (paragraphs 1.2 to 1.5) do not helpfully do so, focussing instead on matters of process. It is true that the last sentence of paragraph 1.3 of the Code (and cited in the objection) states that: "There is strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering any such objection [by community and voluntary controlled schools to the setting of a PAN "lower than they would wish"]. But this is of little assistance in this case. It is therefore a matter of whether or not the reduction in the PAN was "reasonable".

28. An everyday definition of "reasonable" 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. The test I will apply to reach a conclusion on this, therefore, is whether the the PAN reduction was an action that a reasonable admission authority acting rationally and taking into account all relevant factors and no irrelevant factors would determine. This is an objective test. It will be necessary to consider the rationale for the determination of the arrangements for The Sele for September 2026 as they are and the effect of their practical operation.

29. The Sele is located in the heart of the town of Hexham and, as I am told by the LA, attracts around 70% of its pupils from its own community. The oversubscription criteria for the School places catchment area priority as the second highest priority after looked after children and previously looked after children.

30. I am told by the LA (and which is recorded in the 11 February 2025 report to Cabinet) that in 2023/2024, there were 23% of surplus places in "first schools" within the Hexham Partnership (the LA planning area of which The Sele is a part). This surplus was in spite of pupils attending Hexham Partnership schools from other Northumberland partnership (planning) areas and from out of county. The reason given by the LA for the high surplus places in Hexham Partnership first schools and their ability to offer places to children living outside of the partnership area is due to the continuing fall in the birth rate in the Hexham Partnership area. For example, in September 2022 the number of children living in the Hexham area who were able to join Reception classes was 187; in September 2027, the number of children joining Reception classes will be 117 based on current birth rates. The numbers for Reception entry for September 2026 have not been provided. I am told by the LA that the number of actual places collectively available in Hexham first schools in Reception classes currently totals 274 and is far in excess of the needs of the local communities within Hexham Partnership.

31. The LA's rationale is that without the removal of some of the surplus places, pupils will be spread much more thinly across schools, with the sustainability and viability of some schools likely to be put at greater risk.

32. The School has capacity for 420 pupils. In October 2018, the School had 404 pupils on roll; in October 2023 there were 338 pupils on roll and in October 2024, there were 355 pupils on roll. This figure has however increased to 405 (an increase of 50 pupils) in December 2025 according to figures available through GIAS. The figures for in-year admissions for Reception to Year 4 inclusive during the last academic year (2024/2025) and in the autumn term 2025 are 16 and 12 respectively, with 37 children being admitted in-year in 2023/2024. The numbers provided do however not add up to the figure of 50 additional children in the last year as recorded on GIAS.

33. School Census information showed Reception numbers in 2018 at 81. The last four years' Reception cohorts at the School were as follows, showing an overall decrease from 2018, rising again between 2023 and 2024, and decreasing again in 2025:

- 2022 (63)
- 2023 (52)
- 2024 (73)
- 2025 (64 with two applications deferred to 2026 making actual number admitted, 62)

34. The most recent birth data for The Sele is set out in Table 1 below (data provided by the LA).

R 2028	R 2027	R 2026	R 2025	R 2024	R 2023	R 2022	R 2021
Age 1	Age 2	Age 3	Age 4	Age 5	Age 6	Age 7	Age 8
01.09.23 To 31.08.24	01.09.22 To 31.08.23	01.09.21 To 31.08.22	01.09.20 To 31.08.21	01.09.19 To 31.08.20	01.09.18 To 31.08.19	01.09.17 To 31.08.18	01.09.16 To 31.08.17
53	36	42	47	59	38	63	52

R 2020	R 2019	R 2018	R 2017	R 2016	R 2015	R 2014	R 2013
Age 9	Age 10	Age 11	Age 12	Age 13	Age 14	Age 15	Age 16
01.09.15 To 31.08.16	01.09.14 To 31.08.15	01.09.13 To 31.08.14	01.09.12 To 31.08.13	01.09.11 To 31.08.12	01.09.10 To 31.08.11	01.09.09 To 31.08.10	01.09.08 To 31.08.09
68	60	67	61	68	59	61	75

35. The above data shows a consistent trend of falling birth rates in the School's catchment area, with figures for 2025 to 2028 significantly below the School's previous PAN of 84 (noting for 2026 it is half). Figures for 2025, 2026 and 2027 are a minimum of 13 below the new PAN of 60, rising back to 53 (or 7 below the new PAN of 60) for 2028 entry.

36. Table 2 below shows how many preferences were made to the School in the last three years, how many of those were first preferences and the number of first preferences given places at the School.

Year of intake	Total number of applications	Number of first preferences	Number allocated
2023/24	65	48	48
2024/25	108	72	72
2025/26	85	69	64

37. All first preferences received a place at the School in 2023/24 and 2024/25. The LA has noted that in 2025/26, only 64 of the original 69 first preferences were allocated places at the School due to parents refusing the place offered to their child in favour of accepting places in other schools.

38. Table 3 below shows the number of children joining Reception Class in The Sele in the past 5 years and the number of in-catchment children within those cohorts.

Year of intake	Number entering Reception	Number entering Reception living in Catchment
Sept 2020	65	43
Sept 2021	63	37
Sept 2022	65	43
Sept 2023	65	36
Sept 2024	73	46
Sept 2025	62 (64 places were allocated with two applications deferred to 2026)	38 (School figures), 41 (LA figures which I have presumed includes the two deferred applications)

39. The data shows that although the numbers admitted to Reception in the last 3 intakes (2023, 2024 and 2025) are over the new PAN of 60 (and in 2024, 13 over the new PAN), the numbers entering Reception in those years from The Sele's catchment area were well below the new PAN of 60 meaning that every child within the catchment area (oversubscription criterion 2 in the admission arrangements) expressing a preference for The Sele would still receive a place at the School if the PAN were reduced

to 60. In 2025, the total number entering Reception was 62 with 38 living in catchment (based on the School's figures), equating to just over 61% of intake.

40. The School disputes the usage of birth rate data as a single determinative factor in making the decision to reduce its PAN, stating in the objection: "The reduction being based on birth rate data is too narrow a criterion within the more complex and dynamic school landscape in the Tyne Valley. It is not reflective of our community and its demands. Many families move to the area with the intention of joining our [S]chool and are not seen in birth rate data." The LA's response was as follows: "The proposal is not based solely on birth data. Census data which captures all children on roll at a school at 3 points in the school year indicates clearly that the average year group size in The Sele has been reducing over time in line with the general falling pupil numbers – the [S]chool is not at capacity and has not been for at least 8 years. Only the excessive surplus places offered to out of catchment children have enabled the [S]chool to have cohorts larger than 60. Given the continuing fall in birth rate, the percentage of out of catchment children (currently just under 40%) is set to continue to increase and at some point in the near future, they could outnumber catchment children as a result of continuing falling birth rates across the whole Hexham Partnership. It is unclear why the Governing Body believe that by reducing its PAN, its ethos, culture and identify would be impacted." I have not been provided with numbers or average numbers of such families moving into the area nor any evidence to support the statement made by the Governing Body in its objection that the ethos, culture and identify of the School will be impacted should the PAN be reduced.

41. As a result of the increasing number of surplus places due to continuing fall in pupil numbers in the Hexham Partnership area, the LA have told me they considered (when consulting on and determining the new PAN of 60) that "the viability and sustainability of all schools in the [Hexham] partnership would be supported by a reduction in the number of surplus places." The LA were conscious of the importance of the process being "managed in a phased way in order to avoid causing disruption to parental choice across the partnership." Therefore, the LA proposed that for the intake year 2026/27 that this first phase of management of surplus places in the Hexham Partnership planning area was limited to the reduction of the PAN of The Sele. The reason for this was the LA envisaged that the School will continue to thrive, and be viable and sustainable with an annual intake of 60 pupils to Reception.

42. No specific evidence and/ or breakdown in figures was supplied as to the School's viability and sustainability by any party to the objection. The LA however consider that: "The Sele will continue to receive enough budget from 300 pupils to be able to continue to be viable and thrive. The [S]chool may have options to use its additional capacity in other ways, for example the Council is also consulting at the moment on solutions for creating addition SEN capacity in the West of the county to address growing need, including using capacity created by falling mainstream pupil numbers as Specialist Support Bases."

43. The LA has also said in its responses (in terms of the viability of other schools in the area) that: “the continuing fall in the birth rate across the Hexham Partnership will result in fewer and fewer children being available to schools. In consultation we received feedback from the Headteacher of Hexham First School that her budget was being significantly impacted due to reducing pupil numbers and that she had concerns for the viability of the [S]chool. Currently there are 56 pupils who live in the Hexham First School catchment that attend The Sele. [We] would not wish to set out which other schools viability may be at risk as presumably this response will be made public.”

44. Further, the LA has indicated in its responses that the PAN of The Sele has been significantly higher than is required by its local community for a number of years and that a PAN of 84 is no longer appropriate to meet the needs of the community served by The Sele. This is born out by the figures supplied to me. Only three other schools in Northumberland have PANs larger than 60 and these are located in the urban towns of the populous South East of the county i.e. Blyth (largest town) and Ashington (3rd largest town and twice the population of Hexham). The LA have also stated that a high PAN enabling a school to take in additional pupils at various times of the year “demonstrates how excessive parental choice causes instability in other local schools, significantly impacting their budgets especially if they have set staffing levels to meet initial pupil numbers and needs and then find themselves with fewer students going forward.”

45. Therefore, the LA determined that a PAN of 60 (two forms of entry) should be implemented at The Sele for the September 2026 Reception intake onwards. The LA have told me this would enable the School to meet the needs of its catchment area pupils, as well as continuing to have in the region of 20 places that could be offered to pupils outside of catchment. The admission figures to Reception for September 2020 onwards provided to me confirm that all in-catchment children expressing a preference for The Sele would receive a place at the School with a number of places still available for out of catchment children. Not necessarily as high as 20, but at least 14 additional places based on the figures provided for the last 6 years of intake, and 22 based on the 2025 figures supplied by the School.

46. Based on the figures provided by the LA, in-catchment pupils for 2024 and 2025 make up in excess of 60% (63% in 2024, 61% in 2025) of the current pupils on roll at The Sele. The LA have indicated the remaining pupils at the School live in other school catchments within the Hexham Partnership, other Northumberland partnerships/ planning areas and a small number from out of the county. Of the non-catchment pupils, 19% I am told live in the catchments of small, rural schools and undertake significant daily car journeys to attend The Sele, passing other schools along the way. Apart from the financial impact on those small schools, the LA have said “this does not support the Council’s policy to reduce car journeys to schools and lessen the impact on the environment.” Hexham First School and Shaftoe Trust Primary School in the Haydon Bridge Partnership/ planning area are particularly impacted by loss of catchment pupils to The Sele, with 34% of Hexham First catchment pupils on roll at The Sele (data from 2022/23) and 13% of Shaftoe Trust catchment pupils on roll at The Sele. The LA say that

“with the birth rate in The Sele catchment continuing to fall since 2022/23, refreshed data is likely to show an increase in the percentage of out of catchment pupils.” The refreshed data supplied in December 2025 does show the number of out of catchment pupils is increasing but only at a small rate for now. Birth data for 2026 and 2027 show in catchment children will reduce further but will increase quite significantly again for 2028 admission. However, if all 53 eligible children in catchment were to apply for a place at The Sele for September 2028 admission, all 53 would receive a place based on a reduced PAN of 60.

47. In terms of the specific impact of reduced PAN on out of catchment children, the LA have said that “only the excessive surplus places offered to out of catchment children have enabled the School to have cohorts larger than 60. Given the continuing fall in birth rate, the percentage of out of catchment children (currently just under 40%) is set to continue to increase and at some point in the near future, they could outnumber catchment children as a result of continuing falling birth rates across the whole Hexham Partnership.”

48. It is clear from the figures set out above that even with a reduced PAN of 60, a significant number of places will still be available to out of catchment children and that this figure is more likely to increase than decrease.

Effect of reduced PAN on other year groups and those attending the School’s nursery provision

49. The School is additionally concerned about the effect of a reduced PAN on other year groups at the School.

50. The PAN applies to a relevant age group only as described in paragraph 17. A higher PAN (in excess of 60) would result in the School, because of the effect of the Infant Class Sizes Regulations 2012 (the 2012 Regulations), requiring three Reception teachers rather than two. The 2012 Regulations impose a limit of 30 children in an infant class (that is, classes containing Reception, Year 1 and Year 2 children) unless an exception applies. Generally a reduction in PAN will mean a consequent reduction in the number of pupils schools might expect to receive, although it will be open to the School to admit more pupils in-year in years where the 2012 Regulations do not apply (namely Year 3 and Year 4).

51. No specific evidence of the likely impact that a reduced PAN in Reception will have on other year groups has been produced by the School.

52. It is also the case that as a direct result of the effect of the 2012 Regulations that the LA was required to choose a PAN of 60 (rather than any other number between 60 and 84) in order to reduce the number of classes to two.

53. In terms of the impact on those attending the School’s nursery and concerns raised that there will be insufficient places available for those attending nursery to make

the transition to Reception at the School, attendance at a school nursery cannot guarantee a place in Reception. A separate application must be made for any transfer from nursery to primary school (paragraph 15(d) of the Code). Paragraph 1.42 of the Code states that admission authorities may give priority in their oversubscription criteria to children who: (a) are in a nursery class which is part of the school; or (b) attend a nursery that is established and run by the school. The nursery must be named in the admission arrangements and its selection must be transparent and made on reasonable grounds.

54. The admission arrangements make clear that attendance at the School's nursery does not guarantee admission to the School's Reception, nor is it a factor in allocating places. Further, there is not a nursery priority in the School's oversubscription criteria.

Reduction of PAN creates unreasonable geographic barriers for local families

55. The School have said that reducing its PAN "creates unreasonable geographic barriers for local families, effectively making a place conditional upon living in a particular part of Hexham. This will adversely impact those children from lower socio-economic backgrounds, whose families cannot afford to live in central or West Hexham. Attendance at The Sele First should not be conditional on family income. The Local Authority's arrangements will likely render that the case."

56. In response the LA have said that 13% of pupils on roll at The Sele are eligible for Free School Meals (FSM). Further, that five other of the eleven schools in the Hexham Partnership have the same or higher levels of pupils eligible for FSM, with one school having 35% students on FSM and another with 23% students on FSM. The result is that it is not envisaged that the reduction of the PAN at The Sele will have any impact on the current ability of lower income families to access the educational establishment of their choice in the west of the county. I have not been provided with any evidence to the contrary.

The viability of the Grade II listed building housing the School

57. The School is concerned that the PAN reduction would result in lower funding while the School's fixed costs remain the same. The School has also explained that "the PAN reduction will have a significantly negative impact on the maintenance, safety and care of our Grade 2 listed building."

58. No further details of the costs and impacts have been supplied and it is not entirely clear who owns the building and is responsible for its upkeep, but it would appear to be the School. The LA have commented that "it is envisaged that a PAN of 60 and capacity of 420 students will generate sufficient funding for the [S]chool to continue to manage the maintenance of its building. The number of students on roll overall at the [S]chool has been falling for a number of years and the [S]chool has not complained to date that it does not have sufficient funds to manage its maintenance requirements."

59. In addition, specific grants are available from the Department for Education (DfE) which allocates funding each year to help maintain and improve the condition of school buildings and grounds.

60. For the 2025 to 2026 financial year, eligible schools could access funding through either:

- school condition allocations (SCA), with funds paid to eligible bodies responsible for maintaining school buildings
- the Condition Improvement Fund (CIF) – a bidding round with funds paid directly to single academy trusts, small multi-academy trusts, small voluntary aided bodies and sixth-form colleges

61. School condition funding includes capital allocations for local authorities and local-authority-maintained schools, including maintained nursery schools. Local authorities also receive direct SCA to invest in priorities across the schools for which they are responsible.

62. Grants for listed buildings, including Grade II listed school buildings, are also available from other awarding organisations specialising in heritage conservation to cover various maintenance and repair costs.

63. The DfE has produced non statutory guidance “Managing older school buildings” (revised December 2025) to assist schools, LAs and other bodies in managing and maintaining older school buildings.

64. Funding for the maintenance of school buildings is allocated separately to pupil funding allocations and there are several avenues for the School and LA to explore to ensure that the building continues to be properly maintained.

65. For the reasons given above, I consider the decision made to reduce the PAN of The Sele from 84 to 60 to be within the range of reasonable decisions open to the LA as the decision maker in considering the viability of all schools across the Hexham Partnership area and in the wider LA area, in the light of the increasing impact of the general trend of falling birth rates and falling pupil numbers in some parts of the county of Northumberland. I therefore do not uphold the objection to the reduction in the School’s PAN from 84 to 60.

Other matters/ Section 88I consideration

66. As stated earlier in the determination, I have used my section 88I jurisdiction to consider the arrangements as a whole and make the following conclusions. I raised the issues described below in my jurisdiction and information paper. No responses were received from any party to the objection on these other matters.

67. Paragraph 14 of the Code requires that arrangements must be clear for parents as to how places are allocated. The issues listed below apply to that paragraph of the Code unless otherwise specified.

68. Oversubscription criterion 3: the arrangements are unclear as to what sort of evidence would meet the “firm evidence” criteria, for example, evidence of home address.

69. Oversubscription criterion 3: the date for submission of the written statement of a professional third party is stated as 16 January 2025, which date was prior to arrangements being determined. The date needs to be amended (presumably to 16 January 2026).

70. Tie-breaker: this must include provision for cases where parents have shared responsibility for a child following the breakdown of their relationship and the child lives for part of the week with each parent (paragraph 1.13 of the Code).

71. Same sex parents: the arrangements could reflect that it is possible (since 2014) for same sex partners to be married.

Determination

72. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I do not uphold the objection to the admission arrangements for September 2026 determined by Northumberland County Council for The Sele First School in Hexham, Northumberland.

73. I have also considered the arrangements in accordance with section 88I(5) and find there are other matters which do not conform with the requirements relating to admission arrangements in the ways set out in this determination.

74. 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 the date of the determination unless an alternative timescale is specified by the adjudicator. In this case I determine that the arrangements must be revised by 28 February 2026 to dovetail with the date by which all admission authorities must determine their admission arrangements for 2027/2028.

Dated: **5 January 2026**

Signed:

Schools Adjudicator: Emma Harrison