



Office of
the Schools
Adjudicator

Determination

Case references: VAR2690 and VAR2700

Admission Authority: Hampshire County Council for Netley Marsh Church of England Infant School

Date of decision: 14 April 2026

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 Netley Marsh Church of England Infant School for 2025/26.

I determine that the published admission number, for admissions to the Reception Year in 2025/26, shall be 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 Hampshire County Council for Netley Marsh Church of England Infant School for 2026/27.

I determine that the published admission number, for admissions to the Reception Year in 2026/27, shall be 14.

The referral

1. Hampshire County Council (the Admission Authority; the Local Authority) has referred to the adjudicator a proposal for variations to the admission arrangements for Netley Marsh Church of England Infant School (the School) for the respective school years 2025/26 (the 2025 arrangements) and 2026/27 (the 2026 arrangements).
2. The School is a voluntary controlled school for children aged four to eleven years in the village of Netley Marsh on the eastern edge of the New Forest National Park. It is a co-educational school with a Church of England religious character, and the religious authority for the School is the Diocese of Winchester (the Diocese).

3. The proposed variations are that the published admission number (PAN) of the School, which applies to admissions to the reception year (Year R), be reduced from 30, as determined, to 26 for 2025/26, and 14 for 2026/27.

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 2025 arrangements were determined by the Local Authority on 20 February 2024. The 2026 arrangements were determined by the Local Authority on 12 February 2025.
6. The Local Authority has provided me with confirmation that the appropriate bodies have been notified of the proposed variations in line with the Code, and that the governing body of the School has been consulted on the proposed variations. I find that the appropriate procedures were followed, and I am satisfied that the proposed variations are within my jurisdiction.
7. In considering the variation requests, I have had regard to all relevant legislation and the Code.
8. The information I have considered in reaching my decisions includes:
 - the referral from the Local Authority dated 26 February 2026, and supporting documents;
 - the determined arrangements for 2025/26 and 2026/27, and the proposed variations to those arrangements;
 - responses from the Local Authority, the governing body of the School, and the Diocese to my requests for further information;

- maps, including Google Maps and those showing the location of the School; and
 - information available on gov.uk websites (including the 'Get Information About Schools' (GIAS) and 'Financial Benchmarking and Insights Tool' (FBIT) websites); and that on the websites of the Local Authority and the School.
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 changes to arrangements 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.
 10. I note here that the admission arrangements of the School for 2027/28 have recently been determined, and that the PAN is set at 30. This means that if I decide to vary the 2026 arrangements by reducing the School's PAN from 30 to 14 as proposed, it will be for 2026/27 only and will not have a bearing on subsequent years.
 11. In the interest of dealing speedily with this and other requests for variations for schools, particularly those from Hampshire County Council, I have not considered other aspects of the two 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.

Consideration of proposed variations

12. 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 variations are justified by the change in circumstances.
13. The Local Authority has proposed that the PAN of the School be reduced from 30 to 26 in 2025/26, and 14 in 2026/27. The Diocese and the governing body of the School support the proposed variations.
14. Having regard to the declining birth rates and admissions to Year R in recent years, the Local Authority told me the following reason for it seeking variations to the PAN for the School:

“At Netley Marsh CE Infant School, the PAN for 2025/26 is 30, yet only 26 children are currently on roll in that year group. Across the Totton Primary planning area, there are 362 children on roll in the current Year R, against a total capacity of 386 places. For the 2026/27 academic year, the school's PAN remains 30. However, only 11 first-preference applications have been received.

Analysis of the Totton Primary planning area shows a clear surplus of places across the infant phase, as stated above, with 349 first preferences for 405 Reception places in 2026/27. Several schools are significantly under-subscribed ... This demonstrates that reduced demand is planning-area-wide, and a lower PAN at Netley Marsh CE Infant School can be accommodated without disadvantaging families while supporting the school's financial viability...The variation is therefore a necessary and proportionate response to the declining number of applications.”

15. I have considered the latest available data to form a view about the sufficiency of school places in the local area if the PAN of the School is reduced from 30 to 26 in 2025/26, and 14 in 2026/27. I have also considered the demand for places at the School, the reasons given for the change in demand, the potential effect of the proposed PAN reductions on parental preference, and whether the proposed reductions are justified taking into account all relevant circumstances.
16. The Local Authority has a duty to ensure that there are sufficient school 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 and the schools within those areas, for this purpose. The School is based in ‘Totton Primary planning area’ (the planning area), and I have considered the data that the Local Authority has provided for that area.
17. In the planning area, there are nine schools, including the School, for which the usual year of entry is Year R. The data set out in Table 1 show the number of Year R places and the number of children admitted to, or forecast to require a place at, those schools within the planning area. Table 1 also demonstrates the effect of the proposed PAN reductions for the School on surplus places in the planning area. Relatedly, I note that another adjudicator is currently considering a proposed variation to the admission arrangements for a different school within the same planning area, for the PAN of that school to be reduced from 30 to 17 in 2026/27. Without prejudice to the outcome of that separate request, the data shown below in Table 1 assume that the combined PAN of the planning area would be reduced for both schools, otherwise the forecast in the table may overstate the available places in the area.

Table 1: Year R places available at schools within the planning area, and the number of children admitted to, or forecast to require a place at, those schools.

	2025	2026
Number of places in Year R at the schools in the planning area (with a PAN of 30 at the School)	386	405
Number of children admitted (2025), and forecast to require Year R places (2026)	362	345
Vacant places	24	60
Vacant places as a percentage	6.2	14.8
Number of places in Year R if variation approved (with a PAN of 26 at the School in 2025, and 14 in 2026)	382	376
Vacant places if variation approved (actual for 2025; forecast for 2026)	20	31
Vacant places as a percentage if variation approved (actual for 2025; forecast for 2026)	5.2	8.2

18. The Department for Education’s document, “Basic need allocations 2026-27 and 2027-28: 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.” From the data above I note that the proportion of vacant places in the planning area would remain well above the suggested two per cent if I agreed to the proposed variations.
19. I am satisfied that if the PAN of the School were to be reduced to 26 for 2025/26 and 14 for 2026/27, there would be sufficient places for children living in the planning area and seeking a Year R place.
20. I turn now to the demand for places at the School. Table 2 shows the number of children admitted to the School in 2025, and the preferences data in the two years. The Table uses the proposed PAN of 26 for 2025, and 14 for 2026.

Table 2: The number of children admitted to the School in 2025, and the forecast number of places required in 2026.

	2025	2026
The PAN for the School	26	14
Number of first preferences	23	11
Number of children admitted to Year R (2025), and forecast to require places (2026)	26	14
Vacant places	0	0

21. At this point in the school year, the vast majority of children who will require a Year R place during the current year must have already been allocated a place. In response to my request for further information, the Local Authority has confirmed that the School is not currently in receipt of any in-year admission to Year R, and that no child has applied for and been delayed admission to Year R until the beginning of the summer term in April 2026 when they have reached compulsory school age in March.
22. I am persuaded that there is very little risk that any child seeking a Year R place at the School would be without a place if the variation to the 2025 arrangements were to be agreed.
23. As for September 2026, parents could not have considered preferences and made their applications for 2026/27 in the knowledge that the PAN of the School could be reduced to 14. The Local Authority told me that 11 first-preference applications were submitted for the School, and that on national offer day (16 April 2026) there are 14 offers to be made for all those 11 first-preference and a few second-preference applications. The Local Authority also noted that the wider surplus in the planning area would accommodate most parental preferences.
24. I am satisfied that there is unlikely to be any substantial frustration of parental preference if the proposed variation were to be agreed for September 2026.
25. I will now consider the impact on the School of my approving, or not approving, the proposed variations.
26. The School is one affected by the provisions of the School Admissions (Infant Class Sizes) (England) Regulations 2012 (the Infant Class Sizes 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 Sizes Regulations apply to Year R, Year 1, and Year 2.

27. The School told me that it is currently running one class to accommodate all 26 pupils in Year R. In addition, there are two mixed-age classes for all 40 pupils in Year 1 and Year 2 to optimise the size of each class.
28. As schools are largely funded on the number of pupils and the highest costs to a school budget are staff, it is generally considered financially efficient to have classes that have 30 pupils or close to, but below, 30 pupils. If a school has infant classes that have many fewer than 30 pupils, then this can mean that the income from the number of pupils is less than the costs of providing a class. If this happens over several classes, a school can have severe financial challenges.
29. The School indicated that, should the variation to the 2026 arrangements be approved, the School would restructure from three classes currently to two mixed-age classes (namely, one class for Year R and Year 1, and the other for Year 1 and Year 2) in September 2026.
30. The FBIT website shows that for financial year ending March 2025, the School had an in-year deficit of about £43,000, and a negative balance of about £7,000 in its revenue reserve.
31. The Local Authority has shown me budgetary information to demonstrate that maintaining three classes is financially unsustainable for the School, and that a move to a two-class structure will enable the School to reduce staff cost and improve its long-term financial viability. The governing body of the School added:

“The Governing Body have discussed the need to reduce the PAN at Netley Marsh owing to falling admission numbers. The school is already in deficit and if the school kept to three classes this deficit would increase dramatically and we cannot sustain three classes.”
32. Having considered all the matters above, my reasoning can be summarised as follows:
 - If the proposed variation to the 2025 arrangements is approved, it does not give rise to any concern about the sufficiency of Year R places in the planning area. Those children in the local area seeking Year R places would have been admitted to the School, or any primary school for which their parents expressed a preference. At this point in time, the possibility of parental frustration in relation to in-year admissions is minimal.
 - If the proposed variation to the 2026 arrangements is approved, the reduction in the School’s PAN will be unlikely to result in a substantial frustration of parental preference. The demand arising from all first-preference applications and some second-preference applications for the School would be met under the normal admission round. There is compelling evidence that a reduction in the PAN to 14

would allow the School to plan with more certainty knowing the number of classes and staff members that will be required for 2026/27. This will enable the School to make the best use of its resources, thereby benefitting the School financially in the longer term.

- If the proposed variations are not approved, there would be a negative financial and organisational impact on the School, as it would be obliged to offer a Year R place up to the existing PAN of 30 for any applicant in 2025/26 and 2026/27. There is a risk, however remote, that up to that number could be admitted, thus preventing the switch to the planned two-class structure in September 2026.

33. Taking everything into consideration, I find that the variations are justified by the circumstances and approve both variations.

Determination

34. 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 Netley Marsh Church of England Infant School for 2025/26.

35. I determine that the published admission number, for admissions to the Reception Year in 2025/26, shall be 26.

36. 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 Netley Marsh Church of England Infant School for 2026/27.

37. I determine that the published admission number, for admissions to the Reception Year in 2026/27, shall be 14.

Dated: 14 April 2026

Signed:

Schools Adjudicator: Jackie Liu