



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2715

Admission Authority: Hampshire County Council for New Milton Infant School

Date of decision: 22 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 New Milton Infant School for 2026/27.

I determine that the published admission number for admissions to the Reception Year in 2026/27, shall be 60.

The referral

1. Hampshire County Council (the Admission Authority; the Local Authority) has referred to the adjudicator a proposal for a variation to the admission arrangements (the Arrangements) for New Milton Infant School (the School) for 2026/27.
2. The School is a community school for children aged five to seven in New Milton, Hampshire. It is a co-educational school with no designated religious character.
3. The proposed variation is that the published admission number (PAN) of the School, which applies to admissions to the Reception Year (Year R), be reduced from 90, as determined, to 60 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 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 variation in line with the Code, and that the governing body of the School has been consulted on the proposed variation. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.

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

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

- the referral from the Local Authority dated 24 March 2026, and supporting documents;
- the determined Arrangements and the proposed variation to those Arrangements;
- responses from the Local Authority and the governing body of the School to my requests for further information;
- maps, including Google Maps and those showing the location of the School;
- [VAR2602](#), which I approved in July 2025 a variation to the determined admission arrangements for the School for September 2025 reducing the PAN which applied to admissions to Year R from 90 (as previously determined) to 60; 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 view. 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 view. It also allows for objections to the adjudicator. None of this is afforded by the variation process.

10. I note here that the Arrangements for 2027/28 have been determined, and the PAN is set at 60.

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 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 variation

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.

13. The Local Authority has proposed that the PAN of the School be reduced from 90 to 60 in 2026/27. The proposed variation has the support of the School's governing body.

14. The Local Authority told me the following reason for it seeking a variation to the PAN for the School:

"The PAN for New Milton Infant School for the 2026/27 academic year is currently 90. For the 2026 admissions round, the school received 50 first preferences. The total Year R first preference applications for the planning area total 141, against a combined planning-area capacity of 197, leaving 56 surplus places.

Reception numbers across the New Milton planning area have fallen from 180 in 2023/24 to 151 in 2025/26, creating surplus places across local schools. Over the same period, New Milton Infant School's intake has reduced sharply from 72 in 2023/24 to 45 in 2024/25 (-37 per cent). A PAN reduction to 60 was approved for September 2025 and the school's PAN is scheduled to return to 90 in 2026/27. Reverting the school's PAN to 90 in 2026/27 would significantly exceed local demand and increase an already large surplus of places across the area. It would also risk the school being required to plan for a six-class structure that current pupil numbers cannot support financially."

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 90 to 60 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 reduction on parental preference, and whether the proposed reduction is justified taking into account all relevant circumstances.

16. The Local Authority has a duty to ensure 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 and the schools without those areas, for this purpose. The School is located in 'New Milton Primary planning area' (the planning area), and I have considered the data that the Local Authority has provided for that area.

17. Along with the School there are three other schools in the planning area for which the usual year of entry is Year R. In relation to Year R entry for September 2026, the combined PAN of the planning area is 197, and the number of children forecast to be offered a place is 146.

18. The DfE document, "Basic need allocations 2026-27: 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, there would be a surplus of Year R places for September 2026 (about 21 places, representing 12.6 per cent of the reduced combined PAN of 167 places), which is above the suggested two per cent, if I agreed the proposed variation to reduce the School's PAN by 30 places.

19. I am satisfied that if the PAN of the School were to be reduced to 60 for 2026/27, there would be sufficient places in the planning area for any children who might be seeking a Year R place both for September 2026 and in-year admissions.

20. I turn now to the demand for places at the School. The Local Authority advised me that it made 52 offers on national offer day (16 April 2026) for applications for Year R places at the School, leaving eight vacant places for late or in-year applications if necessary. I am satisfied that there is unlikely to be any substantial frustration of parental preference if the variation were to be agreed for September 2026.

21. I will now consider the impact on the School of my approving, or not approving, the proposed variation.

22. 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.

23. At present, the School is operating six classes, with two classes in year R (with 21 and 23 pupils respectively), and four mixed-age classes in Year 1 and Year 2 to optimise the size of each class.

24. As schools are largely funded on the number of pupils and the most expensive element of a school budget is staff, it is generally considered financially efficient to have infant classes that have 30 pupils or close to, but below, 30 pupils. If a school has classes that are many less than 30, 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.

25. The Local Authority indicated that, should the variation to the Arrangements be approved, the School would restructure from six classes currently to five classes (namely, two classes for Year R, and three mixed-age classes for Year 1 and Year 2) in September 2026.

26. The FBIT website shows that for the financial year ending March 2025, the School had an in-year deficit of about £5,000, and a revenue reserve of £84,000. Both the Local Authority and the School have shown me budgetary information to demonstrate that maintaining six classes is financially unsustainable for the School, and that a move to a five-class structure would enable the School to reduce staff cost and improve its long-term financial viability.

27. The School stressed that:

“The governing body fully supports the requested changes and considers these to be essential to ensure the long-term financial viability of the school. If the variation is not agreed, this will have a detrimental effect on the school’s financial viability which could put the long-term future of the school in jeopardy.”

28. Having considered all the matters above, my reasoning can be summarised as follows:

- If the proposed variation is approved, the reduction in the School’s PAN will be unlikely to result in a substantial frustration of parental preference. There are surplus places at the School for late or in-year admissions after offers were made on national offer day. There is compelling evidence that a reduction in the PAN to 60 will 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 variation is not approved, the School would be obliged to offer a Year R place up to the existing PAN of 90 for any applicant in 2026/27. There is a risk, however remote, that up to that number could be admitted, thus preventing the switch to the planned five-class structure starting from September 2026.

29. Taking everything into consideration, I find that the variation is justified by the circumstances and approve it.

Determination

30. 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 New Milton Infant School for 2026/27.

31. I determine that the published admission number, for admissions to the Reception Year in 2026/27, shall be 60.

Dated: 22 April 2026

Signed:

Schools Adjudicator: Jackie Liu