



Determination

Case reference: VAR2696

Admission Authority: Warwickshire County Council for Bishopton Primary School

Date of decision: 29 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 Warwickshire County Council for Bishopton Primary School for 2027/28.

I determine that the published admission number for admissions to the Reception Year in 2027/28 shall be 30.

The referral

1. Warwickshire 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 Bishopton Primary School (the School) for 2027/28.
2. The School is a community school for children aged five to eleven years in Stratford-upon-Avon. 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 45, as determined, to 30 for 2027/28.

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 2026.
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 decisions includes:
 - the referral from the Local Authority dated 10 March 2026, and supporting documents;
 - the determined Arrangements and the proposed variations 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; 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 for the School for 2028/29 have not yet been determined. This means that if I decide to vary the Arrangements for 2027/28 by reducing the School's PAN from 45 to 30 as proposed, it will have the effect of forming the 'baseline' for subsequent years.
11. In the interest of dealing speedily with this and other requests for variations for schools, 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 45 to 30 in 2027/28. The governing body of the School supports the proposed variation.
14. The referral mentioned declining birth rates and admissions to Year R in recent years in justifying the proposed variation. This could have been envisaged or considered by the Local Authority before consulting on any proposed change to the previous admission arrangements and determining those for 2027/28.
15. It was unusual for the Local Authority to have determined the 2027 Arrangements in February 2026, and then shortly after that to seek a variation to the determined Arrangements. This gives the impression of the Local Authority seeking to bypass the due consultation process, as required under paragraph 1.45 of the Code, when not consulting on the proposed reduction of the School's PAN for 2027/28.
16. The Local Authority explained in the referral form:

“[The Local Authority] approached the school to consider a PAN reduction as part of the review of the 2027/28 admission arrangements. Unfortunately, the Head Teacher was (and still is) off long term. At the time, the governing body did not feel able to make the decision to reduce the PAN. There have since been changes within the governing body and the LA was approached to request that the PAN is reduced.”
17. In response to my further request for information, the Local Authority has explained to me in detail the sequence of events concerning the prolonged absence of the School's headteacher, its other staffing and management issues, and the debt recovery conversation between the Local Authority and the School. These circumstances together had prevented the Local Authority and the governing body of the School from resolving to consult relevant parties and consider the proposed reduction of the School's PAN for 2027/28 before the determination of the Arrangements in February

2026. I do not see the need to elaborate on such details here, but it suffices for me to say that, however unfortunate, this is still not desirable from a procedural point of view (see paragraph 9 above).

18. That said, having considered the explanation given by the Admission Authority and the governing body of the School, I am satisfied, on balance, that this request is within the remit of paragraph 3.6 of the Code (as above) which permits admission authorities to propose variations “where they consider such changes to be necessary in view of a major change in circumstances”.
19. I have therefore 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 45 to 30 in 2027/28. 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.
20. 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 ‘Stratford Town Planning area’ (the planning area), and I have considered the data that the Local Authority has provided for that area.
21. In the planning area, there are eight 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 or offered a place to, or forecast to require a place at, those schools within the planning area. Table 1 also demonstrates the effect of the proposed PAN reduction for the School on surplus places in the planning area. Relatedly, in January 2026, another adjudicator approved via [VAR2653](#) the proposed variation to the determined admission arrangements for another primary school in the planning area by reducing the PAN of that School from 60 to 30 for September 2026. This explains why the combined PAN of Year R places in the planning area is reduced from 330 to 300 in 2026, as shown below.

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

	2025	2026	2027
Number of places in Year R at the schools in the planning area (with a PAN of 45 at the School)	330	300	300
Number of children admitted (2025), offered a place (2026), and forecast to require Year R places (2027)	288	263	276
Vacant places	42	37	24
Vacant places as a percentage	12.7	12.3	8.0
Number of places in Year R if variation approved (with a PAN of 30 at the School in 2027)	NA	NA	285
Forecast vacant places if variation approved	NA	NA	9
Forecast vacant places as a percentage if variation approved	NA	NA	3.2

22. 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 above the suggested two per cent if I agreed to the proposed variation for 2027/28.
23. I am satisfied that if the PAN of the School were to be reduced to 30 for 2027/28, there would be sufficient places for children living in the planning area and seeking a Year R place.
24. 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 recent years. The Table uses the proposed PAN of 30 for 2027.

Table 2: The number of children admitted to the School in 2025, offered a place in 2026, and the forecast number of places required in 2027.

	2025	2026	2027
The PAN for the School	45	45	30
Number of first preferences	27	34	NA
Number of children admitted to Year R (2025), offered a place (2026), and forecast to require places (2027)	42	39	NA
Vacant places	3	6	NA

25. The Local Authority is not able to give a definitive forecast of the number of first preferences for the School or the number of Year R places likely to be offered in 2027/28. In response to my request for further information, the Local Authority stated:

“Of the 39 places offered at the school on National Offer Day 2026, only 12 were from children living in the priority area. NHS data showed 25 relevant children living in the priority area.

Current NHS data shows 27 relevant children living in the priority area due to start school in September 2027, 22 living in the priority area due to start school in September 2028 and 14 living in the priority area due to start school in September 2029.”

26. In addition, two other primary schools in the planning area are within one mile of distance from the School. Any parent who is not successful in securing a place for their child at the School will likely be able to secure a place at a nearby school in the area. This being the case, 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 2027.
27. I will now consider the impact on the School of my approving, or not approving, the proposed variations.
28. 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.
29. The School told me that it is currently running two classes to accommodate all 42 pupils on roll in Year R. In addition, there are two classes in each of the year groups from Year 1 to Year 6, but many classes have fewer than 30 pupils. The School plans to restructure from running 14 classes now to 12 classes in 2026/27 by introducing

mixed-age teaching in Years 1 and 2, and Years 3 and 4, while keeping two Year R classes to accommodate the incoming cohort up to the established PAN of 45 in September 2026.

30. 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 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.
31. The School indicated that, should the variation to the Arrangements be approved, the School would only run one Year R class in September 2027, thereby further reducing the total number of classes to eleven.
32. The FBIT website shows that for financial year ending March 2025, the School had an in-year deficit of about £70,000, and a negative balance of about £83,000 in its revenue reserve.
33. The Local Authority and the School have shown me budgetary information to demonstrate that maintaining 14 classes is financially unsustainable for the School, and that a gradual move to an 11-class structure in 2027/28 will enable the School to reduce staff cost and improve its long-term financial viability.

34. The Local Authority stated:

“Over the past year, the school has entered a period of severe financial strain, with a projected deficit of over £700,000 in the next couple of years. This pressure is being compounded by a continuing decline in birth rates, which is directly impacting the Reception intake ... [An] intake of 39 have been offered for September 2026, which will further intensify the deficit. As mentioned above, the Head Teacher has been on a leave of absence since September, necessitating staffing restructuring that has had a further negative financial impact. The school is engaging with the Council in a Debt Recovery Group and also has undergone a [school resources management adviser] survey to help to address the deficit. However, a reduction of PAN to 30 would be a significant help in terms of the school's planning for the future.”

35. The School added:

“If the PAN is not reduced, the school will continue to face –

- ongoing structural deficits driven by funding that does not match staffing and class organisation requirements;
- continued operation of very small parallel classes, resulting in inefficiencies and poor value for money;

- reduced flexibility in deploying staff effectively across the school; and
- an increasing risk to the long-term sustainability and stability of the school.”

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

- If the proposed variation is approved, parents and other relevant parties would not have been able to express their view on the reduction of the School’s PAN with effect from September 2027. However, from the data given by the Local Authority, such a variation will be unlikely to give rise to any concern about the sufficiency of Year R places in the planning area. The reduction in the School’s PAN will be unlikely to result in a substantial frustration of parental preference. There is compelling evidence that a reduction in the PAN to 30 will allow the School to plan with more certainty knowing the number of classes and staff members that will be required for 2027/28. 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, 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 45 for any applicant in 2027/28. There is a risk that up to that number could be admitted, thus preventing the switch to the planned 11-class structure for the School in September 2027.

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

Determination

38. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Warwickshire County Council for Bishopton Primary School for 2027/28.
39. I determine that the published admission number for admissions to the Reception Year in 2027/28 shall be 30.

Dated: 29 April 2026

Signed:

Schools Adjudicator: Jackie Liu