Office of the Schools Adjudicator

Determination

Case references: **VAR2761 and VAR2762**

Admission Authority: **Leeds City Council for New Bewerley Community School**

Date of decision: **20 August 2026**

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by Leeds City Council for New Bewerley Community School for 2026/27 and 2027/28.

I determine that for September 2026 the published admission number shall be 30.

I determine that for September 2027 the published admission number shall be 30.

The referral

1. Leeds City Council (the Admission Authority) has referred to the adjudicator a proposal for variations to the admission arrangements for New Bewerley Community School (the School) for the academic years 2026/27 and 2027/28 (the Arrangements).

2. The School is a school for children aged four to eleven years in Beeston, Leeds. It is a co-educational non-selective school with no designated religious character.

3. The Admission Authority for the School is the local authority (LA). As the LA is the Admission Authority, both terms are used throughout this determination.

4. Parties to the request are the LA and the School.

5. The proposed variations are to reduce the published admission number for entry to reception (YR) from 60 to 30 for each of 2026/27 and 2027/28.

Jurisdiction and procedure

6. 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".

7. The Arrangements were determined by the Admission Authority on 12 February 2025 for 2026/27 academic year, and on 12 February 2026 for the 2027/28 academic year.

8. The Admission Authority has provided me with confirmation that the appropriate bodies have been notified of the proposed variations in line with the Code. The LA has provided me with confirmation that the governing body of the School has been consulted on the proposed variations.

9. 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. The information I have considered in reaching my decisions includes:

- the referral from the Admission Authority dated 16 June 2026 and supporting documents;
- the determined Arrangements for 2026/27 and 2027/28 and the proposed variations to those Arrangements;
- responses from the LA to my request for further information;
- maps, including Google Maps and those showing the location of the School; and
- information available on the websites of .gov.uk. (including the 'Get Information About Schools' (GIAS) and 'Financial Benchmarking and Insights Tool' (FBIT)).

12. I would like to extend my thanks to the LA for their response to my request for further information.

13. 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.

14. I note here that the Arrangements for 2028/29 have not yet been determined. This means that if I decide to approve the proposed variation to the Arrangements for 2027/28 by reducing the published admission number (PAN) as proposed, it will have the effect of forming the 'baseline' for subsequent years.

Consideration of proposed variations

15. 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.

16. For both 2026/27 and 2027/28 the PAN in the determined arrangements is 60 children. The Admission Authority has proposed that the PAN for admission to YR in 2026 and 2027 be reduced from 60 to 30. For clarity, the PAN applies to the expected number of children the School is required to admit in September of the admission year, and in-year while the children are in the year of admission.

17. The Admission Authority told me that the reason for it seeking variations for the School is that, since the admission arrangements were determined for 2026, there has been a "significant and unforeseen" reduction in local demand for places at the school. Following national offer day in April 2026, the number of pupils allocated places at the School is well below 30, resulting in the School being unable to fill a single class to capacity of 30 pupils.

18. The LA highlights that the reduced level of demand has created both organisational and financial challenges for the school. In addition, the LA is clear that there is sufficient capacity in the local area to accommodate pupils, stating that "there are vacancies at four other schools within the planning area, meaning that parents will still be able to secure a place at an accessible and appropriate school". The LA argues that the proposed variations would therefore not disadvantage local families or inhibit access to school places in the area.

19. The LA has a duty to ensure that there are sufficient places for the children in its area. To fulfil this duty the LA assesses the likely future number of places to be needed and plans to meet that need. The LA uses planning areas, which are geographical areas and the schools within those areas, for this purpose.

20. The School is in the Holbeck Primary Planning Area alongside seven other primary schools with reception classes. All of the schools in the planning area are within one mile of the School.

Table 1. School places in the planning area, and the number of children admitted.

	2023	2024	2025	2026
Number of places in YR in schools in the planning area with School PAN at 60.	405	405	405	405
Number of children on roll (2023-25) or allocated places on national offer day (2026).	378	347	324	298
Vacant places.	27	58	81	107
Vacant places as a percentage of total.	6.7	14.3	20.0	26.4

21. If the variation to the PAN in 2026 was approved, the number of places in the planning area would be 375, with 77 vacant places in the planning area in 2026. This means 20 per cent of the total places available would be vacant.

22. The Department for Education document "Basic need allocations for 2026-27 and 2027-28, Explanatory note on methodology", refers to the assumption of a two percent surplus capacity "to provide an operating margin for local authorities." This supports parental choice, pupil population movement, and general manageability of the system. The data in Table 1 illustrate that, should the requested PAN variation be approved, the projected capacity of 20% in 2026 provides more than sufficient school places in the area for any parents seeking a place in YR for their children.

23. The LA projected numbers for the planning area in 2027 and 2028 are 380 and 398 respectively. This means that if the variation is approved for 2027 the LA could have insufficient places in the planning area to meet the demand. However, I note that the LA projected 364 pupils in 2026, and 298 have been allocated places. This illustrates the "unforeseen" drop in demand stated by the LA in their rationale for seeking a variation.

Table 2: The number of first preference applications for the School between 2024 and 2026; and the number of children admitted or offered a place.

	2024	2025	2026
The PAN for the School	60	60	30 (proposed)
Number of first preferences	37	34	18
Number of children admitted or offered a place	41	34	20

24. Data in table 2 illustrate that the demand for places in the School has dropped substantially over recent years and, even running one class in YR, would leave 10 vacant

places in the year group. This means, should parents wish to secure a YR place at the School, their preference is unlikely to be frustrated.

25. I have considered the impact of decreasing admission numbers on school finances balanced against the impact reducing the School's PAN will have on meeting parental preference. In March 2025, FBIT reports that the School had an in-year balance of approximately £64,000, with a revenue reserve of around £151,000. Since then, the demand for places in the School has dropped, and pupil numbers have fallen as a consequence. School funding is based on pupil numbers, so I accept the assertion from the LA that:

> "The school has a large deficit budget at the current time, and this is projected to increase significantly over the next two years to considerably more that £1m. The School is working with the LA to proactively manage this and has a Deficit Action Plan. Having a PAN in place as soon as possible that is more in line with current and likely future allocations would provide more stability and clarity in terms of future staffing requirements and would improve the School's financial position".

26. Infant class sizes are limited to 30 (as set out in The School Admissions (Infant Class Sizes) (England) Regulations 2012 and in paragraph 2.16 of the Code). The cost of a teacher and the resources necessary for an infant class, when compared to, say, a junior or secondary school teacher / class (where numbers are not limited), has to be borne by proportionately smaller income from the children admitted to infant classes. It is clear from information provided by the LA that continuing to provide two infant classes in each year at the School is unsustainable.

26. The Admission Authority has presented a compelling argument for the variations it proposes. Unforeseen drop in demand for YR places at the School has the potential to place the School in increasingly difficult financial circumstances unless they are able to plan with more certainty over the coming years. I accept that the LA has provided compelling evidence that it will be able to manage school places in the planning area by reducing the PAN at the School for 2026/27 and 2027/28. I also note the LA's commitment to reconsidering the PAN for 2028/29 in light of emerging data and following planning consultation in Autumn 2026.

27. I, therefore, agree that the PAN for entry to YR at New Bewerley Community School shall be reduced from 60 to 30 for the 2026/27 and 2027/28 academic years.

28. I note here that reducing the PAN does not reduce the overall capacity of the School unless accommodation is being removed from the premises. It is not being suggested that accommodation is being removed and so the physical capacity of the School remains the same. Reducing the PAN will not change that. What this means is that should there be a need for the School to increase its PAN and / or admit more children in future years than it currently expects to, there remains the capacity in the building for it to do so.

Determination

29. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by Leeds City Council for New Bewerley Community School for 2026/27 and 2027/28.

I determine that for September 2026 the published admission number shall be 30.

I determine that for September 2027 the published admission number shall be 30.

Dated: 20 August 2026

Signed:

Schools Adjudicator: Mr Philip Lloyd