



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** ADA4267

**Objector:** Oxfordshire County Council

**Admission Authority:** Aspirations Academies Trust for Wykham Park

**Date of advice:** 8 September 2026

## Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements determined by Aspirations Academies Trust for Wykham Park for 2027/28.

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 this determination.

## The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998 (the Act), an objection has been referred to the adjudicator by Oxfordshire County Council (the local authority or LA)), about the admission arrangements (the Arrangements) for September 2027 for Wykham Park (the School, WP). The School is a sponsor led academy for eleven to eighteen year olds, located in Banbury, Oxfordshire.
2. Oxfordshire County Council is the LA for the area in which the School is located as well as the objector.
3. The parties to the objection are:
  - The LA (Objector)
  - Aspirations Academies Trust (the Trust)
  - The School.

4. The objection is to the reduction of the published admission number (PAN) for the School, for admission to year 7 (Y7) in 2027/28, from 180 to 150. The LA asserts that the reduction in PAN, reducing available places in the planning area, would mean that the LA would be unable to meet its statutory duty under section 14 of the Education Act 1996 to secure sufficient school places.

5. I would like to take the opportunity to express my thanks to all parties for the way in which they presented their views, responded respectfully to each other's submissions, and for their prompt responses to my requests for further information.

## **Jurisdiction**

6. The terms of the academy agreement between the Trust and the Secretary of State for Education require that the admissions policy and arrangements for the School are in accordance with admissions law as it applies to maintained schools.

7. These arrangements were determined under section 88C of the Act by the Trust which is the Admission Authority for the school. The Arrangements were determined on 26 February 2026.

8. A consultation period took place prior to the determination of the Arrangements between 1 December 2025 and 26 January 2026.

9. The LA submitted its objection to the determined arrangements on 15 May 2026.

10. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and it is within my jurisdiction.

11. I have not considered the Arrangements as a whole under section 88I of the Act. The Admission Authority should not take the fact that I have not raised any other matters about the Arrangements as an endorsement of their compliance with the Code.

12. Although the Trust is the Admission Authority, it has been the School that has responded to my requests for further information. I will therefore refer to the School and not the Trust in this determination when dealing with those responses.

## **Procedure**

13. In considering this matter I have had regard to all relevant legislation and the Code.

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

- the objection dated 15 May 2026 and supporting documents;

- a copy of the minutes of the meeting of the Trust at which the arrangements were determined;
- the determined Arrangements for 2027/28;
- responses from the LA and the School to the objection and to my requests for further information;
- confirmation of when consultation on the Arrangements last took place and details of the nature of the consultation and responses to it;
- maps showing the location of the School;
- information available on the websites of gov.uk (including the 'Get Information About Schools' (GIAS) and 'Financial Benchmarking and Insights Tool' (FBIT) websites), the LA, the School, and Ofsted.

15. I have been provided with a substantial amount of information by the LA and the School. I have referred only to that which has a bearing on my determination. This includes concerns raised during the consultation period by the LA about a range of other issues in the Arrangements that are not a part of this objection.

## Background

16. GIAS says that the School is a sponsor led academy for pupils aged between 11 and 18 years old. It is a mixed, non-selective school. The School is located in Banbury in Oxfordshire.

17. The School became an academy on 1 August 2012, when a funding agreement was signed between the Aspirations Academies Trust and the Secretary of State. In March 2015, parties executed a deed of variation to amend the funding agreement. The name of the School changed to Wykham Park Academy Banbury in 2018, having previously been known as Banbury Academy.

18. Aspirations Academies Trust oversees 16 schools in the south of England, including primary and secondary academies. In 2014 the Trust opened a studio school, Futures Institute offering up to 300 places for students aged between 14 and 19 years on the same campus as the School, known as the Banbury Aspirations Campus.

19. The School was last inspected by Ofsted in September 2023 and Ofsted judged that the School continues "to be a good school."

20. The published admission number (PAN) of the School between 2012 and 2026 was 180.

21. At my request, the School provided me with data showing the number of children in each year group estimated for the start of 2026/27 academic year (as of 27 July 2026). I have put that data into Table 1.

**Table 1: Number of children in each year group estimated at the start of 2026/27.**

| <b>Year group</b> | <b>Total</b> | <b>Average class sizes</b> | <b>Additional information.</b>                                  |
|-------------------|--------------|----------------------------|-----------------------------------------------------------------|
| <b>Year 7</b>     | 166          | 30                         | Resources based on 6 classes of 30 due to LA projected numbers. |
| <b>Year 8</b>     | 125          | 25                         | 5 classes in most subject areas                                 |
| <b>Year 9</b>     | 116          | 29                         | 4 classes in most subject areas                                 |
| <b>Year 10</b>    | 124          | 25                         | 5 classes in most subject areas                                 |
| <b>Year 11</b>    | 140          | 28                         | 5 classes in most subject areas                                 |
| <b>Year 12</b>    | 60           | 20                         | Estimated, but subject to KS4 results and enrolment             |
| <b>Year 13</b>    | 59           | 20                         |                                                                 |

22. The Arrangements set out that children with education, health and care (EHC) plans will be admitted first. Then, in times when oversubscribed, children will be prioritised according to the oversubscription criteria. These can be summarised as follows:

- a. Looked after and previously looked after children.
- b. Children with a sibling on roll at the School, ordered by shortest distance to the School.
- c. Children who currently attend a primary school within the Trust, ordered by distance from home to the School.
- d. Children of staff.
- e. All other children ordered by distance from home to the School.

23. Consultation on the Arrangements for 2027/28 took place in Autumn 2025 which included a reduction in PAN from 180 to 120 pupils for Y7. Following consultation and consideration of responses, including the response from the LA, the Trust determined arrangements with a PAN of 150.

## Consideration of Case

24. I will now set out my consideration of the matters raised by the Objector (the LA). Where I state that I uphold an aspect of the objection, that does not necessarily imply that I fully endorse the reasoning expressed by the LA, nor that the LA has necessarily correctly interpreted which Code provision applies. Rather, it means that I have found that the particular aspect of the Arrangements drawn to my attention by the LA does not conform with a requirement of the Code identified by me and is in breach of the Code for the reasons I have given.

25. The LA expressed concerns about the reduction of the PAN for Y7 entry from 180 places in 2026 to 150 in 2027.

## Funding agreement and School capacity

26. The LA's initial focus is on the School's funding agreement (SFA) between the Trust and the Secretary of State for Education. The LA states that:

"The current PAN is 180. This is already lower than the Indicated Admission Number (IAN) based on the Supplementary Funding Agreement (SFA) dated 1 August 2012. In Paragraph 2.5 of the SFA the capacity was set at 1953 in the age range 11 to 18 including a sixth form of 350 places. The IAN based on this would be 320  $[(1953 - 350) \div 5]$ . There is a Deed of Variation of 18 March 2015, but this does not appear to have an amended capacity."

27. Paragraph 2.5 of the SFA gives an indication of the planned capacity of the School building. In Annex A, the SFA highlights a PAN at opening of 180 to Y7. The School has a standard Academies SFA which outlines that the Trust is the admission authority, and it must comply with the School Admission Code (Paragraph 2). Therefore, as is normal practice, the SFA does not prescribe the PAN, rather it requires the Trust to comply with the Code which requires an admission authority to determine its PAN.

28. Admission authorities must set a PAN each year and must admit at least up to the PAN if there is sufficient demand. The PAN only applies to the year of entry. Admission authorities may admit over the PAN.

29. Where an admission authority seeks to reduce the PAN for a school, paragraph 1.3 of the Code requires that:

“All admission authorities **must** consult in accordance with paragraph 1.45 below where they propose a decrease to the PAN.”

30. Paragraphs 1.45 to 1.48 of the Code outline how admission authorities must carry out a consultation to change their admission arrangements. As stated above (paragraph 8) a consultation on reducing the PAN for the School took place between 1 December 2025 and 26 January 2026. The LA has raised no concerns regarding how the consultation was conducted.

31. Provided that an admission authority has consulted as required by the Code and determined the arrangements, then decreases in PAN are changes to admission arrangements like any other. Paragraph 1.53 of the Code then outlines how objections to those arrangements may be made.

32. I note here 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 2027/28 than it currently expects to, there remains the capacity in the building to do so.

## Sufficiency

33. The LA states that the reason for objecting to the PAN reduction is principally that:

“The Council expects ongoing pressures on secondary school placements in Banbury to continue over the next few years due to significant housing growth in the town, while awaiting the building of a fourth secondary school to serve the population. Although the number of Year 5 children in local schools appears to be slightly lower than the current Year 6 cohort, the Council still forecasts demand could outstrip sufficiency for September 2027.”

34. The LA highlighted its responses to the consultation outlining concern that the reduction in PAN would mean it is unable to meet its statutory duty to ensure sufficient school places are available in the area. It informed the Trust that:

“The council does not support the proposed PAN of 120 for Y7. There is insufficient capacity in the Banbury area to meet the current and projected demand for secondary school places, and any reduction in PAN at Wykham Park Academy exacerbates this position.”

35. The consultation included a reduction of PAN from 180 to 120. The Trust, in response to concerns raised by the LA, ultimately determined a PAN of 150. The response to the

consultation outcomes by the Trust is recognised by the LA, but it remains concerned that 150 school places will not be sufficient to meet demand.

36. Section 14 of the Education Act 1996 outlines a local authority's duty to secure sufficient school places. Local authorities use planning areas to project demand and sufficiency in local areas. The School is in the Banbury planning area that includes 3 other secondary schools that admit children into Y7. The PANs for 2027/28 for Y7 for secondary schools in the planning area are shown in table 2.

**Table 2 Secondary school PANs in Banbury planning area.**

| <b>School</b>                                      | <b>PAN</b> |
|----------------------------------------------------|------------|
| <b>Blessed George Napier</b>                       | <b>180</b> |
| <b>North Oxfordshire Academy</b>                   | <b>180</b> |
| <b>The Warriner School</b>                         | <b>284</b> |
| <b>Wykham Park</b>                                 | <b>180</b> |
| <b>Total number of Y7 places in planning area.</b> | <b>824</b> |

37. The LA forecasts the likely demand for places based on the known number of children attending primary schools in the planning area. It points out that due to the geography of the area, there is an unknown number of children living in the planning area but attending schools outside, principally in the neighbouring local authority of Northamptonshire County Council (Northamptonshire). The LA believes that demand for places in closest Northamptonshire primary schools is increasing and therefore the demand on secondary schools in the planning area is also likely to increase.

38. The LA provided forecast data for places it believes will be required in Y7 for the next five years. Table 3 illustrates how the LA forecast compares with the sum of the PANs, indicating the likely deficit of places. Table 3 shows the combined PAN when the PAN of the School PAN is reduced to 150 from 2027/28, as determined by the Trust for 2027.

**Table 3: Y7 pupil forecasts for the Banbury planning area as provided by the LA**

| Year           | Forecast | Sum of PANs | Forecast place deficit |
|----------------|----------|-------------|------------------------|
| <b>2026/27</b> | 865      | 824         | 41                     |
| <b>2027/28</b> | 844      | 794         | 50                     |
| <b>2028/29</b> | 865      | 794         | 71                     |
| <b>2029/30</b> | 903      | 794         | 109                    |
| <b>2030/31</b> | 886      | 794         | 92                     |

39. Table 3 illustrates the demand forecast by the LA in the planning area is above the combined PAN of secondary schools in the same area. These data are supported by the experience in the planning area in 2026.

40. The LA outlined that for Y7 entry in September 2026 there were insufficient school places. In March 2026 more than 50 children received an offer at a school in Bicester that was not expressed as a preference in their application for a secondary school place. The offer was on average “between 12 and 16 miles” from their home address. The LA worked with schools in Banbury to agree an increase in available places on a temporary basis for those living in the area. The LA state that “during this process Wykham Park responded that they could not admit more than 180 students as per their PAN”.

41. The LA provided data to illustrate the pattern of applications received expressing secondary school preferences in Banbury. Table 4 illustrates the first and second preferences for schools in Banbury between 2024/25 and 2025/26.

**Table 4: First and second preference numbers for planning area secondary schools for the last three admission years.**

| School                           | 24/25<br>1 <sup>st</sup> | 24/25<br>2 <sup>nd</sup> | 25/26<br>1 <sup>st</sup> | 25/26<br>2 <sup>nd</sup> | 26/27<br>1 <sup>st</sup> | 26/27<br>2 <sup>nd</sup> |
|----------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>Blessed George Napier</b>     | 152                      | 146                      | <b>192</b>               | 131                      | <b>195</b>               | 145                      |
| <b>North Oxfordshire Academy</b> | <b>230</b>               | 81                       | <b>228</b>               | 114                      | <b>228</b>               | 87                       |
| <b>The Warriner School</b>       | 257                      | 166                      | 244                      | 182                      | 283                      | 189                      |
| <b>Wykham Park</b>               | 77                       | 91                       | 71                       | 90                       | 89                       | 101                      |
| <b>Total</b>                     | 716                      | 484                      | 735                      | 517                      | 795                      | 522                      |



42. Table 4 illustrates that the demand for secondary school places in Banbury has, as the LA have explained, increased over the last three years from 716 to 795. It is noted that in 2026, two schools were initially oversubscribed by first preferences (shown in bold) which meant at least 63 pupils were not offered places in their first-choice school. I also note that the total number of places required in 2026 remains below the total sum of the PANs for the area of 824 in that year.

43. In 2026, the School had 190 first and second preferences, which is higher than the last three years and suggests an increased demand as expected by the LA. Significantly, a high proportion of 2<sup>nd</sup> preferences were offered other schools and the School has been unable to fill all 180 available places in Y7.

44. In January 2024, the LA published a “Pupil Place Plan 2023/24-2027/28” (the Plan) which outlined the forecasts of school sufficiency across the LA area. The Plan includes an overview of the Cherwell Local Plan 2011-2031 that details specific development proposals for 4400 additional homes in North Oxfordshire, where Banbury is located. There is an indication in the plan of the need to expand the number of secondary school places in the area which includes the need for a new secondary school. At the time of writing there are no details of when a new secondary school will open.

45. In the LA Pupil Place Plan, the forecast number of places required in Y7 between 2024/25 (543) and 2026/27 (541) is significantly lower than the number of applications received and indeed the number of children admitted to Y7. The Plan does preface forecast data with an explanation of the unknowns related to housing expansion and associated population growth that appear to lead to substantial differences in the initial forecasts and actual applications and admissions. Both the recent overestimation of demand and historic underestimation illustrate the challenges the LA has with forecasting demand for Y7 places accurately.

46. However, overall and given that the demand for secondary places is higher than was predicted in 2024 and has grown significantly over the last three years I am satisfied that the LA description of sufficiency and projected demand illustrates clearly that there is a need for more rather than fewer places in the Banbury area in 2027/28.

47. I will now turn to the views of the School and Trust and the reasons they have given for seeking to reduce the PAN of the School.

48. As illustrated in Table 1, pupil recruitment to Y7 in the School over recent years means that in every year group the School has places available. I will consider each of the key factors identified by the Trust as influencing the proposed change to the PAN.

49. The Trust describe “a pattern of declining applications across the local area, with several schools experiencing reduced Y7 intakes as the total number of secondary age children declines.”

50. Based on information received by the LA and the School, this is not the case. The School itself indicates that in 2026 the Y7 cohort will be the largest year group in the School. The LA has indicated, as shown in Table 4, that demand in the area has increased year on year with more schools becoming oversubscribed.

51. The Trust identifies that “Increased PAN of two nearby secondary schools by the Local Authority which affects pupil distribution across the town and has an impact on multiple schools, not just Wykham Park Academy. Allowing local schools to increase their PAN, at a time when numbers were falling in the area, has been a significant contributory factor”.

52. Paragraph 41 outlines the LA position in the 2026 admission round. The LA stated that during the process the School was engaged but did not wish to admit more children. The LA have enabled other schools to recruit significantly above PAN in 2026, when the School has places. Table 5 illustrates the number of pupils allocated to each school in the planning area following application process for the last three years.

**Table 5: Number of pupils allocated places in Y7 at each school in the Banbury planning area between 2024/25 and 2026/27.**

| School                    | 24/25 | 25/26 | 26/27 |
|---------------------------|-------|-------|-------|
| Blessed George Napier     | 180   | 180   | 180   |
| North Oxfordshire Academy | 180   | 180   | 210   |
| The Warriner School       | 284   | 284   | 297   |
| Wykham Park               | 159   | 153   | 172   |
| Total                     | 803   | 797   | 867   |

53. Table 5 demonstrates that the overall number of pupils allocated to the secondary schools in the planning area in 2026 is higher than the total PAN for the area (see Table 2). Additional capacity was created with 30 additional places at North Oxfordshire Academy and 13 at the Warriner School, leaving WP with fewer pupils than the PAN.

54. The Trust claim that “Local Authority pupil forecasts showing a continuing reduction in cohort sizes until at least 2028, confirming this is a demographic issue affecting all schools

within the local planning area.” Based on information provided by the LA and the data included in tables 3 and 4, this is evidently not the case.

55. The Trust state that “the need to ensure financial sustainability in a low-demand period, as reduced per-pupil funding affects all schools and requires responsible planning to maintain high educational standards”.

56. It is clear from the data provided by the School that challenges in pupil recruitment, as illustrated in table 1, have led to the School being undersubscribed in all year groups. There is a significant difference between the Trust’s stated understanding of local demographic data and that presented by the LA.

57. FBIT indicates that in 2023/24 the School had an in-year balance of around £437,000 and a revenue reserve deficit of around £40,000. Pupil numbers in 2024/25 and 2025/26 would suggest that this position is not likely to improve significantly and the Trust has sought to take steps to ensure financial certainty. The Trust asserts that “Reducing the PAN helps the school plan staffing, and ensure curriculum delivery more effectively, protecting the school from future financial instability”.

58. The School stated, as shown in table 1, that in 2026, it planned a curriculum model and staffing on the basis of six classes of 30 pupils, that is 180 in Y7. Having recruited 14 fewer pupils, there is inevitably a financial impact. However, within the context of the LA coordinated admissions scheme and based on the number of applications received in the planning area, there seems no reason the School should not be full in Y7 and therefore the existing curriculum model should be sustainable and enable a PAN of 180 without any detriment. On the contrary, recruiting full classes of 30 pupils as planned with the same curriculum model would improve the financial position of the School. The LA are in a position to make a significant contribution to the School’s financial certainty.

59. Considering the numbers of pupils in each year group, as illustrated in Table 1, there is only one year group (Year 9) where numbers fell below the PAN of 120 initially proposed during the consultation period. In 2026, the School’s own recruitment data indicates that they will have a higher number in Y7 than the determined 150 pupils. It therefore appears that the proposed reduction in PAN is likely to frustrate parental preference and not support the LA in achieving its duty to ensure sufficient school places for the children in its area.

60. The Trust confirmed that although a proportion of the accommodation on the site cannot be utilised to its full capacity, the building capacity is not a reason to reduce the PAN.

61. In the communications between the School and LA during and after the consultation period there was an apparent willingness to collaborate and consider all of the information available. However, following the consultation and the LA response to the School, the School expressed a degree of frustration about the lack of information available to inform their

decisions and the effectiveness of collaboration. The School express a willingness to engage in “constructive dialogue and are committed to finding a successful resolution.”

## Summary

62. LA forecast data indicates an increasing demand for secondary school places in the Banbury area which is likely to further increase because of significant population growth as a result of rapid housing development that is planned in the area. Recent years have seen numbers increase at a level beyond those anticipated in the LA 2024 Pupil Place Plan. Although a new secondary school is proposed for the area, at the time of writing there is no confirmation of when that will materialise.

63. The Trust have determined a reduced PAN that does not reflect the local demand. Once reduced, a PAN is fixed for subsequent years until such time as the admission authority chooses to determine a different PAN.

64. Having considered the evidence presented to me by the LA (Objector) and the Trust I conclude that:

- a) It is unreasonable to remove places which are forecast to be needed. Such removal would lead to the LA being unable to meet its statutory duty to ensure sufficient school places.
- b) The School has the capacity to admit 180 pupils to Y7. The level of demand, including the number of preferences expressed for the School indicate that these places will be filled. It would therefore be unreasonable to frustrate parental preference by removing the places.
- c) I do not find the Trust’s arguments to be sufficient justification for removing 30 places and reducing the PAN from 180 to 150 as there is convincing evidence of demand in the local planning area.

65. I recognise that the School have been frustrated by low recruitment over recent years. It appears that the information they have received has led to a misunderstanding of local demand, which means that the LA will need to work closely with the Trust to ensure that places remain available and that the financial concerns expressed by the Trust in relation to undersubscription are addressed within the local context of significant demand for places.

## Determination

66. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements determined by Aspirations Academies Trust for Wykham Park for 2027/28.

67. 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 this determination.

Dated: 8 September 2026

Signed:

Schools Adjudicator: Mr Philip Lloyd