



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2621

Admission Authority: Suffolk County Council for Westgate Community Primary School and Nursery, Bury St Edmunds

Date of decision: 16 December 2025

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 Suffolk County Council for Westgate Community Primary School and Nursery, Bury St Edmunds for 2026/27.

I determine that for admissions in 2026/27, the PAN for Year R shall be 45.

The referral

1. Suffolk County Council (the admission authority, the LA) has referred to the adjudicator a proposal for a variation to the admission arrangements for Westgate Community Primary School and Nursery (the school) for the school year 2026/27 (the arrangements). The school is a community school for children aged 4-11 in Bury St Edmunds, Suffolk.
2. Parties to the request are the school, its governing body and the LA.
3. The proposed variation is that the determined published admission number (the PAN) for admissions to Year R for 2026 be reduced from 60 to 45.

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 originally determined by the admission authority on 28 January 2025. These were revised by it on 15 July 2025 in response to the adjudicator’s determination in VAR2433 (Pot Kiln Primary School) which found that there were matters which did not comply with Code concerning the arrangements which had been determined by it for the schools for which it is the admission authority, for both 2025 and 2026. This revision concerned only those matters, and therefore not the PAN for the school which had been determined in January 2025. The LA requested a variation to the school’s PAN for 2025 in February 2025 (that the PAN of 60 which had been determined be reduced to 45) and this was approved by the adjudicator in VAR2544 (23 April 2025). However, the LA did not at that time request that the PAN for admissions in 2026 also be varied.
6. The admission authority has provided me with confirmation that the appropriate bodies have been notified of the proposed variation in line with the Code. It has also provided me with confirmation that the governing body of the school has been consulted on the proposed variation.
7. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.
8. In considering the variation request, I have had regard to all relevant legislation and the Code.
9. The information I have considered in reaching my decision includes:
 - the referral from the admission authority dated 18 July 2025 and supporting documents;
 - the determined arrangements for 2026 and the proposed variation to those arrangements;
 - responses from the LA to my requests for further information.
10. I would like to extend my thanks to the LA for its responses to my requests for further information.

11. 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.
12. I note here that the arrangements for 2027 have not yet been determined. This means that if I decide to vary the arrangements for 2026 by setting a PAN of 45 as proposed, it will have the effect of forming the 'baseline' for subsequent years.
13. The admission authority appears to have misunderstood the way that a change in the PAN for 2026, by way of the proposed variation being agreed, would work in future years. As I explained above, reducing the PAN for 2026 at this point would have the effect of forming the 'baseline' for the following years' arrangements. Should I determine to reduce the PAN, then there will be no need to consult on a reduction to the PAN in 2027 as this would be carried forward from the amended 2026 arrangements. However, for the avoidance of doubt, there is nothing in the statutory scheme that would prevent the admission authority from consulting if it wished to do so (as it has told me it intends); it is simply that it would not be required to.

Consideration of proposed variation

14. 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 variation is justified by the change in circumstances.
15. The admission authority has proposed that the determined PAN of 60 be reduced to 45. It told me that the reason for it seeking a variation for the school is that the latest forecast of the need for Year R places at the school and in the locality confirm that the PAN of 45 for the school in 2025 which was agreed in VAR2544 continues to be justified.
16. The school admitted 40 children to Year R in September 2025 and by 21 November 2025 this number had risen to 42. The school's class organisation in 2025 shows a total of 12 classes: two for Year R, three for Years 1 and 2 combined, two each for Years 3 and 4, and three classes for Years 5 and 6 combined. If the requested variation is approved, the school intends to reduce to 11 classes using two classes for Year R and three each for Years 1 and 2 combined, Years 3 and 4 combined, and Years 5 and 6 combined.
17. 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. As

explained in VAR2544, the planning area which contains the school consists of 15 primary schools, which currently provide a total of 633 places in Year R (given the PAN of 45 for 2025 now in place at the school). The numbers of first preferences which have been expressed for places across these schools in the last two years, and the numbers of children allocated a place at them for the following September have been:

| School Year | Number of first preferences for places at schools in the planning group | Number of places allocated |
|--------------------|--|-----------------------------------|
| 2024/2025 | 527 | 521 |
| 2025/2026 | 488 | 492 |

18. The figures for the school have been:

| School Year | Number of first preferences for places at the school | Number of places allocated (national offer day) |
|--------------------|---|--|
| 2024/2025 | 36 | 36 |
| 2025/2026 | 35 | 35 |

19. The latest forecast made by the LA of the total need for Year R places across the planning group and for the school for the next two academic years is:

| School Year | Forecast Year R need for planning group | Forecast Year R need for school |
|--------------------|--|--|
| 2026/2027 | 536 | 32 |
| 2027/2028 | 534 | 37 |

20. Although the forecast figures in the final table above show a slight increase from those which were available at the time the reduced PAN of 45 for 2025 was agreed in VAR2544, it seems clear to me that the proposed reduction in the number of Year R places at the school for September 2026 (from the number there would have been had

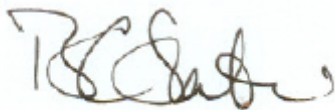
the PAN of 60 remained), which will mean that there will be a total of 618 for the planning area (there has also been a PAN reduction at one of the other schools for 2026 admissions), does not impact on the LA's ability to ensure that there are adequate school places within its area, or indeed within the area local to the school. In other words, it seems to me that there is little or no likelihood of parental preferences being frustrated if the school provides only 45 Year R places in September 2026.

21. In view of all these factors, I agree that the PAN for 2026 shall be 45.
22. I note here that reducing the PAN from that originally determined (or, in practice, continuing with the reduced PAN of 45 for 2025 already agreed) 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 admit more children in future years than it currently expects to, there remains the capacity in the building for it to do so.

Determination

23. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Suffolk County Council for Westgate Community Primary School and Nursery, Bury St Edmunds for 2026/27.
24. I determine that for admissions in 2026/27, the PAN for Year R shall be 45.

Dated: 16 December 2025



Signed:

Schools Adjudicator: Dr Bryan Slater