

Topic Paper 4 – Education Provision

This document is one of the supporting topic papers of Suffolk’s supplementary guidance “Section 106 Developers Guide to Infrastructure Contributions in Suffolk”. It is intended as a guide for landowners, developers and residents and sets out how Suffolk County Council will deal with planning applications where contributions towards education provision may be sought.

1 INTRODUCTION

- 1.1 This paper outlines the approach for calculating an appropriate level of developer contributions for education provision, which arise as a direct result of development proposals. Where appropriate and justified, the local authority will seek financial contributions from developers to cover land and/or build costs to provide education facilities to meet the needs arising from new development. In most instances the financial contributions will be secured to provide additional facilities at existing schools but on occasions some individual or colocated development proposals will be large enough to generate the need for a new school.
- 1.2 The final decision on the justification and level of the education contribution rests with the relevant local planning authority.

2 THE MECHANISM FOR ASSESSING CONTRIBUTIONS FOR THE PROVISION OF SCHOOL PLACES

- 2.1 Suffolk County Council uses the most up to date information available to produce forecasts of future school rolls. This includes data from the latest census, Area Health Authority statistics on live births and information from health visitors and doctor's practices. Further information includes pupil arrival rates and pupils from new housing developments (including developments with planning permission but not yet commenced or completed). Whilst it is recognised that this data may not be 100% accurate it is considered to be the best available. Forecasts of future school rolls are available to developers on request.
- 2.2 Suffolk County Council also assesses the amount of permanent and temporary accommodation at each school and this is included in the above data. These figures are used as the basis for seeking developer contributions. However, the data may vary from published information as a result of movements of temporary classrooms and the construction of permanent accommodation during the year. Developers are advised to obtain the latest information from Suffolk County Council before submitting a planning application. It must be noted that information provided is time limited (usually for a maximum period of 6 months from date of providing the information) as local circumstances can change.

3 NEEDS ASSESSMENT CRITERIA

- 3.1 Contributions will only be sought where there is a justified need. Where such contributions are sought, the county council will provide the district and borough councils and, on request, the developer, with data on catchment areas, existing permanent and temporary accommodation and existing and projected school rolls. The presence of existing temporary accommodation should be taken as evidence that the school is already under pressure and the temporary building(s) will not figure in the calculations.

- 3.2 In assessing the need for developer contributions the relevant local planning authority will take account of any housing development already permitted but not yet constructed as it will be assumed that these developments may ultimately either soak up surplus places (where they exist) or exacerbate an existing shortfall.
- 3.3 Contributions may therefore be sought from development even where there is no actual shortfall at a school at present but where one is reasonably expected to occur either when existing approved development comes on stream or within the period for which forecast roll figures are available.
- 3.4 Where existing permissions have not been implemented and have lapsed this will be a material factor in deciding whether to repay contributions that have been received. Equally, where permissions are renewed or a new application submitted, it may be appropriate to seek contributions where previously none were sought to reflect the new application and if there is a demonstrable need for a contribution towards education facilities at the time that the permission is renewed.
- 3.5 Contributions will be ring-fenced to the school(s) stated in the Section 106 agreement. This will normally be the local catchment school(s).
- 3.6 The decision on which school(s) to remodel to accommodate extra pupils from new development will rest with Suffolk County Council. This would depend on factors such as the scope for remodelling (physically and in planning terms), and trends in school rolls. There would however need to be a clear link between the specific school and the development that generated the contribution.

4 THRESHOLDS

- 4.1 Suffolk County Council will take into account the type of dwellings incorporated within the development proposals and will only seek contributions that are directly related to and generated by the development proposals. Historically developer contributions for school provision have been limited to major developments and for site provision at no cost only. Smaller developments, however, can also put pressure on school accommodation especially where there is reliance on temporary accommodation and where extensions are required. Contributions will therefore be sought, where justified, for both land and capital costs of providing new schools or extensions to existing ones. The need for contributions will be considered from all developments of 10 or more dwellings. Applications for smaller developments will be exempt unless their collocation to other sites necessitates a holistic look at their cumulative impact.

5 THE SCALE OF CONTRIBUTIONS

- 5.1 Where additional facilities are required at local catchment schools i.e. school extensions, financial contributions per pupil place will be sought. Suffolk County Council has decided to continue using the Department for Education (DfE) cost multipliers as a basis of calculating cost, until an alternative is selected.
- 5.2 The DfE has advised that they do not use cost multipliers any more. The last published multipliers which were on the *teachernet* website (now archived) are for 2008-09, based on projected pricing levels at quarter four 2008. These were then adjusted to reflect regional factors. For Suffolk (2015-16, based on the now archived cost multipliers but uplifted by the Building Cost Information Service (BCIS) to reflect current costs) the costs sought per pupil place are set out in Table 1 below.

Local authority	Early years (ages 2, 3 and 4) £	Primary (ages 5-11) £	Middle (ages 9-13) £	Secondary (ages 11- 16) £	Sixth form (ages 16+) £
Suffolk	6,091	12,181	15,268	18,355	19,907

Table 1 - Cost per pupil place, based on school improvements and/or extensions

- 5.3 The cost multipliers for Suffolk will next be reviewed and/or updated from 1 April 2015 for 2015-16.
- 5.4 For new schools, Suffolk County Council will expect full or proportionate financial contributions from developers to meet total build costs. Where education facilities required by a particular development proposal can be accommodated within existing school sites, the county council will not normally seek a contribution towards land costs. However, where a new school or school extension necessitates the need for a site or additional land, the developer will be expected to either provide a free site and/or financially contribute proportionate or full costs of acquiring the site or additional land. If no such land is available and the local school is unable to expand any further, the county council may object to the planning application as it would be unable to accommodate any additional pupils as a result of the development.
- 5.5 Where the scale of development in a local area is sufficient to justify a new school, the developer(s) will be expected to either fully fund or share in a proportionate way the total build costs and provide a free site. Table 2 provides an illustration of indicative new school build costs, which may vary from site to site depending on local circumstances. These costs are based on actual new school projects recently delivered in Suffolk and are latest information as at March 2011. The indicative costs include professional fees and disbursements.
- 5.6 In line with government policy future school projects must be designed to take into account high sustainability credentials. This will require new school buildings to be zero carbon (or as close as possible) by 2016 which will be extremely challenging both in terms of innovative design and use of new technologies and materials in the construction.
- 5.7 The Department for Education and Skills publication '*Area Guidelines for mainstream schools: Building Bulletin 103*' (Published June 2014) sets out simple, realistic, non-statutory area guidelines for primary school buildings, by providing minimum areas for all types of space in primary schools. It also offers area ranges over and above this minimum to allow schools flexibility in the design of their buildings and the way in which they use them. For Suffolk this is applied on the following benchmark basis as guidance for minimum site areas for primary schools.
- 5.7.1 Primary school 210 places: 1.09 hectares.
- 5.7.2 Primary school 315 places: 1.51 hectares.
- 5.7.3 Primary school 420 places: 2 hectares.

School Size	Cost £ millions
Primary (1 form of entry 5 – 11): 210 places	4.35
Primary (1.5 forms of entry 5 – 11): 315 places	5.6
Primary (2 forms of entry 5 – 11): 420 places	6.9
Secondary (ages 11 -16): 900 places	29
Secondary (ages 11 -16): 1500 places	40

Table 2 – Estimated total build costs

- 5.8 The school site must be rectangular in shape, on level ground and located on a gyratory road (i.e. not in a cul-de-sac) near to the centre of the development and close to other community facilities. The site must be free of contamination and cleared of any previous land use especially if the site was once industrial land. The developer will also provide services to the appropriate boundary of the site, including adequate access by motor vehicle and on foot, ICT connections, gas, electric and water supplies plus outlet to the local sewer system. This will be provided free of charge to the county council. The cost of all archaeological surveys and remedial work will be met by the developer.
- 5.9 Suffolk County Council has a duty to provide school transport for children under the age of eight living in excess of two miles from a school via a safe walking route and in excess of three miles via a safe walking route for older children. Therefore, where housing development is proposed and such routes are not available Suffolk County Council will look for an additional developer contribution to mitigate the impact of additional pupil living in an area that, in school transport terms, is ‘unsustainable’.
- 5.10 In the case of smaller developments, contributions will be secured to fund extensions and/or improvements to existing schools on the basis of multiplying the number of places required by the appropriate cost multiplier. See table 1. For the 2015-2016 financial year these are £12,181 per primary school place, £15,268 per middle school place, £18,355 per high/upper school place and £19,907 per sixth form place.
- 5.11 In certain circumstances there may be a requirement to secure education contributions in order for the county council to provide temporary accommodation to meet the needs of pupils arising from development prior to the completion of school improvements or extensions or the opening of a new school. This will be assessed on a site by site basis.

6 FORECASTING PUPILS FROM NEW HOUSING

- 6.1 When estimating the number of pupils that a new housing development will generate (pupil yield), Suffolk County Council takes account of the number of houses and flats that are suitable to accommodate children whilst reviewing the demographical changes, e.g. inward migration and birth rates. One bed houses and other categories of dwellings such as student and elderly people’s accommodation are normally excluded from any calculation. The pupil yields (Table 3) from houses with two or more bedrooms is 25 children per one hundred homes (0.25 per dwelling) for primary school age, 18 pupils per one hundred homes (0.18 per dwelling) for high school age, and 4 pupils per one hundred homes (0.04 per dwelling) for sixth form age pupils. The equivalent yields from 100 two (or more) bedroom flats are 15, 2, and 1, and for 100 one bedroom flats are 5, 1 and 1. The pupil yields from all types of dwelling will vary slightly to take account of middle school provision in areas of Suffolk where a 3-tier system of education is still in operation.

Local authority	Pre School (ages 2 – 4)	Primary (ages 5 – 11)	Secondary (ages 11 – 16)	Sixth Form (ages 16+)	Total
Suffolk	10	25	18	4	54

Table 3 – Average pupil yields based on 100 new houses.

- 6.2 The multipliers in Table 4 have been derived by dividing pupil numbers by 100 (i.e. pupil generation per dwellings) and multiplying by the 2015-2016 cost multiplier. The table assumes that there is no spare capacity in local schools and therefore are maximum contributions.

Local Authority	Pre-School £	Primary £	Secondary £	Sixth Form £	Total £
Suffolk	609	3,045	3,304	796	7,754

Table 4 – Typical contribution per house - Based on 2(+) bedroom houses. Lower yields used for flats.

- 6.3 Where the development is not large enough on its own to require a new school, but is of sufficient size to trigger the need for a new school because existing schools cannot satisfactorily accommodate the pupils from the development, then a contribution to the land, land preparation and full build cost of a new school would be required in proportion to the number of pupils generated by that development. For example if the new development generated 50% of the pupils then a 50% contribution to the land, preparation and build cost will be sought.
- 6.4 It is generally accepted that education provision in an area should not operate at 100% of its capacity, as it is important to retain some level of surplus to facilitate parental preference and mid-year admissions, and for contingency planning. The Audit Commission document, ‘Trading Places’ (1996, updated 2002), for example, suggested a target figure of between 5%-10% surplus places. A deficiency may thus be deemed to exist without the certainty of every local place being filled. The DfE suggest that schools should have no more than 10% surplus to allow for flexibility in timetabling or to allow for a sudden and unexpected increase in pupil numbers.

7 SCHOOL TRAVEL PLANS AND SAFER JOURNEYS TO SCHOOL

- 7.1 The county council has a duty under the Education and Inspections Act 2006 to develop a School Travel Plan with all schools. It also has a statutory duty to promote the use of sustainable methods of transport for all education and training related journeys, from pre-school age to post 16 students.
- 7.2 In consultation with colleagues in Suffolk County Council’s Integrated Transport Service the provision of walking and cycling routes between schools and developments will be looked at. Financial and/or off site works may be required as a result to reduce travel distances or improve safety. Contributions may also be sought towards the provision of specific education journey infrastructure such as cycle stands and parent waiting shelters; providing public transport to appropriate education establishments or for education materials and activities such as cycle training.

- 7.3 Where a development includes a proposal for building new educational or training spaces, the developer will be required to work with the county council's Road Safety teams to develop and implement a travel plan and associated safer journeys to school infrastructure programme. This will involve consideration of access to the school site and the walking and cycling routes to it. Suffolk is making an important contribution to tackling global environmental issues and is committed to making this ambition a reality through the 'Suffolk: Creating the Greenest County'. Developers will be expected to help minimise the carbon footprint produced by the school through the design and layout of the development. There must, for example, be a presumption against providing car pick up or drop off points.

8 COLLECTION, INVESTMENT AND USE OF CONTRIBUTIONS

- 8.1 The following principles will apply to the way contributions are collected, invested and used.
- 8.1.1 Contributions will be held by Suffolk County Council in a ring-fenced account and may only be used for the purpose stated in the legal agreement.
 - 8.1.2 Payment will be required 14 days prior to commencement of development or in accordance with an agreed phased arrangement set out in the legal agreement, depending on the circumstances.
 - 8.1.3 After a specified period (at least 10 years after the completion of the development) the county council will repay uncommitted monies, with accrued interest, to the party that paid the contribution.
 - 8.1.4 If the actual cost of providing the necessary infrastructure falls below the level of contribution taken, the relevant district or borough council may decide to negotiate the use of the surplus monies for other infrastructure which the developer considered could not be funded at the original grant of planning permission. The circumstances where this would apply would be set out in the legal agreement.
- 8.2 Where land is being provided by the developer for a new school site the county council will normally seek to obtain an option for the transfer of the site within a specified period of time, i.e. the land will remain the landowner's responsibility until required by Suffolk County Council.

9 ACADEMIES AND FREE SCHOOLS

- 9.1 The Department for Education is promoting the establishment of Academies and Free Schools. As the county council still has the statutory responsibility to ensure that there are sufficient appropriate school places to serve their area, developer contributions will still be justified and secured by the county council as part of the development management process. The principle that contributions secured will be spent on schools in the local vicinity serving the development will still apply, which may mean that some contributions secured will be spent at an Academy or Free School.

10 SELLING OF COUNTY COUNCIL ASSETS

- 10.1 Any capital receipt received from a disposal of a surplus education facility, which, for example, may have arisen from the outcome of School Organisation Review (SOR) in a local area has already been accounted for in the budgeting process for service re-provision. Therefore any capital receipt generated is normally reinvested to meet existing education needs and is not intended to be an alternative source of funding to mitigate the impacts of development.

11 ROLE IN NEGOTIATION

11.1 Please see the '*Section 106 Planning Obligations - Code of Practice Protocol*' for local authority approaches. Developers will, where appropriate, be expected to pay the additional costs borne by the local planning authority of entering into legal agreements.

12 EXEMPTIONS

12.1 Development which does not place any demands on school provision, such as homes for the elderly and student accommodation would fall outside the scope of this Guidance. Developments of less than 10 dwellings will be looked at through their colocation to other sites and their cumulative impacts captured through a planning tariff or Community Infrastructure Levy (CIL) where implemented.