

Education Planning Obligations Policy Worcestershire

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School Organisation in Worcestershire

3.1 Worcestershire County Council is responsible for ensuring there are sufficient school places in state funded schools. There are several different types of school that fall within the state funded sector, all of which are eligible to receive funding from planning obligations if they are deemed to be related to a particular development. This includes the following types of school:

- Community
- Voluntary Controlled
-

Assessing Impact on Early Years Places in

determining the level of developer contributions and the point at which obligations for secondary

Building Cost Multiplier (BCM)

6.8 As per Government Guidance, the BCM applied to school places arising from housing developments should reflect the actual costs of providing one additional full time school place at an existing school, based on the national average costs published annually in the DfE school place scorecards. These costs will be updated annually in line with inflation and published as at 1st April each year in line with DfE guidance to ensure the contributions remain reflective of the true cost of creating additional school places.

The current costs as at July 2023 are:

- £22,122 per primary and early years place,
- £30,413 per secondary and sixth form place
- SEND places will be calculated at 4 times the cost of a place appropriate for the phase of education as per government guidance⁸.

Formula

6.9 The formula for calculating the contribution is as follows and will need to be calculated for each tier of education in the area:

(((Number of chargeable dwellings X Pupil yield per dwelling) X Number of year groups) = the number of additional places required to be funded

X

The correct building cost multiplier for the school phase)

+

(((Number of chargeable dwellings X Early years full time equivalent place yield per dwelling) = the number of additional full time early years education places required

X

The correct building cost multiplier for the school phase)

+

(((Number of chargeable dwellings X SEND Pupil yield per dwelling) X Number of year groups) = the number of additional places required to be funded

X

The correct building cost multiplier for the school phase)

=

Contribution required

⁸

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/793661/Securing_developer_contributions_for_education.pdf

Education Planning Obligations Policy

February 2019 Annexe 2 provides an updated definition of affordable dwellings which are categorised as follows:

- affordable housing for rent;
- starter homes;
- discounted market sales housing; and
- other affordable routes to home ownership.

6.13 In consideration of the higher level of household recirculation, Worcestershire County Council will exempt those properties deemed to be social rent or affordable rent, where the landlord is a registered housing provider and the provision is to meet local need from those families already resident in the area and, the property will remain at an affordable price for future eligible households. Build to rent schemes are not exempt as they do not meet the above criteria.

6.14 Worcestershire County Council also seeks to exempt:

- developments that are 100% for commercial use (Class B1);
 - all houses and flats with a maximum of one bedroom;
 - homes for older people as defined in the National Planning Policy Framework (NPPF) February 2019 Annexe 2;
 - flats or apartmentsamewor
-

Calculating the Level of Contribution When a New School is required

- 7.1 Typically, a new primary or first school may be required where a development will contribute 300 or more new dwellings, or in areas where no potential school expansions can be identified. When a large scale development in excess of 100 dwellings is proposed we recommend developers and district councils engage with Worcestershire County Council at an early stage to allow for appropriate planning and feasibility work to be undertaken.
- 7.2 As per the pre-school place requirements in section 5 above all new First and Primary schools are likely to be required to provide early years provision on site. This requirement will be included in any feasibility work undertaken.
- 7.3 A new secondary or special school is only likely to be required on very large sites or in an area where there is a significant amount of new housing across several developments. A new school may also be required when an expansion at an existing provider is not possible
- 7.4 There should be an assumption that both land and funding for construction will be provided for new schools planned within housing developments
- 7.5 If a new school is required solely as a result of new housing, Worcestershire County Council will require the developer, or developers, to fund all of the build and land costs. The build costs will be determined by a detailed feasibility of the proposed school site where possible or a generic site where not possible.
- 7.6 Worcestershire County Council will consider payment in kind by the direct provision of buildings by the developer. In this instance the specification and design of any provision must be agreed with Worcestershire County Council.
- 7.7 Under current government policy, all new schools should be opened as free schools, which are operated under an academy trust. When a new school is required as a result of new housing, Worcestershire County Council will run a competition to determine the operator of the new school(s). Community access to school buildings for purposes other than education will be agreed upon by the school operator once they are determined. The local authority aims to work with schools and local communities to ensure the best use of school premises.
- 7.8 Where a number of small developments are expected to come forward in an area with an aggregated requirement for a new school, Worcestershire County Council would expect the local planning authority to assist in the negotiations to secure a school site.

Payment of contributions

- 8.1 Where Section 106 education planning obligations are required a legal agreement will be completed. If the application is in outline, without detailed breakdown of the types of affordable dwellings an estimated cost based on the total number of dwellings will be provided until a breakdown of house types is available.
- 8.2 Financial contributions will be subject to indexation and interest on late payments. The calculation of indexation and interest will be set out in the legal agreement.
- 8.3 Payment of agreed financial contributions will usually be sought on or before occupation of one third of the total number of dwellings on the development. On larger scale developments of 100+ dwellings trigger for payment will be subject to negotiation. Worcestershire County Council will consider payment by instalments so long as the final balance is received prior to occupation of 90% of the total number of dwellings. The trigger points for payment will usually be expressed as a percentage of the proposed number of dwellings.
- 8.4 Worcestershire County Council will retain the funds received in an interest-bearing account set up specifically for education planning obligations.
- 8.5 Worcestershire County Council will carefully monitor and commit to spending the contributions within the time period agreed with the developer. This will be a minimum of ten years from receipt of the final payment as per Government Guidance⁹.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/793661/Securing_developer_contributions_for_education.pdf

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