



Northumberland County Council

CABINET

Date: 12 October 2021

Update of the Education Infrastructure Contribution Policy

Report of the Executive Director of Adults and Children's Services - Cath McEvoy-Carr
Cabinet Member for Children's Services: Councillor Guy Renner-Thompson
Report prepared by Sue Aviston, Head of School Organisation and Resources

Purpose of report

The Council's Education Infrastructure Contribution Policy was approved for implementation by Cabinet in December 2017. Cabinet is now asked to approve an update to the policy specifically in order to approve an increase in the requested contribution towards SEND provision in the county reflect the increased number of young people in the County requiring specialist provision.

Recommendations

It is recommended that Cabinet:

- 1) Note the updated version of the Education Infrastructure Contribution Policy attached at Appendix 1 of this report.
- 2) Approve the increase in the contribution requested for SEND educational infrastructure to reflect that the percentage of the school age population in Northumberland with complex Special Educational Needs has grown from 3% in 2017 to 4% in 2021.
- 3) Approve the amendment to the pupil yield factor used to calculate the number of pupils arising from each house in a development from 0.02714 to 0.02516 for primary yield and from 0.02286 to 0.02384 for secondary yield to reflect the minor changes in the number of primary and secondary pupils in the county since 2017.
- 4) Note that the policy has had some general minor non-material amendments to wording for clarification purposes.

Link to Corporate Plan

This policy is linked to the Council's priority for Learning (achieving and realising potential).

Key issues

1. The Council's Education Infrastructure Contribution Policy was approved by Cabinet in December 2017. The policy provides a consistent approach to the assessment of the impact of housing developments on local schools and ensures that appropriate funding contribution is received from developers to ameliorate the impact of additional pupils on schools that are at or close to 95% capacity at the time the assessment is carried out.
2. It had been an expectation that the Education Infrastructure Contribution Policy would be subsumed within a Council-wide Infrastructure Delivery Plan, a project being led by colleagues in Planning. However, the Council-wide infrastructure delivery plan has not materialised as a result of the changing requirements to the completion of the Council's Local Plan, which has led to delay in its finalisation and implementation. Furthermore, changes to the planning system expected to arise from the Government's consultation "Planning for the future" in Autumn 2020, including changes to the way in which developer contributions are to be secured, are still awaited.
3. In the meanwhile, the number of children within Northumberland who have complex Special Educational Needs (SEN) has arisen from 3% of the school-age population in 2017 to 4% in 2021. Therefore, the Education Infrastructure Contribution Policy, attached at Appendix 1 of this report, has been updated to reflect this change and Cabinet approval is now requested for the updating of the policy to require additional contribution from developers in the light of this increase in children with SEND.
4. The number of primary and secondary pupils in the county has altered slightly since 2017, resulting in the need to reflect this change in the pupil yield factor when calculating the number of pupils arising from each house in a development from 0.02714 to 0.02516 for primary yield and from 0.02286 to 0.02384 for secondary yield. This will ensure a more accurate calculation of any requested contribution.
5. The policy has been generally updated to clarify wording and policy intention, which will assist developers in understanding how education contribution requests are calculated.
6. Cabinet is asked therefore asked to approve recommendations 3 and 4 set out in this report.

Background Information

7. The Council's first Education Infrastructure Contribution Policy was approved and implemented in December 2017 under S106 of the Town and Country Planning Act 1990 in order to bring consistency to the Council's approach to securing developer contributions. The policy supports the Council's statutory duty to ensure that every school age child resident in Northumberland has access to a mainstream school place, should they require one. It is also consistent with the DfE's non-statutory guidance 'Securing Developer Contributions, November 2019'.
8. Since the implementation of the policy, all planning applications requesting permission for the construction of housing have been assessed for their impact on local schools and where thresholds set out in the policy have been met, contributions have been requested in order to mitigate planning obligations.

9. Including some contributions secured prior to December 2017, the value of the developer contributions currently confirmed as being secured for the county as a whole is circa £17.8m. Around 10% of this confirmed contribution has been paid to date as payment triggers are linked to housing completion rates. Furthermore, infrastructure contribution can only be spent where additional infrastructure in relevant schools is required as a result of increasing pupil numbers. Where secured contribution monies will not require to be spent before the agreed clawback date set out in the relevant S106 agreement, these monies will be returned to the developer.

IMPLICATIONS ARISING OUT OF THE REPORT

Policy:	The Education Infrastructure Contribution Policy supports the Council's statutory duty to provide sufficient school places for school age children in Northumberland by securing capital funding to grow capacity in the school estate where required.
Finance and value for money	The policy is designed to generate funding from housing developers to ameliorate the impact of potential growth in pupil numbers on local schools in the area of the housing development.
Legal	None
Human Resources:	None.
Property	School buildings may be extended or wholly provided as a result of the funding secured through this policy.
Equalities	Not applicable as this policy does not impact individuals.
Risk Assessment	None in relation to this policy. Where building projects are undertaken as a result of the need for additional school places that are to be funded through S106 monies, full risk assessment for each project are carried out as part of the approval process of the Business Case.
Carbon Reduction	It is not envisaged that this proposal will have a significant positive or negative impact on carbon reduction.
Crime & Disorder	This report has considered Section 17 (CDA) and the duty it imposes and there are no implications arising from it.

Customer Considerations:	The proposals set out in this report are based on the best educational interests of children and young people in Northumberland by providing fit for purpose, sustainable buildings for current and future pupils within Northumberland.
Wards	All

BACKGROUND PAPERS

Report of the Interim Director of Children’s Services, December 2017

Report Sign Off

Interim Executive Director of Finance & S151 Officer	Jan Willis
Monitoring Officer/Legal	Neil Masson
Executive Director	Cath McEvoy-Carr
Chief Executive	Daljit Lally
Portfolio Holder	Cllr Guy Renner-Thompson

Report Author: Sue Aviston, Head of School Organisation and Resources
Sue.Aviston@northumberland.gov.uk
01670 622281

Appendices

Appendix 1 – [Education Infrastructure Contribution Policy](#)