



Developers' Contributions towards Children's Services Facilities

This document sets out the principles to be applied to all negotiations. Details are subject to review in the context of changes to local and national policies and priorities

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December 2011

1. Introduction

1.1 In line with central government guidance on developers' contributions given in ODPM Circular 05/2005 and Regulation 122 of the Community Infrastructure Regulations 2010, the County Council expects developers' contributions to meet the cost of children's services facilities required as a direct consequence of development. The purpose of this document is to establish consistent, and open, criteria so that Local Planning Authorities and Developers can make informed decisions. Children's services facilities include primary and secondary schools, provision for children with special educational needs and facilities to support young children and their families.

2. When are contributions required?

2.1 With the emphasis on sites identified in Urban Capacity Studies and greater use of brownfield sites, it is likely that there will be more reliance on smaller sites to meet housing targets. Where the availability of school places is particularly critical, contributions will be sought in relation to each additional dwelling. These areas will be agreed with individual local planning authorities.

2.2 In all other areas, District and Borough Planning Departments are expected to consult Hampshire Children's Services Department on any planning proposals relating to a development of 10 dwellings or more. This consultation should take place when sites are allocated in local development frameworks, when development briefs are published and when planning applications are received. This should also be part of pre-application / scoping discussions so that developers are aware of the specific requirement for a contribution from the outset.

2.3 In order to satisfy the requirements in Circular 05/2005 and Regulation 122, the County Council will make an assessment of the extent of capacity in schools in the immediate area. This will indicate the extent to which additional capacity will be required to cater for the additional demand. This can be referred to as the "sufficiency" factor. It is the County Council's policy that new primary schools be provided within major new housing areas, where justified by the number of children likely to be living there when the development is complete. Where the additional demand is not enough for a new school, in the interests of integrating new development into existing communities and to promote sustainability principles relating to reducing reliance on the motor car, it is expected that a new development will be served by its nearest schools.

2.4 It has been accepted by the Audit Commission¹ that not all unfilled places in a school are surplus places, but that some margin of capacity is necessary to allow parents choice, given that there will be volatility in preferences from one year to the next, and to allow for differences in the size of individual cohorts. Whilst no specific margin was suggested by the Audit Commission, the County Council's position is that a school should be considered as full when it has less than 5% of its places unfilled.

¹ Trading Places: 2002 Update, The Audit Commission, 2002

2.5 Taking this into account, in those cases where there will be a shortfall in places to meet the assessed demand the amount of contribution can be calculated in accordance with the formula set out in paragraph 5.2 below.

2.6 Even where there is apparently sufficient capacity to cater for all, or part, of the additional demand, there may still be a need for additional facilities at a school. The reason for this is that the method of assessing capacity does not take full account of the need for schools to have dedicated space for specialist facilities, such as ICT (Information and Communications Technology). Also, the inclusion of children with special educational needs in mainstream schools means that schools need spaces which can be used for individual or small group teaching, which is unlikely to have been provided in the original room allocations. In other words, schools which have theoretical spare capacity will be using those spaces for legitimate educational uses, which will need to be rehoused before those teaching spaces can be brought back into use for general class use. There may also be factors, such as an undersized hall, which would mean that it would be difficult to meet present day educational requirements if the school was full to its assessed capacity. These can be referred to as “suitability” issues.

2.7 Suitability issues are assessed as part of the Asset Management Plan for the school. Developers’ contributions will be expected where it is necessary to remove limitations so that existing nominal capacity can be fully used to meet additional demand from a development. The cost of alleviation will vary, but a possible method for calculating an appropriate contribution is given in paragraph 5.4.

3. School sites

3.1 Where a new school is required to cater for new development, the County Council will expect the developer to provide, within the required timescales, a cleared, fully serviced and accessible site free of charge, in addition to the normal level of contributions towards school buildings. The Children’s Services Department needs to be consulted early in any master planning of such developments to ensure that any proposed school sites are appropriate and suitable for its requirements.

3.2 The actual site required for a new school will depend on several factors, including location, access, shape, topography and the relationship with adjacent community and other land uses. As a general principle, the minimum useable areas should be as follows:

- 1 Form entry primary (210 places): 1.2 hectares
- 2 Form entry primary (420 places): 2.0 hectares
- 3 Form entry primary (630 places): 2.8 hectares

Detailed discussion will be necessary in order to agree the actual boundaries of any school site allocated, including the location and timing of access and services. Further land may be required where it is necessary to provide additional facilities co-located with the school.

The areas required for new secondary schools will depend on the size of school proposed.

3.3 Where a large development is shared between several developers, it may be appropriate to make provision in the Section 106 agreements so that the burden falls on all those involved. If this is the case, it will be necessary to discuss the exact mechanism that is applicable.

3.4 There may be cases where a new school is proposed within a new development, but the optimum location, once the development is completed, cannot be provided with access and/or services by the time that the school is required. In such cases, it will be necessary for the developer to make a site available on which a temporary school can be provided, in which case the cost of the temporary buildings, access and services would also need to be met by the developer in addition to the normal level of contributions.

4. How many places are required?

4.1 In order to assess the long term demand arising from a new development, the Children's Services Department uses the following factors:

Primary Schools (ages 4 to 11) – 0.30 children per dwelling
Secondary Schools (ages 11 to 16) – 0.21 children per dwelling

The lower secondary factor is because secondary schools cater for five year groups, compared with seven for primary schools.

4.2 These factors apply to all dwellings with two or more bedrooms, excluding those specifically for elderly persons (dwellings expected to make education contributions can be referred to as "eligible dwellings"). It is not appropriate to make any deduction in respect of "social" or "affordable" housing, as these will still increase the overall number of dwellings in an area which can be occupied by families with children

5. What level of contribution is required?

5.1 In cases where a sufficiency factor has been identified, the actual cost of providing additional places will vary with the individual school, depending on factors such as the type of building and actual site characteristics.

5.2 In order to provide a guideline figure, a detailed analysis has been undertaken, based on actual projects designed and tendered in recent years. From this the following costs per place are indicated, at 4th Quarter 2011 prices (PUBSEC Index 179):

Primary schools : New Schools –

1 Form entry (210 places) - £24,293 per pupil place
2 Form entry (420 places) - £19,110 per pupil place

The cost per place for a new one form entry primary school is higher than that for a two form entry school as a consequence of the need for core facilities (such as a hall, library, music / drama room, offices and staffroom) that are required in addition to the basic classroom spaces.

The exact requirement will need to be determined when development details are being formulated, and in particular when a school larger than two form entry is indicated, where a school will need to be significantly enlarged or where it is necessary to extend separate infant and junior schools serving the development. Developers should, therefore, consult the Children's Services Department for a detailed assessment in relation to any development of more than 100 eligible dwellings.

Primary schools : Extensions to existing schools - £19,445 per pupil place

Secondary schools : Extensions - £23,042 per pupil place

A site specific calculation will be necessary if development requires the provision of a new secondary school or if the development is in an area where secondary schools cater for the 11-18 age range.

5.3 Applying these cost multipliers to the numbers of additional children expected from new housing, the following level of contribution is derived:

Primary Education:

where a new 1 form entry school is required - £7,288 per eligible dwelling

where a new 2 form entry school is required - £5,733 per eligible dwelling

where an existing school needs to be extended - £5,834 per eligible dwelling

Secondary Education, for extensions - £6,452 per eligible dwelling

5.4 As mentioned in paragraph 2.6, the cost of alleviating suitability factors will vary, depending on individual circumstances. Where a specific facility can be identified and costed, for example where a primary school lacks an adequate school hall, the contribution will be based on the projected cost.

6. Special educational needs

6.1 Wherever possible, children with special educational needs are educated in mainstream schools. For some specific needs, it is appropriate to provide additional resources and, in a small number of cases, to provide places in special schools or education centres.

6.2 Larger developments may generate a need for additional facilities. This can only be determined by the assessment of individual situations. As a guideline, an appropriate level of additional contribution is £91 per eligible dwelling for primary provision and £168 per eligible dwelling for secondary provision.

7. Contributions towards other children's services facilities

7.1 In addition to the provision of schools for children of statutory school age, the County Council has a duty to ensure that there is adequate provision for pre-school education and childcare (although not normally as a provider itself). Traditionally, pre-school playgroups have been considered as potential users of community buildings. However, with the increasing requirements for facilities and numbers of sessions that have to be offered, there is a trend towards pre-school providers looking for exclusive use of space. This will also facilitate the establishment of full day care and after school clubs.

7.2 The County Council expects local planning authorities to bear this in mind in considering allocations of space for, and contributions towards the cost of providing, community facilities within any new development. The Children's Services Department can provide a calculation to assess the appropriate level of demand for pre-school facilities.

7.3 As part of the Change for Children agenda, the County Council has established a network of Children's Centres. These operate as one-stop shops for children and their parents and carers, working with local providers to secure combined pre-school education, childcare and health services. In many cases, new housing will be within reach of a centre, but larger new developments may require facilities in their localities where a children's centre can promote outreach. This can normally be achieved in community facilities provided as part of the development..

7.4 In large developments there may also be a requirement for facilities for the Youth Service. This will need to be the subject of individual discussion in appropriate cases.

8. The mechanism for obtaining contributions

8.1 The County Council is pleased to work in partnership with local planning authorities to obtain contributions. As mentioned above, consultation needs to take place at several stages. Firstly, there should be a local development framework policy that sets out the basic principles. Secondly, specific requirements can be identified in development briefs. Thirdly, detailed discussion, and negotiation if necessary, can take place prior to, and when planning applications are received. The Children's Services Department should be involved at all of these stages.

8.2 The agreed requirements are included as obligations in a Section 106 agreement. This would normally be drawn up by the County Council (Chief Executive's Department) or as part of a joint County and District/Borough agreement.

8.3 Section 106 agreements will provide for the agreed contributions to be index-linked to an index of building costs (normally the PUBSEC index published by the Department for Business, Innovation and Skills) and for appropriate triggers for payment, related to the intended phasing of development. .

9 Status of this document

9.1 This document was approved by the County Council's Executive Lead Member for Children's Services (Education) on 24 July 2008. Costs have been updated to December 2011 prices and minor updates have been made to the text.

Any enquiries about individual proposals should be addressed to the appropriate School Organisation Officer as follows:

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