

Buckinghamshire Council

Children's Services

Guidance on Planning Obligations for Education Provision

Revised November 2021



1. Introduction

1.1 Buckinghamshire Council (BC) has a statutory duty under Section 14 of Education Act 1996 to ensure that there are sufficient early years and school places in its area:

...to ensure that schools in its area are sufficient in number, character and equipment to provide education suitable for the different ages (including pupils who are over compulsory school age but under the age of 19), abilities and aptitudes and special educational needs of pupils of school age.

1.2 In Buckinghamshire there are a number of areas which face a shortfall of school places as a result of planned housing growth. To create sustainable communities, BC needs to ensure adequate provision of education infrastructure. Developers are expected to meet demands or mitigate the impacts of their proposals through planning obligations.

2. Vision

Buckinghamshire is growing rapidly and BC's Strategic Plan sets out its vision to ensure that in the next ten years it remains a thriving and attractive place. BC wants to enable the right conditions for local communities to live, learn and work including promoting sustainable travel as well as work with its partners to maximise investment in the county, to deliver, manage and maintain local services and strategic infrastructure in line with changing demands.

3. Purpose

3.1 The aim of this guidance is to secure a coherent and consistent approach to ensuring that developers provide or make appropriate contributions to meet the costs of additional education infrastructure requirements generated by new housing developments. This will help to reduce the uncertainty and time spent on negotiating individual planning applications. The guidance also aims to inform the preparation of the Council's local plan policies on developer contributions including viability appraisals.

3.2 This guidance establishes:

- (i) the process for agreeing developer contributions for education provision;
- (ii) the criteria by which the demand for additional education services are assessed;
- (iii) the basis on which the costs of providing those services is established; and
- (iv) the payment of contributions and how they will be spent.

4. National and Local Policy on Planning Obligations

National Policy

4.1 Developers may be required to contribute towards the cost of securing the infrastructure necessary to meet the increased needs for services arising from developments. Section 106 (S106) of the Town and Country Planning Act 1990 (as amended) allows a planning authority (BC is both the education and planning authority for the county) to enter into a legally-binding agreement with a developer or for a developer to provide a unilateral undertaking to secure those contributions.

4.2 The Department for Education (DfE) published non-statutory guidance to help local authorities secure developer contributions for education so that housing developers contribute to the cost of providing the new school places required due to housing growth (latest publication November 2019). The guidance promotes good practice on pupil yield evidence, developer contribution levels and the delivery of expanded or new schools using funding from housing development.

4.3 The Government's National Planning Policy Framework (NPPF) which sets out the Government's planning policies for England states that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations (Paragraph 54). Planning obligations may only constitute a reason for granting planning permission if they meet the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development (for example, there should be functional or geographical link between the development and the planning obligation);
- fairly and reasonably related in scale and kind to the development.

These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework (Paragraph 56).

4.4 Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Planning law requires that applications for planning permission must be determined in accordance with the development plans for an area unless material considerations indicate otherwise. Local Plans should be consistent with the principles and policies set out in the NPPF which includes:

- Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for community facilities including education (paragraph 20);
- Plans should set out the contributions expected from development from infrastructure such as that needed for education (paragraph 34);
- It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
 - give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
 - work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted (paragraph 94).
- Planning policies should support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for activities including education (paragraph 104).

Local Policy

- 4.5 Policy CP7 of the Wycombe District Local Plan to 2033 adopted August 2019 states that “Provision will be made for new infrastructure to support growth (c. 11,000 homes), through planning obligations, the Community Infrastructure Levy (CIL) and other available funding streams as appropriate. Where justified, development will be required to provide or contribute towards delivering the key infrastructure requirements for the District including expansion of secondary schools and provision of new and expanded primary schools, particularly in High Wycombe, Princes Risborough and Bourne End”.

A CIL charging schedule was introduced by WDC on 1st November 2012 following consultation and a Public Examination. CIL funds may be used on projects to address the cumulative impacts of developments on school places. However, in some circumstances, a site specific contribution may be sought from residential developments (normally sites with 100 or more dwellings). Each site will be reviewed on its merits and the assessment would normally be based on a specific contribution to a local school within the development’s catchment – or in the case of a major urban expansion such as Princes Risborough, the delivery of a new school within the vicinity of the development or expansion area. The Council’s approach to securing planning obligations from new development in the Wycombe District area is set out within its Supplementary Planning Document (SPD) adopted March 2020.

- 4.6 The Vale of Aylesbury Plan was adopted in September 2021 and allocates land for c. 30,000 new homes over the period to 2033, mostly concentrated around Aylesbury with other sites at Buckingham, Winslow, Haddenham and next to Milton Keynes. Policy S1 of the Local Plan for Aylesbury Vale (Sustainable development for Aylesbury Vale) states that in assessing development proposals, consideration will be given to providing access to facilities including education. Policy S5 (Infrastructure) states that all new development must provide appropriate on- and off - site infrastructure (in accordance with the Infrastructure Delivery Plan) in order to mitigate adverse social, economic and environmental impacts. Development proposals must demonstrate that these have been taken into account when determining the infrastructure requirements for the new development. Policy I3 states that in considering applications for residential development, the Council will consider the need for new community facilities arising from the proposal. Conditions will be imposed on permissions, or planning obligations sought in order to secure appropriate community facilities, or financial contributions towards community facilities, reasonably related to the scale and kind of development proposed.
- 4.7 The Chiltern District Core Strategy was adopted by the Council on the 15 November 2011. Policy CS31 of the plan states: “New Development proposals must ensure that adequate infrastructure capacity is available to meet the needs of future occupiers and not intensify existing deficiencies, in accordance with details set out in the Council’s Delivery Development Plan Document (DPD) and Infrastructure Delivery Plan. The necessary infrastructure should be put in place in a timely manner, and, where appropriate, prior to the occupation of the development. The Council will work closely with statutory undertakers and infrastructure providers in the District to identify solutions to remedy existing infrastructure deficiencies and to ensure that the infrastructure requirements of new development are met. If the need is identified, the Council will seek financial contributions from new development to help meet infrastructure provision in the District.”

The South Bucks District Core Strategy was adopted by the Council in February 2011. Core Policy 6 states ‘New development will be required to provide for the necessary infrastructure needs arising from the proposal, either directly or via an appropriate financial contribution. The Council will use planning conditions and obligations where appropriate to secure the timely provision of essential infrastructure directly and reasonably related to a development.’

The Council developed a new local plan to meet the need for c. 11,000 new homes in both Chiltern and South Bucks by 2036 – however this was withdrawn in October 2020. The Chiltern and South Bucks CIL Charging Schedules were adopted in January 2020. The Council will use CIL as the main way of collecting contributions from developers to fund infrastructure to support growth. Some specific large site allocations are excluded from CIL and will be required to deliver infrastructure directly or make financial contributions towards mitigation of the development’s impact through legal agreements i.e. sites (including any parcel within) which are more than 10ha in size (gross) or more than 400 homes (gross).

5. School Place Planning Principles

- 5.1 Statutory guidance produced by the DfE requires decision makers to have regard to a number of factors when expanding schools/providing new schools including:
- The quality of new places created through expansion. Where schools are underperforming, the DfE would not expect them to expand, unless there are no other feasible ways to create new places in the area.
 - Demand for new school places (e.g. the decision-maker should take into account evidence of projected increase in pupil population such as planned housing developments);
 - Travel and accessibility (e.g. proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes);
 - Funding (e.g. the decision-maker should be satisfied that any land, premises or necessary funding required to implement the proposal will be available);
 - School premises and playing fields (i.e. under the School Premises Regulations all schools are required to provide suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely).

6. Process for agreeing contributions

- 6.1 As well as the education authority, BC is also the body responsible for producing local plans and determining residential planning applications.
- 6.2 The principles of an agreement, or “Heads of Terms”, will normally be expected to be established prior to an application being determined and the necessary legal agreement will need to be completed before a planning consent is issued by the local planning authority. A flow-chart showing the S106 planning obligations system as typically applied by a local planning authority in relation to a planning application is provided as Appendix 1
- 6.3 Where there is already pressure to provide education services, education contributions will be evaluated on a case by case basis from major development

proposals in line with local planning policy or where not available national policy (which defines major development as 10 or more homes or an area of 0.5 hectares or more). A development of this size should generate at least a single pupil which is a meaningful level of contribution that will have an impact on facilities. Where CIL charges will apply to a proposed development with respect to a particular education service – then S106 contributions will not also be sought for that same service.

- 6.4 Contributions will not be sought from housing where it can be demonstrated that the accommodation will not generate additional children into the education system (e.g. sheltered housing or homes which are exclusively for students or the elderly).
- 6.5 When a planning application involves demolition and rebuilding, contributions will apply to the net number of new dwellings created.
- 6.6 Education infrastructure required may include land and buildings for a new school or more typically an extension to an existing school to increase the capacity of the school to meet the needs of additional pupils. In view of the number of relatively smaller residential developments currently taking place in the county and their cumulative impact on the capacity of educational facilities, developer contributions will be pooled so that infrastructure can be secured in a fair and equitable way.
- 6.7 Applications seeking to renew planning permissions will require reassessments where there has been a material change of circumstances. When a planning permission is allowed to lapse, this will be incorporated into future updates to the projections. If the same scheme is resubmitted at a later date, it will need to be re-assessed against the latest projections.
- 6.8 BC will seek to identify the potential need for planning obligations at the earliest opportunity - usually through the Development Plan Process. This will identify potential need, enabling developers to build education infrastructure requirements into their land cost calculations, and providing a clear policy background for the needs to be a material consideration when determining any application. It should however be noted that requirements do not need to be published in a local plan for them to be regarded as a material consideration.
- 6.9 Some developments are not known about until Planning Application stage and comments will be incorporated in any response on Strategic Planning merits, including those objected to on planning policy grounds within the required 21 day period.
- 6.10 Consultation should take place at outline/full application stage even if the site has previously been investigated at Local Plan or Development Brief stage as significant changes in school rolls can occur in a short period. Consultations at pre-application discussion stage would be welcomed.
- 6.11 As set out in the NPPF, where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances

since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

Whilst commercially sensitive information will be treated in confidence, it may be necessary to report key issues and conclusions to senior Council Officers and elected Members when considering the planning application. If it is subsequently agreed that a developer cannot afford to meet all of the requested S106 requirements associated with their development, planning obligations may be prioritised in negotiation with the developer subject to the proposal being acceptable in all other respects. BC will need to come to a view as to whether, on balance, the benefits of the scheme (e.g. its contribution to the sustainability of the local area) outweigh the disbenefits of the developer not fully funding the necessary infrastructure. Consideration will also be given to support from other sources of funding or likely future market changes (i.e. any reductions in planning obligations agreed at the bottom of the market may be recovered in full or part when the market picks up).

6.12 A contribution calculator is available to calculate the number of children likely to be generated by a development and assess the level of contribution required.

7. Assessing Need

Primary and Secondary School Provision (4-18 year olds)

7.1 While BC encourages local schools for local children to support community cohesion and minimise journey times/transport costs and encourage more children to travel sustainably - it is also important to plan at an area level to recognise the complexities of parental preference. In line with the following DfE guidance, the Council reviews school occupancy on an annual basis at aggregate level for sub areas:

We expect local authorities to forecast demand for school places based on “planning areas”; mutually exclusive groups of schools that represent admissions patterns and reasonable alternatives to one another. We would usually expect this to mean geographic clusters of schools within reasonable travel distance of one another. Planning areas may be reviewed by local authorities annually.

Forecasting at planning area level has the effect of cancelling out the effect of changes in parental preference (and ensuring uniform trends in pupil numbers) which allows local authorities to make more effective decisions about adding and removing capacity.

In the county there are 20 primary/pre-school planning areas (see Appendix 2) and five secondary planning areas (based around the former district boundaries – apart from Aylesbury Vale which is split north and south). The planning areas for secondary schools are much larger than those for primary schools as parental choice is exercised to a greater degree at secondary level. The planning area boundaries are based on school catchment areas/established patterns of pupil movement and are reviewed annually.

An area planning approach satisfies the statutory tests in the Community Infrastructure Levy Regulations 2010 which requires there to be a functional or

geographical relationship between the proposed development and the infrastructure project. Significant pupil movement as a result of parental choice and overlaps between school catchment areas show that developments will not only have an impact on the catchment schools but also on other schools within their relevant planning area (i.e. functional relationship).

- 7.2 Projected pupil demand is generally assessed against school capacity at normal point of entry (e.g. Reception for primary and Year 7 for secondary). Projections of supply/demand for school places are based on DfE recommendations. In line with other Local Authorities, they are calculated for a five year period for primary schools and a seven year period for secondary schools and are derived from current number on roll, demographic information on known births, data on planned housing and pupil number trends. The projections are updated annually.
- 7.3 It is generally accepted that schools within a planning area should not operate at 100% of their capacity DfE Guidance on targets for surplus places states that Local Authorities cannot and should not try to eliminate all surplus capacity (i.e. not all unfilled places are surplus) and that it is reasonable to aim for between 5-10% overall surplus. A certain level of surplus places is necessary to allow for volatility in preferences from one year to next (e.g. to allow for year on year changes in the number of births or the number of pupils attending independent/out county provision). Therefore if surplus capacity falls below the 5% threshold of sustainability, a contribution towards provision of school places will be required.

Pre-School Provision (2-4 year olds)

- 7.4 While many early years settings fall within the private, voluntary and independent (PVI) sector, local authorities have a duty to ensure early years childcare provision within the terms set out in the Childcare Acts 2006 and 2016. The DfE has scaled up state-funded early years places since 2010, including the introduction of funding for eligible 2 year olds and the 30 hours funded childcare offer for 3-4 year olds. The take-up has been high, increasing demand for early years provision. All new primary schools are now expected to include a nursery. Developer contributions have a role to play in helping to fund additional nursery places required as a result of housing growth in particular where these are proposed as part of school expansions or new schools.

Special School Provision

- 7.5 Local Authorities are also responsible for securing sufficient education and training provision for young people with an Education, Health and Care (EHC) plan, up to the age of 25. The Council will seek developer contributions for expansions required to special educational needs and disabilities (SEN) provision commensurate with the need arising from the development. It is reasonable and fair to seek developer contributions for SEN provision in direct proportion to the needs arising from planned housing development, applying the same principle to SEN provision as to mainstream. There is no standard capacity assessment applicable to special schools and other types of non-mainstream education, as their ability to accommodate pupils depends on the specific needs of each child. However, an increase in housing will lead to an increase in SEN, and therefore the Council will seek developer contributions for all special school/SEN places generated by a development, where there is a need for additional SEN provision. Greater travel distances to special schools and alternative

provision will not affect consideration of whether a planning obligation meets the legal tests outlined in paragraph 4.3.

A range of SEN projects will be identified and planning obligations will allow the flexibility to direct funds appropriately within a 10 year period. Non-mainstream provision does not conform to standard class sizes, these being determined according to need. While it may be appropriate to pool contributions towards a new classroom in a special school or SEN unit at a mainstream school, it is equally valid to seek contributions for school building alterations that increase a school's capacity to cater for children with SEN, such as additional space for sensory rooms, facilities to teach independent living skills or practical teaching space.

It is not necessary to disaggregate the SEN pupil yield factor according to different complex needs. All education contributions are based on an assessment of probability and averages, recognising that the precise mix of age groups and school choices cannot be known before a development is built. Site-specific factors will always need to be taken into account, but a robust local authority-wide pupil yield factor based on evidence of recent developments will often be sufficient to demonstrate that this need is reasonably related in scale and kind to the development.

For developments over 200 dwellings an assessment will be made of the need to secure additional accommodation for pupils with special educational needs (SEN). The proportion of Bucks primary and secondary pupils who attend a special school is 1.1% and 2.3% respectively – therefore to determine the number of special school pupils generated from a site, it is necessary to apply these percentages to the mainstream pupil estimates. Special schools require more space per pupil than mainstream schools, and this is reflected in the assumed costs of provision. Developer contributions for special or alternative school places are set at four times the cost of mainstream places, consistent with the space standards in Building Bulletin 104.

7.6 Where a need to provide additional capacity has been identified, contributions for education will normally be sought for:

- 2 - 4 years Pre-school places
- 4 - 10 years Primary School places
- 11 - 18 years Secondary School places¹
- 4 - 18 Special School places

8. Calculating Contributions

8.1 **Where developer contributions are required to expand an existing school**, they will be calculated by multiplying the number of children likely to be generated by the net dwellings from the development (Table 1) by the costs of providing additional places (Table 2).

8.2 BC will make neighbouring authorities aware of any relevant developments planned in areas of the county that are covered by the catchment area of schools maintained by neighbouring authorities. Similarly, BC will comment on any relevant planning applications in neighbouring authorities which fall within the catchment area of a

¹ Buckinghamshire is a fully selective authority whereby children from the development will attend either an upper or grammar school depending on whether they qualify through the 11+ test.

Buckinghamshire school.

- 8.3 BC's medium to long term pupil generation rates have been derived from an analysis of 2011 Census data. The analysis excludes dwellings owned outright which contain a high proportion of households made up of elderly persons and are therefore not representative of modern housing development. Secondary pupil generation rates are based on grammar school uptake rates on new development and a 16+ stay-on rate of 50% in upper schools and 100% in grammar schools. On average new dwellings are likely to generate pupils at the rates shown in the table 1 below:

Provision Type	Table 1: Pupil generation rates by dwelling type per 100 dwellings							
	Flats			Houses				Bucks Average
	1 Bed	2 Bed	3+ Bed	1 Bed	2 Bed	3 Bed	4+ Bed	
Pre-school	0.3	2.0	3.4	0.7	2.5	5.2	7.2	4.2
Primary	2.1	14.1	23.7	4.7	17.6	36.1	50.3	29.1
Upper	1.0	5.3	14.3	2.1	8.5	26.5	43.3	20.9
Grammar	0.2	1.0	2.7	0.4	1.7	5.1	2.5	4.0
Special	0.0	0.3	0.7	0.1	0.4	1.1	1.7	0.9

The average rates used by BC are comparable to those used by neighbouring authorities.

- 8.4 Table 2 below gives the latest build cost per pupil (1st Quarter 2020 prices) used by BC to determine developer contributions towards education provision based on DfE guidance i.e. **the assumed cost of mainstream school places should be based on the national average costs as published in the latest DfE school place scorecards (adjusted to reflect regional costs using BCIS location factors)**. This ensures developer contributions are fairly and reasonably related in scale and kind to the development.

Table 2: BC Cost Multipliers	
Provision Type	Build Cost per pupil
Primary/Pre School	£19,513
Upper/Grammar	£26,866
Special	£97,947

Where there is local evidence of higher costs for a particular project, such as a bespoke feasibility study or known site abnormalities, these can be used in preference to the adjusted national average. The cost multipliers will be adjusted to reflect current policy requirements in an up-to-date emerging or adopted plan that has been informed by viability assessment.

Planning applications will be assessed using the latest available BC cost information in line with DfE guidance.

- 8.5 Table 3 below converts the above tables into costs per dwelling for expansion of existing schools:

Provision Type	Table 3: Education Contribution per dwelling							
	Flats			Houses				Bucks Average
	1 Bed	2 Bed	3+ Bed	1 Bed	2 Bed	3 Bed	4+ Bed	
Early Years	£59	£390	£663	£137	£488	£1,015	£1,405	£820
Primary	£410	£2,751	£4,625	£917	£3,434	£7,044	£9,815	£5,678
Upper	£269	£1,424	£3,842	£564	£2,284	£7,119	£11,633	£5,615
Grammar	£54	£269	£725	£107	£457	£1,370	£2,203	£1,075
Special	£0	£294	£686	£98	£392	£1,077	£1,763	£882

8.6 Provision of new schools: Where it is not feasible to expand existing schools (e.g. highways related issues, prohibitive costs, site constraints, no support from governing body) BC will require a new school to accommodate planned development. Where this has been established, contributions will normally be sought based on the cost of providing the new school (which for a primary and secondary school is £23,174 and £28,170 per pupil respectively). The developer will also provide either a suitable site in line with BC school site specification requirements or sufficient funding to acquire such a site based on an agreed valuation of the land. It will also normally be appropriate to base the costs on whole forms of entry to reduce the need for mixed aged teaching which is unpopular with both parents and teachers.

Alternatively, provision of the school and associated facilities by the developer will be considered in appropriate circumstances. These will need to be built to current DfE Building Bulletin and ESFA/Local Standard Specification. It is also essential that the architect and BC collaborate throughout the design period for the new school. All designs will be evaluated by a design assessment panel to ensure that they meet the highest design quality. Developers will be expected to provide a suitable site and meet all the design and build costs including site infrastructure and playing fields (prepared to Sport England standard for school use), full capital costs of fixtures and fittings (i.e. fixed furniture including ICT infrastructure) and furniture and equipment (i.e. loose furniture including ICT hardware in line with DfE rates) to enable the effective delivery of the curriculum. The Agreement will normally be ensured by a bond.

9. Payment of contributions and repayment of any unspent contributions

9.1 Payments should normally be made on commencement of development rather than at the end, and should not be subject to unduly onerous monitoring requirements to:

- safeguard the authority against developers defaulting on their commitments where 'need' is clearly identified;
- allow BC to plan more effectively by providing greater certainty as to the receipt of contributions;
- keep pace with the completion of the development to enable provision to be in place when the pupil numbers arise.

For larger developments staged payments on commencement of agreed phases of the project will be acceptable.

9.2 Where staged payments are proposed, if money is spent in advance of contributions being received then BC will still receive the appropriate monies from the developer at the agreed time.

Similarly, in cases where an item of infrastructure necessitated by the cumulative impact of a series of developments is provided by the local authority before all developments have come forward, the later developers will still be required to contribute the relevant proportion of the costs.

- 9.3 If payment due under these agreements is paid late, interest will be payable from the due payment date to the actual date of payment so that the value of the money in real terms does not deteriorate. Where land transfers are involved, BC will need to agree the precise site location and transfer terms as part of any S106 negotiation. Site transfer should generally take place to enable new primary schools to be opened at the point in which admissions into reception from within the development reaches 15 pupils (which BC estimates to be on occupation of the 350th home or four years from commencement whichever is the earlier) sufficient to justify the opening of a new school balanced against the environmental and financial cost of transporting pupils to neighbouring schools. If schools are opened earlier, this could impact negatively on the rolls at neighbouring schools as well as the viability of the development.
- 9.4 The developer will be responsible for paying BC's reasonable legal and administration costs in connection with the negotiation, preparation, completion and monitoring of the planning obligations in relation to education provision. BC monitors compliance with individual S106 provisions to ensure adherence to the terms of the legal agreements.

10. How contributions will be spent and restrictions

- 10.1 Where the need is justified, developers will be expected to provide or contribute to a specific expansion project within the relevant planning area. As these expansion projects may be subject to planning/consultation flexibility within the agreement is needed to allow the Council to identify another education project (in accordance with reg 122 of the CIL Regulations and as notified to the owner/developer).
- 10.2 All financial contributions will be index-linked in any S106 legal agreement or undertaking from the date of signing to the date of payment based on the Buildings Cost Index published by BCIS - so that contributions are adjusted for inflation at the point they are negotiated and when payment is due. Any contributions unused or uncommitted will be repaid to developers, together with any interest accrued, 10 years from the date of receipt. This is consistent with the period used within projections/local plans and ensures sufficient time is built into the complex, lengthy and uncertain commissioning/planning process to enable payments to be committed for expenditure and spent. Where the delivery of infrastructure is dependent on other service providers or delays beyond the Council's control, BC will seek to retain the contributions beyond the ten year period.
- 10.3 The Council maintains a transparent accounting system to ensure that all financial contributions can be traced from payment to final expenditure or repayment.

11. Status of Guidance

- 11.1 The **first edition of this** guidance was developed by BC Officers and incorporated the views of all key stakeholders (including elected members, schools, local councils and

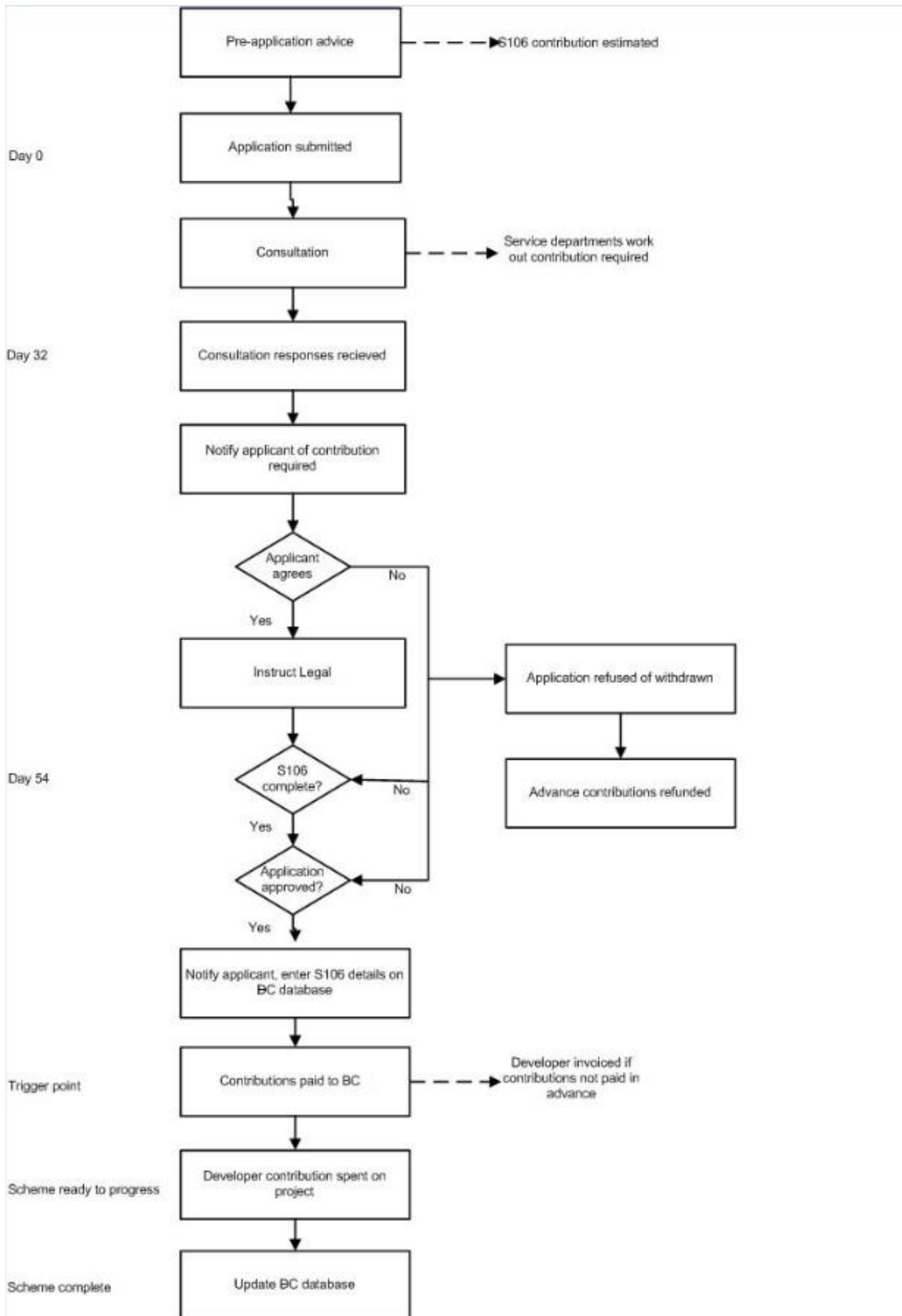
development industry stakeholders) through the consultation exercise between June and July 2009 and was adopted on the 8 June 2010.

- 11.2 The guidance does not set out new Local Plan policy requirements and does not have the status of a Supplementary Planning Document. The purpose of the guidance is to inform applicants on BC's approach towards developer contributions for education provision, in particular to provide updated information on costs.
- 11.3 The guidance will be published on the Council's website so that the information on costs is available at an early stage for incorporation into development schemes. The costs will also inform the comments of the Education Service on relevant planning applications, which in turn will be taken into account as part of the consideration of planning applications by BC (and if necessary the Planning Inspectorate on appeals).

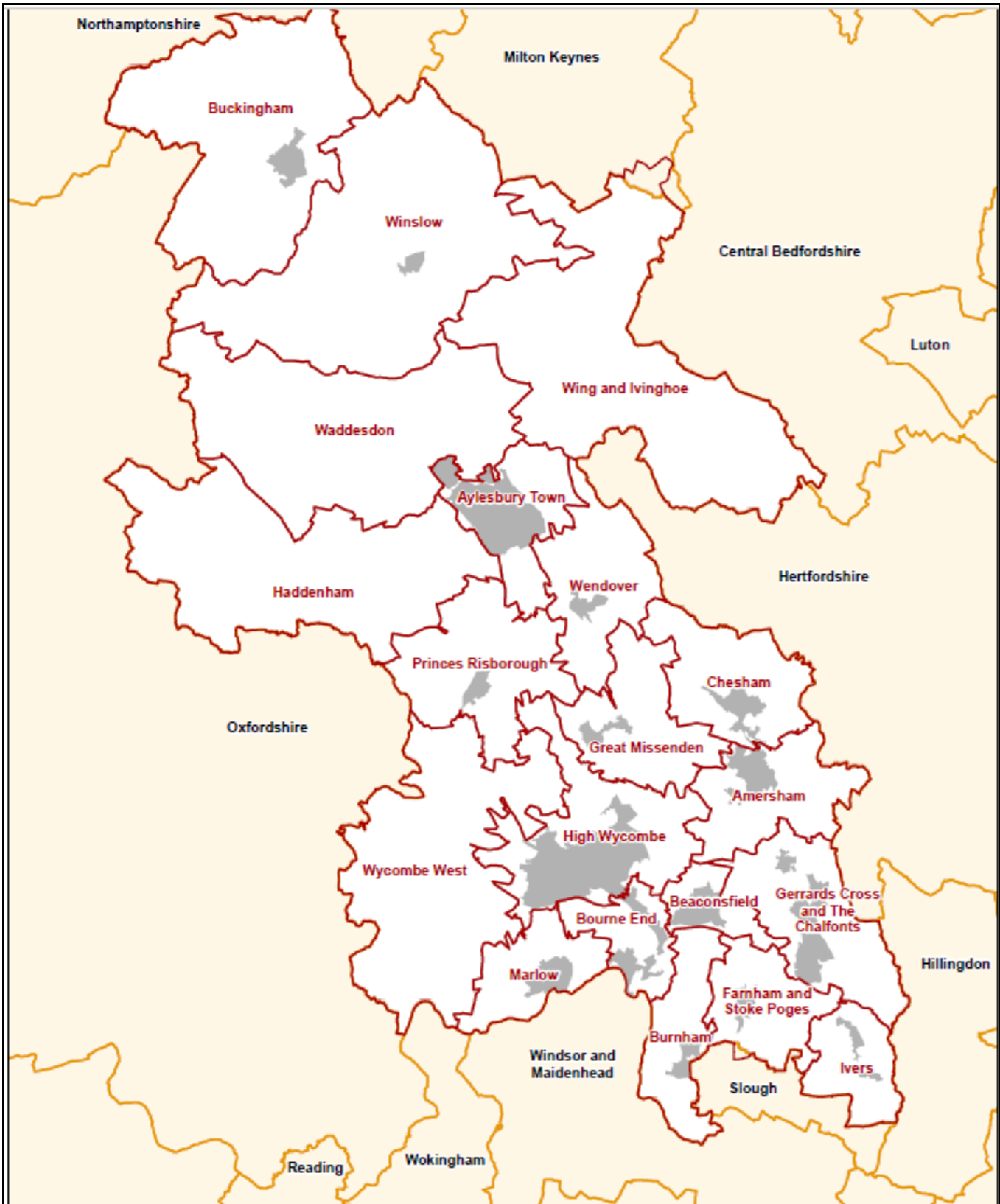
12. Review of Guidance

- 12.1 The guidance will be regularly reviewed as necessary to take account of changes in local and national policy guidance, experience gained through subsequent negotiations, and to incorporate the latest available building costs and pupil yield data - without the need for a full scale review.
- 12.2 The 2010 guidance was reviewed in 2020 to incorporate the following changes to national and local policy and was the subject of consultation with BC Property Board and with the Council's Planning and Environment Service. The following changes were taken into account as part of the review of the guidance:
- Buckinghamshire County Council and the four District Councils combined to become a single unitary authority;
 - Current position with regard to local plan policies within each former district;
 - Revised NPPF updated February 2019;
 - DfE statutory guidance for decision makers on factors to consider when making any changes to school provision;
 - Government guidance that contributions should only be sought from major developments.
 - Introduction of DfE non-statutory guidance on securing developer contributions for education;
 - Introduction of DfE guidance on school place planning areas;
 - Introduction of DfE guidance on methodology/timescales for assessing demand;
 - Latest available Population Census data;
 - Revised School Site Specification approved by BC's Property Board.

Appendix 1: Planning Obligations process

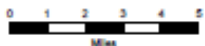


Appendix 2: Primary Planning Areas



Primary School Planning Areas in Buckinghamshire

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