

Technical Appendix 6: Education – Primary and Secondary Education

1. Service Overview

- 1.1. KCC has a statutory duty to offer a school place to any child in Kent aged between 4-16 who requires one, under Section 14 of the Education Act 1996.
- 1.2. For young people aged 16 and over, KCC must:
 - Provide sufficient, suitable education and training for those aged 16-19 (and 20-24 with an Education, Health, and Care Plan);
 - Make support available to those aged 13 and upwards to encourage, enable or assist their participation in education or training (tracking this participation successfully is a key element of this duty);
 - Have processes in place to deliver the ‘September Guarantee’ of an education or training place for all 16- and 17-year-olds.
- 1.3. Most Kent secondary schools offer post-16 (sixth form) provision, for which the Local Authority currently receives no Basic Need funding. When additional post-16 provision is required (due to increases in student numbers), this will need to be funded by the Education and Skills Funding Agency (ESFA), which will expect KCC to seek proportionate developer contributions . [1]

[1] Para 10 ‘Securing developer contributions for education’ Department for Education, November 2019.

2. Planning Groups and Forecasting

- 2.1. KCC uses groupings [2] of schools for provision planning to ensure adequate school places for existing and future Kent residents. These planning groups are geographically aligned within groups of wards known as planning areas: a minority comprise just a single ward.

[2] In agreement with the Department for Education, planning groups are based predominantly upon travel to school pattern.

- 2.2. Most children within these planning areas will attend the same school(s). Wards are used as they are a nationally recognised planning feature: generally small enough to be locally representative but large enough to produce national-level datasets (population, births, deaths, migration, indices of multiple deprivation).

- 2.3. Whether additional school places will be required or sufficient places are available will depend upon an assessment conducted for each proposed development site, based on the planning group/s in which it sits. This assessment will start with the forecast capacity of existing schools, taking in to account existing cohorts, the pre-school aged population, historic migration patterns and the pupil product of developments already granted planning consent in the area, plus planning applications submitted to the LPA and yet to be determined, and applications refused by the LPA within the last six months, with an active appeal lodged.
- 2.4. Where a development is on the margins of a planning group, the assessment may be conducted over more than one planning group, or an alternative geographical area.
- 2.5. A detailed breakdown of the planning groups can be found within the [Commissioning Plan for Education Provision in Kent \(KCP\)](#) which is updated annually.
- 2.6. KCC forecasts include a minimum surplus capacity of 2% to allow for fluctuations in demand and parental choice, in line with government guidance . [3] The DfE also uses this minimum when assessing KCC's forecasts through the statutory school capacity survey (SCAP) process.

[3] '[Securing developer contributions for education, November 2019](#)', Department for Education.

- 2.7. Locations of existing schools by district can be found via [here](#).

3. Assessing the Need and Calculating Demand

- 3.1. Threshold for Seeking Contributions and Qualifying Developments
 - 3.1.1. Any development of 10 or more dwellings or a site size of 0.5Ha and above will be assessed and a request for Primary and/or Secondary education contributions requested where demand for school places exceeds capacity.
 - 3.1.2. KCC will not seek contributions from the following:
 - One-bed dwellings of less than 56 sqm GIA
 - Homes restricted in perpetuity to persons over 55 years of age
 - Student accommodation
 - C2 Dwellings
 - Sites specifically set aside for transient Gypsy and/or Traveller communities
- 3.2. Service Capacity - Forecasting Demand Generated by New Developments
 - 3.2.1. Pupil yields are an estimate of the number of primary and secondary pupils created per new dwelling. Pending publication of a new national

methodology by the DfE, KCC’s local approach remains valid, as set out in Table 1 below.

Table 1: Primary and Secondary Education Pupil Yields per House/Flat.

	Pupil Yield	Pupil Yield
	Primary (Mainstream)	Secondary (Mainstream – Years 7-11)
Per House	0.28	0.20
Per Flat	0.07	0.05

3.2.2. An example capacity assessment for primary and secondary education, including explanations of the process can be found in the Technical Appendix 10: Example Education Assessment – Primary & Secondary. Assessment of school capacities within the relevant planning group/s will be undertaken at the point of planning application.

3.3. Provision of Infrastructure – Project Types

3.3.1. Where an assessment demonstrates that the pupil need created by the development (plus cumulative need within the planning areas) exceeds surplus capacity, KCC will review the most appropriate strategy for accommodating this additional demand. The options are:

3.3.2. Permanent Expansion

3.3.2.1. Where this is the appropriate mitigation, KCC will request a financial contribution, based on pupil need multiplied by the cost per pupil, to fund capital works to create additional capacity. Expansion may also require additional land: the applicant will be required to provide this to KCC at ‘nil consideration’ or make financial contributions to KCC to purchase it. Where land is required to provide places for more than one development, proportionate contributions will be sought from all developments. For further information, see paragraph 4.2 Land Contributions below.

3.3.2.2. Please note: KCC is unable to unilaterally decide to expand a school for which it is not the Admissions Authority, this includes Voluntary Aided, Foundation, Free and Academy schools.

3.3.3. Establishment of new Schools

3.3.3.1. Where the pupil need created by the development exceeds existing capacity and cannot be appropriately accommodated by permanent expansion of an existing school, KCC may propose establishing a new school. Financial

contributions will be sought for new-build places and the provision of land and/or financial contributions towards its cost.

4. The Cost of Additional Places – S106 Contribution Rates

4.1. Build Contributions

4.1.1. KCC regularly reviews the cost of providing additional education places. A 2019 review by Aecom of KCC’s education build projects has been benchmarked against project sample data from the National Schools Delivery Cost Benchmark (NSDCB) database. The rates in Table 2 below reflect average build costs, including buildings, site works, professional fees, plus furniture, fixtures and equipment but excluding abnormal costs.

Table 2: Primary and Secondary Education Build Rates.

	Per Pupil	Per House (Per Pupil Rate x Pupil Yield Per House)	Per Flat (Per Pupil Rate x Pupil Yield Per Flat)
Primary Education - New Build	£25,290.00	£7,081.20	£1,770.30
Primary Education - Extension	£19,331.20	£5,412.74	£1,353.18
Secondary Education – New Build	£27,935.96	£5,587.19	£1,396.80
Secondary Education - Extension	£26,646.36	£5,329.27	£1,332.32

4.1.2. Contribution rates are based on build data from 2017/18 and adjusted for inflation (rebased to Q1 2022).

4.1.3. An example of build and land costs for primary and secondary education can be found in the Technical Appendix 11: Example Build and Land Contributions.

4.2. Land Contributions

- 4.2.1. Where new schools are required, or an existing school needs additional land to expand, KCC will seek the provision of land and/or proportionate financial contributions.
- 4.2.2. National Planning Practice Guidance advises how local planning authorities (LPAs) should prepare plans and take account of education requirements. KCC will work with the LPAs and developers to identify and allocate sites to ensure additional education places are planned for, including land required for school expansions and new schools.
- 4.2.3. This land should be provided to KCC at 'nil consideration'. Where the site has been allocated in the development plan for a school or where there is no realistic prospect of development, its value will normally be based on its existing or alternative-use value. If the site could realistically have obtained residential permission, if it had not been required to provide education infrastructure for other sites, it will normally be valued at residential land value: it will still be provided to KCC at nil consideration, however. KCC will work with the LPAs to secure this via the s106 process and CIL contributions.
- 4.2.4. Where a developer is providing land and the site area exceeds the development's needs, the landowner should not be disadvantaged. In these cases, KCC will seek proportionate land contributions from other sites and transfer these sums to the land provider when received.

5. Spending Contributions – Projects

- 5.1. The complex nature of planning education provision according to need and rate of housing growth means KCC requires flexibility, to ensure places are provided at the right time, in the most appropriate locations. KCC will, therefore, seek to secure contributions on a preferred and 'contingency' project within a planning group/s and may need to apply contributions to any existing or new school within an area that serves the development. This enables KCC to respond to new circumstances and information, such as detailed feasibility work which alters the proposed mitigating project, in line with DfE guidance. [4] For example, an allocated Local Plan school site may not be available at the time of need, so alternative sites are required.

[4] Para 20 Securing developer contributions for education, 2019 – Department for Education.

- 5.2. A need may also exist for additional primary and/or secondary education places, but school sites are yet to be allocated within the local plan. In these cases, it may not be possible to identify a proposed or contingency project at the time planning permission is granted; but contributions will still be required. A 'contingency' project may be specified in terms of additional education places in relevant education planning group/s.

6. Indexation

- 6.1. To ensure financial contributions continue to cover the actual cost of delivering infrastructure, these will be subject to indexation. KCC applies the BCIS All-In Tender Price index, with the base date for indexation set at Q1 2022.

7. Time Limit on Spend

- 7.1. Any contributions will be repaid to the original payee on request if not committed or spent towards its purpose within 10 years of receipt of the contributions in full (if paid in instalments) or alternative longer period as may be agreed.