

Phil Norrey  
Chief Executive

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To: The Chairman and Members of  
the Cabinet

County Hall  
Topsham Road  
Exeter  
Devon  
EX2 4QD

(See below)

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Your ref :  
Our ref :

Date : 4 October 2016  
Please ask for : Rob Hooper, 01392 382300

Email: rob.hooper@devon.gov.uk  
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## **CABINET**

Wednesday, 12th October, 2016

A meeting of the Cabinet is to be held on the above date at 10.30 am in the Committee Suite, County Hall, Exeter to consider the following matters.

P NORREY  
Chief Executive

## **A G E N D A**

### **PART I - OPEN COMMITTEE**

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 14 September 2016 (previously circulated).

3 Items Requiring Urgent Attention

Items which in the opinion of the Chairman should be considered at the meeting as matters of urgency.

4 Chairman's Announcements

5 Petitions

6 Question(s) from Members of the Council

### **FRAMEWORK DECISION**

None

## **KEY DECISIONS**

- 7 A Gateway to Northern Devon - The Strategy for the A361 and A39 (NDLR) (Pages 1 - 16)  
Report of the Head of Planning, Transportation & Environment ([PTE/16/46](#)) on the results of consultations on potential improvements for the A361/A39, North Devon Link Road corridor, attached.  
*Electoral Divisions(s): Barnstaple North; Barnstaple South; Bideford East; Bideford South & Hartland; Chulmleigh and Swimbridge; Fremington Rural; Northam; South Molton Rural; Tiverton East; Tiverton West; Willand & Uffculme*
- 8 Education Infrastructure Plan: 2016 - 2033 (Pages 17 - 84)  
Report of the Head of Planning, Transportation & Environment ([PTE/16/47](#)) on the proposed revised Educational Infrastructure Plan 2016-2033, taking account of changes in national policy and providing a comprehensive framework for meeting the future education infrastructure needs of Devon's children, attached.  
*Electoral Divisions(s): All Divisions*

## **MATTERS REFERRED**

- 9 Corporate Services Scrutiny Committee: Income Generation Task Group (Pages 85 - 96)  
The Corporate Services Scrutiny Committee at its meeting on 22 September 2016 (Minute \*13) considered the Report of its Task Group ([CS/16/28](#)), attached, looking at how the County Council generated income to maximise and safeguard council services and the corresponding need for a strategic approach, to maximise capital receipts and fully realise the potential of its assets, while remaining conscious of and staying true to its core business and purposes and resolved that '*the recommendations of the Task Group be endorsed and forwarded to Cabinet for their consideration*'.  
**Recommendation:** that the Task Group's proposals be endorsed and the Cabinet Members for Resources & Asset Management and for Performance & Engagement be asked to take all appropriate action, to ensure the principles outlined therein are embedded in the Council's policies, practices and actions now and into the future.  
*Electoral Divisions(s): All Divisions*

## **OTHER MATTERS**

- 10 Compass House Crèche (Minute 68/14 September 2017) (Pages 97 - 102)  
Report of the Head of Social Care Commissioning ([SCC/16/52](#)) on the future of Compass House Crèche, attached.  
*Electoral Divisions(s): All Divisions*

## **STANDING ITEMS**

- 11 Question(s) from Members of the Public
- 12 Childcare Sufficiency Report (Pages 103 - 136)  
Report of the Head of Education & Learning ([EL/16/4](#)) on the third Annual Report outlining how the Council was meeting its statutory duty to secure sufficient early years and childcare places, identifying future challenges and actions, attached.
- 13 Minutes (Pages 137 - 140)  
(a) Farms Estates Committee – 15 September 2016, attached.

[NB: Minutes of County Council Committees are published on the Council's Website at: <http://democracy.devon.gov.uk/ieDocHome.aspx?bcr=1>]

14 Delegated Action/Urgent Matters (Pages 141 - 142)

The Registers of Decisions taken by Members under the urgency provisions or delegated powers will be available for inspection at the meeting in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. A summary of such decisions taken since the last meeting is attached.

15 Forward Plan

In accordance with the Council's Constitution, the Cabinet is requested to review the list of forthcoming business (previously circulated) and to determine which items are to be defined as key and/or framework decisions and included in the Plan from the date of this meeting.

[NB: The Forward Plan is available on the Council's website at: <http://democracy.devon.gov.uk/mgListPlans.aspx?RPId=133&RD=0&bcr=1> ]

**PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC**


**MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER**

*Notice of all items listed above have been included in the Council's Forward Plan for the required period, unless otherwise indicated. The Forward Plan is published on the County Council's website at <http://www.devon.gov.uk/cma.htm>*

*Notice of the decisions taken by the Cabinet will be sent by email to all Members of the Council within 2 working days of their being made and will, in the case of key decisions, come into force 5 working days after that date unless 'called-in' or referred back in line with the provisions of the Council's Constitution. The Minutes of this meeting will be published on the Council's website, as indicated below, as soon as possible.*

*Members are reminded that Part II Reports contain confidential information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s).*

*Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Democratic Services Officer at the conclusion of the meeting for disposal.*

<b>Membership</b>
Councillors J Hart (Chairman), B Parsons, S Barker, R Croad, A Davis, A Leadbetter, J McInnes, J Clatworthy and S Hughes
<b>Cabinet Member Remits</b>
Councillors Hart (Policy & Corporate), Barker (Adult Social Care & Health Services), Clatworthy (Resources & Asset Management), Croad (Community & Environmental Services), Davis (Improving Health & Wellbeing), S Hughes (Highway Management & Flood Prevention), Leadbetter (Economy, Growth and Cabinet Liaison for Exeter), McInnes (Children, Schools & Skills) and Parsons (Performance & Engagement)
<b>Declaration of Interests</b>
Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.
<b>Access to Information</b>
Any person wishing to inspect the Council's / Cabinet Forward Plan or any Reports or Background Papers relating to any item on this agenda should contact Rob Hooper on 01392 382300. The Forward Plan and the Agenda and Minutes of the Committee are published on the Council's Website.
<b>Webcasting, Recording or Reporting of Meetings and Proceedings</b>
The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: <a href="http://www.devoncc.public-i.tv/core/">http://www.devoncc.public-i.tv/core/</a>
In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.
Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.
<b>Questions to the Cabinet / Public Participation</b>
A Member of the Council may ask the Leader of the Council or the appropriate Cabinet Member a question about any subject for which the Leader or Cabinet Member has responsibility. Any member of the public resident in the administrative area of the county of Devon may also ask the Leader a question upon a matter which, in every case, relates to the functions of the Council. Questions must be delivered to the Office of the Chief Executive Directorate by 12 noon on the fourth working day before the date of the meeting. For further information please contact Mr Hooper on 01392 382300 or look at our website at: <a href="http://new.devon.gov.uk/democracy/guide/public-participation-at-committee-meetings/">http://new.devon.gov.uk/democracy/guide/public-participation-at-committee-meetings/</a>
<b>Emergencies</b>
In the event of the fire alarm sounding leave the building immediately by the nearest available exit, following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings, do not use the lifts, do not re-enter the building until told to do so.
<b>Mobile Phones</b>
Please switch off all mobile phones before entering the Committee Room or Council Chamber
If you need a copy of this Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Information Centre on 01392 380101 or email to: <a href="mailto:centre@devon.gov.uk">centre@devon.gov.uk</a> or write to the Democratic and Scrutiny Secretariat at County Hall, Exeter, EX2 4QD.
 Induction loop system available

- (a)
- (b)



PTE/16/46

Cabinet  
12 October 2016

## **A Gateway to Northern Devon – the Strategy for the A361 & A39 (NDLR)**

Report of the Head of Planning, Transportation and Environment

***Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.***

### **Recommendation: That Cabinet**

- (a) notes the results of the public consultation;**
- (b) agrees that the Strategic Outline Business Case be submitted to the Department for Transport (DfT);**
- (c) agrees that, if approved by DfT, its additional funding is applied to the scheme's development in 2016/17 and 2017/18.**

### **1. Summary**

This report follows the Cabinet report dated July 2014 regarding the North Devon Link Road (NDLR) project. It updates the Cabinet on recent progress and the further programme of work for this scheme.

### **2. Background/Introduction**

The A39/A361 corridor between Bideford and the M5 forms the principal road connection between northern Devon and both the M5 junction 27 and the strategic rail network at Tiverton Parkway. The NDLR is one of the few stretches of strategic highway in Devon, identified in the Local Transport Plan, for which Devon County Council has direct responsibility; the remainder being the responsibility of Highways England. As such, the County Council has the responsibility to maintain and improve it as needed, and by doing so creating an improved "Gateway to Northern Devon" and thereby helping to address the poorly performing nature of the northern Devon economy.

The NDLR carries varying numbers of business users, commuters and tourists, depending on the location and time of year. This mix of traffic leads to poor journey time reliability and congestion in peak commuting periods around Barnstaple/Bideford. This is exacerbated in peak holiday periods when congestion can occur at numerous locations along the route; a situation made worse by the number and variety of type of junctions which act as pinch points, often causing congestion on the main and side roads.

There is considerable employment and housing development planned along the route over the next 15-20 years, with 2,000 dwellings at Tiverton, 1,200 at South Molton, 4,100 at Barnstaple and 4,100 in the Bideford area, with smaller levels elsewhere at locations such as 1,400 at Ilfracombe, 400 at Braunton and 600 in Torrington. The particular pressure points on the network are at key urban junctions in the vicinity of Barnstaple and Bideford, between Barnstaple and South Molton and in the Tiverton area.

The existing and forecast traffic flows at the various sections of the route are shown in Appendix 1.

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The following problems have been identified which can be partially or wholly attributed to the performance of the NDLR. These form the basis as reasons to consider improvements:

- Northern Devon's economy is among the most poorly performing in the UK and has significant untapped potential;
- Although the number of collisions is relatively low compared to other Devon A Roads, the severity issue (the number of fatal and serious incidents as a proportion of the whole) is higher than other comparable roads;
- Long delays and diversion routes occur during routine maintenance works or when an accident happens – causing problems for residents, businesses, and visitors.
- Congestion during peak hours (morning and afternoon between Barnstaple and Bideford, and during peak tourist periods along the entire route between Bideford and Tiverton).
- Low average speeds (47mph on the 60mph section between Tiverton and Bideford) and limited overtaking opportunities for long distances offers a poor gateway to northern Devon.

Following the public consultation held in 2014, work progressed on potential improvement options for the NDLR corridor. This included 4 options:

- Public transport
- Junction only improvements
- Junction + link improvements between Bideford and South Molton
- Dual carriageway.

As a result of an initial assessment the dual carriageway option was not taken forward for public consultation. A dual carriageway would provide the biggest benefits but this is very high cost, probably unaffordable in the context of the DfT's available Large Local Majors budget, and would have a large impact on the environment as a new alignment and large scale junction improvements would be necessary. This would require large areas of land, compulsory purchase orders, public inquiries and make the whole process undeliverable within the DfT timescales of having the scheme onsite by 2020.

Public transport options were also not taken forward to public consultation as part of this scheme because they could not achieve the fully enhanced connectivity necessary to support economic growth. This does not however mean that further improvements to the Exeter – Barnstaple rail line will not be justified in future as part of a wider connectivity package.

Outline design plans of the two remaining options were undertaken, together with a preliminary traffic and environmental assessment. This was summarised in the recent 2016 Options Consultation leaflet which was part of the material used in a public consultation. The consultation ran from 27<sup>th</sup> June until 12<sup>th</sup> August after being extended by two weeks at the request of the local MP.

### **3. Proposal**

Taking all of the public comments into account and in parallel with additional design, environmental, traffic and economic work that has also been conducted, it is proposed to make a Strategic Outline Business Case bid to the DfT for scheme funding from the Local Majors Fund. The scheme will include:

- Improvements to seven junctions between Bourners Bridge and Heywood Road roundabout (Bourners Bridge, West Buckland, Landkey, Portmore, Rumsam, Westleigh, Heywood Road);
- A new junction at Brynsworthy to the west of the current A39 Roundswell roundabout;
- Additional overtaking lanes from Filleigh Estate to Portmore Roundabout and from the new junction at Brynsworthy to Westleigh; and



- Given that the traffic flows are much higher around Barnstaple, the proposal is for an urban four-lane road on this section, between Landkey and Brynsworthy. This would be 2 lanes in each direction (including widening the river and rail bridge over the Taw) without a central reservation but the speed limit would have to be reduced to maximum of 50mph. This would offer a step change in capacity and the best value for money for this section.

A schematic plan showing the proposed improvements is included in Appendix 2.

The second stage of scheme assessment has commenced on the presumption that the Strategic Outline Business Case is accepted by DfT. This will consider the individual elements of the scheme which is approximately 30km long. It is likely that various constraints will reduce the size of the final scheme taking account of more detailed traffic modelling, environmental surveys, design and land ownership constraints. Such constraints may also impede the deliverability of parts of the scheme.

The section between South Molton and the M5 has also been identified as needing a review in terms of overtaking opportunities, junction safety/capacity and access to Tiverton Parkway. This work will be carried out as a separate commission when funding has been identified.

#### **4. Consultations/Representations/Technical Data**

Over 1,300 people responded to the consultation by completing an online questionnaire or by making additional written responses; over 95% of people agreed that there was a need to make improvements to the NDLR. There was strong support for improvements to the sections between South Molton and Bideford. The majority of people preferred link and junction improvements option with much less support for the junctions only option. Although not an option included in the consultation, approximately 30% of respondents suggested further consideration should be given to a dual carriageway and 50% proposed the section between South Molton and the M5 be looked at. A more detailed summary of the results is included in Appendix 3.

In addition to the public consultation, a business survey was also carried out consisting of face-to face interviews with larger businesses in the area whilst smaller businesses completed an online questionnaire. This survey identified that the main constraints to businesses in the northern Devon area are the local transport links and the road links to the rest of the country. 41% of businesses identified that making improvements to the NDLR would have a positive impact on their turnover in the future. A more detailed summary of the business survey results is included in Appendix 4.

#### **5. Financial Considerations**

The DfT has already granted DCC £600k to complete the first stage of the study and the majority of this funding will have been spent on achieving this when the Strategic Outline Business Case is submitted. The initial commitment from the DfT identified that an additional £900k would be made available to DCC in financial year 2017/18 to complete stage 2 of the study, subject to the scheme identified at the end of stage 1 showing '*satisfactory progress and the likelihood of a value for money scheme emerging.*' Officers are liaising with the DfT to allow some of this money to be brought forward to this 2016/17 financial year. This would allow an Outline Business Case to be prepared by the end of 2017. The timely approval of this by the DfT would improve the prospects of the scheme meeting the overall project deadline of starting onsite by March 2020 and a decision on bringing the funding forward will be made soon by the DfT.

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The total cost of the proposals that will be included in the Strategic Outline Business Case is approximately £200m. The success of a future bid to the DfT Large Local Majors Fund is dependent on a number of factors including an element of match funding.

A capital bid to the Large Local Majors Fund for works will need to be submitted to the DfT by autumn 2017 when the Outline Business Case is ready. A bid of £200m is likely to be greater than the funding available from both central Government, and the ability to find local match funding in one go. There are also limitations as to which sections could be included in a bid at that time where, for example, land has not been secured. It is therefore likely that the NDLR improvements will need to be split into two phases with the initial phase included in the autumn 2017 bid. The second phase bid would be made when further national and local funding was available.

The local contribution has yet to be fully identified. Options include capital receipts, Local Transport Plan, corporate borrowing, developer contributions, New Homes Bonus (County and District Councils) and capital funding from the Councils. It is also understood that LEP Growth Deal round 1 expenditure on short term schemes at Portmore, Roundswell and Heywood Road can be included as local match but this requires further confirmation from the DfT.

As part of the local match funding Devon County Council has already committed £1m out of Corporate Capital Receipts over the next 5 years towards the design of the scheme in parallel to the DfT commitment. This is likely to be used towards the end of the design period but may be required earlier depending on the DfT funding arrangement.

## **6. Environmental Impact Considerations**

Initial desktop environmental studies have been carried out to identify any major 'showstoppers' to the project. The next stage of the project will see detailed surveys carried out to identify the current situation and to give an indication of mitigation measures required.

The final scheme will require an Environmental Statement which will trigger a planning application.

## **7. Equality Considerations**

Equality considerations will be considered as part of the scheme option development and included in reports on future individual schemes. This may include impacts such as the ability to cross the road. Impact assessments for the different scheme elements will be included when full scheme approval reports are brought to Cabinet.

## **8. Legal Considerations**

There are no specific legal considerations at this stage. They will be considered in future reports on individual schemes.

## **9. Risk Management Considerations**

All Risk Management Considerations will be taken into account when detailed scheme designs are produced. Key risks are:

- Land ownership issues delaying progress
- The length of the scheme means the design process could take longer than envisaged, with cost overruns
- Environmental constraints are identified which limit the options for any improvement
- The bridge widening proves technically challenging
- The benefit to cost ratio is not sufficiently robust

- The planning application runs into difficulties
- Lack for funding for the capital works from both the DfT and Local Contributions.

## 10. Public Health Impact

The air quality in locations near dwellings may need to be modelled as part of scheme development including the indirect impact of any increased traffic levels on roads linking to the A361 / A39. Opportunities to improve options for increasing levels of physical activity through walking and cycling, for example better crossing facilities, will be considered in the detailed design stage.

## 11. Options/Alternatives

Options and alternatives have been considered at as part of the scheme development process:

- Doing nothing could be a long term detriment to the economy of northern Devon
- A dual carriageway would be the most beneficial scheme for the local economy but has been discounted for a number of reasons
- Public transport improvements could not deliver the necessary improvements in connectivity on their own
- The proposed scheme for improving the section of road between South Molton and Bideford by a combination of widening the existing carriageway and improving junctions is the most pragmatic and deliverable way forward.

## 12. Reason for Recommendation/Conclusion

There is a need to submit a Strategic Outline Business Case to the DfT in autumn 2016 in order to keep to the timescales to be in a position to start construction in March 2020. If this submission date is not achieved, the probability of receiving funding through the Local Majors Fund is significantly reduced.

Dave Black  
Head of Planning, Transportation and Environment

**Electoral Divisions: Willand and Uffculme; Tiverton East; Tiverton West; South Molton Rural; Chumleigh and Swimbridge; Barnstaple North; Barnstaple South; Fremmington Rural; Northam; Bideford East; and Bideford South and Hartland**

Cabinet Member for Economy, Growth and Cabinet Liaison for Exeter: Councillor Andrew Leadbetter

*Strategic Director, Place: Heather Barnes*

Local Government Act 1972: List of Background Papers

Contact for enquiries: Stuart Jarvis

Room No. AB2 Lucombe House, County Hall, Topsham Road, Exeter, EX2 4QD

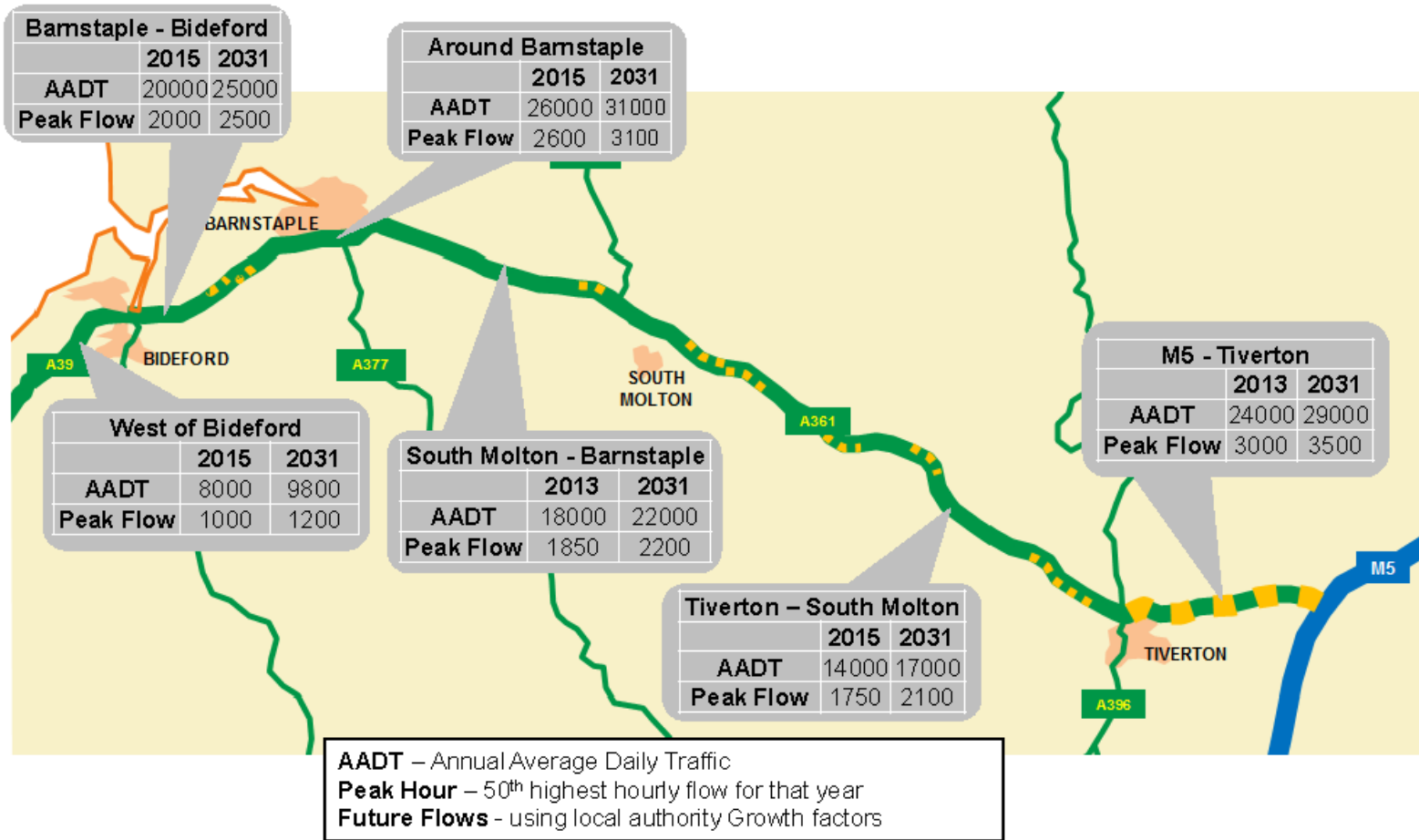
Tel No: (01392) 383000

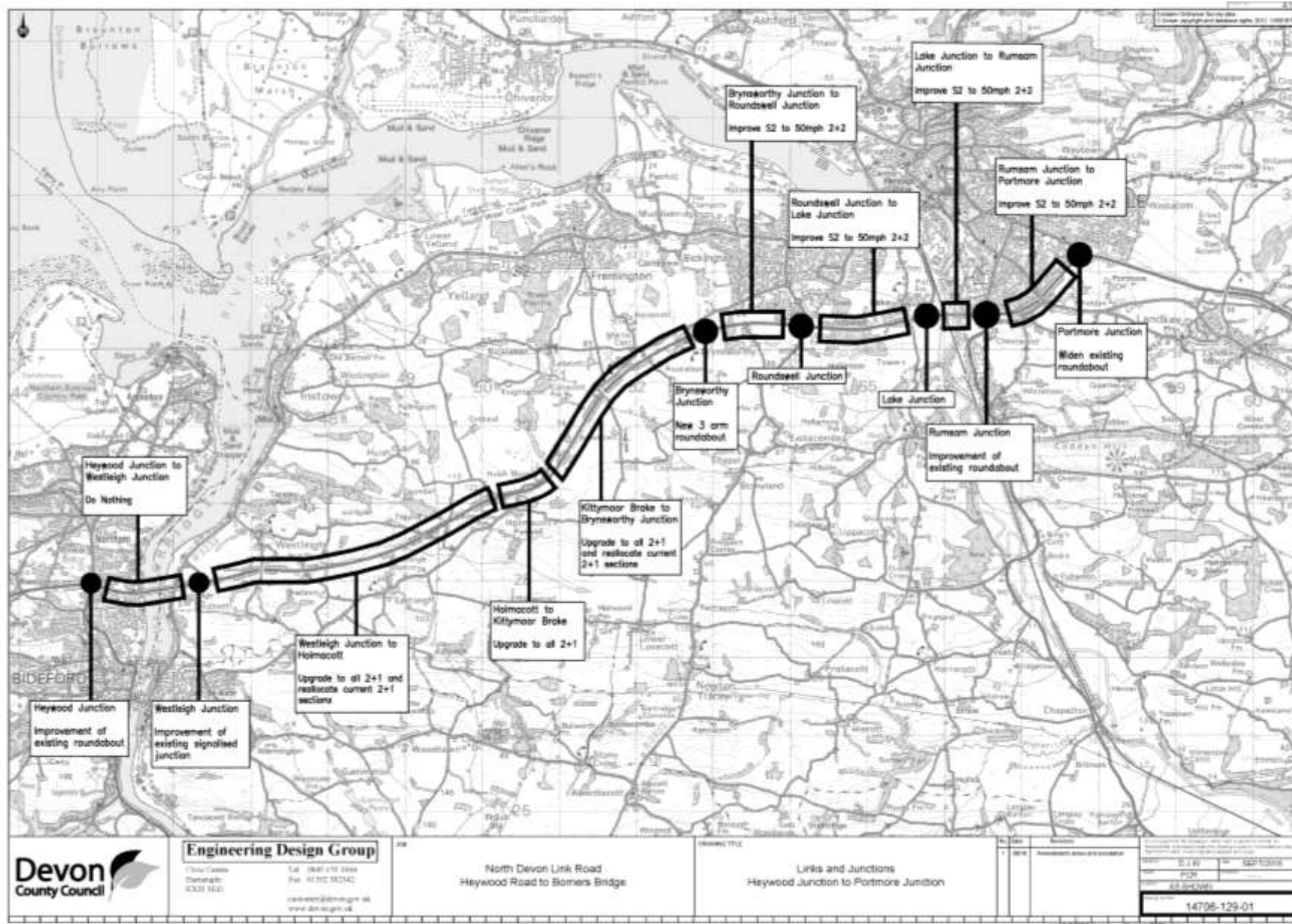
Background Paper	Date	File Reference
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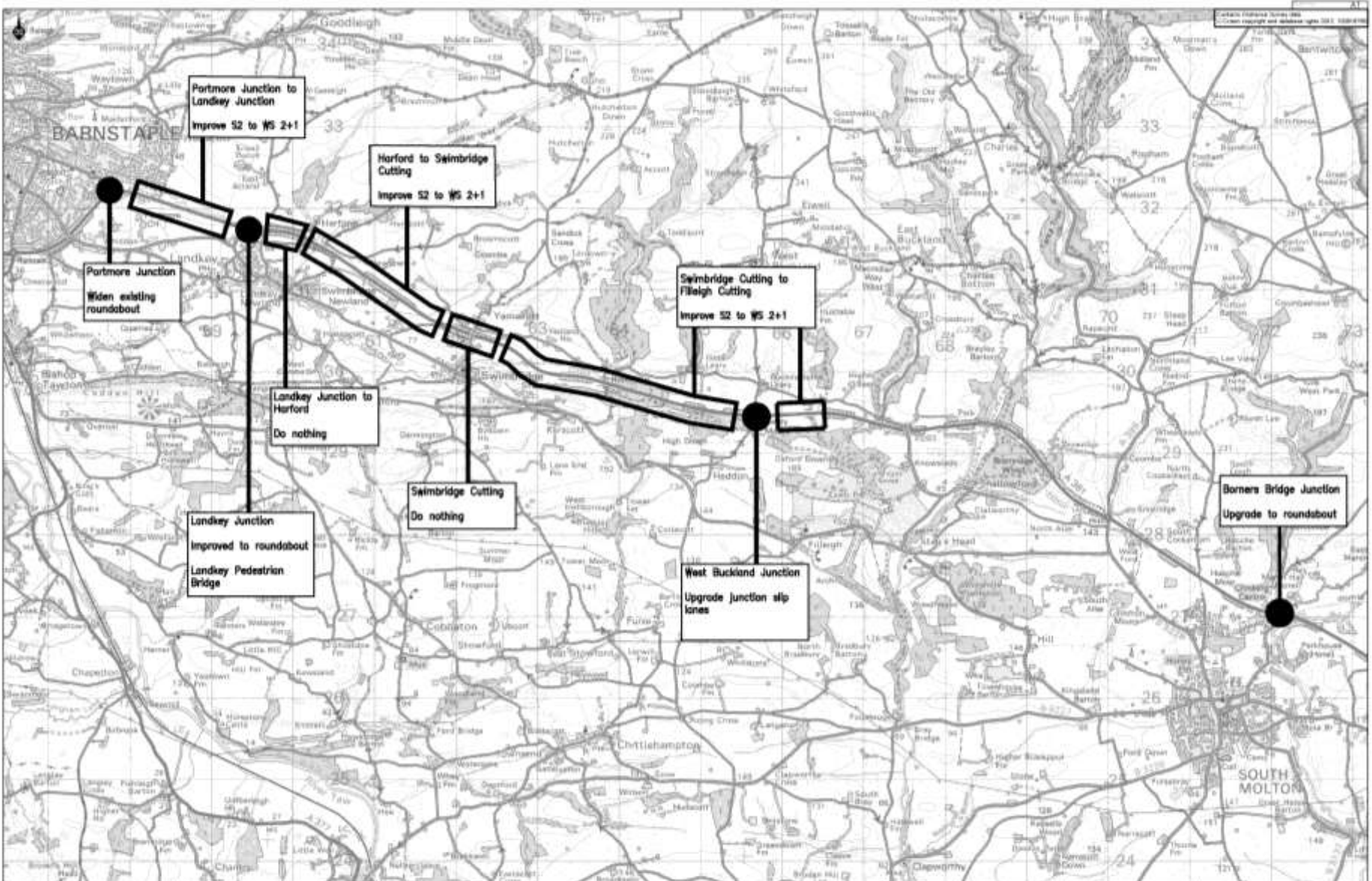
Nil

sj220916cab gateway northern devon strategy for a361 and a39 NDLR hk 07 031016

## Current Traffic & Future Traffic Levels







	<b>Engineering Design Group</b> 1701 18D 0302 182342 www.devon.gov.uk	North Devon Link Road Heywood Road to Bormers Bridge	Links and Junctions Portmore Junction to Bormers Bridge Junction	Date: 14/06/2016 Drawn by: D.J.W. Checked by: P.C.R. Approved by: A.S. B-CAN
	14706-130-01	SOUTH MOLTON	BARNSTAPLE	14706-130-01

## Summary of online consultation responses

Summer 2016

This document contains a summary of the preliminary analysis from the NDLR consultation undertaken in summer 2016. Free text analysis figures are for guidance only and are not exact.

In total, 1325 responses were collected. Plotting of respondents postcodes shows that views were collected across the study area.

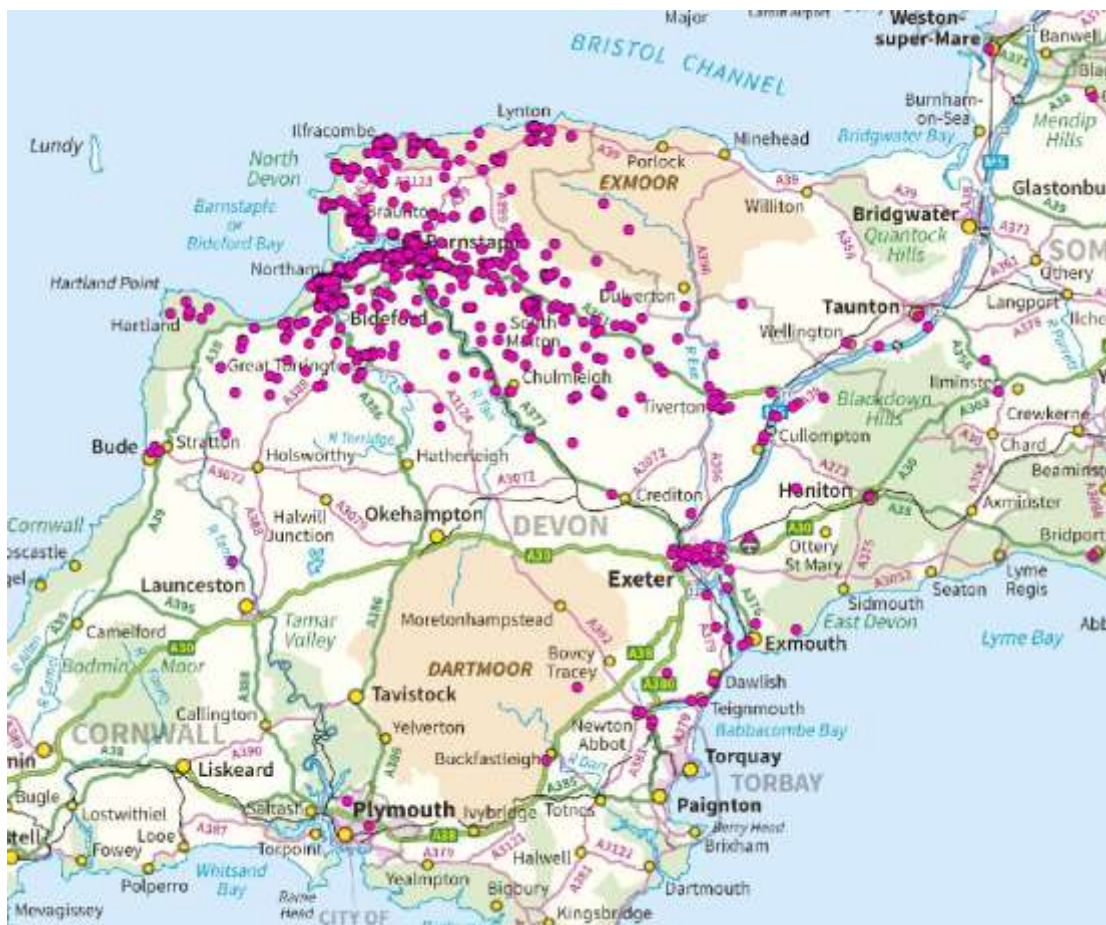
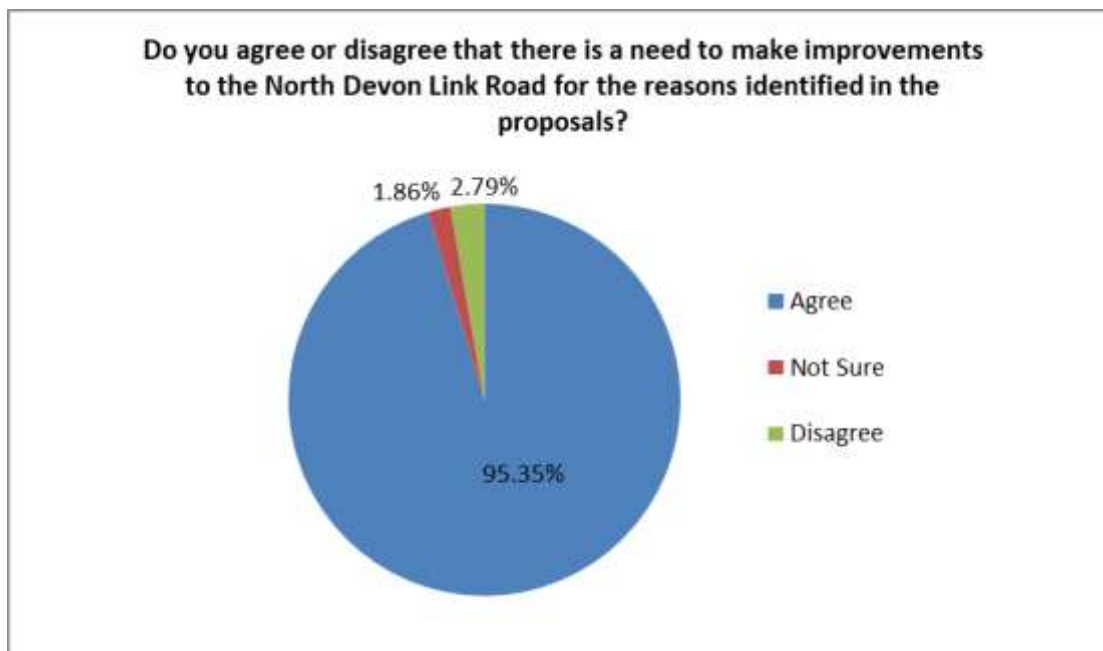
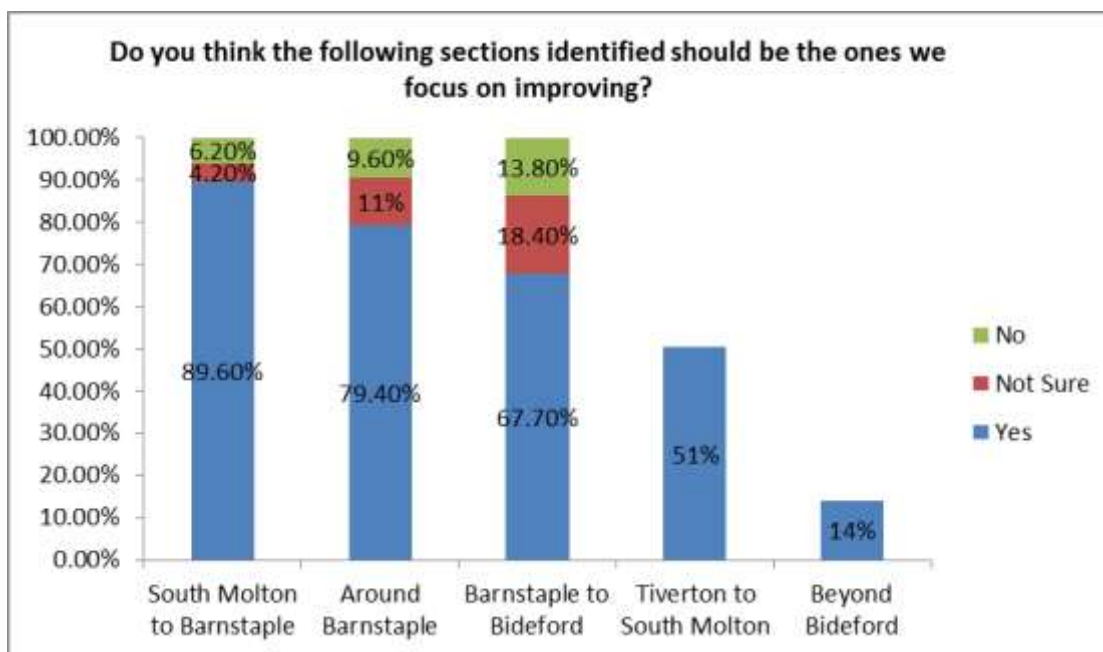


Figure 1: Mapping showing respondents location (South West Postcodes only)

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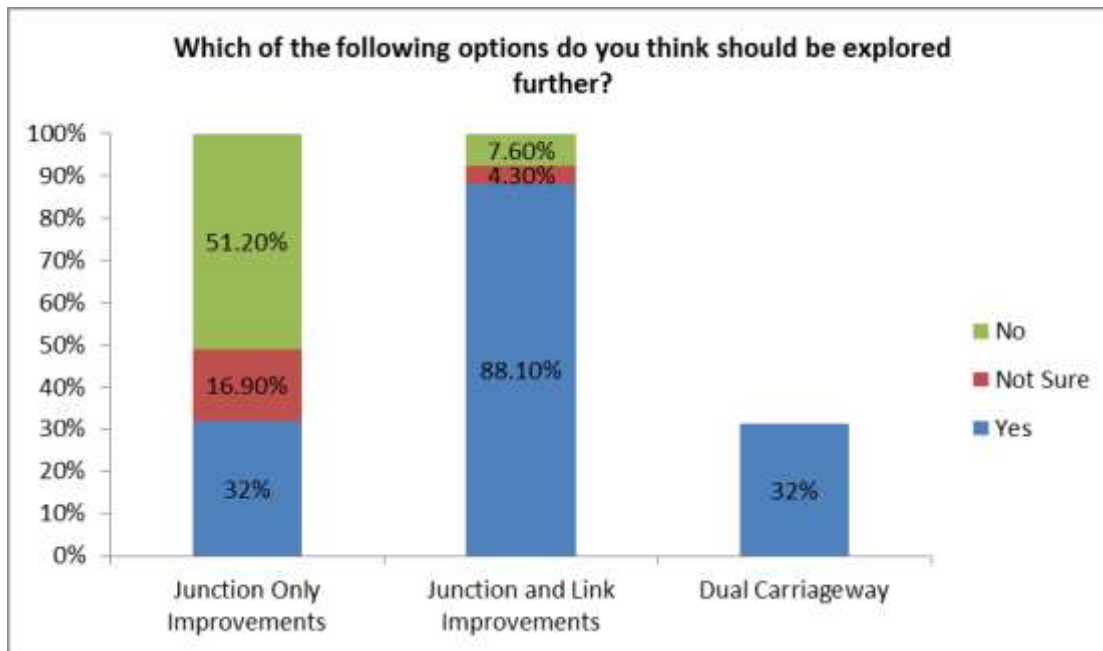


There was a strong support for a scheme in general, with 95% of respondents agreeing the need outlined in the consultation material.



The South Molton to Barnstaple section received the strongest support, followed by around Barnstaple and Barnstaple to Bideford. 65% of respondents said that there were other sections that should be included in the proposals. Free text analysis of this question showed that about 51% of all respondents wanted to see the inclusion of the South Molton to Tiverton Section in the proposals. 14% of all respondents said that they would like to see the inclusion of areas beyond Bideford. It is possible that the support for the South Molton to Tiverton and Beyond Bideford sections is underrepresented in these results as more people may have chosen these options if they had been proposed in the multiple choice section.





There was a preference for the Link and Junction Improvements over the Junction only improvements.

Across the whole survey 562 people gave free text answers regarding other options that could be investigated. Of these, 76% highlighted dual carriageway as an option to take forward. This equates to 32% of all survey respondents. 24 other options were put forward, including more traffic enforcement and improvements to public transport; however no other option accounted for more than 2% of all responses.

Other Comments:

- Many parish/town councils showed their support for the scheme
- A key concern with the 2+1 option was the safety of the design. Some suggested a central reservation whilst others did not want the 2+1 design used at all. The safety of the current route was also a key concern throughout the free text responses.
- There was a relatively high level of support for improvements at West Buckland Junction (55 respondents put forward the area to be investigated), Landkey junction and Borners Bridge.
- Driver behaviour was highlighted as a key cause of congestion and accidents. Particularly reckless driving and HGVs overtaking each other.

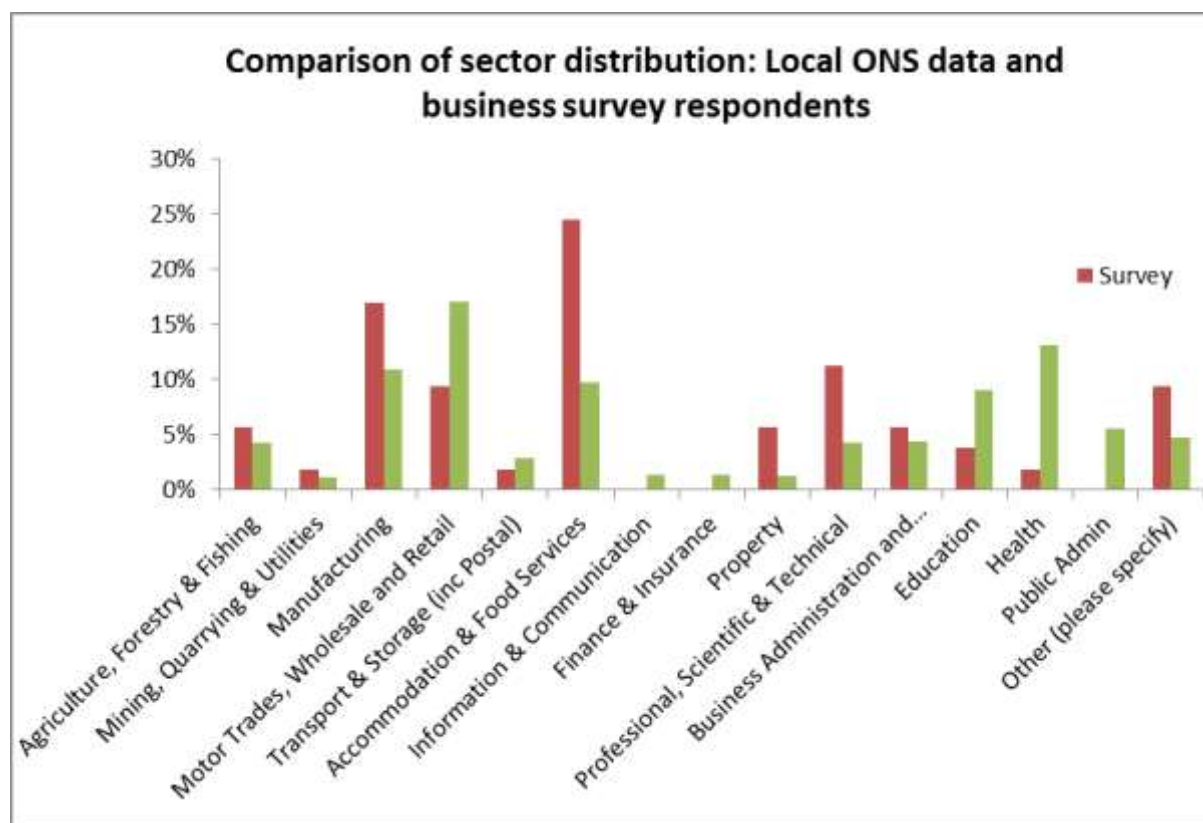
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Appendix 4  
To PTE/16/46

## Business Surveys – Preliminary Results Summary

August 2016

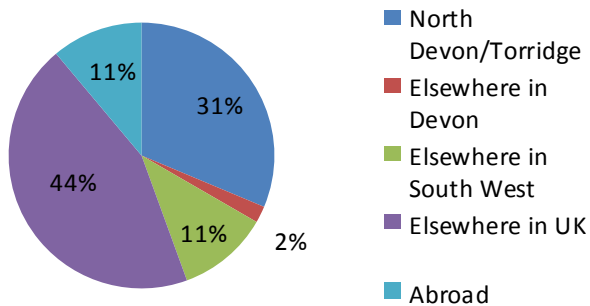
58 responses were collected from businesses across Northern Devon using an online survey. Of these, 14 were completed by DCC on behalf of businesses following face to face interviews.



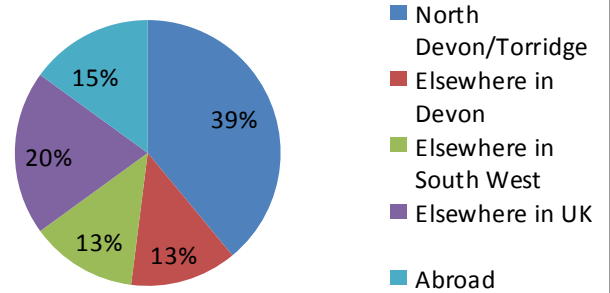
The range of businesses was diverse; with all but 2 of the 18 pre-identified sectors being accounted for in the responses. The 'manufacturing' and 'accommodation and food services' sectors had the highest number of respondents. Although the information & communication and finance & insurance sectors were not represented in the survey responses it is assumed these largely IT based companies would not be as reliant on the link road as other sectors. The annual average turnover of each business ranged from under £100k per annum to over £500m.

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**Where are the majority of your customers/clients based?**



**Where are the majority of your suppliers based?**

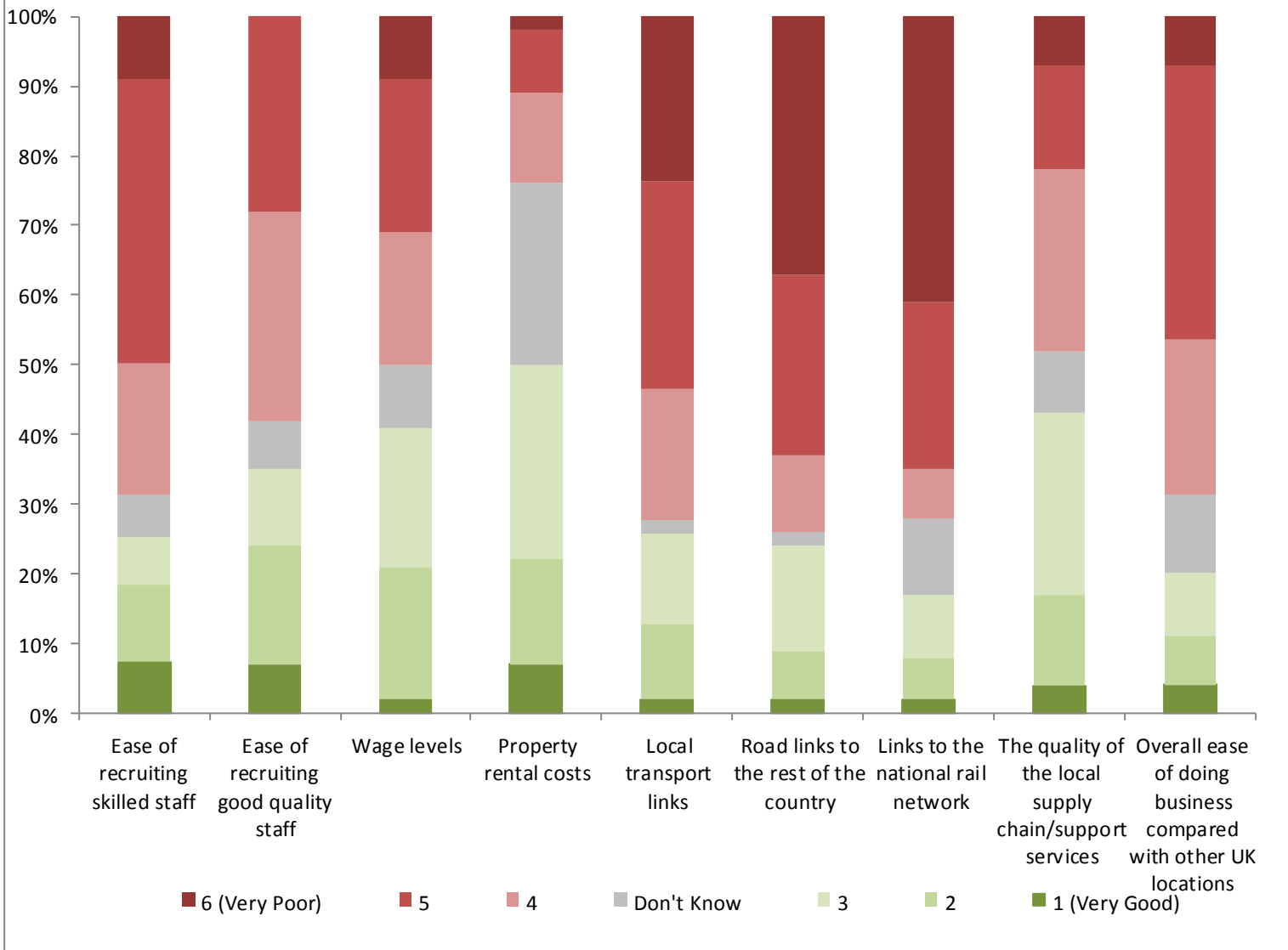


Responses show that businesses tend to serve customers either very locally (31%) or on a national scale (44%). Very few served customers based in locations that were a mid-range distance away such as other parts of the county or the surrounding region.

Although the location of consumers was diverse, 65% of companies sourced their materials from local suppliers based within the South West. Over half of these sourced from local suppliers in North Devon or Torrige.

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How do you rate North Devon/Torrige as a business location?

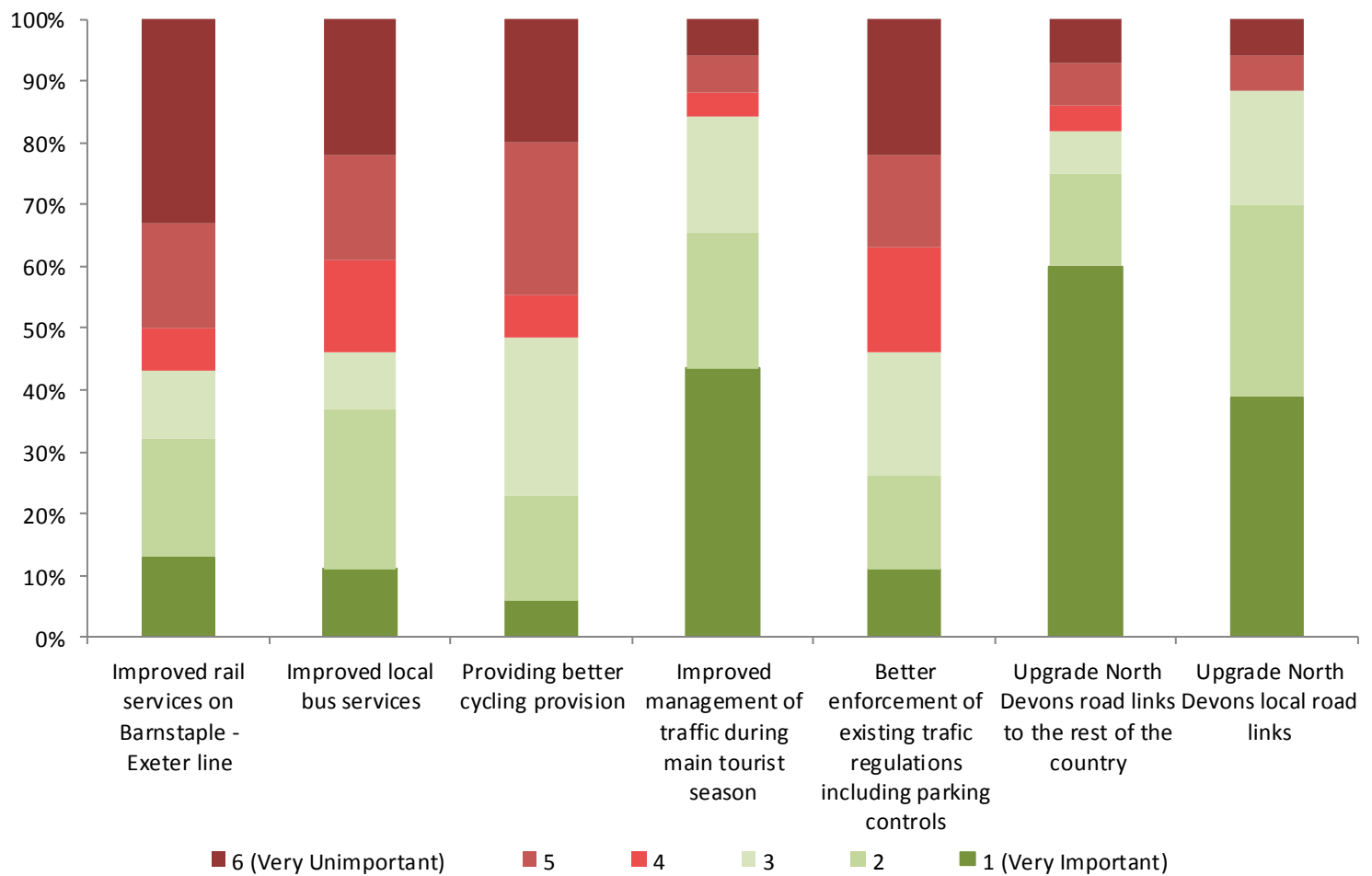


Businesses were asked to rate aspects of doing business in Northern Devon on a scale of 1-6 where 1 was 'very good' and 6 'very poor'. All categories scored an average of more than 3, falling on the 'poor' end of the scale.

Access to the national rail network scored lowest with an average score of 5.14 however when asked to rate the importance of various transport improvements (see below) respondents rated improving the rail line as the least important overall.

Road links also performed poorly when compared to other locations in the UK. Local road links scored an average of 4.43 whilst access to national road links scored 4.7.

## What are the priorities for your business of local transport improvements?

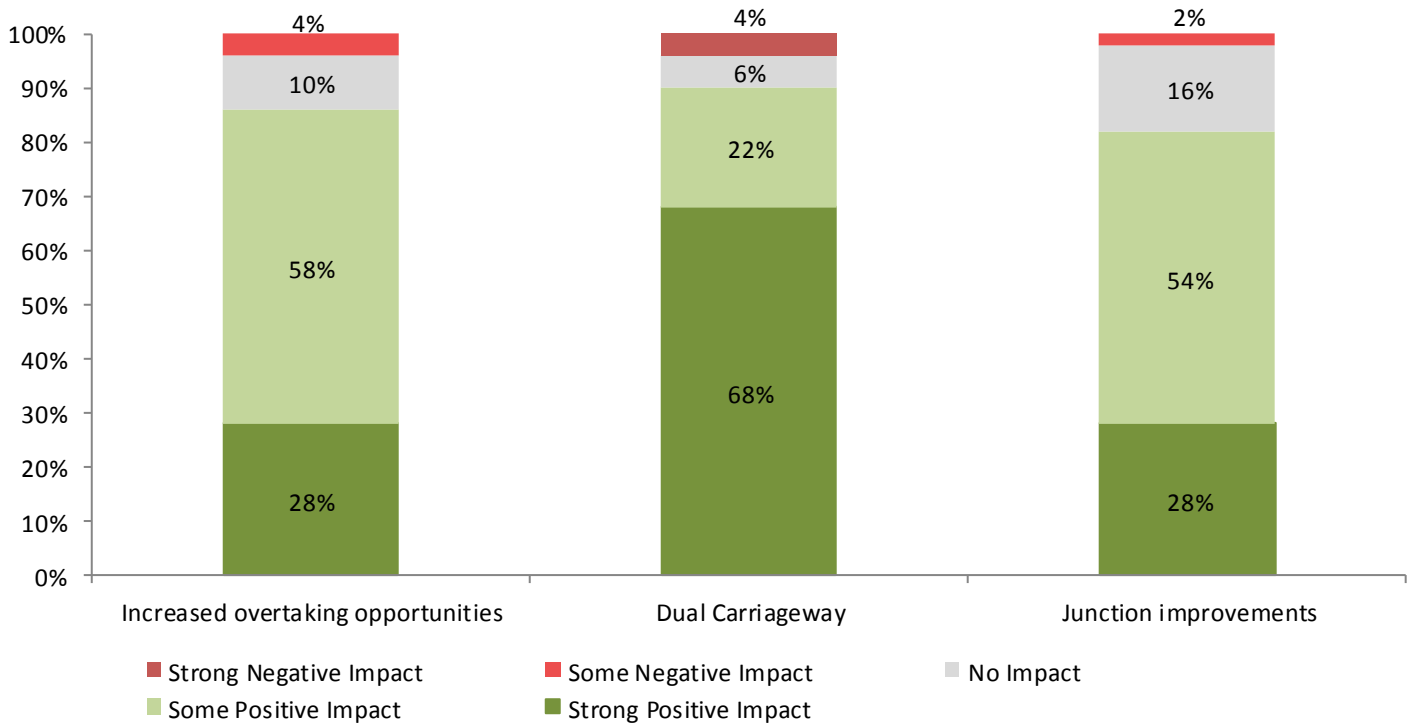


Businesses prioritised road network improvements over public transport improvement. 60% of all respondents rated road network links to the rest of the country as the highest priority for their business. This is reflective of the fact that when asked how important the North Devon Link Road was to their business, 82% of respondents answered that it was 'very important' or 'essential'. Many explained in the free text section that all their goods come in and out of their site using the NDLR.

44% of businesses stated that customer travel was 'majorly disrupted' by the NDLR. When asked about the disruption to deliveries the businesses that had experienced major disruption was comparatively lower at 12%. Staff travel and business travel disruptions caused by the NDLR were rated as 'moderate'

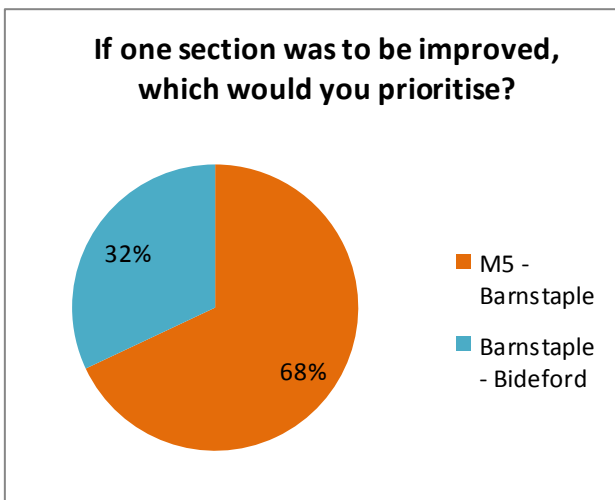
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**If the North Devon Link Road was improved, what scale of impact could this have on your business?**



The implementation of dual carriageway was rated to have a strong positive impact by 68% of businesses, however it also was the only option to be rated to have a strong negative impact (4% of respondents). More overtaking opportunities and junction improvements were both rated to have a strong impact by 28% of business. This reinforces anecdotal evidence that businesses are finding it difficult to access the link road at junctions. As the proportion of HGVs is high for businesses, it is likely that the benefits felt by additional overtaking opportunities are limited due to the 50mph cap on HGV speeds.

Overall, most businesses agreed that any of the improvement options would have at least some positive impact for their business. 68% of businesses said that they would prioritise the M5 - Barnstaple section for improvements over the Barnstaple – Bideford section.



41% of businesses said that if improvements to the NDLR were made then their turnover would increase.

PTE/16/47

Cabinet  
12 October 2016

## **Education Infrastructure Plan: Revised 2016-2033**

Report of the Head of Planning, Transportation and Environment

***Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.***

**Recommendation: That Cabinet approves:**

- (a) the strategic objectives contained within the revised Education Infrastructure Plan 2016-2033;**
- (b) adopting the revised Education Infrastructure Plan 2016-2033 for planning education infrastructure provision in Devon, including the revised Section 106 Methodology and Policy Document, October 2016.**

### **1. Summary**

The report seeks approval of the revised Educational Infrastructure Plan 2016-2033. The EIP takes account of changes in national policy and provides a comprehensive framework for meeting the future education infrastructure needs of Devon's children.

### **2. Background/Introduction**

The Education Infrastructure Plan (EIP) 2013-2031 was approved by Cabinet in April 2013 and provided methodology, policies and principles on education planning and investment. It set out Devon County Council's roles and responsibilities, a collaborative approach to pupil place planning and capital investment in schools and transparency in objectives and decision making processes.

Education continues to experience significant policy changes, most recently the Education and Adoption Act 2016, the Children and Families Act 2014, proposals in the White Paper "Educational Excellence Everywhere" and the move to a National Funding Formula for schools.

Since the EIP was first published in 2013 we have continued to monitor and review our practices and the revision of the document takes into account the lessons we have learnt against changing priorities and legislation together with the principles contained within Better Together and Championing All Our Children and the recommendations of the People Scrutiny Committee Rural Schools Task Group.

### **3. Proposal**

The aims and objectives of the Plan remain unchanged in providing clarity on the changing role of the Local Authority in moving away from a less "hands on approach" but with an increased role in championing the needs of children and families, education planning and investment including early years provision, school place planning and school transport, special educational needs. The underlying principle of providing good local schools for local children in a large rural County in addition to large scale development in the urban areas of

# Agenda Item 8

approximately 80,000 new homes remains a challenge but will be undertaken in close partnership and co-operation with the Regional Schools Commissioner and key partners.

The main changes in the revision of the EIP are as follows:

- The impact of radical change for the Local Authority as contained within the Children and Families Act 2014, the Education and Adoption Act 2016 and the White Paper “Education Excellence Everywhere”
- The role of the Regional Schools Commissioner together with the free school programme
- The changes to free early education provision with an increase in the number of hours for 3 and 4 year olds for working families from September 2017 and some 2 year olds and sufficient childcare for children aged 0-16
- Special Educational Needs and the Disability Code of Practice for 0-25 year olds
- Funding: the effect of the funding formula and future uncertainty, including investing in the education estate
- Updated population estimates and forecasts based on Devon County Council’s own housing led forecasts informed by District Council plans
- Revised school organisation procedures
- Revised Section 106 methodology and policy

In respect of the Revised Section 106 policy, this has been updated to reflect the current costs of providing school places, the approach to securing new school sites and the increase in entitlement for early years’ provision. It also clarifies how Devon will work with planning authorities who have adopted and implemented their Community Infrastructure Levy.

## **4. Consultations/Representations/Technical Data**

School Organisation, Capital and Admissions Group, (which includes representatives of Devon Association of Primary Heads, Devon Association of Secondary Heads, Special Heads Association Devon, Devon Association of Governors, Exeter Anglican Diocese, RC Diocese, Teachers’ Consultative Committee (TCC) and Joint Consultative Committee (JCC) considered and approved the revised EIP at their meeting on 27 September 2016. The document has also been send to all members of Devon Education Forum.

Local Planning Authorities have been provided the opportunity to comment on the new section 106 policy.

## **5. Financial Considerations**

The revised EIP will ensure that capital resources are allocated to the highest priorities and decisions on proceeding to consultation will be in line with the agreed capital programme.

It is assumed that the primary sources of funding will be from the Department for Education and developer contributions through Section 106 obligations or the Community Infrastructure Levy.



## **6. Environmental Impact Considerations**

The revised EIP will promote local schools for local children in terms of environment and community sustainability and capital funds will be committed to projects that promote a sustainable network of schools.

## **7. Equality Considerations**

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/ new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

This may be achieved, for example, through completing a full Equality Impact Needs Assessment/Impact Assessment or other form of options/project management appraisal that achieves the same objective'.

An Equality Needs Assessment has been completed for the revised Education Infrastructure Plan to reflect the revised policies, legislation and changes to the methodology for calculating Section 106 contributions. The Plan also identifies the need to support the most vulnerable children and young people, maximises accessibility and recognises the needs of a changing population, which will continue to be monitored.

The Impact Assessment has been circulated separately to Cabinet Members and also is available on the Council's website at: <https://new.devon.gov.uk/impact/the-education-infrastructure-plan-2016-2033-revised/>, which Members will need to consider for the purposes of this item.

## **8. Legal Considerations**

There are no specific legal considerations.

## **9. Risk Management Considerations**

There are no specific risk management considerations.

## **10. Public Health Impact**

There are no specific impacts on Public Health.

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## 11. Discussion

The revision of the Education Infrastructure Plan takes into account Government changes in the pattern of school provision contained within the various Acts and legislation since the previous document was considered by Cabinet in April 2013. It also reflects the changing demographics of the County in relation to increased development, housing completions, migration and the changes to the strategic plans and key infrastructure for each District Council area.

## 12. Options/Alternatives

The Education Infrastructure Plan has been carefully monitored over a period of time to ensure the practices and procedures contained therein reflect current Government legislation and is in accordance with Devon County Council policies and strategies to ensure sustainable patterns of educational provision through our core responsibilities and statutory duties. The EIP will continue to be monitored, adapted and updated as changes occur.

## 13. Reason for Recommendation/Conclusion

It is recommended that Cabinet approve the revision to the Education Infrastructure Plan which includes changes in legislation, methodologies and modifications to reflect the changing role of the Local Authority in relation to educational provision.

Dave Black  
Head of Planning, Transportation and Environment

### Electoral Divisions: All

Cabinet Member for Councillor Children, Schools and Skills: Councillor James McInnes  
Cabinet Member for Resources & Asset Management: Councillor John Clatworthy

*Strategic Director, Place: Heather Barnes*

[Local Government Act 1972: List of Background Papers](#)

Contact for enquiries: Simon Niles

Room No. Lucombe House, County Hall, Exeter. EX2 4QD

Tel No: (01392) 383000

Background Paper	Date	File Reference
1. Impact Assessment	August 2016	<a href="https://new.devon.gov.uk/impact/the-education-infrastructure-plan-2016-2033-revised/">https://new.devon.gov.uk/impact/the-education-infrastructure-plan-2016-2033-revised/</a>

cmn150916cab Education Infrastructure Plan 2016 – 2033  
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# Education Infrastructure Plan (revised)

**2016-2033**

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## Section 1: Introduction, strategic and statutory context

1.1 Devon has a total of 364\* schools broken down into the following

Provision Type	Nos.
Primary/Nursery	308
Secondary (including 1 University Technical College and 1 Studio School)	39
All through (primary/secondary)	3
Special	10
Short Stay Schools	4
Total	364

\* Figures as at summer 2016

A significant proportion of Devon schools are rated Good or Outstanding by OfSTED and educational performance overall remains above national averages.

The schools vary significantly in size, from primary schools with fewer than 20 pupils to one of the largest secondary schools in the country. Schools also vary in governance with at the time of writing, approximately 70% of schools maintained by the Local Authority. However, over the period of the plan, more schools will inevitably move to academy status.

A summary of education provision in Devon can be viewed at:

[www.babcock-education.co.uk/ldp/do\\_download.asp?did=301774](http://www.babcock-education.co.uk/ldp/do_download.asp?did=301774)

Taken together, the 364 schools in Devon provide education for a total of 97,350 children. In addition there are approximately 3,500 children in nurseries or nursery settings and approximately 4,800 young people in Post-16 education. Of these pupils approximately 3,000 have Statements of Special Educational Needs/Education Health and Care Plan.

Devon County Council supports the principle of local schools for local children for community and environmental reasons. There are good partnerships among many schools who work together in Local Learning Communities. There are a total of 41 federations, totalling 106 schools within a federation, 4 in management partnerships and 81 schools in multi-academy trusts and co-operative trusts.

1.2 This document has been written at a time of significant change in the way public services are funded and delivered and is relevant to the main priorities contained within Better Together: our vision document which presents a set of desired outcomes for Devon and proposes a new partnership with citizens and communities.

See: <https://new.devon.gov.uk/bettertogether/>

Education has been at the forefront of these changes as the national policy continues to move towards a more autonomous and diverse education system rather than the traditional structure of schools under the direct control of the education authority. The Government has reaffirmed its aspiration to encourage all schools to become academies and has made available support to convert schools and grow effective multi-academy trusts.

The Education and Adoption Act 2016 facilitates more schools to become academies and includes a new category of “coasting” school in relation to accountability measures already in place for both primary and secondary schools. The Regional Schools Commissioner, who acts on behalf of the Secretary of State for Education, has responsibility for assessment, intervention and support to those schools as well as performance for all academies.

**1.3** The education authority’s role continues to be less ‘hands on’ in schools themselves but with an increased role in being the champion for parents and children. We continue to plan to work in a very different way – working with a diverse range of providers and models of delivery. The future landscape of education provision in Devon is already a ‘mixed economy’ ranging from the traditional community school model to 14-19 bespoke provision including links to employers and apprenticeships, to free schools where groups can put forward an alternative offer for local demand. The drive for choice, diversity and excellence, in particular to provide support for the most vulnerable children, is at the forefront of national policy and a key goal in our new role.

**1.4** At a time of immense change, we have taken stock of our key responsibilities and reorganised to ensure we are structured in a way that can continue to deliver with confidence in this new environment.

The first question is what is and what will be the education authority’s role? While it is accepted that this is changing, and is evolving and adapting to meet the needs of a more autonomous education system the core responsibilities will continue to be:

- i. securing sufficient educational provision (including early years and childcare) in our area to meet the needs of our children, parents and communities, retaining responsibility for overall strategic planning and commissioning of school places;
- ii championing high standards in all schools and improving standards in early years’ settings so all children can go to a good or outstanding school or early years provider
- iii supporting the most vulnerable children including those in care, at risk of social exclusion and those who have specific educational needs.
- iv acting as champions for all parents and families

For school provision, we also have a wider responsibility to:

- v. promote sustainable patterns of provision and travel

- vi continue to maintain and improve our schools estates for effective teaching and in relation to the health and safety of the users

We have adopted a flexible approach to delivering our statutory responsibilities and are confident that we can meet the challenges that lie ahead. We will work with new partnerships and governance arrangements to support our communities.

### **Aims of the Education Infrastructure Plan (EIP)**

**1.5** The overarching aims of the EIP are to provide:

- parents with an understanding of the range of educational offers available to suit their needs;
- schools with a clear understanding of how decisions are reached about pupil planning, estate maintenance processes (where applicable) and capital investment and where they fit into the decision-making process
- Local Planning Authorities and housing developers with an understanding of their role in supporting the future pattern of education provision best suited to changing demand
- Reconfirmation of Devon’s overall strategic role
- the wider community with an understanding of how education provision will be delivered to support the development of Devon over the next 20 years
- National Government with evidence base that supports future investment in Devon’s schools, in particular to support special needs.

**1.6** We will regularly update and publish an investment programme which will set out a vision of education provision up to 2033 and a community by community plan for new education infrastructure. It also includes a countywide assessment of existing and future Special Education provision.

**1.7** This EIP needs to be read in conjunction with the education and learning strategy, Championing All Our Children. Together, the two documents set out a comprehensive education strategy for Devon - what happens outside and inside schools.

**Meeting our core strategic/legal responsibilities**  
**Local provision for local children**  
**Choice, diversity and excellence for all schools**  
**Strong partnership relationships in approach to services**  
**Champion for all parents & children**

### **Strategic objectives**

**1.8** While the education landscape is becoming more diverse, the important role schools play in the wider community remains undiminished. Schools are a focal point for communities, especially in rural areas where there is sometimes a lack of community infrastructure. Devon



will continue to be an area of growth and there will be a need to bring forward new school provision to meet demographic change and support the growth aspirations of the local planning authorities. This will bring new providers into the county and provide greater choice for parents.

**1.9** This Education Infrastructure Plan sets out how we will work with key partners to shape education provision and how decisions about capital investment will be made more transparent to ensure maximum benefit and value for money.

### **Strategic context for the plan**

#### **The national context**

**1.10** The changes in the Government's approach to education provision have been driven by a number of reforms and initiatives that have been introduced or enhanced over the past three years.

This process of radical change is ongoing but can be summarised as:

- The White Paper "Educational Excellence Everywhere"
- The Education and Adoption Act 2016, which gives Government, through the Regional School Commissioner, new powers of intervention in all schools;
- The Children's and Families Act 2014, Part 3, Special Educational Needs and Disability Code of Practice and the Local Offer that Local Authorities are required to have available;
- a national revenue funding formula which will see funding increasingly allocated direct to schools;
- a new national curriculum which heralds a significant step increase in the standards schools/pupils are expected to achieve;
- challenging budgets and the need to focus on value for money solutions;
- a demographic upturn in births and shortfall of primary places which is now feeding into the secondary sector;
- a changing role for local authorities moving from a provider to a commissioning and brokerage/champion role;
- an increase in education provision either due to housing growth or more providers entering the market against a reduction in resources to maintain them;
- a national area review of Further Education provision on a local area basis and in relation to the Government's Post 16 Skills Plan

- potential implications of Devolution across the South West region

The intention is that the EIP will form the basis of Devon's local investment plans and aims to be flexible and relevant during a period of constant change.

## **The local context**

**1.11** At a national level, schools with 210 pupils or less are considered small. However Devon has 35 very small schools (fewer than 50 pupils) and 221 with a rural school designation serving our extensive rural areas. In these areas, the scale of new housing development will be generally lower than it has been the case in the past due to changes in demographics, agricultural practices in relation to environmental and economic challenges and a high proportion of second homes. The result is that population and pupil numbers in some areas will continue to fall and continues to impact on the viability of some schools.

**1.12** In contrast to Devon's rural areas, some settlements are expected to accommodate major growth in the form of urban extensions or new communities. These forms of development are often detached from existing facilities that may have notional capacity to accommodate some additional pupil numbers and these developments therefore require dedicated new local facilities to be provided.

**1.13** Patterns of population change will also affect Devon's local communities. In some areas inward migration is a major factor, particularly where new development is planned, while in all areas there are uncertainties about future birth rates. Devon receives approximately 6,000 in year requests for school places, 44% are from outside of the county with a further 20% moving within Devon.

All of these factors, including changes in population age structure and new development rates, are difficult to forecast with any degree of certainty. However, we will respond flexibly to changing patterns of need and ensure that new investment takes place in the most appropriate way and in the most appropriate location.

Devon is one of the most sparsely populated local authorities in England, and currently has a school transport annual expenditure in excess of £23m, which is mainly spent on school buses. Where there is no reasonable alternative available, it is a requirement to provide other transport for those children from remote rural areas to enable children to attend a special school or may require a specialist vehicle and where distances to their nearest provision are often far longer and may well be out of the County; also assistance to some eligible post-16 students.

## **Statutory context and responsibilities**

**1.14** The fundamental starting point for the EIP is the need to ensure that we can meet our statutory duties delivered through the early years and education estate. The EIP specifically explains how we will meet our statutory responsibilities in:

- promoting high-quality, accessible early years provision, securing free early education for all three and four year olds of 570 hours increasing to 1140 hours a year for working families from September 2017 and 570 funded hours of education for some 2 year olds as well as sufficient childcare for children aged 0-16.
- ensuring fair access to early years, primary and secondary provision for every child/young person and actively promoting a diverse supply of strong schools
- ensuring there are sufficient children's centre services to meet local need.
- supporting participation in education or training for young people, including securing provision for young people 0 -25 for those with learning difficulties or disabilities.
- As part of the Government's reforms working in partnership with Further Education and Sixth Form Colleges to respond to the needs of Devon's employers and economic priorities.

**1.15** This EIP provides a comprehensive approach based on a robust strategy and evidence base which engages key stakeholders in the planning and decision-making process for the capital investment in education infrastructure.

### **Consultation and engagement - what does this really mean for Devon?**

**1.16** The changes in national policy and the complex nature of the strategic, local and statutory context highlight a number of key issues for Devon that need to be addressed. In addition, the agreement reached that funding to support Local Learning Communities be deployed to schools to decide how to fund LLCs has caused some disparities as to how we consult with all schools to keep them informed on the many changes taking place in their area. The key issues are:

- the uncertainty of short term pupil trends when set against long term need and varying patterns between urban and rural areas
- new providers entering the education system and the need to manage new relationships to the benefit of all in a more autonomous education system
- challenges of rurality resulting in significant home to school transport costs when set against a reduction in local authority funding.
- potential vulnerability of a number of small rural schools against a backdrop of demographic changes and revisions to school budget funding formula

- maintaining historical strong relationships between schools, clusters of schools and DCC
- significant residential development in the region of 70,000-80,000 homes planned for the period 2016 to 2033 including two new communities
- an increased need for specialist accommodation for children with special educational and complex needs
- the impact on secondary schools as rising numbers of primary school children move through the educational system
- a large dispersed school estate of varying age, size, condition and suitability which needs to be maintained against a backdrop of reduced capital funding and conflicting demands.
- the requirements and challenges of the National Planning Policy Framework in particular delivering sustainability and high quality designs against reduced capital investment and the impact of the introduction of the Community Infrastructure Levy instead of section 106, recognising potential significant changes in these regimes currently being considered by central Government;
- an increased need from 2017 for more places for some 3 and 4 year olds. As employment levels rise so has the need for all year round childcare places.

**1.17** To help us frame a response to these issues, and to inform the development of the previous EIP and its content, extensive consultation was undertaken with a range of stakeholders including head teachers and governors, early year’s providers and the voluntary aided sectors. In the revision of this document we have consulted with our stakeholders through the School Organisation, Capital and Admissions Forum (SOCA).

At the very core of this plan is the need for transparency about the priorities and principles on which strategic spending decisions are made. In response to this the EIP specifies guiding principles, endorsed in consultation, that will underpin the planning of the schools’ estate.

**1.18** In parallel, there has been engagement with the Department for Education, Regional School Commissioner, Cabinet Office and Education Funding Agency which has enabled us to test the approach detailed later in this document.

**Schools – a focal point for communities**

**Importance of partnership working**

**Robust strategy and evidence base**

**Transparency on priorities and how decisions are made**

**Clear focus on statutory responsibilities**

**Section 106 and CIL funds will need to deliver the early years and school provision needed to support the aspirations of Local Plans and housing development to 2033**

**Challenges:**

**Significant residential development planned in the urban areas  
but some rural depopulation**

**The requirement to reduce home to school transport costs**

**Supporting all our communities through sustainable patterns of provision**

**Maintaining a sustainable pattern of provision and being a champion for parents and  
children in an increasingly autonomous school system**

## Section 2: Principles for providing childcare and education places

### Overview and challenges

**2.1** As highlighted previously Devon is facing particular changes in its population which makes all aspects of planning extremely challenging. There is significant growth in the existing population and uncertainties about trends in age structure (ageing population and changing birth rates). The county also experiences high levels of migration in and out of the county and within it and population movement between areas. There are areas of significant growth and these are generally located in or close to the major urban areas which are already experiencing high levels of inward demographic migration with knock on implications for planning provision. This contrasts with other areas which have limited growth and low, or even negative, demographic migration.

**2.2** Projections of demographic change suggest that in some areas demand for additional places may only be low or only needed for a limited period, so it is important to ensure that investment in provision is planned accordingly and kept under constant review. In other areas it is clear that growth will be strong, sustained and directly related to housing development. There is a need to understand the balance between short term pressure against longer term demographic change when determining the most appropriate response in terms of the scale and nature of new capacity investment.

**2.3** At the same time, there is real uncertainty over the level of future capital funding from Government against the statutory responsibility to ensure sufficient pupil places. This expectation needs to be seen against a more autonomous school system and continued pressure on schools to improve standards. The free school programme, in particular direct bids to government, has opened up new opportunities to meet increasing demand alongside direct commissioning of schools places and new schools.

It is important that there is a set of core principles in place that provide a robust basis for place planning and which underpin our decision-making whatever form of statutory, financial or legislative change takes place. Our intention is to ensure that future place planning is an open and transparent process and that investment decisions are directly based on these core principles - established in partnership with others responsible for delivering education in Devon.

### Principles

**2.4** In seeking to provide the childcare and education places Devon needs there are a number of core principles that we intend to apply as part of our approach. Together these principles

set out a strategic framework for decision-making. They provide a clear framework for our approach, and highlight the challenges to meet our objectives for future pupil place delivery.

The principles are summarised here and the following sections of the EIP explain how we will work with the stakeholders to apply these principles to each aspect of pupil place delivery.

**Our principles for providing additional provision are to:**

- provide local provision for local children - promoting a pattern of sustainable, high-quality provision which maximises accessibility, meets local needs and recognises the needs generated by planned growth in specific localities and reduces the need for home to school transport;
- Early years and childcare places will be required both locally and close to or on route to parent's places of work;
- provide parents and children with choice, diversity and excellence, expanding popular and successful schools and early years providers where there is demand;
- ensure that there is a flexible framework in place which promotes a mixed market of providers and manages the impact of new providers entering the system

**We will do this by:**

- maintaining a network of provision in all parts of Devon, with a presumption against closing schools unless necessary for educational reasons;
- working with small schools to explore options to maintain sustainable provision and excellence in particular through strong school to school support/partnership;
- expanding popular and successful schools, in particular where this would secure greater parental preference;
- minimising the reliance on the school transport budget to meet our statutory responsibilities;
- working with clusters of schools and early years providers to identify optimal solutions to capacity issues arising from demographic change in local communities;
- securing provision which supports the most vulnerable children, in particular the need to expand the special school offer.

These principles are interrelated, so our approach needs to bring these together and demonstrate how they will be used to shape pupil place planning.

## **The overall approach**

**2.5** Our approach to education provision in Devon needs to plan for the capacity demands arising from local communities, where pressures may result from increasing births, and the needs generated by new developments.

However, we recognise that education provision is not solely about capacity and numbers and has a key role in promoting choice, quality and diversity in the range of education provision available. This is extremely challenging in a rural context where the limited scale of facilities and a potential oversupply of provision both affect the sustainability of schools and limits the range and quality available to all children.

**2.6** The national agenda is for popular schools to expand and so drive up quality and standards in the education sector. We will welcome proposals which seek to respond to this agenda. We can, however, only support proposals with capital investment where there is a shortfall in pupil places for that particular area and a statutory need.

When new provision is needed due to a shortfall of places, we will actively encourage popular schools and early years providers to expand where it is physically possible, represents good value for money, and is sensible and deliverable in a timely manner to meet the statutory need.

There is no clear definition of a ‘successful’ school with a number of indicators that could potentially be used. It was broadly agreed that parental preference as demonstrated through the admissions process would be one indicator of both parental preference and success – recognising that other indicators would need to be factored in when planning places including OfSTED judgements. For long term planning, it is assumed that all schools and early years providers have the potential to be both popular and successful with local schools for local children being the overarching principle.

**2.7** It is accepted that due to a variety of reasons some schools may not wish to increase their capacity, in particular they may feel it would compromise their educational offer, and we would not wish to impose such governance on any school. However, all schools have to abide by the Admissions Code to enable local children to attend their local school without the need to be transported any distances. Our approach would be to work with schools and clusters of schools to find solutions. If compromise is not achievable we would have to consider our position and seek to secure provision through other providers or through discussions with the Regional Schools Commissioner.

**2.8** The majority of Devon children with Special Educational Needs (SEN) access their learning in their local mainstream school. Where this is not possible we aim to provide enhanced provision in a mainstream school or a special school place within a reasonable travelling distance from their home. We will continue to reflect the identified growth in the pupil population needs in our place planning for specialist provision and there will be a need for new provision over the plan period.

Where children with SEN need to access residential provision we will aim in the first instance to work in partnership with social care and health to achieve the correct outcome for the young person. We acknowledge the need for diversity of provision and we aim to provide high-quality accommodation for children who need a residential place.

### **The role of new providers**



**2.9** New providers, including parent or community groups or successful existing local schools or other national educational organisations, are and continue to enter the market through a competitive process and in practice this will happen in two ways.

1. Through proposals brought forward by existing providers and/or through the government's Free School programme. The Government has committed to 500 new free schools by 2020 particularly where there is a basic need and additional or high quality school places will be provided. Devon County Council has and will continue to work with the Regional Schools Commissioner and individual sponsors where proposals align directly to our strategic plans and will indicate where provision is likely to affect the sustainability of other local provision.
2. As a result of demographic change or significant housing development, we will identify where new provision is required and advertise the proposals nationally and through the Department for Education, New Schools Network and other interested parties. We will actively engage with school promoters and provide data and advice which provides a strategic context such proposals can be developed within. All providers will be encouraged to discuss their proposals with local schools, parish/town councils and wider communities to establish good partnership arrangements. See Section 4 on the statutory processes involved.

**2.10** Where free schools are established to meet basic need we will use the Dedicated Schools Grant (DSG) revenue Growth Fund for these schools. This funding will need to cover start-up costs, including diseconomy of scale costs, funding for which may be needed over a number of years. It is understood that the Department for Education will treat these academies or free schools as recoument academies and the Dedicated Schools Grant will be adjusted accordingly over time to take account of the growth in pupil numbers.

### **Planning for change**

**2.11** For pupil place planning, we aim to provide high-quality provision which is within a reasonable travelling distance for a child or young person. In most cases this should enable pupils to walk to school, which supports our other aspirations for sustainable communities and reduce the need to travel by car while promoting healthy lifestyles.

**2.12** We recognise the important role schools play in their communities, in particular in rural settings and the impact on the whole community when school provision has been closed due to falling numbers. This impact is recognised by Government (in the requirements of the *Education and Inspections Act 2006*) where, for rural schools, account has to be taken of the effect of school closure on the local community and consideration given to any alternatives to closure which has always formed the strategy Devon has adopted.

As highlighted previously, Devon has a very high proportion of primary schools which are classed as rural schools which is 71% of primary schools in the area.

We reaffirm a presumption against closing schools unless there are clear educational reasons, that their financial position means that standards cannot be maintained or safeguarding requirements cannot be maintained and therefore closure remains the last resort.

Consideration would also need to take into account such issues as:

- failure to recruit a Headteacher/Leadership and be compliant with OfSTED requirements
- the School is judged by Ofsted to be failing
- there are persistent poor standards of achievement
- there are recurring financial concerns
- demographic and contextual issues
- loss of parental confidence
- effectiveness of governance

It should be noted that small rural schools that have converted to academy status will require agreement by national and local government to closure before a decision can be made. . The Government's White Paper has identified the pressures that face small rural schools and we await and welcome the detail of the specific targeted support proposed.

Due to a number of school closures in recent years Devon's Cabinet requested its Scrutiny Committee to undertake a specific piece of work on small schools. The outcome of this work recognises the difficulties that small schools face and reinforces the practices contained within the EIP in supporting the requirement for strong leadership, good educational outcomes and financial sustainability. Devon will continue to celebrate the best practice in small schools and through support from Babcock LDP will strengthen and promote partnership working and ensure that governing bodies are skilled and trained to face the tasks and challenges for the future.

There is a pattern of ongoing pressure in urban areas in contrast with some rural areas seeing a drop-off in pupil numbers; with these two characteristics sometimes occurring in the same locality. Where this is the case, it has been suggested that children could have been transported from schools under pressure to those smaller schools where numbers are low or falling. While this approach would potentially reduce the need for investment in additional capacity, help to maintain some smaller school viability and support this priority, it would significantly increase the cost of home to school transport and conflict with the principle of securing local schools for local pupils to an extent that would be unacceptable to most parents. It would be appropriate to identify opportunities to review catchment areas where this could help to provide a more sustainable pattern of local provision.

**2.13** Where a large scale new development is proposed in the form of a major urban extension, such development will often be detached from existing provision. A development (or combination of development) of 1,000 dwellings or more will, in most cases, make it necessary to seek new provision for early years and primary education, even where there may be some capacity in existing schools. Due to the significant investment requirements and size of secondary provision, the level of development required to trigger the need for new provision is significantly higher than for primary, and there is greater flexibility in the distance to nearest provider and financial viability of development. The early identification of new provision in the planning process ensures it can be considered early in the master planning process to support these new or expanded communities. This is very much the starting point for planning education provision and will be subject to ongoing review and consultation.

**2.14** In pursuing our objectives we will commit to work in close partnership with schools and other partners. There is a history of strong working relationships with schools and stakeholders, previously through the Area Review process, and subsequent follow-up meetings, supported by providing datasets to inform strategic planning. We believe, and our consultations to date have confirmed, that working with schools at a local level is the best forum for strategically managing pupil places. However, because of their specific needs and characteristics, strategic planning for Devon's special schools has been managed in close partnership with the Special Heads Association Devon (SHAD).

### **Applying our principles – the future pattern of education provision in Devon**

**2.15** We will work with key stakeholders to secure:

- a network of inclusive provision for 0-5 year olds to improve outcomes and reduce inequalities;
- sufficient high quality early years provision to support the most vulnerable two year olds;
- Sufficient high quality early years provision that opens all year round for working families with 3 and 4 year olds;
- primary school accommodation within walking distance promoting local schools for local children, community cohesion and minimising the need to use transport to travel to school;
- secondary school accommodation with a wide range and choice of provision for pupils and parents;
- transition and choice for young people from secondary to further education;

- an enhanced range of special needs facilities in each part of the county to reduce travelling and increase accessibility;
- childcare to meet the needs of working parents.

Our commitment to delivering our statutory responsibilities

Championing high standards

Local Schools for local children

Supporting the expansion of successful and popular schools to meet the needs of our communities

Maintaining close links with all our stakeholders and partners

Promoting diversity of choice and support to specific complex needs

Supporting all our young people to achieve the best outcomes through a range of provision

## Section 3: Pupil place planning Process

### Overview

**3.1** Current legislation gives local authorities responsibilities for:

- promoting high standards
- fulfilment of potential
- fair access to education
- securing sufficient school places and increasing opportunities for parental choice.

As more schools convert to academy status the Local Authority's role will focus on its statutory duties and championing parents and children.

**3.2** The statutory responsibility to ensure a sufficient supply of pupil places will remain a fundamental responsibility of Local Authorities and requires a strong approach to collecting, assessing and using a range of data to inform a robust approach to future pupil place planning. Local Authorities also have a statutory duty to submit data for the school capacity survey (SCAP) which brings together forecasts, school capacity and investment proposals. This data is used by the Department for Education and Education Funding Agency to identify areas where there may not be enough school places and future basic need funding levels. This return separates out the places required to meet the needs of housing development.

To meet our statutory duty, we not only have to plan for September intake to September intake changes in numbers, but also consider medium and long term needs which have to be addressed having regard to long term demographic changes, and planned new housing development resulting from approved and emerging Local Plans.

**3.3** The response to these patterns of change involves, as a starting point, an ongoing need to review and revise the capacity of existing schools where there are specific pressures for change. This can involve expanding an existing school's capacity, changes in the age range accommodated or, in extreme circumstances, closing an existing school.

**3.4** Elsewhere, pressure on school capacity can result from new development where there is insufficient residual capacity available in local schools. In these cases, we will undertake an assessment of likely pupil numbers generated by each development proposal – within the context of the wider pattern of change envisaged by the local planning framework for the area.

### Assessing and responding to immediate local pressures on school capacity

For Early Years provision, Devon assesses need across the County taking into account demographic and planned new development. Where this assessment indicates additional

provision is required, Devon will work with existing/new providers to secure additional provision, wherever possible providing direct provision to mainstream education, located on school sites. All new schools will have early years provision. In order to support childcare places for older children, schools should be able to provide additional provision usually used for example by breakfast and after school clubs.

The Early Years Foundation Stage [EYFS](#) is a mandatory framework (The Early Years Foundation Stage (Learning and Development Requirements) Order 2007) for all early years' providers which sets the standards for learning and care for children from birth to five years. Children in preschools, nurseries and receptions classes must follow this framework

**3.5** In respect of primary places, the key objective for short term forecasting is to ensure that there are sufficient primary school reception places available for pupils expected in the following September in each locality. Expected pupil numbers are derived from NHS data analysed at a local level. This provides an annual assessment of births and the locations of all pre-school age children. This data, together with an assessment of pupil migration\* has been shown to be a robust indicator of the likely number of children needing a place at each local primary school. A further allowance of between 5% and 10% is made to assess future pupil numbers to recognise the need to provide parental choice.

\* Historical data is used to assess numbers of parents choosing the independent sector, moving away from the area or choosing a school outside the local area.

**3.6** The local pupil forecasts can be compared to Planned Admission Numbers (PAN) and net capacities of schools in each Local Learning Community and this will identify where there is the potential for a shortfall in places. At this stage we will endeavour to involve local schools in further work necessary to test the assumptions made, agree the numbers that need to be planned for and the most appropriate action to address any capital issues raised.

To respond effectively, we have identified a timetable for a number of key stages in this process.

<b>November</b>	Analysis of revised NHS figures and checks against previous changes in pupil numbers to inform short and medium term priorities/programme.
<b>January and February</b>	First assessment of future year admissions, checks on assumptions leading to a final assessment used to inform the capital investment programme
<b>June</b>	Strategic review of the capital investment programme, and a further review of anticipated admission numbers

<b>September</b>	An analysis of actual admissions round as compared to assessment to inform and improve future planning
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**3.7** Where there is a projected need to consider providing additional places, or where there is a shortage of provision in some parts of the LLC, but surpluses elsewhere, we will engage local schools in a conversation to help develop a strategic plan to meet the potential challenges.

The conversation will need to include:

- a local view on the data including its accuracy, resulting in an agreement of the impact on short term planning
- an overview of longer term demographics and potential implications of housing development in the Local Plan – including current applications
- an analysis of previous admissions to reception/secondary
- a review of catchment areas and whether changes can be agreed to mitigate the impact of future numbers and support sustainability across the immediate area
- an assessment of which schools are considered popular and so would be the priority for expansion
- an agreement on which schools would be willing to consider increasing their PANs and capacities, and the potential to use existing capacity
- the potential to require new school provision and discussion about location and timing
- any scope for an incremental approach to development.
- a preference for two form entry schools and consideration of smaller schools where it is not possible to expand schools within the area

Free schools, academies, mainstream and voluntary aided/controlled schools are all state-funded provision and are required to participate in co-ordinated admissions processes in their area. The expectation is that places provided by all these schools will be taken into account when strategically planning school place provision across the county.

**3.8** While there is a focus on reception places, the ongoing monitoring of admissions data and conversations with schools will also recognise the increasing pressure that could arise at Key Stage 2. Where the increase in reception numbers is maintained there will necessarily be consequent pressure on places at Key Stage 2.

**3.9** At secondary level, the planning of school places needs to recognise the wider geographical area that secondary schools serve, and the greater flexibility they have in accommodating changing numbers. For these schools, assessments of future pupil numbers will be based initially on the historic transfer data from existing feeder primary schools and previous analysis of parental preference. Short term pressures on school capacity are less likely to occur in secondary schools and the main focus for this sector is securing medium and longer term capacity. Conversations will continue with secondary schools to plan for growth anticipated later in the plan period to ensure investment plans provide opportunities to improve the education estate.

Where the assessment of future pupil numbers confirms that a change is needed in the capacity or age range of an existing school we will apply the appropriate statutory school organisation procedure.

### **Individual school reviews**

**3.10** Local authorities have a statutory duty to ensure early and targeted intervention and support to maintained schools causing concern. Individual School Reviews are undertaken with schools to investigate and plan a strategic approach and identify risks and issues.

We will ensure that measures are instigated at the earliest stage to improve the performance of maintained schools causing concern. For academies, the role rests with individual schools and the Regional School Commissioner, a process which will be supported by Devon.

The Education and Adoption Act 2016 gave Regional Schools Commissioners new powers of intervention for underperforming/coasting maintained schools and we will work with the RSC to ensure those schools receive the support they need.

### **Longer Term Planning**

**3.11** While our current process has proved successful in managing the immediate, short term provision of school places, the planning of pupil places for the medium and longer term needs to recognise the impact of emerging Local Plans and the assessment of longer term changes in population age structure.

**3.12** We use a demographic modelling tool which estimates future population change based on fertility, mortality and migration assumptions, using historical data to define these assumptions, integrating official forecasts as appropriate. Population forecasts can be used to derive likely household and housing profiles consistent with the population's age-sex composition. For the purposes of assessing future pupil numbers, the model assumes that the scale and pattern of new housing development will reflect the proposals and policies set out in the relevant adopted Local Plan.



**3.13** The outputs from this modelling process are included in the evidence base later in this document and provide a consistent basis for the future strategic planning of education provision and have informed recent responses to Local Plan consultations. The model will also be used as an audit tool to ensure the infrastructure investment needs identified are robust and appropriate and consequently provide a technical basis for the allocation of future Community Infrastructure Levy investment.

**3.14** The conclusions reached for medium and longer term education provision will also be used to inform short term planning decision-making. For example in assessing whether to bring in new permanent provision, temporary capacity or to look to use existing provision in response to short term local pressures on school capacity.

**3.15** Planning for additional Special Education provision is detailed in the next section.

**We will work with early years' providers, governors, schools and partners to support/maintain a sustainable pattern of schools.**

**We will plan on known and projected data in consultation with our local providers/schools**

**We will increase choice and diversity by working with new providers, particularly in areas of significant housing growth**

## Section 4: School organisation statutory procedures

### Statutory Processes

**4.1** Guidance from the Department for Education has highlighted the need to ensure that additional good quality school places can be provided quickly where they are needed. Local Authorities and Governing Bodies are governed by statutory procedures\* and are required to follow the processes in accordance with relevant legislation when making changes to maintained schools, these include:

- Enlargement of premises
- Expansion onto an additional site
- Change to special needs provision
- Change of age range
- Adding or removing a sixth-form
- Closing an additional site
- Transfer to a new site
- Changes of category
- Boarding provision
- Addition of Post-16 provision
- New schools
- Closure of schools

See guidance at: <https://www.gov.uk/government/publications/school-organisation-maintained-schools>

The Strategic Planning School Organisation Team at Devon County Council will be involved in the majority of the above processes as the Local Authority, in the majority of cases, is the decision-maker. However, Governing Bodies are able to carry out certain changes and the School Organisation Team is available to assist with advice and guidance when schools are proposing changes, contact: [schoolconsultations-mailbox@devon.gov.uk](mailto:schoolconsultations-mailbox@devon.gov.uk)

\*The *Education Act 1996*, the *Schools Standards and Framework Act 1998*, The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013; The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013; the *Education and Inspections Act 2006* and the *Education Act 2011*; *The Education and Adoption Act 2016*

### New Schools

**4.2** The Education Act 2011 changed the arrangements for establishing new schools and introduced Section 6A (the free school presumption) to the Education and Inspections Act 2006. Where a new school is required the Local Authority must seek proposals for an

academy/free school and can also liaise with groups that are considering applying for a free school direct to the Department. It is also possible for the Local Authority to hold a competition in parallel to any application for a central free school. At present the Local Authority may assess all proposals and submit their assessment to the Department for Education, the final decision for which will be made by the Secretary of State (see: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/501328/Free\\_school\\_presumption\\_guidance\\_18\\_february.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/501328/Free_school_presumption_guidance_18_february.pdf)).

We will work with the Regional Schools Commissioner to ensure that the best provision meets our specific needs. Should there be a need for the Local Authority to commence a process to establish a new maintained school the procedures are as outlined in Appendix II and the Local Authority decides the most suitable proposer.

A proposer may publish a proposal for a new school under Section 11 of the Education and Inspection Act 2006, outside the free school presumption, but a clear demand for places must be demonstrated and a statutory process must be followed. In these cases the Local Authority is the decision-maker.

It is also possible to apply for consent from the Secretary of State to publish proposals to establish a new school under Section 10 of the Education and Inspections Act to replace a community school or for a brand new or replacement foundation or voluntary controlled school and a statutory process is required to be followed. The Local Authority decides the proposals (or Schools Adjudicator if LA involved in the Trust).

For further information see:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/514556/16-04-06\\_FINAL\\_SO\\_Guidance\\_ED\\_Regs.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514556/16-04-06_FINAL_SO_Guidance_ED_Regs.pdf)

**4.3** As highlighted previously, the Free School programme is a separate process which has been introduced by the Government to bring greater local choice. Information and advice is provided through the New Schools Network and the decision on successful proposals is made by the Secretary of State. There are six main categories of free school including mainstream, studio schools, 16-19, special, alternative provision and independent (private) school converters. These schools are funded directly by the Education Funding Agency. Priority is given to proposals from the strongest groups and where new schools are needed the most.

The Department for Education's has reaffirmed its aim to see all schools become academies, as contained within the White Paper 2016 "Education Excellence Everywhere" and proposes measures to support successful rural schools. The presumption against closure has been emphasised with new proposals requiring both national and local government agreement to closing a small rural school that has converted to academy status (see para. 2.12 above on Devon's approach to school closures).

## Consultations

4.4 Our approach to consultations about changes in school organisation is to:

- follow a fair and open consultation with all those affected by proposals;
- give an accurate assessment of our position, key messages and gain the views of stakeholders, partners, parents, young people and local community to any organisational changes to schools;
- use the views communicated, together with relevant information, to evaluate effectiveness and inform the local decision-making process;
- ensure feedback and decisions are always communicated to the target audience through our website;
- As changes to legislation occur we will continue to monitor our practices and procedures.

### **Statutory consultations a requirement**

#### **Fair and open consultations**

#### **Effective communication**

#### **Advice and guidance available**

## Section 5: Special Education Needs Place Planning

**5.1** Whilst the principles highlighted previously hold firm for all schools in particular when planning investment in mainstream schools, there is a significant number of children in Devon whose additional needs cannot currently be wholly met in a mainstream school. These children may have moderate, severe or profound difficulties in one or more areas of hearing, vision, speech and language, physical health, emotional and mental health or behaviour. Currently we have a number of schools and units which support these children and these facilities make provision for 1,300 children of statutory school age out of a total of about 97,000 pupils in maintained schools. Additional places are required and therefore Devon is planning on the basis that 1.5% of the school population will require a specialist place.

### National Context

**5.2** Special education is the education, training and other support provided to students with special educational needs and disabilities.

It is provided to young people with a wide range of needs, including learning difficulties like autism or dyslexia, sensory and physical disabilities such as visual impairment or mobility problems, and other profound and/or multiple needs. It covers a variety of assistance from, for example, additional classroom support to full-time packages of education and specialist therapy.

**5.3** The Children's Act 2014 and subsequent guidance regarding Special Educational needs and Disability Code of Practice: 0 to 25 years clearly sets out the vision that children with special educational needs and disabilities is the same as for all children and young people, which is that they achieve well in their early years, at school and in college, prepares them for a move into employment, and lead happy and fulfilled lives.

Key aspects of the Act and Guidance highlight the following key principles:

- the participation of children, their parents and young people in decision- making;
- the early identification of children and young people's needs and early intervention to support them;
- greater choice and control for young people and parents over support;
- collaboration between education, health and social care services to provide support;

- high quality provision to meet the needs of children and young people with SEN.

The last principle is the most relevant to the planning of special school provision as not only does specific school and education provision need to be made available, it needs to be attractive to parents and students and be of a high quality.

## Local Context/Challenges

**5.4** Devon has total of 10 special schools and, at the time of drafting, 16 specialist resource bases linked and located to mainstream schools across the County and one secure unit.

The ten special schools currently have capacity to support 947 children with SEND (Special Education needs and Disabilities) and on average Devon commissions a further 284 places from the Independent Sector.

Three schools are currently able to offer 38 week residential provision.

In addition to specific provision in Devon, additional provision is commissioned with neighbouring local authorities, principally Plymouth and Torbay, and from the Independent Sector.

**5.5** Appendix IV details the current provision across Devon. Devon has seen a significant increase in need for Special Education provision in recent years due to a number of factors including demographic change, migration into the County and increasing more complex needs.

## Challenges

**5.6** There are a number of challenges to delivering appropriate provision, including

- Funding remaining limited during a long period of austerity;
- Devon's special schools are currently at/nearing capacity with limited options to expand on existing sites, many are land locked and would require significant investment;
- Devon's existing special schools are not geographically well placed with a relative lack of provision in some areas of the County with potentially high transport time and cost;
- Devon's population continues to grow as does the prevalence of children requiring additional support. There is high inward migration into Devon and significant house building proposed.

- Location and the cost of transport limit the level of choice students and parents have in terms of school provision
- Children's needs are becoming more complex and therefore the development of a flexible/local offer needs to meet the varying needs, see <https://new.devon.gov.uk/educationandfamilies/special-educational-needs-and-disability-send-local-offer/about-the-devon-local-offer>
- Mainstream schools having to balance the needs of individual children against the requirement to consistently improve standards and attainment.
- There have been instances of failure in the Independent Sector creating additional pressure on finite resources

**5.7** Despite these challenges, Devon is committed to ensuring that each child will attend a setting that meets their education and social needs, preferably within access/reach of their local school and community.

The majority of children with special or additional education needs should and will attend their local mainstream school and schools have the resources, financial and expertise to ensure children achieve to the very best of their ability.

However, for a small number of children, (approximately 1.5% of the school population) a specialist place will be required either through:

- Specialist Provision at a mainstream school in a resource base;
- Special School placement as close to the students home as practically possible;
- An independent school placement if the education and complex needs of the child cannot be met from provision identified above.

Residential provision should only be commissioned where there is a holistic and multi-agency approach around the children's and parents wider needs.

## Principles

**5.8** The priority of the County Council is to find the right placement for children, young people and adults who have special education needs.

- Children will be able to access high quality education provision within reach of their own community;

- Children will attend a strong and welcoming local school that positively works to secure the best possible educational outcomes for them as individuals;
- Schools will have the financial and physical resources to support children and young people in their school;

**5.9** In order to deliver these principles, there will need to be a twin approach that increases capacity through improving practice and resources in schools to support their local children as well as secure additional places to support demographic and housing growth. We will therefore –

- Expand and improve personalised packages to support individual children helping those students to remain in a mainstream school;
- Continually review existing provision to ensure it meets pupil needs and expand resource bases to provide a greater emphasis on outreach and supporting pupils with specific needs in their schools;
- Reprioritising investment in provision to support wider offer in Devon’s schools
- Make reasonable adjustments in Devon’s schools to meet specific needs and review expansion potential of all special schools;
- provide suitable and safe placements near to home for those in Devon's care to meet the County Council's aspiration to support and protect vulnerable people where financially viable;
- Seek to provide additional capacity in those parts of Devon where there is an existing or future deficiency of accommodation, in particular to mitigate the cumulative impact of housing development;
- Provide provision recognising both absolute numbers and the nature of provision required – ensuring an improved level of accessibility for those needing to use each form of specialist provision. In identifying where investment should be prioritised, we will seek to work closely with existing special schools.
- Explore with our neighbouring Local Authorities opportunities to secure efficiencies for new provision/commissioning.

**5.10** The majority of post-16 SEN (Special Education Needs) provision is undertaken in Devon’s local Further Education (FE) colleges. To promote the diversity of choice and respond to specific complex needs, we will continue to work with our maintained special



schools and independent providers, who are able to deliver post-16 education. We will provide high-quality cost effective provision secured across the county and our neighbouring authorities. We are moving rapidly towards accountable, effective provision that will ensure learners with learning difficulties or disabilities (LLDD) have the best possible opportunities for progression in learning and employment. We will support free schools wishing to establish a special school to meet specific needs. However, due to funding restrictions, it will not be possible to commit to a guaranteed number of places per year.

### **Access Strategy (Physical Environment)**

5.11 In line with Schedule 10 of the Equality Act 2010 the Local Authority continues to hold a limited budget for minor improvements to school buildings for children with physical access needs. The funding is allocated based on Occupational Therapist reports specifically tailored to the individual child's access needs. The funding is limited to Local Authority maintained schools only, Academy and Free schools are required to undertake such improvements from their existing budgets.

**Majority of children with special or additional needs able to attend their local mainstream school**

**Schools supported to ensure children with special or additional needs able to achieve to the best of their ability**

**Special school placements within reasonable distance to students home**

**Residential provision with holistic and multi-agency approach**

**Diversity and choice for post-16 SEN provision**

## Section 6: Funding

### Overview

**6.1** We currently receive an element of funding direct from central government, but there is considerable uncertainty about the future scale and nature of such funding. Below sets out the current position on funding based on actual announcements.

**6.2** The current pattern of government grant funding consists of:

**Basic Need** – a formula grant allocation to the local authority to help to ensure there are sufficient pupil places in all schools for the next year. The current allocation for the period 2016-19 is £40m of which £28m has yet to be formally allocated. These funds will be used directly to secure the additional capacity to support additional provision for early years, primary, secondary and special school provision.

**Capital Maintenance** – a second formula grant to the local authority for all maintained community, voluntary controlled, trust and foundation schools; the 2016/17 allocation is £6.72m, future allocations are unknown but are estimated to reduce as more schools convert to academy and centrally delivered Priority Schools Building Programme projects open.

**Local Co-ordinated Voluntary Aided Programme** – a formula grant is available from the Department for Education to the voluntary aided sector to be targeted at condition and suitability issues, the allocation for 16/17 is £1m and again will reduce as schools convert to academy. These resources are managed in partnership with Devon County Council but are managed and delivered by the Diocesan Board of Education, Exeter.

**Academies Capital Maintenance Fund** – a central Government capital grant fund available to academies and targeted at condition, suitability and expanding successful academies (not basic need). Academy schools can bid directly to government to secure money from this fund on an annual basis. Larger Multi Academy Trusts will receive a formulaic capital maintenance allocation and not be required to bid.

**Devolved Formula Capital** – a relatively limited capital allocation of £1.6m in 2016/17 which is formula driven and allocated made directly to state funded schools to support small scale refurbishment and ICT development.

**6.3** In addition, there are currently two other main funding streams from central government:

**Free schools** – a capital fund has been identified to support the provision of new free schools and could be extended to University Training Colleges (UTCs) and Studio Schools

**Priority Schools Building Programme** – a programme to address the maintenance issues of the worst condition schools.

These projects are centrally procured and led by the Education Funding Agency. Ten schools in Devon have been selected in the first round for replacement.

Chagford C of E Primary School  
Haytor View Community Primary School, Newton Abbot **Delivered**  
Ilfracombe Arts College  
Ladysmith Junior School, Exeter  
Newton Poppleford Primary School  
Newton St Cyres Primary School  
South Molton Community College  
South Molton United C of E Junior School  
The Castle Primary School, Tiverton  
The Grove Primary School, Totnes **Delivered**

The following phase 2 projects have also been identified in Devon:

Exeter Road Primary School – Block 1  
Sidmouth College – Block 1  
Wipton Barton Junior – Block 1  
Exmouth Community College (Academy)

**6.4** While the central government funding for education infrastructure allocated to Devon County Council is not ring-fenced, we have **planned to** commit all of the funding secured to direct investment in education facilities. Even so, this level of investment is insufficient to address all the identified maintenance needs of the school estate, and will not directly secure the additional capacity necessary to meet the needs of new housing development proposals.

### **Funding additional capacity**

**6.5** In the context of our overarching statutory duty to provide sufficient places for all pupils in Devon, the current funding from central Government (the Basic Need funding stream) does secure additional capacity in areas under specific, localised pressure from rising pupil numbers. While the additional places that can be funded in this way do add to the overall capacity, this is insufficient to meet the growth in numbers arising from new residential development. Critically, such funding does not provide for the increase in provision needed to mitigate the impact of new development in areas of significant growth; the responsibility for that mitigation currently falls on the development industry through the Community Infrastructure Levy or section 106 aspect of the planning process. Our education infrastructure approach to section 106 is at **Appendix III**

**6.6** Where new development generates a need for additional pupil places which cannot be met from residual capacity in existing schools we, as the statutory local authority for education, are able to request contributions from residential housing development to mitigate the impact of additional homes - known as section 106 payments. Residual capacity is measured by assessing the current level of spare capacity and the extent to which that

capacity is already required as mitigation for committed development approved elsewhere. In future, the use of section 106 agreements is expected to be significantly reduced (unless any infrastructure is directly required as a result of development) in most areas as it is replaced by the new mechanism of the Community Infrastructure Levy (CIL).

The introduction of CIL effectively moves away from agreements on individual development proposals to a general levy charged on each unit of development. CIL revenues can then be used to fund investment in the infrastructure, including education, required to meet each area's needs in phase with new development. A number of Local Planning Authorities are proposing to introduce a comprehensive CIL regime and we will work closely with each authority to identify future education capacity requirements and the scale and timing of investment required to secure its delivery.

The future of central government funding is uncertain, and the governance structures which will need to be in place for managing and allocating CIL funding will need to be sufficiently flexible to respond to changes in government funding streams.

### **Special Educational Needs capital funding**

**6.7** As well as a reduction in the total capital investment in schools, there has also been a reduction in funding streams which have previously supported major capital investment in special needs schools. In the past decade, significant investment in special schools has been secured through bids to central Government, principally through the Targeted Capital Fund which is no longer available.

**6.8** Looking to the future, Devon is planning for population growth and a consequent increased need for special needs provision. This will result in an increased need for infrastructure and investment in mainstream and special school settings in the absence of a specific central Government funding mechanism to support this investment. Central Government does not currently collate information on proposed need and there is an expectation that local authorities will have to respond to this need in the context of their overall capital funding resource. Recent correspondence with the Department suggests that additional funding is allocated in Capital Maintenance to reflect the needs of the special estate and additional places should be funded from Basic Need/Free School programme.

**6.9** The expansion of capacity in Devon's special school facilities requires a much greater scale of investment per pupil place than for mainstream education, due to its specialist nature. Set against this, such investment can lead to a significant reduction in revenue expenditure - by reducing the requirement to fund high-cost placements in the independent school sector. Reducing these revenue costs and ensuring value for money remains a focus and priority. This EIP has been developed in the context of an area-wide review of special needs infrastructure, and an assessment of future need patterns to ensure the most effective use of resources and pattern of service delivery.

## Early year/Children Centres

**6.10** There is currently no dedicated capital funding stream to support new provision or the strategic maintenance of existing early years buildings. Local authorities have been invited to bid for a national capital pot of £40m where there is a need for more places for working parents of 3 and 4 year olds in September 2017. This is a one-off application process with no guarantee of success and needs to be able to provide matched funding. The DfE recognise that there are unlikely to be sufficient funds for more than 100-200 projects. Funded provision for some two year olds and the expansion of provision to 1140 hours a year for many 3 and 4 year olds will require additional investment in buildings. It is estimated that 63% of 3 and 4 year olds will be entitled to the extended offer.

**6.11** In previous years children's centres have been developed using central government capital funding. This has included new provision that was principally targeted at areas of high deprivation. It is unlikely there will be a requirement for further new provision, the exception to this is where there is major housing development that should be funded through section 106 or CIL. In future years there will be a requirement to strategically maintain the estate and ensure there is sufficient provision.

**6.12** While there are currently no ongoing capital funding streams confirmed from central government, we will need to ensure that we can meet our statutory responsibilities for provision for two, three and four years olds and it will be important to identify an element of capital funding which may need to be allocated from within existing budgets, principally basic need funding.

## Funding for the maintenance of existing infrastructure

**6.13** Devon receives a level of capital maintenance funding from central government as detailed above. This is the only source of direct funding available for the strategic maintenance of existing school buildings. The scale of funding allocated from central government is not related directly to the scale of investment needed to address all the maintenance needs of Devon schools. Based on surveys of actual school conditions in Devon, the level of funding currently available is only sufficient to address the most urgent or highest priority maintenance needs.

**6.14** Over recent years the main focus of maintenance investment has had to be on the highest priority condition items, principally and keeping buildings wind and water tight. The limited availability of funding highlights the importance of having a transparent and evidenced-based approach to identifying priorities for investment over the next few years. This is described in detail in **Section 7**.

**6.15** When completed the Priority Schools Building Programme (PSBP) round 1 will fund the replacement of a limited number of schools where the scale of the maintenance need was such that the government concluded that rebuilding would be the most cost effective way of addressing their needs. The PSBP round 2 has developed to include the replacement of blocks within schools rather than whole school replacements. It is unclear if the EFA will run further rounds of PSBP. We will continue to press for the government to make additional money available that could be used for essential strategic capital maintenance investment.

**6.16** In the context of the most recent government changes to the pattern of education provision, it is anticipated that in the future an increasing proportion of Devon's schools will be academies, and at present the maintenance of these premises is funded directly from central government resources. In addition, external early years providers operating from standalone buildings on schools sites will/should have full a repairing lease agreement with responsibility for repairs, insurance and maintenance of the property.

### **Prioritising investment**

**6.17** Against a background of budget reductions and uncertainty about central government support, it will be increasingly important for us to work with key stakeholders to identify our key priorities for future investment.

Set against our principles, the two primary drivers underpinning investment prioritisation will continue to be:

- the need for us to meet our statutory obligations in terms of pupil place provision

- the need to address Serious Health and Safety building related defects-ensure a safe and healthy environment for pupils in terms of maintenance investment.

**Need for a robust and transparent methodology for allocating capital resources  
for maximum impact during a period of significant financial constraint  
Need to focus on key areas and maintain the existing assets**

**Section 106 and CIL funds will need to deliver the early years and school provision  
needed to support the aspirations of Local Plans and housing development to 2033**

## Section 7: Investing in the education estate

### Overview

**7.1** In general, all schools remain responsible for the day to day management and maintenance of their premises (revenue/recurrent maintenance). For more substantive investment (strategic maintenance), responsibility either rests with the local authority - in terms of its capital funding allocation and delivery programme - or with self-governing schools through their bids against specific pots of nationally held funding.

This means that our primary responsibility relates to strategic maintenance in maintained schools. In addressing this we are committed to investing in the existing school estate in order to ensure buildings are safe and fit for purpose to deliver good outcomes for children and young people.

The effective maintenance of existing buildings and facilities will also make the best possible use of existing capacity and help to minimise the need for new provision. Maintaining the quality and function of existing schools and facilities is a key part of our overall approach to ensuring that there are sufficient places available to meet need.

**7.2** While the funding and delivery of maintenance currently varies depending on the type of investment required (capital or revenue) and the governance arrangements of the particular school, we consider that the fundamental approach to capital investment in schools buildings should be broadly consistent – reflecting a common set of shared priorities for the learning environment in Devon.

**7.3** The previous consultation carried out for this EIP has engaged with a wide range of schools and stakeholders so that the plan is appropriate to all Devon schools, not just those that are currently maintained. This has facilitated a broad discussion and ensured that the EIP will remain relevant when there are changes in the mix of school provision in the county. Devon's approach is consistent with national government.

### Challenges

**7.4** [Despite previous significant investment within Devon's education estate](#) this has only been sufficient to address the most urgent and/or critical maintenance schemes identified from buildings survey assessments. As a result, it has not been possible to deal with all of the deficiencies identified and a significant number of schools have had to continue to operate with unresolved maintenance issues.

**7.5** The current ongoing reduction in maintenance capital funding from central government will make it even more important to target funding on the areas of highest need, and ensure this funding is allocated towards addressing the highest need. If funding continues to become more restricted, resources will inevitably need to be focused more rigorously on maintaining the basic safety and soundness of existing buildings rather than investing to improve the operational or educational functionality of schools.

**7.6** In order to maintain transparency the formula for allocating maintenance funds and proposed prioritisation of schemes will regularly be presented to the School Organisation, Capital and Admissions Forum (SOCA) . As and when appropriate SOCA may also be engaged to establish a task and finish group to agree the criteria for allocation of capital maintenance and other associated central government buildings related grants. The current criteria for maintained schools including VC/Foundation schools, (excluding VA schools and academies) are as follows all categories being considered on an equal basis (not ranked):

- Based on Asset Management Condition data:
  - Commit to addressing all D1\* items as the first priority, and;
  - Commit to addressing D2\* items

\* see 7.10 below

Both prioritised using pupil numbers as a percentage of capacity as far as the allocated funding will:

- Allow for a reserve fund to allocate towards MUMIS (Major Unforeseen Maintenance Indemnity Scheme);
- Allow for contributions towards Education Funding Agency Priority Schools Building Programme schemes in maintained schools only;
- Allow for contributions towards maintained schools Basic Need schemes (based on first bullet point criteria above) where Basic Need projects will address maintenance D1 or D2 items;
- Allow a proportionate contribution towards maintained schools DDA(Disability Discrimination Act) projects , based on Occupational Therapy reports specific to an individual's needs;
- Allow for a reserve fund to contribute towards Energy Cost reduction measures associated with school capital building projects;
- Complex projects may require phasing over two financial years. Consideration may also be given to reducing the scope of large projects down into smaller elements which can then be delivered within a given financial year.

**7.7** With regard to contributions to projects for Basic Need, existing D1 or D2 commitments would define any contribution where new Basic Need infrastructure is funded, in place of funding maintenance in existing buildings. Funding will be based on pupil numbers as a percentage of capacity rather than cost per m<sup>2</sup>, with provision to review.



In cases where projects meet the above criteria and have been approved as part of an existing Local Authority capital programme, Devon will continue to honour the commitment towards the project should the school subsequently convert to academy status.

## Principles

**7.8** The principles which will underpin our investment strategy are:

- the health and safety of children, staff and other school users will be the highest priority for capital investment ensuring schools stay open and are fit for purpose by prioritising maintenance to minimise the risk of possible closure
- investment decisions will be evidence-based and clearly communicated to all stakeholders. This may be subject to opportunities to support wider strategic projects which will be taken (with maintenance allocations being based on the agreed criteria)
- where there is clear evidence the investment should be prioritised we will work with SOCA for maintained schools to develop a cost effective maintenance strategy across the county.

## Our approach

**7.9** The approach to funding infrastructure will be based on an objective assessment against consistently applied criteria. A key part of the assessment process will be the condition of facilities as identified in the Asset Management Planning Condition Database (AMPCD), and this will be the key determinant for capital funding. This data is either held by Devon County for maintained schools or by self-governing establishments.

**7.10** While the government commissioned the Schools National Survey and has undertaken a review of school buildings across the country to inform future funding decisions, the Education Funding Agency has confirmed that local surveys should continue to be carried out. For maintained schools it is proposed that there will be an ongoing regime of five yearly condition assessments, and it is advised that academies continue to keep accurate condition data as it will continue to be a key driver for future capital investment.

While the AMPCD data will be the key driver for prioritising and allocating capital maintenance funding, decision-making needs to be supported by direct engagement with individual schools and head teachers to identify where there are specific concerns about condition and building related health and safety issues - especially for those schools whose data is some years out of date. A contingency fund will continue to ensure that urgent but unforeseen items can be addressed should the need arise.

We will:

- Commit to address all AMP Condition priorities that are identified as ‘urgent work that needs to be undertaken within one year (referred to as D1 items) that if left unaddressed could result in a school closure’

- Consider as many high priority D2 items ‘that if left unaddressed for two year will either become D1 items or could result in a school closure’ for inclusion within the programme subject to remaining funding being available.
- Publish on a rolling two year programme, a prioritised list of projects which meet the criteria identified above to provide schools with some certainty of investment priorities

**7.11** While at any point in time the rolling two year programme will include more schemes than can be immediately financed, inclusion on the list will establish which schemes will be brought forward if and when any additional funding becomes available. This broad approach has been endorsed by School Organisation, Capital and Admissions Group (SOCA) and through the consultation on this EIP.

**We will continue to invest in the education estate, using the most current data available to inform our funding decisions**

**We will provide a forward plan of investment schemes based on clear criteria, and update this plan annually**

**We will continue to survey maintained schools to ensure access to accurate information and data**

**We will maintain a contingency maintenance fund to be able to respond effectively to unforeseen events**

**We will maintain our commitment to energy efficiency measures and renewable energy solutions**

## Section 8: Key infrastructure requirements to support Devon's growth to 2033

It is anticipated there will be approximately 70–80,000 new homes built in Devon over the next 15–20 years. Due to the magnitude and concentration of development, we have identified the new infrastructure forecast needed to meet demands. The requirements will be constantly reviewed and will inevitably change based on different circumstances as the Local Plans evolve.

We use a demographic modelling tool which can be used to derive likely household and housing profiles consistent with the population's age-sex composition. Based on this model, the following forecasts have been established across the county and these are then broken down into district council area with associated infrastructure needs. The overall forecast for Devon predicts an increasing need for primary provision until at least 2021 and secondary until 2026 but there will continue to be a need for additional capacity in local communities or main areas of growth.

Details of recent expenditure and shorter term proposals, including school expansions are included in Appendix [V](#)

### Devon

#### Population actuals, estimates and forecasts

Persons	2013	2018	2023	2028	2033
0-2	22,990	24,300	24,510	24,440	24,470
3-4	15,530	15,680	17,110	17,120	17,030
5-11	53,310	59,880	62,080	64,240	64,180
12-16	40,900	39,910	45,440	47,090	48,970
17-19	27,110	25,750	26,480	29,660	30,370
Total	159,830	163,515	175,630	182,540	185,020

The sections below break these figures into district area and indicate what the key new infrastructure requirements are but do not include details of expansions to existing provision. Full details of the education infrastructure requirements resulting from Local Plan proposals

are included in Infrastructure Delivery Plans submitted as a part of the Local plan process and are available on individual district council websites.

The requests are subject to change and will be reviewed regularly.

## East Devon

The adopted East Devon District Council Local Plan goes up to 2031 and includes a housing requirement of 17,500. The development strategy focuses housing development in the West End, particularly Cranbrook, Blackhorse and Pinhoe, with smaller allocations at Axminster, Exmouth and the other market towns.

The District Council is working on a new joint Strategic Plan with Exeter, Mid Devon and Teignbridge although this is at an early stage of its development and infrastructure requirements in this document are based on the adopted Local Plan.

Based on the current proposals in the Local Plan, the populations are as follows

Age	2013	2018	2023	2028	2033
0-2	3610	3,860	3,880	3,840	3,860
3-4	2,500	2,710	2,830	2,819	2,800
5-11	8,950	10,510	10,940	11,140	11,090
12-16	7,260	7,090	8,220	8,530	8,760
17-19	4,290	4,450	4,610	5,210	5,370
Total	26,660	28,630	30,470	31,520	31,870

There are specific areas in East Devon where there is currently significant pressure on primary numbers, in particular in Exmouth, Ottery St. Mary, development in East Devon's West End and Axminster.

Area	Infrastructure	Potential timescales
<b>Cranbrook</b>	1,000 place secondary school (11-16 years)	Part Delivered
<b>Cranbrook</b>	420 primary provision plus nursery (2-11 years)	2021-2026
<b>Cranbrook</b>	630 (or 210 & 420) primary provision plus nursery (2-11 years)	2026-2031
<b>Cranbrook</b>	Children's centre provision	2015-2021
<b>Cranbrook</b>	Special School Provision	2019-2031
<b>Black Horse</b>	420 primary provision plus nursery (2-11 years)	2018-2031
<b>West Clyst*</b>	210 primary provision plus nursery (2-11)	2016-2020
<b>Axminster</b>	210 primary provision plus nursery (2-11)	2016-2026
<b>Exmouth</b>	210 primary provision plus nursery (2-11)	2016-2026

\*To be delivered through Free School Programme

## Exeter

The adopted Exeter Core Strategy covers the period up to 2026 and includes a housing requirement of 12,000 homes. The majority of these are focused in urban extensions at Newcourt, Monkerton and Alphington.

The City Council is working on a new joint Strategic Plan with East Devon, Mid Devon and Teignbridge although this is at an early stage of its development and infrastructure requirements in this document are based on the adopted Core Strategy.

Based on the current proposals in the Local Plan, the populations are as follows

Age	2013	2018	2023	2028	2033
0-2	4,240	4,730	4,680	4,630	4,620
3-4	2,720	2,600	3,030	3,010	2,980
5-11	8,070	9,120	9,620	10,200	10,130
12-16	5,390	5,470	6,430	6,620	7,150
17-19	6,230	6,190	6,440	7,090	7,170
Total	26,650	28,110	30,200	31,540	32,060

There has been a significant increase in births and migration into the city over recent years requiring additional provision at primary level. This may impact at secondary level later in the plan period. There is particular pressure west of the Exe and to the east of the city, where schools are on restricted sites and large housing developments are proposed.

Area	Infrastructure	Potential timescales
<b>Monkerton</b>	Up to 630 primary provision plus nursery (2-11 years)	2016-2026
<b>Newcourt</b>	420 primary provision plus nursery (2-11 years)	2016-2020
<b>Newcourt</b>	Up to 420 primary provision plus nursery (2-11 years)	2021-2026
<b>Water Lane</b>	210 Primary plus nursery (2-11 years)	2021-2026
<b>SW Exeter</b>	New Secondary Provision*	2019-2033

\* To support development in Teignbridge as well as Exeter and on Exeter's Borders (e.g. east Devon)

## Mid Devon

Based on the current proposals in the Local Plan, the populations are as follows

Age	2013	2018	2023	2028	2033
0-2	2,650	2,800	2,850	2,880	2,740
3-4	1,810	1,790	1,990	2,010	1,930
5-11	6,320	6,930	7,100	7,450	7,300
12-16	4,760	4,710	5,260	5,410	5,550
17-19	2,830	2,570	2,630	2,930	2,920
Total	18,380	18,810	19,830	20,680	20,450

The Mid Devon Local Plan review covers the period to 2031. It includes a housing requirement of 7,200 homes, with the main allocations focused at Cullompton and Tiverton, and to a lesser extent, Crediton.

The District Council is working on a new joint Strategic Plan with Exeter, East Devon and Teignbridge although this is at an early stage of its development and infrastructure requirements in this document are based on the emerging Local Plan.

Area	Infrastructure	Potential timescales
<b>Tiverton</b>	420 primary provision plus nursery (2-11 years)	2016-2026
<b>Cullompton</b>	420 primary provision plus nursery (2-11 years)	2016–2020
<b>Cullompton</b>	420 primary provision plus nursery (2-11 years)	2021-2033
<b>Crediton</b>	210 primary provision plus nursery (2-11 years)	2021- 2033
<b>Cullompton/Tiverton</b>	Special School provision	2018- 2033

### North Devon

Based on the proposals in the emerging local plan, the population forecasts are as follows

Age	2013	2018	2023	2028	2033
0-2	3,100	3,100	3,160	3,160	3,180
3-4	1,990	2,000	2,180	2,190	2,190
5-11	6,930	7,580	7,860	8,130	8,180
12-16	5,290	5,080	5,660	5,900	6,130
17-19	3,160	2,840	2,960	3,270	3,360
Total	20,470	20,600	21,820	22,650	23,040

North Devon and Torridge are jointly preparing a new Local Plan covering the period to 2031. The North Devon element of plan sets out a housing requirement of approximately 8,500 with the focus of development on Barnstaple, Ilfracombe and South Molton. There is already pressure on primary places in these three areas and therefore the final response will indicate a need for new provision, specifically.

Area	Infrastructure	Potential timescales
<b>Barnstaple West</b>	420 primary provision plus nursery (2-11 years)	2017-2021
<b>Barnstaple West*</b>	210 primary provision plus nursery (2-11 years)	2021- 2033
<b>Barnstaple East</b>	210 primary provision plus nursery (2-11 years)	2018-2031
<b>Ilfracombe</b>	420 primary provision plus nursery (2-11 years)	2018-2031

\* Subject to review of non-allocated site approvals

## South Hams

South Hams has an adopted Core Strategy to cover the period up to 2016. The Core Strategy includes a housing requirement of 6,000 which includes the majority of the 5,500 dwelling Sherford New Community, the largest single allocation in the District.

The District Council is working on a new joint Local Plan with West Devon and Plymouth although this is at an early stage of its development and infrastructure requirements in this document are based on the Core Strategy.

Based on the proposals in the Local Plan, the population forecasts are as follows:

Age	2013	2018	2023	2028	2033
0-2	2,240	2,340	2,450	2,500	2,580
3-4	1,590	1,630	1,780	1,820	1,860
5-11	5,860	6,580	6,900	7,220	7,380
12-16	4,690	4,560	5,290	5,520	5,800
17-19	2,700	2,630	2,660	3,120	3,250
Total	17,070	17,730	19,070	20,180	20,860

The bulk of the proposed development and therefore need is focused around the new town proposal in Sherford and timescales will depend on the progress of that development.

Devon's educational requirements are:

Area	Infrastructure	Potential timescales
Sherford	420 primary provision plus early years (2 – 11))	2017–2020
Sherford	420 primary provision plus early years (2 – 11)	2021–2026
Sherford	Up to 420 primary provision plus early years (2 – 11)	2026–2033
Sherford	735 secondary provision (11 – 16)	2019–2026
Sherford	Children's centre provision	2018–2020

## Teignbridge

Teignbridge has an adopted Local Plan covering the period up to 2033. The Local Plan includes a housing requirement of approximately 12,500 homes, with large allocations at South West Exeter and 'the Heart of Teignbridge' (particularly Newton Abbot and Kingsteignton) and to a lesser extent Dawlish.

The District Council is working on a new joint Strategic Plan with East Devon, Exeter and Mid Devon although this is at an early stage of its development and infrastructure requirements in this document are based on the adopted Local Plan.

Based on the proposals in the adopted local plan, the population forecasts are as follows:

Age	2013	2018	2023	2028	2033
0-2	3,680	3,920	3,920	3,870	3,880
3-4	2,480	2,600	2,770	2,750	2,740
5-11	8,810	9,910	10,330	10,510	10,470
12-16	6,980	6,730	7,510	7,940	8,140
17-19	4,070	3,720	3,820	4,210	4,400
<b>Total</b>	<b>26,020</b>	<b>26,880</b>	<b>28,360</b>	<b>29,290</b>	<b>29,620</b>

The Teignbridge Local Plan is focusing on major housing development in Newton Abbot and south west of Exeter although existing unimplemented approvals require additional education provision in the medium term. It is forecast the new secondary provision in the South West Exeter proposals will support increased need for places from Exeter's Local Plan. We have indicated the following key infrastructure will be required.

Area	Infrastructure	Potential timescales
<b>Newton Abbot</b>	Additional secondary provision (11-16 years)	2016–2031
<b>Newton Abbot South</b>	210 primary provision plus nursery (2-11 years)	2018–2033
<b>Newton Abbot West</b>	210 primary provision plus nursery (2-11 years)	2018–2033
<b>Kingsteignton*</b>	210 primary provision plus nursery (2-11 years)	2016–2020
<b>SW Exeter</b>	Up to 630 primary provision plus nursery (2-11 years)	2016–2026
<b>SW Exeter</b>	Secondary provision (11-16 years) **	2018–2026

\* Being delivered through Free School Programme

\*\* To support development in Teignbridge as well as Exeter and on Exeter's Borders (eg east Devon)

## Torrige

Based on the proposals in the emerging local plan, the population forecasts are as follows:

Age	2013	2018	2023	2028	2033
0-2	2,000	2,060	2,090	2,090	2,130
3-4	1,360	1,320	1,460	1,470	1,480
5-11	4,550	5,170	5,300	5,500	5,550
12-16	3,520	3,440	3,950	4,070	4,270
17-19	2,170	1,920	1,930	2,260	2,300
<b>Total</b>	<b>13,590</b>	<b>13,920</b>	<b>14,730</b>	<b>15,390</b>	<b>15,730</b>

North Devon and Torrige are jointly preparing a new Local Plan covering the period to 2031. The Torrige element of the Local Plan sets out a housing requirement of approximately 7500, focusing significant levels of housing development in Bideford, Northam and to a lesser extent, Great Torrington. These areas will be the focus for additional education infrastructure over the planning period.



Area	Infrastructure	Potential timescales
<b>Bideford Northam</b>	420 primary provision plus nursery (2-11 years)	2018–2033
<b>Bideford West</b>	420 primary provision plus nursery (2-11 years)	2016–2020
<b>Bideford East</b>	210 primary provision plus nursery (2-11 years)	2024-2033
<b>Great Torrington</b>	210 primary provision plus nursery (2-11 years)	2024-2033
<b>Bideford</b>	Special Education Needs Provision	2018-2033

## West Devon

The adopted West Devon Core Strategy covers the period up to 2026 and includes a housing requirement of approximately 4,000 dwellings. The largest allocations are in Okehampton and Tavistock.

The Borough Council is working on a new joint Local Plan with South Hams and Plymouth although this is at an early stage of its development and infrastructure requirements in this document are based on the Core Strategy.

Based on the proposals in the Local Plan, the population forecasts are as follows

Age	2013	2018	2023	2028	2033
0-2	1,470	1,500	1,490	1,470	1,470
3-4	1,030	1,030	1,060	1,060	1,050
5-11	3,820	4,070	4,030	4,100	4,090
12-16	3,010	2,830	3,120	3,100	3,180
17-19	1,640	1,430	1,440	1,560	1,610
Total	10,970	10,860	11,140	11,280	11,390

While there is a projected decline in numbers, Tavistock and Okehampton are experiencing demographic and housing growth.

Area	Infrastructure	Potential timescales
<b>Okehampton East</b>	Up to 420 primary provision plus nursery (2-11 years)	2018–2026
<b>Tavistock</b>	210 primary provision plus nursery (2-11 years)	2020–2026

This information takes into account the two National Parks, and the development proposals for these have been factored into the overall demographic figures.

## Appendix I Glossary

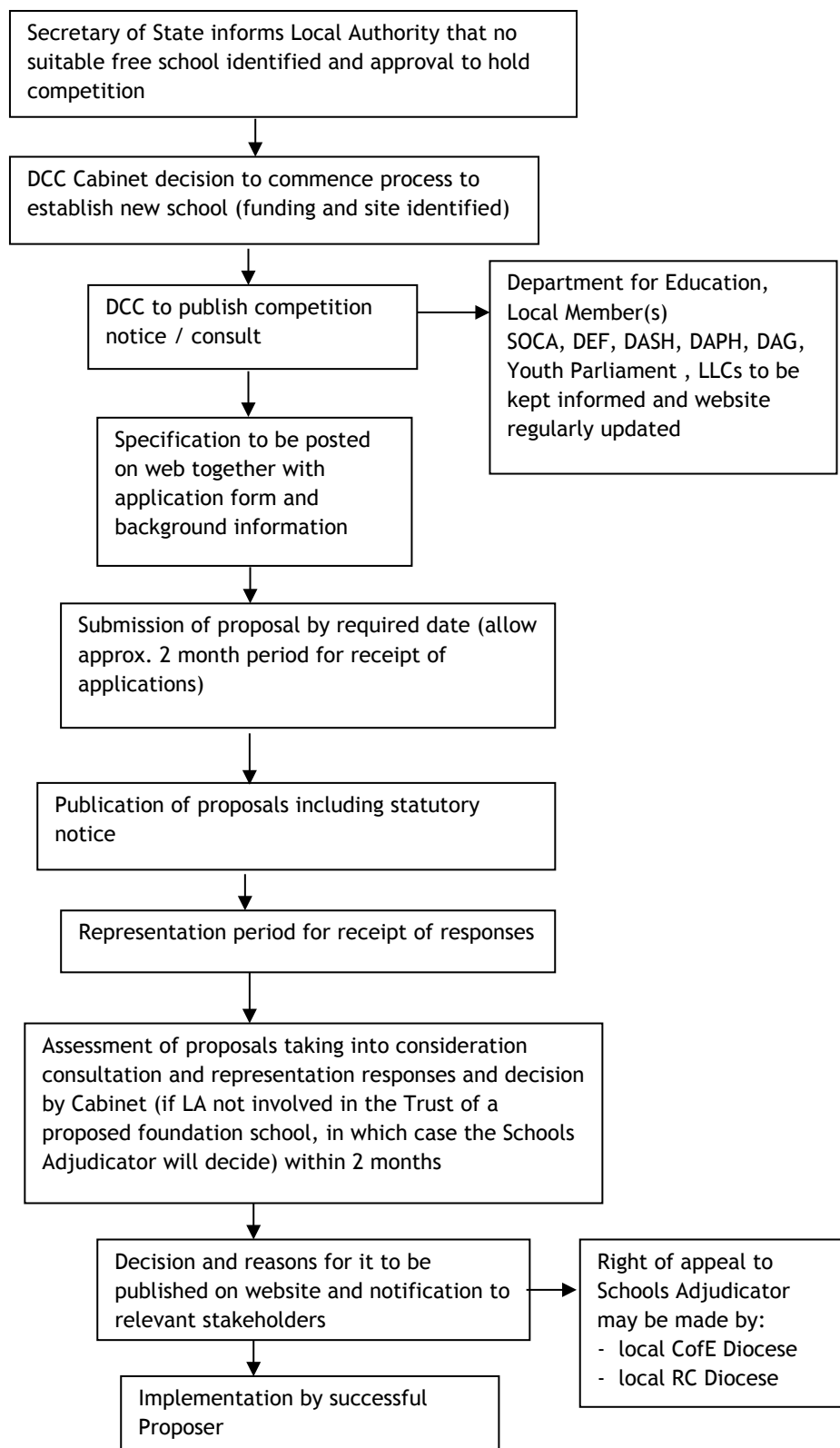
<b>Academies</b>	Publicly funded schools, independent of the local authority
<b>All-through school</b>	All age schools, usually from ages 3-16 or 3-19
<b>AMPCD</b>	<b>Asset Management Planning Condition Database</b>
<b>ASD</b>	Autism Spectrum Disorder
<b>Basic Need</b>	Excess of forecast demand for pupil places over the existing schools capacity to provide them
<b>BESD</b>	Behavioural, Emotional and Social Difficulties
<b>Cabinet</b>	Responsible for making day to day decisions for Devon County Council
<b>Catchment or Designated Area</b>	Geographical boundary for a school and used for admission purposes
<b>CIL</b>	<b>Community Infrastructure Levy</b> which allows local planning authorities to raise funds from developers for new building
<b>Co-operative Trust</b>	Schools which embed co-operative values and principles
<b>D1</b>	<b>Risk deemed as maintenance condition could result in school closure within 1 year</b>
<b>D2</b>	<b>Risk deemed as if maintenance condition unaddressed could result in school closure within 2 years</b>
<b>DAG</b>	<b>Devon Association of Governors</b>
<b>DAPH</b>	<b>Devon Association of Primary Headteachers</b>
<b>DASH</b>	<b>Devon Association of Secondary Headteachers</b>
<b>DEF</b>	<b>Devon Education Forum</b> – an independent Committee which makes representations to the County Council
<b>DSG</b>	Dedicated Schools Grant
<b>EYFS</b>	<b>Early Years Foundation Stage</b> - the phase in education and care from 0-5 years, until a child moves into Year One at school. The Statutory Framework for the Early Years Foundation Stage sets the standards for the learning, development and care children must receive. Early years settings are inspected by Ofsted against this framework.
<b>Feeder school</b>	Primary school linked to a secondary school
<b>Free schools</b>	Department for Education’s policy term for a new provision academy
<b>Federation</b>	A family of schools set up by formal agreement sharing a single governing body

<b>Foundation Stage Unit</b>	An FSU is formed when nursery classes and reception classes in infant and primary schools integrate to provide high-quality provision across the whole foundation stage, which meets the needs and interests of all children.
<b>Independent school</b>	A school funded privately and not dependent on national or local government for financing
<b>LLC</b>	<b>Local Learning Community</b> a collaboration of education providers in a geographical area, including primary secondary, special schools
<b>LLDD</b>	<b>Learners with learning difficulties or disabilities</b>
<b>Maintained schools</b>	Funded by central government through the local authority, including community, community special, foundation (including trust) foundation special, voluntary aided and voluntary controlled
<b>Management Partnership</b>	Schools working as separate institutions but sharing one head. A formal joint governors committee must set up, oversee and manage partnership
<b>MUMIS</b>	Major Unforeseen Maintenance Indemnity Scheme
<b>Net capacity</b>	The number of pupil places available at a school
<b>PAN</b>	Planned Admission Number: maximum number of pupils a school intends to admit in the first year of school
<b>Partnership Foundation Unit</b>	Created when a school and a preschool provider work together to ensure continuous, integrated and effective early years' provision for children in the foundation stage.
<b>PMLD</b>	Profound and Multiple Learning Difficulties
<b>Recoupment Academy</b>	Where an academy has a maintained predecessor, the local authority's allocation of Dedicated Schools Grant (DSG) will be adjusted to transfer funds from the DSG to the academy's budget
<b>RSC</b>	Regional Schools Commissioner
<b>Section 106</b>	Planning obligation on developers to provide contributions, either in cash or kind, to offset negative effects caused by construction and development
<b>SEND</b>	Special Education Needs and Disabilities
<b>SHAD</b>	Special Heads Association Devon
<b>SLD</b>	Severe Learning Difficulties
<b>SOCA</b>	School Organisation, Capital and Admissions Group
<b>Special school</b>	School catering solely for pupils with Special Educational Needs

<b>Sponsored academy</b>	Publicly funded school, independent of the local authority, with a proven sponsor
<b>Studio school</b>	Offering academic and vocational qualifications for 14-19 year olds in a practical and project-based way, combined with work placements with local and national employers
<b>Trust school</b>	A maintained school supported by a charitable foundation
<b>University Technical College</b>	Technical academies sponsored by a local university for 14-19 year olds with emphasis on providing technical education
<b>Voluntary aided school</b>	VA schools are maintained schools with a foundation established by the church
<b>Voluntary controlled school</b>	VC schools are maintained school that retain minority foundation representation on their governing body and also retain strong links with the church in their community

# Appendix II New school procedures

(competitive process under Section 7 of the Education and Inspections Act 2006)



# Appendix III Section 106 Methodology

## Devon County Council - Education Infrastructure Section 106 Approach

### Introduction

Within the Town and Country Act 1990, Section 106 allows a local planning authority to enter into a legally-binding agreement or planning obligation with a landowner in association with the granting of planning permission. These agreements are a way of delivering or addressing matters that are necessary to make a development acceptable in planning terms. Local Authority requests for Section 106 contributions towards infrastructure must satisfy the tests as previously set out in Circular 05/05 and CIL regulations 2010 and now restated in the National Planning Policy Framework, specifically that requests are:

- Necessary to make the development acceptable;
- Directly related to the development; and
- Fair and reasonably related in scale and kind of development.

District Councils determine planning applications for housing, and conforming to the tests above, decide what requirements are included in Section 106 agreements. With statutory responsibility for the provision of education infrastructure, this document summarises the approach adopted by Devon County Council to identify and calculate funding required from developers for education facilities for areas receiving new development<sup>1</sup>. Education requirements relevant to planning applications are relayed to district councils for inclusion in a Section 106 agreement, if the application is granted.

The approach for calculating Section 106 requirements detailed in this paper relates to pupil places for school children aged 4 to 16, as well as other statutory provision including Special Education Needs (0 – 25), post 16 education facilities, youth services, early years/childcare provision and wider children's services provision (where justified in terms of the National Planning Policy Framework criteria outlined above). These are calculated and requested on a case by case basis taking into account a number of factors as detailed in this document

This approach for calculating education Section 106 seeks to:

- Make development acceptable in terms of education – by ensuring that the need for additional pupil places generated by new development is mitigated
- Ensure education and childcare requirements are justified and directly related to development proposed
- Take account of committed and planned development
- Recognise available capacity in existing provision
- Avoid unacceptable travel distances to provision

For further information on early years and childcare place planning visit – <https://new.devon.gov.uk/eys/for-providers/childcare-sufficiency/childcare-sufficiency-assessment>

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<sup>1</sup> Appendix A contains details of the service provision standards adopted by Devon County Council for education provision. In addition, the implication of national changes to the education system and pupil place planning are explained.

## Calculating education Section 106 requirements

### *Establishing Pupil numbers arising from new development*

To establish the impact of existing and new development proposals on education facilities it is necessary to identify the likely number of pupils that will be generated. On the basis of empirical research, Devon County Council have established that, on average, each family dwelling (i.e. dwellings with 2 bedrooms or more) generates approximately 0.07 0 to 1 year olds, 0.11 2 to 4 year olds, 0.25 primary aged pupils (ages 5 to 11), 0.15 secondary aged pupils (ages 12 to 16)<sup>2</sup> and 0.06 post 16 (ages 17 to 18). In total, approximately 1.5% of the school population require specific Special Education provision, in the main delivered through a local Special School.

Affordable Housing is included in education capacity and contribution calculations, as it generates a need for additional education facilities within a specific locality. In addition, the empirical evidence on which future requirements are based, takes account of education requirements associated with affordable housing. Student accommodation, holiday homes and housing designated for older people will be excluded, assuming a condition to restrict occupation is attached to any planning permission.

### Establishing baseline school capacity

When assessing the contribution appropriate from each planning application or development proposal, the County Council will factor in any current spare capacity in existing education and early years provision within the locality. When calculating the existing spare school places two key factors will be incorporated:

1. The number of existing spare school places there are within the locality, adjusted with an assessment of the likely places that are expected to be taken up by children in future years based on the number of known 0 – 5 year olds (who are in many instances already attending early years providers) for primary and known primary numbers for secondary.
2. The number of school places taken up by existing but yet to be implemented planning permissions (factoring in capacity provided by Section 106 contributions).

When calculating the existing spare early years places, the capacity within schools, childminders, day nurseries and preschools will be considered and adjusted with an assessment of the likely places that are expected to be taken up in future years based on projections using data on live births secured from the NHS.

If insufficient capacity is identified in this process, then it is assumed that need will be met at the next nearest appropriate provision to the development site which does have uncommitted capacity.

### *Allowing for Existing Capacity and Identifying Mitigation Needed*

In assessing the contributions appropriate from new development proposals, spare capacity is shared proportionately between all development sites allocated in the adopted Local Plans or

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<sup>2</sup> See Appendix B for more detail on assumption

Local Development Framework. Capacity is identified where places are available within 1.5 miles for primary school pupils and 2.25 miles for secondary school pupils<sup>2</sup>. For special provision, a wider area is considered because of the varying provision associated with this need. Where no schools are within these distances of the development, the nearest school may be considered and funding will be required to cover transport costs.

When assessing early years places the capacity available within existing providers in reasonable distance of the application are considered in line with the approach to primary school pupils.

When assessing safe walking distances to local schools, Devon County Council adheres to the guidelines outlined in the national policy document 'Assessment of Walked Routes to School'.

The apportionment of capacity to development sites reflects the number of anticipated applicable additional dwellings, with two or more bedrooms.

The County Council will require contributions from developers where pupils arising from the development cannot be accommodated within existing capacity and/or where development places an additional burden on home to school transport. Additional facilities will either be provided through the expansion of an existing provision or through the development of a new provision– this will be determined by the circumstances of the nearest provision and the scale of the development on a case by case basis, taking account of wider development allocations.

Contributions will be sought where development generates an additional need for home to school transport. In the main, this will be triggered by development that is located in areas where schools are outside of the statutory walking distances and/or do not have a safe walking route. No transport is provided for children before they start at school.

In respect of Special School places, it is recognised that it is possible provision will not necessarily be within close proximity.

#### *Cost of Additional School Facilities, Funding and Home to School Transport*

Devon County Council requires developers to contribute towards education infrastructure to mitigate the direct impacts of new development. Capital allocations, received from central government, are only provided to meet statutory responsibilities in respect to additional pupil places arising from increased birth rates. There is no direct funding stream to support statutory home to school transport costs. Section 106 and Community Infrastructure Levy funding is critical to ensure that development impact can be appropriately mitigated.

Any capital allocations are factored into capacity calculations.

The level of contribution required from developers will be based on the Department for Children, Schools and Families (DCSF) Cash Multiplier (2009-10 Rates). The new build or school expansion rate per pupil will be applied to each pupil for whom new capacity will need to be secured.

Where it is necessary to build a new school or early years provision in order to provide places, a proportional contribution, directly related to the scale of development, will be required towards the cost of land acquisition. Where negotiations with developers have



secured additional land instead of, or in addition to, financial resources, the freehold will pass to the Authority. The process for assessing land/financial contributions towards land is identified in Appendix C.

### **DCSF Cash Multiplier Rates\***

Extension -

Primary Education

New Build - £16,019 per pupil

Extension - £13,652 per pupil

Secondary Education

New Build - £24,261 per pupil

Extension - £21,921 per pupil

Post 16 provision

Extension – £21,921 per pupil

\*The rates were published in 2009-10 and have been uplifted based on BCIS All-in TPI from 1QTR 2009 to March 2015. Devon County Council will use the BCIS All in Tender price index to calculate uplift for inflation to the point that the S106 payment is made, the base date being March 2015.

Contributions towards Early Years provision will be sought at a rate of £250 per dwelling based on the estimated delivery cost of provision applied to the number of dwellings the provision would serve.

Contributions towards Special Education Provision will be charged on larger developments or developments that form larger allocations and will be based on secondary new build rate. Due to the relatively low numbers, developer contributions towards Special Education provision will only be sought on developments/allocations of 250 dwellings or above. Where an application less than 250 forms part of an allocation of 250 dwellings or more, a request may still be made. It should also be noted that due to the specialist nature of provision, it is likely that section 106 contributions may be used cross District Council boundaries.

The cost of home to school transport, where applicable, will be based on actual costs on a development by development basis, in the main these costs will be based on existing routes already serving the area however more rural development may require a bespoke transport calculation.

Section 106 requests for capital infrastructure will not be sought on applications of less than 4 dwelling although contributions towards home to school transport may be requested for all dwellings.

## **Community Infrastructure Levy (CIL)**

Increasingly, Local Planning Authorities are adopting a Community Infrastructure Levy which may include Education Infrastructure on the Regulation 123 list. Devon County Council will continue to respond to applications using the methodology as described above which will be used to support bids for funding within Local Planning Authorities CIL governance arrangements.

It is likely that requests for school transport will still be managed through the Section 106 process as this need is unlikely to be included on LPA CIL123 lists

## **APPENDIX A – DCC Approach to Education Provision**

The approach to Children’s Services policy is based upon the statutory responsibilities of Devon County Council (DCC) in respect of Children and Young People, these are specifically:

- DCC has a statutory duty to ensure sufficient school places are available for every child to be able to access a school place between the ages of 4-16 years. In addition under Section 15ZA and 18A of the Education Act 1996, (as inserted by the ASCL Act 2009), the Local Authority has a duty to secure sufficient suitable education and training opportunities to meet the reasonable needs of all young people in their area.
- The Childcare Act 2006 places a statutory responsibility on the Local Authority to ensure sufficient Early Years and Childcare places for children between the ages of birth to 18 years. In respect of Early Years, DCC needs to ensure that disadvantaged 2 years olds and all 3 & 4 year old children have access to 570 hours a year of funded education as well as additional childcare provision that parents need to enable them to work or train. Childcare for school aged children is generally made in school buildings before and after the school day and during the school holidays. In addition, DCC must make sufficient provision of Children Centres to meet the local needs of parents, prospective parents, carers and young children.
- The Children & Families Act 2014 and subsequent guidance re Special Educational needs and Disability Code of Practice: 0 to 25 years clearly sets out the requirements for children with special educational needs and disabilities and responsibilities in respect of education for 0 25 year olds.
- Section 507B of the Education Act 1996 (published March 2008), sets out the responsibilities of the Local Authority to provide youth work in three areas: positive activities, decision making by young people and 14-19 learning.

The Raising of the Participation Age (RPA) sets an expectation that all young people will be expected to participate in education, employment or training. At the time of writing, (early 2016), it is not considered there will be a need to consider additional infrastructure except where there are major expansions to existing towns or new communities.

Devon County Council’s overall principles in respect of pupil places are:

- To ensure there are sufficient early years, childcare and pupil places for every child in Devon;
- That where possible, pupils should be able to attend and have a reasonable chance of gaining admission to their local school or early years provider;
- To promote a sustainable pattern of schools and early years provision and local schools and early years providers for local children;
- To support parental preference and expand successful and popular schools and early years providers;
- To promote diversity and choice and support our most vulnerable learners.

DCC funds a range of different providers in the private, voluntary and independent sectors to provide education for 2, 3 and 4 year olds. These are all listed on the Directory of Providers.

### **Implications of Changes to the Education System**

The recent central government school reform agenda has expanded the school academy programme and introduced the concept of Free Schools. The implications of these reforms on pupil place planning are summarised below and in more detail in Devon County Council's Education Infrastructure Plan:

#### *Academies*

An academy in the education system in England is a school that is directly funded by central government (the Department for Education) and is independent of local government control. Although the government is promoting schools to adopt academy status, Devon County Council retains the statutory responsibility to ensure sufficient school places are available to meet local needs even when development affects an academy. To ensure development is appropriately mitigated, Devon County Council will work with academies in pupil place planning. Early Years places for 2, 3 and 4 year olds in academies are funded by DCC. Some academies have age ranges that start from 2 or 3 and others operate early years pre-schools as an extended service.

#### *Free Schools*

In the main, most new schools will be free schools which are non-profit making, independent, state-funded schools. These schools will be delivered either through a competition process currently run by the Education Authority or through direct bids to Central Government. Their capacity has been factored into overall school capacity calculations used to inform requests for developer contributions. Any additional Free School provision will similarly be taken into account in assessing available school and early years capacity once fully established. It should be noted that the Department for Education is requesting details of Section 106/CIL obligations to inform bids to establish new Free Schools and are requesting that these funds are released where the new school will mitigate the impact of development. As such, developer contributions will continue to be critical in funding new education provision to mitigate development impact, irrespective of potential Free School facilities.

## **APPENDIX B – Background to Methodology Assumptions**

In assessing contributions necessary to mitigate the direct impacts of development sites the County Council has working assumptions that underpin the methodology applied.

### **Distance to Schools**

Statutory walking distances have been used as the basis for identifying which schools pupils might attend from proposed development. Devon County Council uses statutory walking distances defined as 2 miles from home to school for children of primary school age and 3 miles from home to school for children of secondary school age<sup>3</sup>. As the distances between proposed developments and schools were measured ‘as the crow flies’, a 25% reduction to these distances was applied to incorporate a margin associated with actual walking distances, and in recognition of the fact that major barriers to movement such as the river crossings, were not taken into account at this stage. The distances used in calculations were therefore:

- 1.5 miles from home to school for children of primary school age
- 2.25 miles from home to school for children of secondary school age

In assessing spare capacity, only those schools deemed to be in safe walking distance of the development will be considered. This does not apply to early years places as there are no statutory published guidelines.

### **Pupil Generation**

The pupil yields used to identify the number of pupils generated by each development are based on empirical research by Devon County Council; based upon a door to door survey of new housing completed and occupied in all District Council areas in 1999. This survey included both market and affordable housing. This identified an occupancy level 0.072 0-1 year olds, 0.108 2,3 and 4, 0.25 primary age children and 0.18 secondary age children, which has led to Devon County Council using the same indices for early years and primary and, 0.15 at secondary level and therefore 0.06 at post 16. Approximately 1.5% of children will require a specialist place.

An analysis in 2009 of the completed housing in the Kings / Clyst Heath area in Exeter, and the number of pupils known to be living there, has confirmed that the above indices are appropriate for applying to new housing developments. In 2015, a further analysis at Cranbrook suggested these indices are prudent. Devon County Council will keep the rates under review as nationally, other Local Authorities have however reported higher indices.

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<sup>3</sup> <https://new.devon.gov.uk/educationandfamilies/school-information/school-and-college-transport>

## **Appendix C - Securing School Sites**

In areas where there is a significant amount of development and individual schools cannot be expanded on their existing sites and/or are not well located to support development (i.e. not within safe statutory walking distances), there will be a need for development to provide land (or contributions towards land) to ensure that the appropriate education provision can be provided.

For strategic development proposals submitted in a single planning application, the approach is relatively straight forward whereby the section 106 request will include the appropriate area of suitable, serviced land to be provided, freehold, at an agreed trigger date. Where a Local Planning Authority has implemented a CIL, the treatment of land will be dependent on their approach.

Where strategic development proposals are submitted in a number of planning applications which, when considered together, require a new primary, secondary or special school site, the following approach will be used. This will also be applicable for securing additional land to support school expansions.

In assessing how much each development should contribute towards a new site or expansion of an existing site, the level of contribution will be based on published area guidelines as per the Building Bulletin 103<sup>4</sup> against the numbers of pupils that can be accommodated on the site and the impact of the individual development.

<https://www.gov.uk/government/publications/mainstream-schools-area-guidelines>

A 210 primary requires 1.1ha of land which equates to 53m<sup>2</sup> per pupil and therefore 13m<sup>2</sup> per family dwelling (based on each family dwelling generating 0.25 pupils).

For a 420 place school, the equivalent calculation is 1.8ha of land, 43m<sup>2</sup> per pupil and 11m<sup>2</sup> per family dwelling.

In addition, land for nursery provision is calculated at 7.5m per pupil and 1.4m per dwelling.

In respect of secondary, the same methodology is used with a 600 place school requiring 4.9ha of land which equates to 81m<sup>2</sup> per pupil and 12m<sup>2</sup> per family dwelling (based on 0.15 pupil yield).

Actual land requirements will be calculated on a proposal by proposal basis as will land for Special Education Provision.

### **Equalising Land Contributions**

There will be occasions where an individual development is requested to provide a site larger than necessary to mitigate its impact. This will occur primarily where there are a number of developments proposed in proximity to one another and a new school is required to mitigate the cumulative impacts of the wider development.

In this case, the developer providing the site will have the value of the additional land provision over and above that directly related to the development in question taken into account, potentially deducted from their section 106 contributions towards build costs. This approach will ensure that overall the developer providing the site will only be required to make contributions (land and financial) proportional to their development. In this scenario, other development will be required to make contributions to both land and buildings to compensate for the offsetting of capital funds. Again this will be proportional to the size and impact of development using the calculations highlighted in this document.

In terms of valuation, any site requested to mitigate the impact of an individual application will be provided, freehold, at no cost to the Local Authority. Any land over and above what is required to mitigate a development will need to be purchased at an agreed value which will be used to inform requests to other development benefitting from securing of a larger school site. This valuation will need to reflect the extent to which site provision is necessary to make the proposed scale of subsequent residential development acceptable in planning terms.

For example, in an area where 1,600 homes are allocated, Devon County Council would require a serviced 1.8ha site. Should an application for 800 homes be submitted, the County Council would look to secure a 1.8ha site from that development of which 0.9 ha would be required to be provided by the applicant at no cost. The remainder would need to be secured at a value to be agreed.

In some cases, Devon County Council may purchase a school site in advance of development coming forward. This however will be on the basis that all future development makes a contribution to reimburse the Education Authority proportional to the size of development and the cost of land.

## Appendix IV Special School Current Provision

School	Provision	Day/ Residential	Boys/ Girls	Age range	Places available
Barley Lane Exeter	BESD	Day	Boys and Girls	7-16	72
Bidwell Brook Dartington	SLD & Profound & multiple learning difficulties	Day	Boys and Girls	3-19	95
Ellen Tinkham Exeter	SLD/PMLD/Complex Needs	Day	Boys and Girls	3-19	155
The Lampard Community School Barnstaple	Complex needs and ASD	Day	Boys and Girls	5-16	120
Marland Torrington	BESD	Res	Boys only	10-16	40
Marland (Spring Field Court) Roundswell Industrial Estate	BESD	Day	Boys and girls	8-16	36
Mill Water Bicton, Nr. Exmouth	Moderate and Severe Learning Difficulties.	Day	Boys and Girls	3-19	100
Oaklands Park Dawlish	SLD Complex Communication and Interaction Difficulties and Autistic Spectrum (ASC)	17 residential 7 termly and 10 weekly	Boys and Girls	3-19	60
Ratcliffe Dawlish	Communication and Interaction Difficulties (ASC) and Social Development Needs	96 places (40 residential)	Boys and Girls	5-16	96
Southbrook Exeter	MLD/Complex Needs and ASC	Day	Boys and Girls	6-16	110
Pathfield Barnstaple	SLD	Day	Boys and Girls	3-19	137



## Appendix V: Short/Medium Term Investment

New Schools	
Barnstaple Primary School (2017-26)	Northam Primary School (2017-2024)
Bideford Primary School (2017-20)	Okehampton Primary School (2017-26)
East-The-Water Primary (2017-31)	Sherford Primary School (2017-20)
Cranbrook Primary Schools (2021-26)	Sherford Secondary School (2017-26)
Crediton Primary School (2017-26)	SW Exeter Primary (2017-26)
Cullompton Primary School (2017-20)	SW Exeter Secondary (2018-26)
Ilfracombe Primary School (2017-26)	Tiverton Primary School (2017-26)
Monkerton Primary School (2017-26)	Trinity Primary School, Exeter (2017-20)
Newton Abbot Primary (2017-26)	Digital Academy (Free School)(2017-20)
Newton Abbot Secondary (2017-31)	Kingsteignton (Free School) (2017-20)
Potential Expansions	
Bolham Primary School	Payhembury Primary School
Chudleigh Primary School	South Molton Infants School
Fremington Primary School	St. John's Primary School
Gatehouse Primary School, Dawlish	Tipton St. John Primary School
Loddiswell Replacement Primary	Tiverton High School
Expansions On Site / Funded	
Bassetts Farm Primary, Exmouth	Okehampton College
Bishopsteignton Primary School	Pathfield Special School
Exmouth Community College	St. Andrews Primary, Cullompton
Hayward's Primary School, Crediton	Sticklepath Primary School
Highweek Primary, Newton Abbot	Teignmouth Primary School
Honiton Primary School	Westcliff Primary School, Dawlish
Landscape Primary School, Crediton	Willowbank Primary, Cullompton
Marland School, Torrington	Withycombe Raleigh Primary School
Okehampton Primary School	
Recent Schools/Expansions	
Bradley Barton Primary, Newton Abbot	Route 39 School
Cranbrook Education Campus	Sidmouth Primary School
East-The-Water Primary School	South Devon UTC, Newton Abbot
Kingskerswell Primary School	St. Leonards CofE Primary, Exeter
Marldon Primary School	St Peter's Primary, Budleigh Salterton
Millwater School Relocation	Willowbrook Primary School, Exeter
Priority Schools Building Projects (PSBP) Round 1	
The Castle Primary School, Tiverton	Ladysmith Junior School, Exeter
Chagford Primary School	Newton Poppleford Primary School
The Grove Primary School, Totnes	Newton St. Cyres Primary School
Haytor View Primary School	South Molton Junior School
Ilfracombe Media Arts College	South Molton Community College
Priority Schools Building Projects (PSBP) Round 2	
Exeter Road Primary School, Exmouth	St. Andrew's College
Exmouth Community College	Whipton Barton Junior School



# Income Generation Task Group

September 2016

## 1. Recommendations

The Task Group asks the Corporate Services Scrutiny Committee and Cabinet to endorse and action the recommendations below and to receive a progress update in 6 months' time.

	Recommendation	How?
1	The Council should investigate, identify and take forward new and innovative opportunities for income generation.	<p>a) Through the development of a Council wide framework for identifying, prioritising and pursuing viable income generation opportunities, focusing on developing specialist services and exploiting marginal capacity.</p> <p>b) By taking up the free initial advice available from the Local Government Association to support the development of the Council's income generation work.</p> <p>c) Through the promotion and development of a commercial culture amongst staff, encouraging staff to identify and put forward ideas for income generation activity in their service areas.</p> <p>d) By monitoring the progress and success of local authority controlled companies (such as that being taken forward by South Hams and West Devon Councils) and taking learning from this.</p> <p>e) By exploring opportunities for selling advertising space and attracting sponsorship through the County Council website, on roadsides and other land.</p> <p>f) Through investing capital receipts generated through asset disposal in income generation projects as part of the Council's transformation agenda.</p> <p>g) By urgently investigating opportunities to re-charge schools for the costs involved in transferring to academy status, and any potential for further income generation associated with this.</p> <p>h) By reporting progress and new opportunities for income generation to Corporate Services Scrutiny on an annual basis.</p>
2	The Council should maximise the potential for capital receipts or income generation from assets identified for disposal or development, as soon as possible.	<p>a) By progressing the 9 farm buildings already identified as being viable for permitted development to a point of planning and then to sale, as quickly as possible.</p> <p>b) By progressing the Council's current asset review to identify those assets which can be disposed of, and once identified, for assets to be disposed of as quickly as possible, taking into account market conditions to achieve best value..</p> <p>c) By ensuring a commercial approach is taken towards preparing assets for sale, to ensure that the maximum value for each asset is realised, and to consider, where applicable, a business case to fund this through borrowing.</p>
3	The Council should maximise the potential of the council's corporate assets into the medium and long term future.	<p>a) Through developing a future Estates Strategy which focuses on optimising the income potential of the Council's remaining assets, reviewing the use of all Council buildings to realise this.</p> <p>b) By actively seeking grant funding opportunities which will enable the Council's strategic centres to be retrofitted to improve energy efficiency, and to produce its own energy through solar PV.</p>

	c) By ensuring that an up to date asset list by division is publicly available for County Councillors and community use, enabling Members to influence the future use of their local buildings.
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## 2. Background

2.1 Local Government has seen a 40% reduction in central government funding since 2010<sup>1</sup>, forcing Councils to make severe budget cuts, review how services are provided, and reduce or cease delivering some services completely.

2.2 Members of the Council's Scrutiny Committees have seen the impact of these cuts on the services that are delivered to the people of Devon. At the January meeting of the Corporate Services Scrutiny Committee Members established a Task Group, to include Members from the People's, Place and Health & Wellbeing Scrutiny Committees, to investigate how the County Council can generate income, in order to safeguard council services.

## 3. Findings

### How does the Council currently generate income?

3.1 The County Council generates income in a number of different ways. Local authorities have traditionally taken advantage of their ability to charge for non-statutory services and Devon County Council is no exception, expecting income from fees and charging to account for 7.1% of its total gross expenditure in 2016/17.

3.2 The Council is also utilising other approaches, including joint venture contracts with Virgin Care, Babcock Devon Norse and NPS SW Ltd to deliver Integrated Children's Services, Education Support and Facilities Management and Property Services respectively, providing the Council with both an income and security in service delivery.

3.3 The Council has also been successful in developing attractive in-house services, such as ICT and internal audit, trading with schools and other local authorities, which has brought the Council considerable savings., The Council's in-house IT provider ScoMIS is now self-funded in respect of its work with schools.

3.4 Considerable capital income is also being generated as a result of the Council's Estates Strategy and the sale of assets, and there are a number of other service areas across the Council which have reviewed their charging schemes and identified ways of generating capital and revenue income.

3.5 The Task Group examined in detail three Council services which were currently generating income, to determine the reasons for their success and whether this success could be built on, either within that service or across other areas of the Council. Members also interviewed officers from the Council's Waste & Recycling Service, but concluded that

<sup>1</sup> <https://www.theguardian.com/society/2015/sep/01/local-government-association-cannot-cope-further-cuts>

# Agenda Item 9

due to the current financial climate and the low value of recyclable materials, the potential for further income generation in the near future was very limited in this area.

## 3.6 ScoMIS ICT Services

ScoMIS has been a traded service since it was first established 30 years ago to deliver ICT services to schools. With the introduction of academies around six years ago, the Council took the opportunity to revitalise the service, consulting with their current clients, to make the service more attractive to non DCC schools and develop their own brand and identity. Today they support over 700 schools across 19 local authority areas (reaching as far as the south east), and in 2014/15 generated £3,512,000 of income. Over the last 18 months they have also expanded to deliver the DCC corporate ICT service and management of the DCC Customer Service Centre. ScoMIS have recently been recognised at a national level, beating private sector ICT providers to win an award for ICT provision to schools.

3.7 The Council is keen to build on the success of ScoMIS and draw further on the schools and college market nationally, and is exploring ways of working in partnership with small private sector providers, who could act as brokers, to achieve this. There may also be opportunities in the future for ScoMIS to sell their services to the private sector, however this market is currently very competitive. Trading with the private sector in this way would also require ScoMIS to become a local authority owned company.

## 3.8 Trading Standards

Devon & Somerset Trading Standards is one of the largest trading standards services in the country and currently income generation activity makes up around 10% of their overall budget. As well as selling services such as weights & measures and financial investigation to other trading standards service, the nature of their business also allows them to charge businesses for weights & measures service and advice.

3.9 The service also runs an Approved Trader Scheme, which has considerable scope for expansion, and is already being provided to local authorities nationally. A business case was produced in the past for a potential commercial partnership, but was not taken forward. Consulting with a business or marketing analyst could help the service explore this further. The scope for expansion may be more limited in other areas of the service, such as business advice and financial investigation, as the demand for these services from businesses and other local authorities is limited.

## 3.10 Asset Management

The Council's Estates Strategy for 2012-2017 aims to rationalise the Council's estate, recognising the need to reduce the number of properties from which the County Council operates and to maximise the use and flexibility of buildings. Since its inception around £15,000,000 has been raised in capital receipts, with a further £10,000,000 having been generated since 2009/10.

3.11 There are currently 79 County Council properties which have been identified for review, the outcome of which will be either disposal, or retention with efficiency savings. When preparing a property for sale, the Council's Estates Team will endeavour to maximise sale returns through planning permission applications or renovation, however budgetary constraints and the Council's current Treasury Management Strategy (which does not allow for new borrowing in the context of the Council's current debt of c£500 million), could limit the potential investment in preparing assets for sale.

3.12 Capital receipts from the sale of assets are used to fund the Capital programme, and there is potential for capital receipts to be used to fund the Council's transformation programme and reduce revenue budget pressures.

3.13 The location, configuration and condition of Council offices and other buildings means that on the whole they are not desirable to businesses looking for office space and therefore, as well as being contradictory to the current Estates Strategy, retaining these buildings to yield a rental income is not financially viable. Similarly, to finance investment in more viable rental property would carry an inherent risk, particularly in the South West where commercial property values are not as stable as in other parts of the country.

3.14 However, while the current Estates Strategy focuses on asset disposal, the strategy post 2017 is likely to focus predominantly on reducing the costs of the Council's retained assets.

## Other local authorities

3.15 A review of income generation activity by local authorities nationally reveals some quite innovative and radical approaches, some of which appear to have only tenuous connections to traditional local authority business. The Local Government Association has published a number of case studies which show a wide variety of income generation ventures<sup>2</sup>, ranging from investment in property to the sale and distribution of energy. A study of local authorities in the South West also demonstrates a variety of income generation activity, with some interesting examples of wholly owned local authority companies being established, and other forms of trading.

3.16 Some of the most noteworthy examples of income generation activity considered by the Task Group, both in the South West and further afield are summarised in the Appendix.

## Other options for Income Generation considered

### 3.17 Solar energy production

A number of local authorities, particularly those in the South West have taken advantage of government incentives to produce renewable energy, however more recently these incentives have been dramatically decreased making payback periods much longer. Devon County Council was able to install solar PV at Great Moor House and Exeter Library just before the incentives were cut, and is continuing to explore options for further installations at other sites, which do not require energy transfer via the National Grid.

3.18 Other than the price of solar PV, there are two issues with the grid which are currently restricting medium to large scale installations. Firstly, the grid from Bristol to Lands End is at capacity due to the substantial increase in distributed energy (i.e. renewables) and reservation for Hinkley Point C nuclear power station. Secondly, there are some very local constraints to distributed energy installations due to the need for expensive upgrades to cables/sub stations.

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<sup>2</sup> [http://www.local.gov.uk/web/guest/productivity/-/journal\\_content/56/10180/5785720/ARTICLE](http://www.local.gov.uk/web/guest/productivity/-/journal_content/56/10180/5785720/ARTICLE)

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3.19 The Council is however currently putting in the ground work to prepare medium-large scale installation sites which need to use the grid (including at landfill sites) so that it is ready to move forward when the market develops or when government offers a favourable price for solar PV. The Council is also working with Western Power & Distribution and others to try and develop solutions to grid capacity. In the short term however, the Council's potential to generate income from solar PV is very limited.

## 3.20 Residential Development on County Farms

The Council currently owns and lets 72 farm holdings, around 10,000 acres in total, which provide opportunities to farm to those starting out in agriculture. The County Farms Estate also has the potential for high value residential development which would not significantly impact on the current operational estate but enable land to be disposed of in alignment with the current Farms Estate Strategy. The Council is currently working with NPS to assess this potential and identify short, medium and long term opportunities linked to current and future development potential.

3.21 Through the planning process there is also the potential for Permitted Development, which could achieve residential conversion of redundant farm buildings. The guidance around permitted development is specific and requires buildings to have been used for agricultural purposes. These opportunities are being explored and to date nine sites have been identified as having the potential for permitted development, which if realised could provide the Council with an indicative receipt of around £1 million. Further work to produce feasibility studies and cost work is currently being undertaken, following which a business case for funding will be developed. This work is expected to be concluded by the end of the calendar year.

## 3.22 Charging to convert to academy status

When a local authority school converts to an academy there is a large cost to the Council (legal costs, TUPE etc.). During the review Members of the Task Group observed that some local authorities, including Staffordshire Country Council<sup>3</sup> had begun to recover some of these costs from the school directly. The cost of a school converting to an academy is on average around £16,000. As of June 2016, there were 262 schools under local authority control in Devon which could convert to academy status in near future. Given the clear intent for schools to convert to academy status (whether compulsory or not) expressed in the Government's recent White Paper Education Excellence Everywhere<sup>4</sup>, if it moves quickly, the Council has the potential to claw back over £4 million in charges.

## Challenges

3.23 When looking at potential income generation opportunities one of the first questions the Council has to ask itself is 'is it legal'? A whole ream of Acts of Parliament, going back to the early 70s instruct local government as to what it can and can not do in terms of fees, charging and making and investing income. The Localism Act 2011 lifted some restrictions and gave local authorities more freedom in this area. However, identifying the best mechanism for generating income inline with the legislation can still be a challenging task, and legal or QC advice may need to be sought.

<sup>3</sup> <http://schoolsweek.co.uk/authorities-charge-for-academy-conversion/>

<sup>4</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/508550/Educational\\_excellence\\_everywhere\\_print\\_ready\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/508550/Educational_excellence_everywhere_print_ready_.pdf)



3.24 Devon's geographical location on the South West peninsula also means that there is often a reduced market to sell services to other local authorities. Although, as illustrated by ScoMIS, it is possible to overcome this challenge and trade with more distant local authorities in services such as ICT, the Council will undoubtedly find this more difficult than councils located in large metropolitan or more central areas. The challenge is perhaps even greater for services such as social care, which would require a number of personnel to be physically present in each location.

3.25 Another consideration for the Council when exploring new income generation opportunities is the viability of current and future markets. Extensive market research is needed to ensure that there is a profitable market for the product. As more local authorities become more switched on to the idea of income generation, it is also possible that we could see a saturation of some markets. Equally, when selling assets such as property or recyclates, the Council is very much reliant on the market value of these assets.

## Pitfalls, Risk and Core Business

3.26 Not all local authority income generation ventures have been successful. There are examples quite locally of joint venture partnerships which have very publically and expensively failed. The reasons for failed ventures are complex and multi-faceted, but 'cultural misalignment' between private and public sector partners is often cited as being a factor.

3.27 Devon County Council has too, learnt from its mistakes. One example is HR One, which set out to sell the Council's marginal capacity in HR and support services to other local authorities. However, further resourcing was required to deliver the service externally, and despite the service at first appearing to be in a good financial position, full forensic financial analysis revealed that the fees charged were not recovering the full costs, and therefore the service was operating at a loss. This example illustrates the need for a robust business case before taking an income generation venture forward.

3.28 Local authorities have traditionally taken a risk adverse approach to service delivery. Continuing reductions in government funding means that the Council has to see generating its own income as a priority, and it clear that any new venture the Council undertakes will contain some element of risk. However, the Council must also guard against ignoring its core business. Risks that are taken must be proportionate, and new ventures should not adversely affect the Council's core business of delivering services to the people of Devon. One could argue a moral misalignment if Devon was to become landlord to a local franchise of a national chain of pubs renowned for selling cheap alcohol. This could be seen to be contrary to the Council's public health responsibilities and role in supporting local businesses.

## 4. Conclusion

4.1 It is clear that there is a wide range of income generation activity being conducted by local authorities across the country and in the South West, and the Task Group has identified some good examples of innovative income generation in different service areas across the Council. In particular the Task Group commends the commercially conscious

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approach taken by the ScoMIS Team, and acknowledges the work of the Corporate Estates Team in proactively pursuing a number of options to generate capital receipts. The Task Group would like to offer their thanks to the officers involved for their efforts in both these service areas.

4.2 However, the Task Group has also identified that the Council does not currently have an overall strategic approach to income generation, and consequently could be missing out on a number of opportunities.

4.3 With government funding reductions set to continue, the next few years will be challenging times for Devon County Council, but there will also be opportunities for innovation and the development of commercial activity. The Council has already proved its ability to develop, market and successfully trade in a specialist service through its achievements with ScoMIS, and now needs to build on this success in other areas.

4.4 The Council needs to develop a strategic approach to income generation, taking measured risks, maximising capital receipts and in the long term, fully realising the potential of its assets, while remaining conscious of and staying true to its core business and purpose.

4.5 It is not within the remit of this Task Group to conduct a full review of all potential opportunities for income generation across the County Council, however, the Members of this Task Group consider that the recommendations set out at the beginning of this report will set the Council on the right track towards generating the income it needs to safeguard future services and remain resilient in the face of continuing government funding cuts.

## 5. Membership

Councillor Rufus Gilbert (Chairman), Councillor Caroline Chugg, Councillor Polly Colthorpe, Councillor Brian Greenslade, Councillor Richard Hosking and Councillor Robin Julian.

## 6. Sources of Evidence

The task group heard testimony from a number of witnesses and would like to express sincere thanks to the following people for their contribution and information shared.

Chris Phillips	Deputy County Treasurer
Roland Pyle	Strategy, Policy & Organisational Change
Andrew Yendole	Assistant County Solicitor
Carl Hedger	Senior Solicitor
Debbie Foweraker	ScoMIS
Nicky England	ScoMIS
Paul Thomas	Head of Devon & Somerset Trading Standards
Councillor John Clatworthy	Cabinet Member for Resources & Asset Management
Matthew Jones	Strategic Property Manager
Phil Norrey	Chief Executive

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Rob Parkhouse	Head of Business Strategy & Support
Wendy Barratt	County Waste Manager
Melanie Sealey	Senior Economic Development Officer

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<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

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<http://schoolsweek.co.uk/authorities-charge-for-academy-conversion/>

Report to South Hams Council  
<http://mg.swdevon.gov.uk/documents/s596/Proposals%20relating%20to%20a%20Local%20Authority%20Controlled%20Company.pdf>

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<http://www.torbay.gov.uk/index/yourbusiness/servicestoschools.htm>

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<http://www.torbay.gov.uk/index/websiteinformation/advertising.htm>

## 7. Contact

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## Income Generation Activity by other Local Authorities

**Eastleigh Borough Council** has been actively been pursuing the purchase of a range property assets which generate a high investment yield and is now the freehold owner of land let to a high profile mix of businesses including B&Q, Lloyds Bank, Wetherspoons, Matalan, Halfords, Pets at Home, Costa Coffee and Travelodge. The most ambitious acquisition has been the Ageas Bowl, home of Hampshire Cricket, where the council is investing £40 million, including the construction of a 4\* Hilton Hotel. Assets owned by Council have risen from £55 million to £188 million. Revenue surplus after borrowing and other costs is almost £2.5 million per annum<sup>1</sup>.

**Manchester City Council** has entered into a major roadside advertising contract, including significant media space, for the Council to drive channel shift, promote events, etc. This has been running for four years. City Centre interactive wayfinding screens, set up in late 2013, are also generating significant surplus. This has generated significant revenue of around £2 million per annum with broadly equivalent value in media space. The Council has also found significant opportunities in expanding the sale and distribution of energy with Manchester City Council as a trusted supplier. The benefits of this include the potential to generate revenue as well as reduce energy poverty<sup>2</sup>.

**Portsmouth City Council's** Income Generation Workstream (IGW) forms part of the council's Corporate Transformation Programme and aims to empower services areas to identify, investigate and realise potential sources of income bringing together legal, financial and commercial expertise from across the Council, as well as appointing two dedicated posts for business development and sales. Staff from across the council have been encouraged to utilise the IGW as a cohort of expertise; all staff suggestions are welcomed and collaborative work is undertaken to research and develop the ideas presented<sup>3</sup>.

**South Hams and West Devon Councils** have spent a considerable amount of time exploring the business case for the establishment of a company jointly owned by South Hams District Council and West Devon Borough Council for the purpose of delivering services to the communities of South Hams and West Devon, generating income by delivering services on behalf of other organisations, creating a vehicle which gives both councils a mechanism to generate profit from certain activities and ensuring the future viability of both organisations through appropriate strategic positioning in the public sector<sup>4</sup>. At their July Council meetings, both West Devon and South Hams Councils agreed to proceed with the implementation of the local authority controlled company, and a joint steering group was been established to take this forward.

Established in 2011, Red One built on **Devon & Somerset Fire & Rescue Service's** (DFSRS) well renowned fire fighter training academy, to establish a private limited company, owned by DFSRS, delivering specialist firefighting services. Training services

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<sup>1</sup> <http://www.local.gov.uk/documents/10180/5785771/Eastleigh+Borough+Council+-+Property+Acquisition/b31151f8-1b03-490b-989d-ee2808601268>

<sup>2</sup> <http://www.local.gov.uk/documents/10180/5785771/Manchester+City+Council+-+Advertising+and+Energy/e7977ebe-0908-4c47-9bf0-8712e2597183>

<sup>3</sup> <http://www.local.gov.uk/documents/10180/5785771/Income+Generation+Case+Study+-+Portsmouth.pdf/940472ec-a12f-4673-96ec-28c5e470dd7c>

<sup>4</sup> <http://mg.swdevon.gov.uk/documents/s596/Proposals%20relating%20to%20a%20Local%20Authority%20Controlled%20Company.pdf>

are sold to other fire authorities and the private sector, in as far reaching places as the Middle East, Malaysia and Thailand. Profits are transferred back to the shareholder Devon & Somerset Fire & Rescue Authority and used as the authority chooses. A key value of Red One, is that their commercial activity must not impact negatively on the core business.

In July 2015 **Dorset County Council** established a Local Authority Trading Company (LATC) for Adult Provider Services, including residential, nursing, respite, day care and reablement services. The LATC is able to provide care services to service users who are in receipt of direct payments, as well as to other local authorities and their service users, and private individuals. The LATC is 100% owned by the County Council and therefore there is the potential for profits to be transferred back to the Council to financially support other areas of social care or wider services.

Both **Cornwall Council** and **Somerset County Council** are developing strategic approaches to income generation. As well as focusing on developing those services with established income generation potential, both councils are working to promote commercial awareness and cultural change amongst staff, to help identify new income generation opportunities.

SCC/16/52  
Cabinet  
12 October 2016

## **COMPASS HOUSE CRÈCHE, EXETER** **Report of the Head of Adult Care and Health Commissioning**

**Recommendation:** that Cabinet approve closure of the crèche given the additional assurances received by Devon Partnership Trust (DPT), continued low usage of the crèche and revised assessment of equality impacts

### **1. Background / Context**

1.1 The Cabinet Member for Adult Care and Health made a decision on 19<sup>th</sup> August 2016 to close the Compass Home Crèche in Exeter.

1.2 This decision was called in by People Scrutiny at its meeting on 5<sup>th</sup> September 2016 and scrutiny resolved that:

“the Cabinet be recommended to retain the crèche for the present and that Devon Partnership Trust be asked (1) to look at the possibility of it providing those therapy and counselling services (currently provided at Compass House) in premises elsewhere in the city of Exeter which had an OFSTED registered crèche and (2) report back (to Cabinet) within a period of 3 months”

1.3 At its meeting on 14<sup>th</sup> September Cabinet accepted this recommendation. This report now provides further information for Cabinet to inform its decision on this matter.

### **2. Devon Partnership Trust**

2.1 DPT have provided a written response to DCC (attached at Appendix A) from the Chief Operating Officer. It describes the current arrangements relating to the Depression and Anxiety Service (DAS) and the way in which DPT clinical staff find suitable childcare support at the beginning of treatment. A number of alternative options are described including the option of a crèche at another site (Chestnut), digital or telephony treatment and evening sessions. DPT describe a personalised approach to childcare support for those accessing the DAS service. Cabinet will need to consider if those arrangements provide adequate mitigation to the closure of the crèche.

### **3. Crèche Attendance and Unit Cost**

3.1 The crèche attendance register for the 21 week period from 5 April 2016 until 22 August 2016 is attached at Appendix B.

3.2 The key facts are:

- The crèche is open 8 hours per week (Tuesday 10:00 – 12:00, Wednesday 10:00 – 13:00, Thursday 10:00 – 13:00).
- 2 staff are required at all times due to regulations.
- There is a significant number of ‘Do not attends’ (DNA) for planned sessions.

3.3 Hourly session usage is summarised below over the 168 hours that the crèche has been open between 5 April and 22 August.

#### **Compass House Crèche Hourly Session Usage**

21 weeks – 8 hours opening per week = 168 hours in total

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Children in Attendance	Number of Hourly Sessions	% of Total Sessions
4	1	1
3	6	3
2	19	12
1	49	29
0	93	55
<b>Total</b>	168	100

3.4 The low usage means that:

- Given 2 staff are on duty there have been only 7 sessions since April (4% of total hours available) where there have been more children than staff in attendance.
- On average over 21 weeks since April there are 5 hours of childcare delivered per week.
- On average there have been 4.5 hours per week (crèche is open 8 hours per week) with no child in attendance.
- The average attendance per session is 0.6 (106 attendances over 168 hourly sessions).

3.5 The low usage also impacts on the unit cost for each hour delivered by the crèche which is approximately £83 per child care hour across the whole period

## 4 **Equalities Impact Assessment**

4.1 Cabinet are reminded in coming to any decision that they must have due regard to responsibilities under the Public Sector Equality Duty. A revised impact assessment is attached to support any decision .

## 5 **Conclusion**

5.1 Further information on the service arrangements (and associated childcare support) have been provided by DPT, updated crèche usage data is also provided and equality impacts reassessed to inform the Cabinet decision.

Tim Golby  
Head of Adult Care and Health Commissioning

**Electoral Divisions:** All

**Cabinet Member for Adult Care and Health Services:** Councillor Stuart Barker

**Chief Officer, Adult Care and Health:** Jennie Stephens

*LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS*

*Contact for Enquiries:* Tim Golby (Head of Adult Care and Health Commissioning), Tel No: 01392 3823000  
Annexe Floor 1

BACKGROUND PAPER                      DATE                      FILE REFERENCE

*Impact Assessment:* <https://new.devon.gov.uk/impact/closure-of-compass-creche/>



**Devon Partnership**   
NHS Trust

Trust Headquarters  
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Dryden Road  
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EX2 5AF

Telephone Number: 0800 073 0741

13/09/2016

Dear Councillor Barker

Re: Exeter Crèche, Compass House, Magdalene Road

The Depression and Anxiety service (DAS) has operated out of Compass House, a Devon County Council building, for the past few years. On taking up residence a small crèche was in situ and very established in the building. With the crèche already in existence became the option of choice for staff signposting people to available childcare options whilst they attended for therapy.

DAS is primarily a self-referral service for people with low to moderate mental health problems. It is a service that offers short term therapy to any person who is assessed as having a low to medium level of depression and anxiety and who can engage in the treatment provided. People are motivated and generally well-functioning. In most cases people do not require any additional or on-going mental health support from Devon Partnership Trust services.

When taking referrals from new patients, or making a first appointment for someone, the service routinely asks if the person requires support with childcare in order to access the service. Because the crèche is on site it has been the primary option however in addition the service offers support to those who have childcare needs in the following ways:

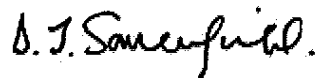
- The offer of assessment and CBT based treatment over the telephone, to reduce the need for childcare.
- CBT based interventions via an online platform called SilverCloud, which can be accessed flexibly from any internet enabled device (computer, phone, tablet) 24hrs per day.
- They offer early morning (from 8am) and evening (up to 8pm) appointments. We are open until 8pm 3 days per week.
- An evening group based programme in a central location in Exeter.
- A clinician currently working out of a Children's Centre (Chestnut, near Wonford). Patients referred/signposted via Chestnut can access childcare there.
- The service can accommodate babies and very young children in sessions, without the need for the crèche, if the parent and clinician are both happy it is appropriate.

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- We also offer priority care to Perinatal women (pregnant or with a child up to a year old) who are offered the first available appointment for their required treatment, avoiding any waiting lists.

Any changes to the crèche can be mitigated. The options available mean that anyone who requires the Depression and Anxiety service and needs childcare support will receive something tailored to their individual circumstances as set out above. This will be arranged by DPT staff as part of the clinical service.

Yours sincerely



Dr David Somerfield  
Chief Operations Officer  
Devon Partnership Trust

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APPENDIX B

Compass House Creche Attendance Register									
Week Commencing	Tuesday		Wednesday			Thursday			Did Not Attend
	10am	11am	10am	11am	12noon	10am	11am	12noon	
05/04/2016	2					2			6
11/04/2016	1	2	3	3		1	1		5
18/04/2016	1		2	1		2			4
25/04/2016	1	1				1		1	4
02/05/2016		1	1	1		2			9
09/05/2016	1					2			6
16/05/2016	3	1	1	1		2			1
23/05/2016	4	2	1			1			1
30/05/2016	1		2	1	1				15
06/06/2016	3	3	1						3
13/06/2016	3		1					1	7
20/06/2016	1					1			6
27/06/2016	2	1	1			1	1		3
04/07/2016	1						1		7
11/07/2016	2	2	2			2			5
18/07/2016		1						2	5
25/07/2016	2	1		1	1		1		5
01/08/2016		1				1			7
08/08/2016	1	1				1			8
15/08/2016	1	1				1			7
22/08/2016	1	3				1			4
Totals	31	21	15	8	2	21	4	4	118

Total Attendances = 106 (Average 5 per week)

Total 'Did not Attend' = 118



## **CHILDCARE SUFFICIENCY REPORT** **Report of the Head of Education and Learning**

*Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.*

**Recommendation:** That the Cabinet welcome and endorse the Annual Childcare Sufficiency Report and arrangements be made for the report (and supporting reports) to be published on the Council's website.

### **1. Background**

It is a statutory duty to secure sufficient early years and childcare places.

- 1.1 Sufficiency is met through a variety of providers that includes all types of schools, pre-schools, day nurseries, holiday clubs, breakfast clubs, after school clubs, childminders, etc. These provisions are within the private, voluntary, independent and maintained sectors.
- 1.2 Early years places are for 0-5 year olds. Some 2 year olds and all 3 and 4 year olds are funded through the Dedicated Schools Grant to access 570 hours of education a year (equivalent of 15 hours per week term time).
- 1.3 From September 2017, 3 and 4 year olds from working families will be eligible to an additional 570 hours of childcare per year. This is a total of 1140 hours of early education and childcare per year.
- 1.4 Childcare places are for 0-14 year olds (or up to 18 years old for disabled children). This provision is paid for by parents.
- 1.5 The local authority should take into account what is "reasonably practicable" when assessing what sufficient childcare means.
- 1.6 *The Early Education and Childcare: Statutory Guidance for Local Authorities* dated September 2014 sets out that the local authority should report annually to elected Council Members on how they are meeting their duty to secure sufficient childcare and make this report available and accessible to parents.
- 1.7 The report must contain information about the supply and demand of childcare for all children aged 0 – 5, out of school and holiday care for school age including children with a disability or special education needs and consider the affordability, accessibility and quality of provision and how any gaps in childcare provision will be addressed.
- 1.8 This is the fourth Childcare Sufficiency Assessment Annual report; last year's report was approved by cabinet in September 2015 and can be found here: <https://new.devon.gov.uk/eysc/for-providers/childcare-sufficiency/childcare-sufficiency-assessment>

### **2. The Childcare Sufficiency Annual Reports**

- 2.1 There is one report and an executive summary.
- 2.2 The Childcare Sufficiency Annual Report 2015/16, which is brought before Cabinet for endorsement, encapsulates key findings from data relating to 2015/16 and actions for the Early Years and Childcare Service for 2016/17.

### **3. Key Findings**

- 3.1 The audit data analysis indicates that overall there is sufficient Early Years and Childcare provision within Devon. Although the rural/urban spread of different types of provision varies.
- 3.2 The level of early years provision has slightly increased again this year.
- 3.3 A higher proportion of children in Devon (72%) achieved a Good Level of Development than the national average (66%) and other statistical local authority neighbours (measured by the Foundation Stage Profile).

# Agenda Item 12

- 3.4 The percentage of funded places taken up by 2 year olds has significantly increased this year by 14.9% to 83.9%. Since the report was written it has continued to rise and now stands at 84.9%
- 3.5 There has been a significant increase in the number of providers who have been approved to offer the 2 year old funding with a large proportion of these being funded childminders (80 new providers, 56 of these were childminders).
- 3.6 There continues to be a high percentage of 3 and 4 year olds taking up the early years education funding (99.8%).
- 3.7 The percentage of providers graded as Good or Outstanding by Ofsted remains higher than the South West and National average (Devon 87.4%, National 85.2%, South West 86.6%). Since the report was written the percentage has significantly increased to 94.9%.
- 3.8 The percentage of providers approved to offer early years education funding graded as Good or Outstanding by Ofsted has remained the same over the last year at 90.8% but has since increased to 96.8% (September 2016).

## **Actions arising from the report**

- Aim to raise the quality of funded providers graded as Inadequate or Requires Improvement at their latest Ofsted inspection through the Early Years Support and Challenge programme (Excellence for All).
- Continue to conduct Childcare Sufficiency Hot Spots meetings to discuss the supply and demand of childcare and carry out actions to increase capacity where there is a shortfall.
- Carry out the Annual Survey of Providers in January 2017 to ensure up to date information is held on childcare providers capacity to inform supply of childcare.
- Plan for the expansion of the delivery of Early Years Entitlement for 3 and 4 year olds to 30 hours per week for working parents from September 2017.
- Encourage more providers to open for longer hours
- Explore how school sites and buildings can be used outside of term times to provide childcare
- Consider how early years education funding can be provided on bank holidays and at weekends
- Introduce the Citizens Portal for parents to check eligibility for two-year-olds from September 2016
- Continue to Increase the take-up of the places and hours by eligible two-year-olds
- Increase the take-up of the Early Years Pupil Premium
- Review processes so that Devon County Council can fund flexibly and meet the needs of parents working atypical and irregular hours. (7.00 a.m. to 7.00 p.m.)

## **4. Options/Alternatives**

No other options were considered.

## **5. Consultation/Representations/Technical Data**

An acknowledgement has been made within the main Childcare Sufficiency Assessment Annual Report to the Council teams and external partners that have supported the production of the assessment by providing data and information to be included.

## **6. Financial Considerations**

There are no additional cost implications to the report actions which are implemented by the Early Years and Childcare Service.

## **7. Legal Considerations**

There no specific legal considerations in relation to the annual report, key findings or actions arising from the report.

## **8. Environmental Impact Conditions**

There are no specific environmental related issues arising from the report, key findings and proposed actions for the coming year.

## 9. Equality Considerations

The actions arising from the Childcare Sufficiency Report contribute to the promotion of equality of opportunity. The Sufficiency Assessment Report considers accessibility and affordability of childcare for all families and includes consideration of disabled children, families on low incomes and parents working irregular hours. Early years and childcare provision is registered and inspected by Ofsted and they are required to comply with all legislation relating to anti-discrimination, safeguarding, employment and health and safety. The inspection will assess the extent to which the provider complies with all legal duties including those set out in the Equality Act 2010 and will pay particular attention to the educational outcomes for specific groups of children which includes all children with protected characteristics. (Equality Act 2010) The actions identified for the coming year are a continuation of the ongoing work of the Early Years and Childcare service in promoting equality of opportunity for all parents through provision of accessible, affordable, childcare.

## 10. Risk Management Considerations

No risks have been identified.

## 11. Public Health Impact

The report identifies that there are sufficient early years and childcare services for families. This should have a positive impact on public health as families can be supported through early years and childcare providers who enable parents to go to work or training and can signpost to other support if required.

## 12. Reasons for recommendations

Data analysis for the Childcare Sufficiency Report indicates that the local authority met the early years and childcare sufficiency duty in Devon in 2015/16.

To ensure the duty is met in 2016/17 the main areas of focus will be:

- Ensuring sufficient places for 2 year olds and marketing and promotion of this entitlement.
- Ensuring sufficient places for the increase of the Early Years Entitlement to 1140 hours a year for 3 and 4 year olds of working families from September 2017.
- Raising the quality of the funded places that are available – specifically those judged as Requires Improvement and Inadequate by Ofsted.
- Meeting the need for early years and childcare places where there are new housing developments.
- Ensure availability of appropriate early years and childcare provision for children with disabilities and special education needs.

Dawn Stabb  
Acting Head of Education and Learning

Electoral Divisions: All

Cabinet Member for Education: Councillor James McInnes  
Chief Officer Childrens Services: Jo Olsson

LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS

Contact for enquiries: Gemma Cockerham 01392 383000 [gemma.cockerham@devon.gov.uk](mailto:gemma.cockerham@devon.gov.uk)

Childcare Sufficiency Assessment Annual Report 2015/16 Childcare Sufficiency Assessment Summary 2015/16





## Childcare Sufficiency Assessment Annual Summary 2015/16

### Devon County Council has met the childcare sufficiency duty in 2015/16 by:

- Ensuring there is enough accessible early years and childcare provision across the county by holding Childcare Sufficiency Hot Spots meetings, supported by the locality teams to address gaps in provision.
- Ensuring high quality early years and childcare provision for children aged two, three and four taking up free early education.
- Ensuring there is sufficient early years and childcare provision for children from families taking up the childcare element of the working tax credit, children with additional needs, school-aged children and children needing holiday care.

### Key changes in 2015/16

- The Golden Ticket was introduced in Autumn 2015 as proof of eligibility for the early years education funding for two-year-olds which has significantly increased the take up.
- A Devon Early Years and Childcare Facebook page has been set up to improve communications with parents and providers.
- Childminders are now allowed to operate up to 50% of their time on non-domestic premises.
- Schools now only need to register with Ofsted to admit children under the age of two.
- A non-attendance fee for fully funded courses was introduced from 1 January 2016 to improve attendance at training.

### Devon County Council's achievements in ensuring sufficient childcare in 2015/16:

- The take-up of the Early Years Education Funding for eligible two-year-olds has significantly increased over the last year by 14.9% to 83.9% and take up of the full entitlement has remained stable at 71.2%.
- The take-up of the Early Years Education Funding for three- and four-year-olds has remained high at nearly 100% and the take up of the full entitlement has increased by 0.7% to 82.0%
- The take-up by children in care has also increased this year.

### To ensure sufficient early years and childcare provision in 2016/17, Devon County Council will:

- Focus on improving the quality of providers graded as 'inadequate' or 'requires improvement'
- Continue to conduct Childcare Sufficiency Hot Spots meetings and carry out agreed actions to ensure a comprehensive approach to planning sufficient early years and childcare provision across the county to include ensuring sufficient provision for the increase of the Early Years Entitlement to 30 hours a week for working families in 2017.
- Continue to market and promote the free early education for two-, three- and four-year-olds to increase take-up of places and hours.

For further information please see the Early Years and Childcare Service 'Childcare Sufficiency Assessment Annual Report 2015/16'.



2015/16

# Childcare Sufficiency Assessment Annual Report



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# INTRODUCTION

This report sets out to demonstrate how Devon County Council is meeting its duty to secure sufficient childcare. Information on what childcare sufficiency means in Devon is set out in the [Childcare Sufficiency in Devon factsheet](#). This includes:

- What is childcare?
- The Early Years and Childcare Service
- The Childcare Sufficiency Duty
  - Duty to secure sufficient childcare
  - What Devon County Council considers to be ‘sufficient childcare’?
  - Duty to assess childcare

Report produced by Gemma Cockerham, Early Years and Childcare Data Analyst,  
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# PART A: A PICTURE OF DEVON

## A PICTURE OF DEVON – PUTTING CHILDCARE INTO CONTEXT

### Population

Over the last year the population of 0 to 16-year-olds has remained relatively stable and now stands at 133788. East Devon, Mid Devon and Teignbridge saw a slight increase in the population whereas all other districts saw a small decrease.

Overall the population of under-five-year-olds across Devon has decreased by slightly by 0.4% over the last 12 months. The population of two-, three- and four-year-olds eligible for Early Years Education Funding has decreased by 1.9% over the last 12 months.

The population of under-five-year-olds is predicted to continue to decrease over the next year along with the number of two-, three- and four-year-olds eligible for Early Years Education Funding.

### Housing Developments

There are several areas in Devon where new housing developments will significantly increase the population and therefore the demand in childcare. This is discussed at the Childcare Sufficiency Hot Spots meetings see page 15.

### Other information

Other information that can be accessed to help put childcare requirements into context includes:

- [The Devon Story factsheet](#) – more information on the picture of Devon.
- [Geography and Transport factsheet](#) - Information on the geographical make up of Devon County Councils administrative area and transport around the county.
- [Devon Facts and Figures website](#) - this brings together a range of statistics, gleaned from a number of sources, about the people of Devon, their social, employment, and economic circumstances, and the commercial and natural environment in which they live.
- [Devonomics website](#) – more information on Devon’s Economy.
- [Childcare Survey 2016](#) – Family and Childcare Trust have put together constituency profiles displaying the results of the national survey

## WHAT IMPACT DOES THIS HAVE ON EARLY YEARS AND CHILDCARE PROVISION IN DEVON?

Information on how the make-up of Devon impacts on early years and childcare provision can be found on the [Factors Impacting on Early Years and Childcare Provision factsheet](#).

## KEY CHANGES TO EARLY YEARS AND CHILDCARE PROVISION IN 2015-16

- The Golden Ticket was introduced in Autumn Term 2015 as proof of eligibility for the early years education funding for two-year-olds. It is sent to all families on the lists supplied by the Department for Work and Pensions. The ticket makes it much easier for parents to take up the funding and has significantly increased the take up places for two-year-olds. For more information please see page 17. The Golden Ticket is also available in Polish and Lithuanian on the [website](#).



- A Devon Early Years and Childcare Service Facebook page has been set up in order to improve communications with parents and providers. Like and follow the page at: [www.facebook.com/devoneycs](http://www.facebook.com/devoneycs)



- A non-attendance fee for fully funded courses was introduced from 1 January 2016 to improve attendance at training
- Paediatric First aid training is being offered by the Early Years and Childcare Service
- The Early Years and Childcare Service are offering a 5 day training package for prospective childminders.

# PART B: SUFFICIENCY OF EARLY YEARS AND CHILDCARE PROVISION

## EARLY YEARS AND CHILDCARE PROVIDERS

Types and descriptions of early years and childcare providers in Devon can be found on the [Types of Early Years and Childcare Providers factsheet](#).

*Table 1: Number of childcare providers by type of care as at 31 March 2016*

Type of Childcare	2014/15		2015/16	
	No. of Providers	No. of Places	No. of Providers	No. of Places
Day Nursery	124	9946.5	128	10204.5
Pre-school playgroup	260	5205.5	249	5289.5
Nursery unit of independent schools	15	533.5	15	516
Academy nursery class	10	312	17	504
Maintained nursery class	47	1556	47	1651.5
Out of school club	166	6110	164	6069
Weekend Club	8	68.5	5	37.5
Holiday Scheme	91	4337	87	4405
Childminder	689	3963*	632	3968.5*
Home Childcarer	157	-	142	-
<b>All Provision</b>	<b>1567</b>	<b>32029</b>	<b>1486</b>	<b>32375.5</b>

*Source: DEVON COUNTY COUNCIL (2016), Early Years and Childcare Service*

*\*Total number of places for under-5 -year-olds*

Points of Interest:

- The number of childminders continues to decrease in line with the national trend.
- Voluntary sector pre-schools continue to close, but are often replaced by provision that is run by schools. This is particularly seen in rural areas.
- There was a notable expansion of 10 private day nurseries.

## SUPPLY OF CHILDCARE

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The supply of childcare in Devon is measured in Full Time Equivalent Places (FTEs). More information on how FTEs are defined and calculated can be found on the [Calculating the Supply of Childcare – FTE places factsheet](#).

### Annual Survey of Providers 2016

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The Early Years and Childcare Service conducts an Annual Survey of Providers. All providers are asked the total number of children they can take at any one time, there are also questions relating to the childcare workforce, admission of two-year-olds, provision of the Early Years Education Funding, charges, expansions and reductions of provision, care for atypical hours and care for irregular hours. For more information please see the [Annual Survey of Providers webpage](#), which includes the analysis of this year's [Annual Survey of Providers 2016](#).

### Level of childcare provision

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This year there has been a slight increase in the level of early years provision for under-five-year-olds. This is due to a decrease in the population of under-five-year-olds and an increase in the supply of group-based childcare.

There has also been a decrease in the level of out of school provision, both group-based out of school provision as well as a decrease in the number of childminders.



## DEMAND FOR CHILDCARE

### DISC

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[DISC, Devon's family information service](#), provide the main source of information for parents about childcare in Devon and help parents to find and choose childcare.

If you are a parent who is unable to find suitable childcare, it is important that you tell Devon County Council so that it can help to inform our sufficiency planning. To do this, please contact the DISC brokerage service by phoning 01392 385522 or e-mailing [discinfo@devon.gov.uk](mailto:discinfo@devon.gov.uk) or complete the [Parent Feedback Form](#).

### Parent Feedback Forms

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10 parent feedback forms have been submitted in 2015/16. Seven of these requested to be contacted by DISC. Nine reported that the reason they required childcare was for them to work.

### DISC Enquiries

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In 2015/16 there were three instances where DISC were unable to find suitable childcare for parents. One was for a parent needing after school provision in Upottery; this is due to there being insufficient demand to run provision in a rural area. Two were for parents looking for two-year-old places in Teignmouth who were eligible for the early years education funding and this has been followed up by the Early Years and Childcare Service.

### Estimated Use

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The estimated use of childcare for under-five-year-olds is calculated using data captured by the Department for Education's Childcare and Early Years Survey of Parents 2014-15<sup>1</sup>. For more information please see [Calculating Demand for Early Years and Childcare factsheet](#).

The Early Years and Childcare Service analyse this data on the supply and demand of childcare to establish areas where there may be a lack of provision and these are discussed at the [Childcare Sufficiency Hot Spots meetings](#). For more information on Childcare Sufficiency Hot Spots Meetings please see page 15.

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<sup>1</sup> <https://www.gov.uk/government/statistics/childcare-and-early-years-survey-of-parents-2014-to-2015> [Accessed April 2016]

## QUALITY OF EARLY YEARS AND CHILDCARE PROVISION

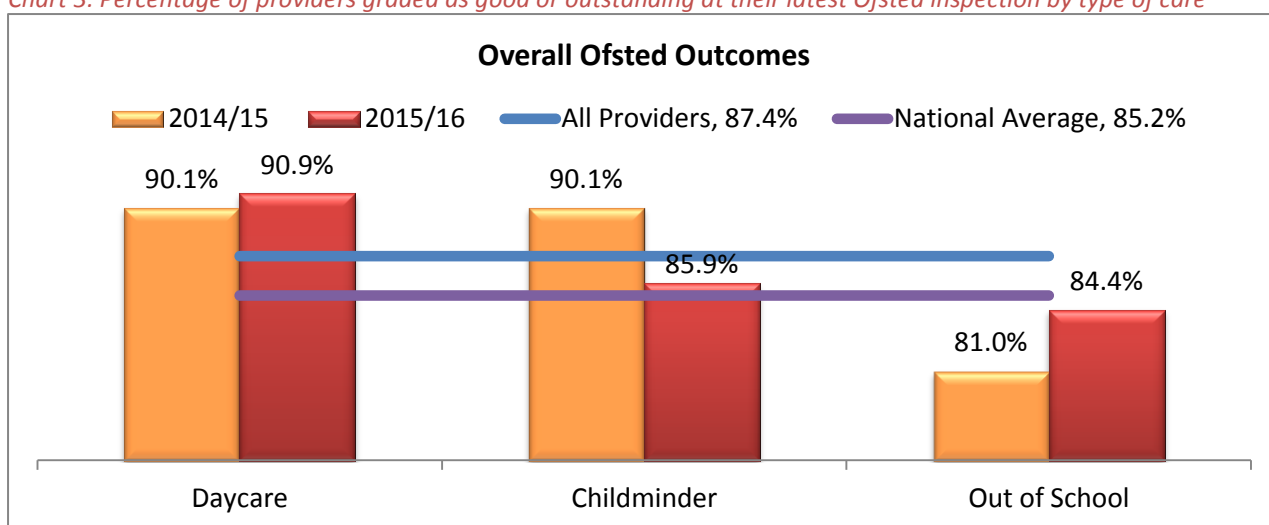
### Ofsted outcomes

For an explanation on the role of Ofsted, the inspection framework and a description of the Ofsted judgements please see the [Ofsted Inspections and Outcomes factsheet](#).

Provision run by schools is not included due to changes in the way that the Early Years Foundation Stage is inspected and reported on. This equates for approximately 14% of day care providers and 12% of places.

The percentage of providers graded as good or outstanding by Ofsted at their most recent Ofsted inspection has decreased slightly by 1.3% this year from 88.7%<sup>2</sup> to 87.4%<sup>3</sup> but remains higher than national (85.2%) and South West average (86.6%)<sup>4</sup>.

Chart 3: Percentage of providers graded as good or outstanding at their latest Ofsted inspection by type of care



Source: DEVON COUNTY COUNCIL (2016), Early Years and Childcare Service

<sup>2</sup> DEVON COUNTY COUNCIL (2015), Early Years and Childcare Service, Percentage of providers graded as good or outstanding at their latest Ofsted inspection between 1 September 2008 and 31 March 2015

<sup>3</sup> DEVON COUNTY COUNCIL (2016), Early Years and Childcare Service, Percentage of providers graded as good or outstanding at their latest Ofsted inspection between 1 September 2008 and 31 March 2016

<sup>4</sup> OFSTED (2016), Ofsted Official statistics: Early years and childcare registered providers inspections and outcomes, Table 7: Overall effectiveness of active early years registered providers at their most recent inspection as at 31 December 2015, by region and local authority

## Outcomes of inspections in 2015/16

From 1 April 2015 to 31 March 2016, Ofsted inspected 404 early years and childcare providers in Devon where there were children in attendance and the provider was graded.

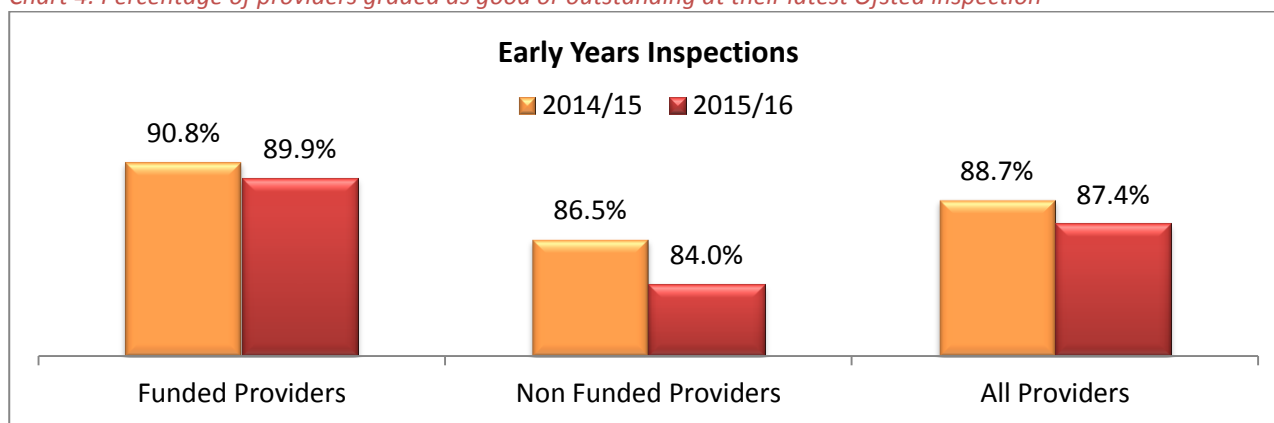


### Good news

- 88.6% (31) of providers previously graded as inadequate or satisfactory have now been re-inspected and graded as good or outstanding. This is 8.4% of providers inspected in 2015/16.
- 89.2% (298) of providers previously graded as good or outstanding have now been re-inspected and are still graded as good or outstanding. This is 80.8 % of providers inspected in 2015/16.

## Early Years Inspections

Chart 4: Percentage of providers graded as good or outstanding at their latest Ofsted inspection



Source: DEVON COUNTY COUNCIL (2016), Early Years and Childcare Service

- The percentage of providers approved to offer the early years education funding for two-year-olds graded as good or outstanding at their latest Ofsted inspection has increased this year by 3.8% to 95.9%
- The percentage of Early Years Entitlement funded providers graded as good or outstanding at their latest Ofsted inspection has decreased this year by 0.3% to 90.4%.

## Educational Attainment

High quality early years and childcare provision leads to better outcomes for children. This can be monitored through the Early Years Foundation Stage Profile outcomes. More information on this can be found on the [Educational Attainment factsheet](#).

For further statistics and information on the outcomes of the 2015 EYFS Profile please see the [EYFS Profile Headlines Factsheet](#).

## EARLY YEARS WORKFORCE

Over the last year there have been no changes to the funding for qualifications. For more information please see the [Working in Childcare webpage](#).

The Workforce Strategy in Devon aims to ensure that early years practitioners have access to appropriate learning and development opportunities. We deliver, provide, or signpost practitioners to professional development opportunities including qualifications, short courses, e-learning, structured visits and online advice and guidance.

### April 2015 – March 2016 Overview

Over the last year the number of practitioners undertaking level 3 Early Years Educator qualifications has reduced, with the requirement for GCSE's at grade C or above in English and maths having a significant impact on this. A recruitment survey was undertaken following many providers reporting that they are experiencing difficulty in recruiting good quality staff at all levels, and through this we gained feedback about the problems providers are experiencing.

### Key areas for April 2016 – March 2017

A recruitment plan has been put in place to support settings with the problems they are experiencing in recruiting. We are also waiting for further guidance from the Department for Education who are looking into the requirements around GCSE's for practitioners wanting to undertake level 3 qualifications. New requirements around Paediatric First Aid will come into force from 1 September 2016; Devon County Council will ensure providers know about, and understand the changes, and know how to access appropriate training. Communication, Speech and Language, Behaviour training, and Working with Babies courses remain a focus for practitioners at all levels as part of their continuous professional development.

## AFFORDABILITY OF CHILDCARE

### Day care provision

Parents can usually pay between £3.75 and £4.50<sup>5</sup> per hour for day care provision for under-five-year-olds depending on location, type of day care and age of child. On average, parents pay £4.12 per hour for day care provision which has increased from £3.86 in 2014/15.

The most expensive average day care costs are found at nursery units of independent schools and day nurseries, with the least expensive hourly costs found in pre-school playgroups and maintained nursery classes.

Parents pay on average a higher rate for younger children with parents paying an average of £4.46 per hour for an under-two-year-old at group-based day care providers which has increased from £4.34 in 2013/14.

Devon County Council has approved to fund 548 childcare providers to provide places for two-year-olds<sup>6</sup>. Outside of this entitlement, parents pay on average £4.14 per hour for a two-year-old at group-based day care providers, which has increased from £3.85 in 2014/15.

<sup>5</sup> Based on responses to the [Annual Survey of Providers 2016](#)

<sup>6</sup> [www.devon.gov.uk/2gether](http://www.devon.gov.uk/2gether) [Accessed April 2016]

Devon County Council also currently funds 690 childcare providers to provide places for three- and four-year olds as part of the early years education funding<sup>7</sup>. Outside this entitlement, parents pay on average £4.00 per hour for a three-or-four-year-old at group-based day care providers, which has increased from £3.71 in 2014/15.

70% (762) of all day care providers report that they accept employer childcare vouchers in order to help parents with the affordability of day care.

Day care costs in Devon are less than those seen nationally<sup>8</sup>, with parents spending approximately 18.7% of one parent's weekly wages<sup>9</sup> on day care (25 hours a week).

### Out of school provision

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Parents usually pay between £4.00 and £10.00<sup>10</sup> per session for group-based out of school provision depending on length of care, location and type of activity involved. On average, parents pay £3.53 for a before school group-based session decreasing from £3.73 in 2014/15, and £8.22 for an after school group-based session decreasing from £8.25 in 2014/15.

37.0% (295) of all out of school care providers report that they accept the employer childcare vouchers in order to help parents with the affordability of out of school provision. A higher proportion of group based providers (47.0%) reported that they accept employer childcare vouchers.

Out of school care costs in Devon are less than those seen nationally<sup>11</sup>, with parents spending approximately 7.5% of one parent's weekly wages<sup>12</sup> on out of school care (15 hours a week, 5 after school sessions).

### Holiday care

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Parents usually pay between £19.00 and £33.00<sup>13</sup> per day for group-based holiday care depending on the location, the needs of the child and the activities involved. On average, parents pay £25.55 per day for group-based holiday care, which has increased from £24.67 in 2014/15.

On average, holiday costs in Devon are more expensive than those seen nationally. This may be due to a large proportion of employment being seasonal, creating a greater market for childcare during holiday times. Also, holiday provision may offer a wider range of activities. These activities are more expensive for the childcare providers to offer and the costs are passed on to families.

36.4% (262) of all holiday providers report they accept employer childcare vouchers in order to help parents with the affordability of holiday care.

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<sup>7</sup> <http://devon.cc/earlyyearsentitlement> [Accessed April 2016]

<sup>8</sup> FAMILY AND CHILDCARE TRUST (2015), *Childcare Costs Survey 2015*, Table One: Average weekly childcare costs by region and nation, 2015 - [www.familyandchildcaretrust.org/childcare-cost-survey-2015](http://www.familyandchildcaretrust.org/childcare-cost-survey-2015) [Accessed April 2015]

<sup>9</sup> Based on full-time (mean) gross weekly pay –resident analysis 2015 (Source: ONS Annual Survey of Hours and Earnings)

<sup>10</sup> Based on responses to the [Annual Survey of Providers 2016](#)

<sup>11</sup> FAMILY AND CHILDCARE TRUST (2015), *Childcare Costs Survey 2015*, Table One: Average weekly childcare costs by region and nation, 2015 - [www.familyandchildcaretrust.org/childcare-cost-survey-2015](http://www.familyandchildcaretrust.org/childcare-cost-survey-2015) [Accessed April 2016]

<sup>12</sup> Based on full-time (mean) gross weekly pay –resident analysis 2015 (Source: ONS Annual Survey of Hours and Earnings)

<sup>13</sup> Based on responses to the [Annual Survey of Providers 2016](#)

## Help with the costs of childcare

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Parents who experience difficulties in accessing childcare because of the affordability, should contact Devon's Family Information Service (DISC) on 0845 155 1013 or [discinfo@devon.gov.uk](mailto:discinfo@devon.gov.uk) or visit the [paying for childcare pages of the DISC website](#) for advice and guidance on help with the cost of childcare.

For those parents of children with special educational needs or disabilities please see the [SEND – Paying for Childcare – Information for Parents Factsheet](#).

## LOCATION OF CHILDCARE

### Distribution of childcare

The location of childcare provision is one factor that determines the accessibility of childcare. The childcare option becomes less accessible if parents have to travel more than reasonable distance to access it. The quality of road and public transport links may also determine the accessibility of childcare. This in turn limits the available childcare options for parents and reduces choice.

Table 3: Percentage of Devon County Council's administrative area within a five-, three- and two-mile radius of day care provision by type of provider

Type of provider	Percentage of Devon County Council's administrative area <sup>14</sup> within			
	5 miles <sup>15</sup>	3 miles	2 miles	1 mile
<b>All providers</b>	<b>100%</b>	<b>94%</b>	<b>77%</b>	<b>36%</b>
Day care providers <sup>16</sup>	100%	94%	77%	35%
Out of school providers <sup>17</sup>	98%	85%	63%	28%
<b>All funded providers</b>	<b>100%</b>	<b>92%</b>	<b>72%</b>	<b>31%</b>
Providers approved to offer the early years education funding for eligible two-year-olds	99%	90%	68%	28%
Providers approved to offer the early years education funding for three- and four-year-olds	100%	92%	72%	32%

Source: DEVON COUNTY COUNCIL (2016), Early Years and Childcare Service



#### Good news

- 100% of Devon County Council's administrative area is within a five mile radius of day care provision and 100% is within a five mile radius of funded provision.

Almost all (98%) of Devon County Council's administrative area is within a five-mile radius of out of school provision. 85% of Devon County Council's administrative area is within a three-mile radius of out of school provision and 63% is within a two-mile radius. However, 61% of out of school provision is run on school sites, so parents would not have to travel any further than they would if they were picking up and dropping off children at school.

<sup>14</sup> This analysis only refers to early years and childcare providers in the Devon County Council's local authority area and does not include providers situated in neighbouring local authorities.

<sup>15</sup> Distance is measured as a straight line from the child's home to the childcare provider.

<sup>16</sup> Day care provision in this analysis includes day nurseries, pre-school playgroups, nursery units of independent schools, maintained nursery schools and classes, academy nursery classes and childminders.

<sup>17</sup> Out of school provision in this analysis includes out of school clubs, weekend clubs, holiday clubs and childminders.

## Premises

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For more information on the types of premises of early years and childcare providers please see the [Early Years and Childcare Provider Premises factsheet](#). This analysis relates to information gathered on the [Annual Survey of Providers](#) in Spring Term 2016.

Childcare provision is in convenient locations with 46% day care providers located on a school site. 22% of day care providers are located in community buildings often within a reasonable walking distance of the family home. A further 29% of day care providers are situated in other non-domestic buildings, which are often situated on travel-to-work routes.

There are a further 632 childminders in Devon who provide childcare provision in their own homes. Parents may choose childminders that are close to their home, close to their work or somewhere along their travel-to-work route. Many also provide out of school care and may offer drop-off and pick-up services for local schools.



## SUFFICIENCY OF EARLY YEARS AND CHILDCARE PROVISION

The level of provision for under-five-year-olds has increased slightly this year, mainly due to the continued roll out of the early years education funding for eligible two-year-olds. On the other hand, the level of provision for out of school care has decreased again this year. However, there have only been three instances where DISC has been unable to find suitable childcare for parents in 2014/15 (this is detailed on page 7).

As there are a very low number of instances where the service has not been able to match parents to suitable childcare, it is assumed that, there is sufficient early years and childcare provision in Devon to meet the needs of most parents.

The new [Small Business, Enterprise and Employment Act 2015](#)<sup>18</sup> has helped to enable further development and expansion of early years and childcare providers, increasing the supply of childcare and therefore help to ensure sufficient provision. This act:

- Removes the requirement for schools to register with Ofsted to admit two-year-olds. This has seen a larger number of schools now admitting two-year-olds from their second birthday.
- Allows one registration for providers operating on more than one site. This means that existing providers can offer further services from additional sites with ease which may see the amount of out of school provision increase.
- Allows childminders to also operate from non-domestic premises i.e. school sites, village halls, children's centres, for up to half of their operating time. Just over a third of childminders who responded to the Annual Survey reported that they would be willing to do this.

Nonetheless, the Early Years and Childcare Service recognise that there will be areas where there may be a lack of childcare in the future. This is due to:

- Increased demand for three- and four-year-old places due to the increase in the entitlement to early education and childcare for working families to 30 hours a week.
- Planned housing developments – new housing increases the population in an area and therefore increases the demand for childcare

This will be monitored and reviewed through Childcare Sufficiency Hot Spots meetings.

### Early Years and Childcare Sufficiency Hot Spots

Childcare Sufficiency Hot Spots Meetings are held biannually with the Early Years and Childcare Commissioning Managers, Early Years and Childcare Sufficiency Lead and Early Years and Childcare Analysts. These meetings focus on new housing developments, commercial developments, provision for two-, three- and four-year-old places, new schools, quality of early years provision, openings, closures and expansions of childcare provision, take up of entitlements and any feedback from the Devon's Family Information Service of areas where they have been unable to find suitable childcare for parents. This is discussed in a holistic way for areas across Devon and provides a comprehensive approach to planning sufficient provision across the county. 'Hot Spots'

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<sup>18</sup> [www.legislation.gov.uk/ukpga/2015/26/part/5/enacted](http://www.legislation.gov.uk/ukpga/2015/26/part/5/enacted) [Accessed April 2015]

are identified and agreed at these meetings for areas where there is a need for provision or where further work is required by the Early Years and Childcare Service.

Hot Spot areas identified at the Childcare Sufficiency Hot Spot meetings held in February 2016 are:

*Table 4: Childcare Sufficiency Hot Spot areas*

Locality	Area	Reason for Hot Spot
Eastern Devon	East of Exeter	• Housing Developments
	Whipton	• Lack of 2 year old provision
Northern Devon	West Croft (Bideford)	• Lack of 2, 3 and 4 year old provision
Southern Devon	Chudleigh	• Housing Developments
	Dawlish	• Lack of 2 year old provision
	Newton Abbot	• Housing Developments • Lack of 2 year old provision

*EARLY YEARS AND CHILDCARE SERVICE (2016) – Childcare Sufficiency Hot Spot Meeting*

A detailed audit is then carried out of the hot spot area to further identify the issues. Actions and recommendations are then set to address the sufficiency issues in these hot spot areas.

For more information please see: <http://devon.cc/childcare-sufficiency>

# PART C: SUFFICIENCY OF EARLY YEARS AND CHILDCARE PROVISION FOR SPECIFIC GROUPS

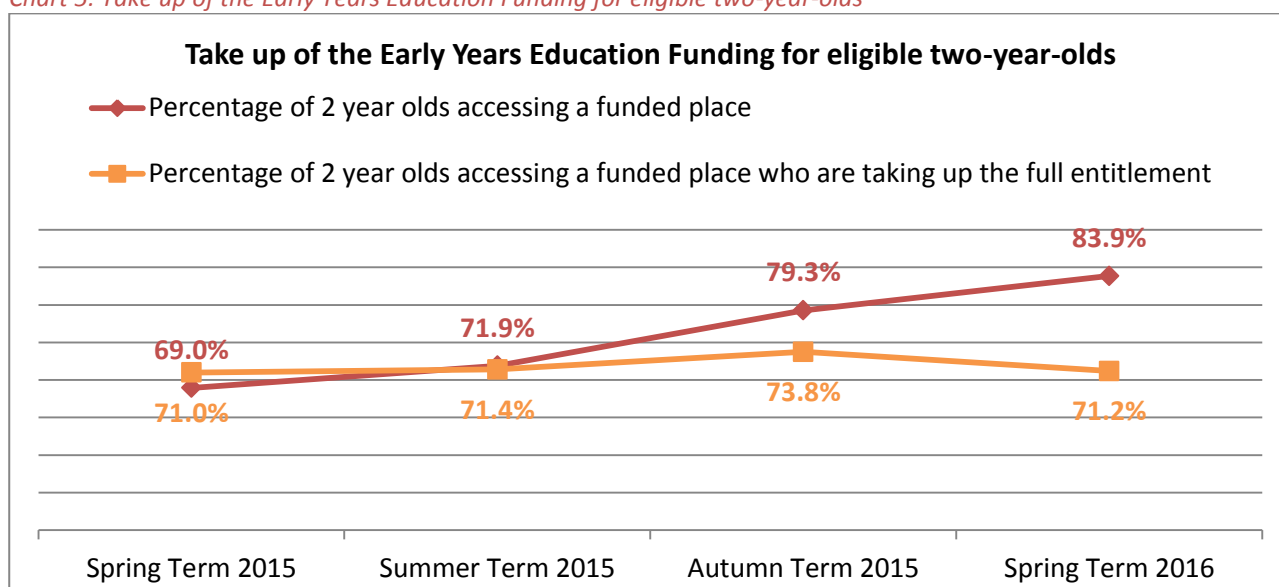
## CHILDREN AGED TWO, THREE AND FOUR TAKING UP FREE EARLY EDUCATION

### Early Years Education Funding for two-year-olds

For more information on the early years education entitlement for two-year-olds, the eligibility criteria and how to check eligibility please see the [webpage](#) or phone 0845 155 1019.

### Take-up of the Early Years Education Funding for eligible two-year-olds

Chart 5: Take up of the Early Years Education Funding for eligible two-year-olds



Source: DEVON COUNTY COUNCIL (2016), Early Years and Childcare Service, Early Years Entitlement Take Up Analysis – Spring Term 2016



#### Good news

- The take-up of the Early Years Education Funding for eligible two-year-olds has significantly increased over the last year by 14.9% to 83.9%.
- The take-up of the full entitlement to 570 hours, has remained relatively stable and is now 71.2%.

## Two-year-olds in care



### Good news

- The take-up of the full entitlement by those two-year-olds in local authority care has increased from 64.3% in spring term 2015 to 87.5% in spring term 2016.

Please note that the numbers of children in care eligible at any one time are very small (usually 17-22) and therefore a drop in take-up of one child has a significant impact on the percentage.

## Approved providers



### Good news

- The number of providers approved to offer the early years entitlement for eligible two-year-olds, has continued to increase this year by 80 to 568. 56 of these have been new funded childminders.

Table 5: Number of providers approved to offer the early years entitlement for eligible two-year-olds

Type of childcare	Number of providers 2014/15	Number of providers 2015/16
Day nursery	116	117
Pre-school playgroup	209	218
Nursery unit of independent schools	0	0
Academy nursery class	3	9
Maintained nursery class	12	20
Childminder	148	204
<b>All providers</b>	<b>488</b>	<b>568</b>

Source: DEVON COUNTY COUNCIL (2016), Early Years and Childcare Service– 31 March 2016

## Sufficiency of provision for 2015/16

Data suggests that overall there is sufficient provision to meet the current need for funded two-year-old places across Devon and also for children to attend providers for additional bought hours if parents need this to enable them to undertake work or training.

There are a high number of different types of providers offering the early education for funded two-year-olds with a large proportion of places being available from the child's second birthday meaning that the full entitlement can be accessed over three terms.

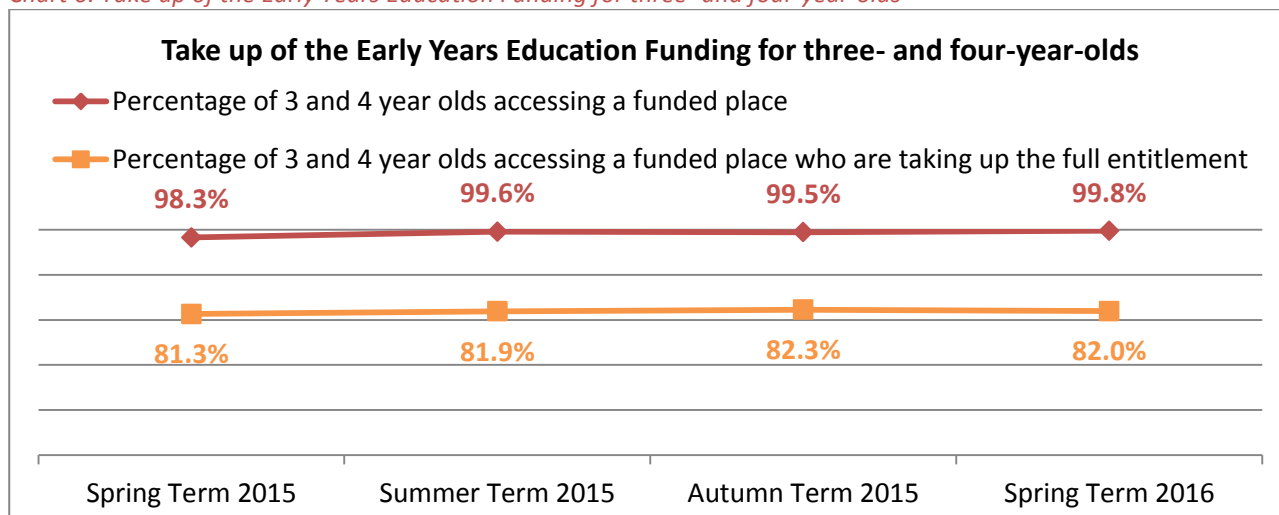
Sufficiency of provision for two-year-old places is discussed as part of the Childcare Sufficiency Hot Spots meetings. Areas identified at these meetings where there is a need for more provision are detailed on page 15.

## Early Years Education Funding for three- and four-year-olds

For more information and an explanation of the Early Years Entitlement please see the [Early Years Entitlement webpage](#).

### Take-up of Early Years Education Funding for three- and four-year-olds

Chart 6: Take up of the Early Years Education Funding for three- and four-year-olds



Source: DEVON COUNTY COUNCIL (2016), Early Years and Childcare Service, Early Years Entitlement Take Up Analysis – Spring Term 2016



#### Good news

- The take-up of the Early Years Education Funding for three- and four-year-olds has remained high at nearly 100%.
- The take-up of the full entitlement has continued to increase over the last year 0.7% to 82.0%.

### Three- and four-year-olds in care



#### Good news

- The percentage of three- and four-year-olds in care accessing the Early Years Education Funding has increased by 2.5% over the last year to 97.0%. However this reached 100% in summer and autumn terms.
- The percentage of three- and four-year olds in care who are accessing a place who are taking up the full entitlement has also increased this year by 8.3% to 90.6%.

Please note that the numbers of children in care at any one time are small and therefore a change in take-up of one child has a significant impact on the percentage.

## Funded providers



### Good news

- The total number of funded providers has continued to increase this year by 38 to 693. This is mainly due to the increase in new funded childminders.

Table 6: Number of Early Years Entitlement funded providers

Type of childcare	Number of providers 14/15	
Day nursery	119	121
Pre-school playgroup (including Governor Run provision)	243	240
Nursery unit of independent schools	13	13
Academy nursery class	10	17
Maintained nursery class	47	47
Childminder	223	255
<b>All providers</b>	<b>655</b>	<b>693</b>

Source: DEVON COUNTY COUNCIL (2016), Early Years and Childcare Service – 31 March 2016

### Sufficiency of provision for 2015/16

Across Devon, there is sufficient provision for three- and four- year olds to access the Early Years Education Funding and also to attend providers for additional bought hours if the parents need this to enable them to undertake work or training.

### Sufficiency of provision for 2017 - Extension of the entitlement to 30 hours for working families

The government has committed to offering an additional 15 hours per week of funded childcare to three- and four-year-olds where both parents are in work by September 2017<sup>19</sup>.

61.1% of funded providers, who responded to the Annual Survey of Providers 2016, reported that they would be able to offer 30 hours. 79% of funded providers are open for 30 hours or more and therefore should be able to offer this entitlement. The main reason given by providers who reported not being able to offer the extension to the entitlement, is due to a limit in the availability of the premises. The Early Years and Childcare Service will work with those providers that are not open for 30 hours to address issues and increase the number of providers who can offer the entitlement, ready for the introduction in September 2017. This is likely to mean that providers work in partnership if they are unable to deliver 30 hours.

<sup>19</sup> [www.legislation.gov.uk/ukpga/2016/5/enacted](http://www.legislation.gov.uk/ukpga/2016/5/enacted) [Accessed May 2016]

## CHILDREN FROM FAMILIES IN RECEIPT OF THE CHILDCARE ELEMENT OF THE WORKING TAX CREDIT AND THOSE AFFECTED BY CHANGES UNDER THE WELFARE REFORMS

### What is the childcare element of the Working Tax Credit?

Information on the childcare element of the Working Tax Credit can be found on the [DISC factsheet](#) or on the [government website](#).

Table 7: Percentage of families benefitting from the childcare element of the Working Tax Credit

	Percentage of families benefitting from the childcare element of the Working Tax Credit		
	2012-13	2013-14	Difference
East Devon	14.6%	13.7%	-0.9%
Exeter	16.6%	16.7%	0.1%
Mid Devon	13.2%	13.9%	0.7%
North Devon	14.8%	14.9%	0.1%
South Hams	13.5%	12.1%	-1.4%
Teignbridge	13.8%	14.8%	1.0%
Torrige	10.5%	12.1%	1.6%
West Devon	11.8%	9.1%	-2.7%
<b>Devon</b>	<b>13.9%</b>	<b>14.5%</b>	<b>0.6%</b>
<b>South West</b>	<b>14.2%</b>	<b>14.6%</b>	<b>0.4%</b>
<b>England</b>	<b>14.4%</b>	<b>14.9%</b>	<b>0.5%</b>

Source: Child and Working Tax Credits statistics finalised annual awards - geographical analysis - Table 2: Average number of benefiting families and average annual entitlements in each local authority, 2013-14<sup>20</sup>

### Funding, Partners and Projects supporting families in receipt of the childcare element of the working tax credit and those affected by changes under the welfare reforms

- **Free School Meals** – children in families in receipt of the universal credit or working tax credit could be eligible to receive [free school meals](#) if they attend nursery provision in a school both before and after the lunch time period.
- **Children's Centres** – Devon's [Children's Centres](#) offer advice and support to all families and have links with Job Centre Plus and local housing associations.

<sup>20</sup> <https://www.gov.uk/government/statistics/personal-tax-credits-finalised-award-statistics-geographical-statistics-2013-to-2014> [Accessed April 2016]

## CHILDREN WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

### The Local Offer

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The SEND Code of Practice places a duty on Local Authorities to publish, in one place, information about provision they expect to be available in their area for children and young people from 0 to 25 who have special educational needs. This is known as the 'local offer'.

For more information on the Devon County Council's Local Offer please see:

[www.devon.gov.uk/send](http://www.devon.gov.uk/send)

### Devon Information, Advice and Support (DIAS) for SEND

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DIAS offer legally based and easily accessible impartial information and advice, to support children and young people aged 0 – 25 years, with special educational needs and disabilities (SEND) and their parents and carers.

### Early years and childcare provision for children with additional needs

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All early years and childcare providers are required through the Equality Act 2010<sup>21</sup> and the Children and Families Act 2014<sup>22</sup> to be inclusive. These early years and childcare providers are Ofsted-registered, meaning that parents can claim the childcare element of the Working Tax Credit to help pay for childcare. There is also support to ensure that children are effectively included within the setting and that their needs are met.

For more information on how Devon County Council is supporting the inclusion of children with additional needs please see: [www.devon.gov.uk/send](http://www.devon.gov.uk/send)

For more information on funding available to support the inclusion of children with special educational needs and disabilities please see: [Paying for Childcare: Special educational needs and disabilities factsheet](#).

Not all providers will be able to cater for all types of need. For more information on Ofsted-registered childcare for children with additional needs please contact DISC on 0845 155 1013 or e-mail [discinfo@devon.gov.uk](mailto:discinfo@devon.gov.uk) or visit the [DISC webpage](#)

For more information on specialist activities and services in your area please phone 0845 155 1013 or e-mail [specialeducation@devon.gov.uk](mailto:specialeducation@devon.gov.uk) or visit [www.devon.gov.uk/send](http://www.devon.gov.uk/send)

### Sufficiency of early years and childcare provision for children with additional needs

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Younger children with additional needs are generally included within mainstream provision. As more children are identified as having a SEND as they get older and they may then have an Education, Health and Care Plan in places, there may be a greater demand for out of school places than there is for specialist early years places. However, establishing sufficient demand to sustain a new specialist setting is a challenge as children with a variety of support needs are spread the county.

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<sup>21</sup> [www.legislation.gov.uk/ukpga/2010/15/contents](http://www.legislation.gov.uk/ukpga/2010/15/contents)

<sup>22</sup> [www.legislation.gov.uk/ukpga/2014/6/contents/enacted](http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted)



There are places available at a range of specialist provisions across Devon i.e. in Special Schools, specialist holiday play schemes and Saturday clubs. To search for these visit the [Devon Community Directory](#).

Devon County Council considers there to be sufficient choice to meet the childcare needs of parents of children with additional needs.

At a recent Devon Parent Carers Voice event all parents appeared to find pre-schools welcoming to their children.

## CHILDREN REQUIRING HOLIDAY CARE

With the seasonal nature of employment opportunities in Devon it is important that the Early Years and Childcare Service ensures there is sufficient provision for parents needing to use holiday care in order for them to work.

There are a total of 87 holiday schemes across Devon and a further 632 childminders who offer childcare in the holidays. In addition to this, all-year-round provision such as day nurseries will also cater for younger children.

The number of places for holiday provision has remained fairly static with one full-time equivalent place (30 hours per week) for 16.7% of the population of primary-school-aged children. 43% of these places are group-based with the remaining 57% of places being provided by childminders.

### Sufficiency of provision children needing holiday care

36% of Devon County Council's administrative area is within a three-mile radius of a holiday club, with those in more rural areas having to travel further. Childminders also offer holiday provision with 80% of Devon County Council's administrative area being within a three-mile radius of a childminder.

Anecdotally, Devon County Council knows that a number of parents do not require childcare through the holidays as they juggle childcare and work arrangements. Some parents work term-time only and therefore do not require childcare during the holidays. Other parents use their annual leave entitlement to cover holiday periods to reduce the need for childcare, while other parents will use friends or relatives to care for their children.

As the Early Years and Childcare Service has not received enquiries from parents requiring holiday care for their children where they have been unable to find suitable childcare, we assume that there is sufficient provision across Devon to meet this need.

## SCHOOL-AGED CHILDREN

There are a total of 164 out of school clubs and a further 632 childminders who also offer out of school provision for school-aged children.

Before and after school provision remains relatively the same as 2014-15. Nearly half the places are in group-based provision and half being provided by childminders. Approximately one place is available for 11% of primary-school-aged children.

### Sufficiency of out of school provision for school-aged children

As schools do not have to register their out of school provision with Ofsted, the local authority does not necessarily know when a new provision has opened. This may lead to there being more provision available for out of school care than stated above.

85% of Devon County Council's administrative area is within a three-mile radius of Ofsted registered out of school provision.

Devon County Council assumes that the demand for out of school provision for school-aged children will be met through the local schools that the children attend, where there is sufficient demand from parents to ensure sustainable provision.

The government has now published the outcome of the ['Wraparound and holiday childcare: parent and childcare provider 'rights to request''](#). From September 2017, parents can request that schools provide childcare and childcare providers can request the use school building from where they can operate childcare. It is the responsibility of the school governors or trusts to respond to these requests.

## CARE FOR CHILDREN WITH PARENTS WHO WORK ATYPICAL AND IRREGULAR HOURS

### Atypical Hours

Atypical hours refers to care required before 8.00am, after 6.00pm, overnight or at weekends.

#### Day Care Providers

Table 8: Percentage of day care providers and places available before 8am and after 6pm

	% of all providers open for atypical hours	Percentage of places available in providers operating for atypical hours				
		Under 2 year olds places	All 2 year old places	All 3&4 year old places	Funded 2 year old places	Funded 3&4 year old places
Before 8am	33.9%	59.4%	43.8%	28.2%	45.6%	18.8%
After 6pm	9.1%	20.4%	13.8%	8.7%	14.8%	8.6%

Source: DEVON COUNTY COUNCIL (2016), Early Years and Childcare Service

There is a marked difference between the amount of provision available before 8.00am and what is open after 6.00pm. Feedback from providers reported 39.8% had children who required care before 8.00am whilst only 14.4% reported that they had children who required care after 6.00pm. No schools or pre-school reported offering care after 6.00pm.

#### Out of School Provision

Table 8: Percentage of out of school provision available before 8am and after 6pm

	Out of School Provision		Holiday Provision	
	Providers	Places	Providers	Places
Before 8am	45.7%	50.3%	44.1%	39.5%
After 6pm	10.5%	8.5%	11.7%	11.4%

Source: DEVON COUNTY COUNCIL (2016), Early Years and Childcare Service

There are seven providers running weekend clubs and a further 68 childminders who are open at weekends. There are also 53 childminders who report providing overnight care across Devon.

#### Sufficiency

39.8% of providers reported that they had children who required care before 8.00am compared to only 33.9% of providers offering care at this time. 14.4% of providers reported that they had children who required care after 6.00pm compared to only 9.1% of providers offering this. This suggests that more provision is needed.

Day nurseries and childminders are more likely to offer care before 8.00am and after 6.00pm and are able to offer care more flexibly therefore if parents want this type of care they will tend to use these providers. More parents want before school provision rather than after school provision. Childminders are more likely to offer flexible care and can more easily offer care at weekends. Day nurseries that also have their own premises may be more likely to run Saturday clubs.

Devon County Council will be considering funding two-, three- and four-year-old places at weekends and bank holidays over the coming year.

#### Irregular Hours

Care for irregular hours refers to the need for parents to access a different number of hours of care each week e.g. 10 hours care one week, 20 hours care the following week. These are often parents who work for an agency, have zero hours contracts or work shift patterns.

26.8% of day care and childminders responding to the Annual Survey of Providers 2016 reported that they had children who required care for irregular hours with day nurseries and childminders more likely to report this. This has increased from 23.1% in 2015.

Devon County Council will consider how the funding process can better accommodate the needs of parents that work irregular hours.

# PART D: THE ROLE OF THE LOCAL AUTHORITY

## NEXT STEPS: PLANNING SUFFICIENCY OF EARLY YEARS AND CHILDCARE PROVISION IN 2016/17

To ensure there is sufficient early years and childcare, Devon County Council will:

- Continue to conduct Childcare Sufficiency Hot Spots meetings to discuss the supply and demand of childcare
- Carry out the Annual Survey of Providers in January 2017
- Develop Early Years Excellence for All to assess quality of provision and support those providers of low quality
- Encourage more providers to open for longer hours
- Explore how school sites and buildings can be used outside of term times
- Encourage childminders to operate on non-domestic premises
- Consider how early years education funding can be provided on bank holidays and at weekends
- Introduce the Citizens Portal for parents to check eligibility for two-year-olds from September 2016
- Increase the take-up of the places and hours by eligible two-year-olds
- Increase the take-up of the Early Years Pupil Premium
- Increase the take-up of Free School Meals in school nurseries
- Review processes so that Devon County Council can fund flexibly and meet the needs of parents working atypical and irregular hours.
- Work with schools on the 'right to request' and capture information on school run childcare that is not registered.

Furthermore, Devon County Council will ensure there is sufficient early years and childcare provision to meet the needs of parents, through the [ongoing work of the Early Years and Childcare Service](#).

The challenges in ensuring sufficient early years and childcare provision in Devon in 2016/17 will be:

- Recruitment of sufficient high quality qualified staff
- The announcement of a national funding formula and new funding rates
- The impact of the national living wage, pensions and universal credit on childcare businesses.
- Planning for the extension of the entitlement to 30 hours of free early education and childcare for working parents from September 2017 – partnerships between providers and rural sparsity will be particular challenges.

2015/16



## FARMS ESTATE COMMITTEE

15 September 2016

Present:-

County Councillors:

Councillors C Chugg (Chairman), J Brook, J Berry, A Dewhirst, R Rowe and J Yabsley

Co-opted Members:

C Latham (Tenants' Representative)

Apologies:

Councillor R Julian and C Bellew (Devon Federation of Young Farmers)

\* 20

### **Minutes**

**RESOLVED** that the minutes of the meeting held on 28 June 2016 be signed as a correct record.

\* 21

### **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* 22

### **Revenue Monitoring 2016/17 (Month 4)**

The Committee received the Report of the County Treasurer (CT/16/80) on the County Farms Estate Month 4 Revenue Monitoring Statement for 2016/17, noting the target surplus of £362,000 and detailing income and expenditure to date.

\* 23

### **Capital Monitoring 2016/17 (Month 4)**

The Committee received the Report of the County Treasurer (CT/16/79) on the County Farms Estate Month 4 Capital Monitoring Statement for 2016/17, noting that:

- the approved Capital Programme for 2016/17 included schemes totalling £1,671,000, which included £271,000 and £900,000 respectively for existing and additional Nitrate Vulnerable Zone compliance schemes, with the remaining £500,000 relating to additional scheme priorities for Decent Homes standards, Energy Act and other associated infrastructure projects;
- scheme slippage of £771,000 together with land acquisition costs of £150,000 resulted in a capital programme of £2,592,000 for 2016/17;
- expenditure and commitments to date was £842,000 with a forecast year-end spend of £1,692,000.

Members were pleased to note the allocation of £500,000 for Decent Homes standards, Energy Act and other associated infrastructure projects.

# Agenda Item 13

2

FARMS ESTATE COMMITTEE  
15/09/16

## \* 24 **Devon Farm Business Awards 2015 and 2016**

The Committee received the Report of the Head of Business Strategy and Support (BSS/16/12) acknowledging the success of Estate tenants at the Devon Farm Business Awards 2015 and 2016.

Members noted that Awards had been made in eight categories and the winners and runners-up were as follows:

- Chris Carpenter of Fairfield Farm, Denbury – 2015 runner-up in the CAAV John Neason Diversification Awards;
- Marcus Warner of Lower Henland Farm, Kentisbeare – 2015 runner-up in the Best Young Farmer Category;
- Marcus Warner of Lower Henland Farm, Kentisbeare – 2016 winner of the CAAV John Neason Diversification Award;
- Gordon Davis of Westcott Farm, Burlescombe – 2016 winner of the Best Dairy Farmer Category and winner of the prestigious overall Farmer of the Year title;
- Louise Moorhouse of East Fingle Farm, Drewsteignton – 2016 runner-up in the Best Woman in Farming Category;
- Chris Creeper of Waterford Farm, Musbury – 2016 runner-up in the Best Young Farmer Category; and
- Martyn Mills of Middle Yeo Farm, Down St Mary – 2016 runner-up in the Best Young Farmer Category.

The Chairman undertook, on behalf of the Committee, to write to all Estate tenants nominated for the Devon Farm Business Awards in 2015 and 2016 in recognition of and congratulating them upon their outstanding achievements.

## \* 25 **Delegated Action/Urgent Matters**

The Committee noted the action taken by the Cabinet Member for Resources and Asset Management and/or the Head of Business Strategy and Support, in accordance with Part 3 of the County Council's Constitution, in approving the purchase of 85.45 acres of agricultural land at Lee, near Marwood, North Devon.

## \* 26 **Exclusion of the Press and Public**

**RESOLVED** that the press and public be excluded from the meeting for the following items of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Schedule 12A of the Act, namely information relating to, and which was likely to reveal the identity of, tenants and information relating to the financial or business affairs of tenants and the County Council and, in accordance with Section 36 of the Freedom of Information Act 2000, by virtue of the fact that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

## \* 27 **Holdings and Tenancies etc.**

*(Items taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded, no representations having been received to such consideration under Regulation 5(5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012)*

### **(a) Monitoring of Tenants on an initial Farm Business Tenancy**

The Committee considered the Report of the Head of Business Strategy and Support (BSS/16/14) on the monitoring of tenants on an initial Farm Business Tenancy.



It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Yabsley and

## **RESOLVED**

(i) that the tenants of Nutcombe Farm, Lower Farm, Waterford Farm and New Ford Farm be notified of the current and satisfactory level of competency attained to date;

(ii) that the tenant of New Gulliford Farm be advised that, due solely to the limited period of occupation between the delayed date of entry and the first monitoring visit, a further monitoring visit be carried out in September 2017;

(iii) that the tenant of Fairfield Farm, Denbury be offered a second but final seven year Farm Business Tenancy of the holding for a term commencing 25 March 2018 and terminating 25 March 2025, subject to terms being agreed;

(iv) that the tenant of Buckridge Farm, Denbury be offered a second but final seven year Farm Business Tenancy of the holding for a term commencing 25 March 2019 and terminating 25 March 2026, subject to terms being agreed;

(v) that the tenant of Mixing Barn Farm, Bovey Tracey be offered a second but final seven year Farm Business Tenancy of the holding for a term commencing 25 March 2018 and terminating 25 March 2025, subject to terms being agreed.

## **(b) Management and Restructuring issues**

The Committee considered the Report of the Head of Business Strategy and Support (BSS/16/13) on County Farms Estate Management and Restructuring issues.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Yabsley and

**RESOLVED** that, subject to the tenant surrendering his tenancy of Cotley Farm, Ottery St Mary and a prospective new tenant preparing a business plan supported by at least two years' worth of cashflows and budgets; and following interview, the interview panel being satisfied he would be a competent and suitable tenant, the prospective new tenant be granted a fixed term "progression" Farm Business Tenancy of Cotley Farm, Ottery St Mary commencing simultaneously with the current tenant's potential surrender, subject to terms being agreed.

\* 28

## **Next Meeting**

Wednesday 30 November 2016 at 2.15pm.

1. The Minutes of this Committee are published on the County Council's Website.  
2. These Minutes should be read in association with any Reports or documents referred to therein, for a complete record.  
3. Members of the Council have been granted a dispensation to allow them to speak and vote in any debate as a consequence of being a representative of the County Council on any County Council wholly owned, controlled or joint local authority company or Joint Venture Partnership unless the matter under consideration relates to any personal remuneration or involvement therein.

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.30 am and finished at 11.07 am

# Agenda Item 13

<b>SCHEDULE OF CABINET MEMBER DECISIONS TAKEN SINCE PREVIOUS MEETING</b>		
<b>Cabinet Remit/Officer</b>	<b>Matter for Decision</b>	<b>Effective Date</b>
Policy & Corporate	Approval to donation toward Devon & Dorset Regiments Memorial at the National Arboretum	27 September 2016
Resources & Asset Management	Approval to, variation in the capital programme for 2016/17 and other property matters	21 September 2016
	Approval to bid at public auction to purchase a barn property on Rectory Lane, Instow,	4 October 2016
Children, Schools and Skills	Approval to consultations on proposal to increase capacity at Payhembury Church of England Primary School,	5 October 2016

**The Registers of Decisions will be available for inspection at meetings of the Cabinet or, at any other time, in the Democratic Services & Scrutiny Secretariat, during normal office hours. Contact details shown above.**

**In line with the Openness of Local Government Bodies Regulations 2014, details of Decisions taken by Officers under any express authorisation of the Cabinet or other Committee or under any general authorisation within the Council's Scheme of Delegation set out in Part 3 of the Council's Constitution may be viewed at <https://new.devon.gov.uk/democracy/officer-decisions/>**

