

## **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

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.

## 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](#)

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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>