

## **Frequently asked questions**

### **Full Build Costs of Primary Schools**

**Q;** Why can I not simply pay a proportion of cost directly related to the number of Primary pupils generated by my development in a similar way to secondary school payments?

**A:** *Where mitigation is through the provision of a primary school within the new development is not practicable to deliver a sustainable primary school facility other than 0.5FE; 1FE; 1.5FE or 2FE. The full cost of the provision must be met in order for the school to be delivered.*

### **Size of Primary Schools**

**Q;** Where a development exceeds pupil generation met by a 2FE school why can the county not accept a 2.5FE or 3FE school rather than provision of two school sites?

**A:** *The councils adopted policy states that ‘the provision of 2FE primary school accommodation is the maximum size of school provision expected within new build developments. The provision of new build 3FE primary school accommodation is only accepted in exceptional circumstances and where the County Council consider that long term future needs would otherwise have to be met through the provision of a 2FE school and a separate 1FE school.’*

### **Floor areas of schools**

**Q:** Central government have reduced the area requirements for schools – has this been taken into account in the required developer contribution?

**A:** *Yes, the county council reduced its space standard requirements in 2013 and again in 2016 taking account of the base line design guidance issued by the Education & Skills Funding Agency and Building Bulletins. The county Councils area requirements accord with the minimum area recommendations of Building Bulletins noting that for primary schools, nursery and SEN provisions are included.*

### **Area of Primary School Sites**

**Q:** Why must I provide a site area of 2.22ha when my development needs could be met through the provision of a smaller site?

**A:** *The Councils adopted policy states that ‘The site area requirement allows for 2FE ensuring that future expansion can be accommodated. Only where robust evidence is held by the authority that the likelihood of future growth is slim, will lower space standards be acceptable.’*

*In some circumstances the council may accept freehold transfer of core land with options / lease of land to achieve the full provision required.*

#### Land Costs

**Q:** Why cannot the local authority purchase land required for future expansion at commercial residential development rates and seek contributions from future development proposals that come forward?

**A:** *The council requires sufficient land to enable a sustainable school provision to be delivered. In exceptional circumstances where natural growth does not demonstrate the long term likelihood for the school to expand but the authority demand a larger site area it will either be met through an option for a period of years to call for the increased site in light of defined growth or through payment for land based upon educational land values.*

#### Freehold Transfer

**Q:** Can the school land be transferred under lease arrangements

**A:** *No, the mitigation of any development is in perpetuity which consequently demands that the infrastructure is placed into the full control of the public sector*

#### Community Use of Playing Fields

**Q:** Can the school playing fields be used by the community outside school hours?

**A:** *Yes but subject to over-riding control by the school governing body. The playing fields must remain available for delivery of the curriculum; where the school has good reason to believe that use by the community could compromise access it may refuse access.*

#### Community Use of Buildings

**Q:** Can the school buildings be used by the community outside school hours?

**A:** *Yes but subject to over-riding control by the school governing body. The buildings must remain available for delivery of the curriculum so can only be made available outside school hours by arrangement with the schools governing body. Designs will always be expected to achieve flexible school facilities designed in a manner that enables community use.*

#### Costs of Construction

**Q:** Central government has issued funding guidance regarding the construction of new schools – has this been taken into account in the required developer contribution?

**A:** Yes the county council sought updated build costs from its professional consultants in light of the current market for delivery of school buildings in 2013 and was refreshed in 2016 by two separate professional consultants. The guidance cost/m<sup>2</sup> issued by the Education Funding Agency corresponds with and was the basis of delivery of a recent EFA funded school project and this cost has been benchmarked against the corresponding estimate within the suite of estimates from the councils professional consultants. This has shown that the suite of estimates is broadly in line with the guidance costs issued.

#### Set Up Costs

**Q:** why is a developer expected to fund 'set-up costs' for the new school?

**A:** Any new school brings a need to fund the appointment of the incoming head teacher and other key appointments in advance of operation of the school. It will also face diseconomies of scale i.e. the difference between the operating costs and the revenue received in respect of pupils on roll. These costs are not met by central government funding and are required to be met by the LEA.

#### Designs under Direct Delivery

**Q:** Can I use the base line design or a design delivered before when directly delivering the new school?

**A:** The baseline design principles can be adopted but this design is simply a 'baseline' ....something to work from. The ability of any design to be accommodated without change on a particular site is heavily subject to the shape and relationship of the site to roads, external class space, play areas, parking, playing fields etc. It will also need to be adjusted in light of the County Councils space and potentially quality standards.

#### OCC costs

**Q:** What is included within 'direct costs faced by the authority'?

**A:** These costs cover all in-house administration, management, client legal and consultancy costs necessary for OCC to oversee delivery of the school project.

#### Restrictions upon use

**Q:** Will the county council accept a restrictive covenant regarding use of the site as a school?

**A:** A restrictive covenant as to educational and ancillary use may be agreed for the duration of the construction of the development but otherwise the County Council must not be fettered from future change of use to accommodate the delivery of its statutory functions. Closure of any school

*maintained by the County Council is governed by the Education and Inspection Act 2006 and regulations entailing public consultation and decision making*

#### Warranted Surveys

**Q.** Why do I need to provide warranted surveys?

**A.** *A warranted survey can avoid the need for the council to separately procure survey work with associated costs which would be sought as additional developer contributions.*

#### Abnormal payments for foundations and drainage

**Q.** Why are aspects related ground conditions included as an abnormal cost?

**A.** *The actual costs of foundations can vary considerably depending on actual ground conditions. Consequently, developer contributions are based upon standard concrete filled trenches measuring 600 millimetres in width and 1.2 metres in depth under each structured wall.*

*Equally the permeability of the site can vary considerably and as a consequence attenuation is based upon a notional provision of 1m<sup>3</sup> to every 25m<sup>2</sup> of roof area.*

*The authority therefore seek such further contributions that are warranted by actual ground conditions*

#### Noise Surveys

**Q.** why are noise surveys requested?

**A.** *Noise levels from existing and/or proposed uses in the vicinity of the site could exceed recommended standards and result in the need for acoustic provisions to protect external areas and / or acoustic measures to the fabric of the building.*

*Inclusion of standard conditions can be avoided or reduced where acoustic survey information is provided covering existing and anticipated noise levels across the whole development area.*