Statement of Common Ground
Chesterfield Borough Council and
Derbyshire County Council (Education Authority)
JUNE 2019

1. Purpose of the Statement of Common Ground

This statement of common ground has been prepared jointly between the parties consisting of Chesterfield Borough Council (‘the Council’), and the Derbyshire County Council (‘DCC’), in its role for planning and commissioning education provision in Derbyshire, including Chesterfield Borough.

The Purpose of this Statement of Common Ground is to set out the main points of agreement between all parties with regard to the submitted Chesterfield Borough Local Plan December 2018 (‘the Plan’). The statement also highlights areas where further work will be needed in the future and what mechanisms are or will be put in place to address these. The statement is intended to assist the Inspector during the examination of the Plan.

The purpose of this statement is also to set out the agreed arrangements for ongoing co-operation and liaison on identifying, monitoring and mitigating the impacts of the levels of growth set out in the submission version of the Chesterfield Borough Local Plan and identifying agreed key matters and issues that should be the focus of cooperation and liaison.

2. Background

The Council and DCC have been working positively together throughout the preparation of the Plan in respect of planning for the future provision of education facilities.

As a two tier area, Chesterfield Borough Council is responsible for the preparation of a Local Plan for the borough of Chesterfield, the most recent prior to the emerging Local Plan being the Local Plan Core Strategy (adopted 2013). DCC has the
responsibility for planning and commissioning education provision in Derbyshire, under the Education Act 1996.

DCC has a statutory duty to; ensure that efficient primary, secondary and further education is available to meet the needs of their population; ensure that their education functions are exercised with a view to promoting high standards ensuring fair access to opportunity for education and learning, and promote the fulfilment of learning potential; and secure that sufficient schools for providing primary and secondary education are available for their area. This duty to plan applies across all schools and includes Academies.

DCC operates a system of ‘normal areas’ for school places planning, a normal area being the geographic area which a school serves. All residential developments are mapped to determine the normal area in which they sit to allow a detailed analysis of existing capacity and forecast demand for places within that areas. The Net Capacity of each school is determined using this nationally agreed measure of a school’s buildings to calculate the number of pupil places a school can accommodate. This is regularly reviewed and agreed with each school and the capacity informs the Pupil Admission Number. In order to be able to assess the supply of places against demand, schools are grouped together on a geographic basis to determine a planning area. These planning areas are agreed with the Department for Education (DfE) and form the basis of analysis of Basic Need for places across the County, including Chesterfield Borough.

DCC elects wherever possible to be able to provide a school place for each child at their normal area school. DCC works pro-actively with all Local Planning Authorities to ensure that account is taken of the housing sites allocated through the Local Plan process. DCC monitors pupil numbers on roll against the capacity of individual schools, as well as groupings of these schools within wider planning areas. Birth rate data is used in statistical analysis to produce pupil number projections for a 5 year rolling period.

The Infrastructure Delivery Plan (IDP) sets out the current education infrastructure, existing capacity within it, projections based on birth rates and preference trends (not including forecast growth from housing). Consideration is given to the proposed allocations of residential development sites within Chesterfield Borough Local Plan December 2018. The intention is to provide an indication of where expansion to the education system is likely to be required, be it through expansions of existing or
provision of new schools in order to mitigate the impact of the residential development identified within the Plan.

DCC supports the regeneration focus of the Plan and overall housing provision required for the Chesterfield Borough over the plan period, and is pro-actively working with the Council to identify and mitigate any pressures upon existing education infrastructure that may be brought as a result of residential development. DCC is consulted on residential planning applications in the Borough of 11 or more dwellings or where a development is of 10 dwellings or less with a gross floorspace of over 1,000 sq. m, in order to identify where developer contributions would be required to meet need arising. The likely pupil yield from a development is considered in relation to the existing and projected future capacity of the normal area schools. The DfE is clear that developer contributions should be the principal source of funding where additional demand for places is directly linked to residential development.

In line with their Developer Contributions Protocol, DCC advises the Council whether a contribution towards education infrastructure is likely to be sought from the Community Infrastructure Levy (CIL) in order to ensure that sufficient capacity is in place to enable the majority of pupils generated within a new housing development to access a normal area school place. It is important to note that places provided through CIL or other funding for the purposes of meeting demand generated by a development cannot be reserved for pupils moving into the development. Whilst pupil numbers across the Borough are projected to stay within existing capacity, there are planning areas which are under pressure before the impact of additional housing is taken into account. This will be closely monitored by DCC and the two Authorities will work together to identify the most efficient expansions of schools to address local needs. Any proposed significant change to a school would be the subject of formal consultation with local schools, stakeholders and the DfE.

3. Assessing capacity
The IDP includes an analysis of current and projected capacity in individual schools within their planning areas. The DfE recommends that a school should have at least a 5% surplus and this is taken into consideration when assessing the available places within a school. An indication of the capacity of the school is provided and this is updated by DCC on an annual basis,
This information is intended to provide a snapshot for each of the planning areas in Chesterfield Borough. They do not include forecast demand for places from approved residential developments or Local Plan sites. DCC is consulted on all residential planning applications and conducts an analysis on a case by case basis to determine whether sufficient capacity exists within the existing infrastructure. A judgement is made on whether mitigation is likely to be required and this is shared as part of the DCC response to the planning application. DCC works with schools to determine strategies for individual schools, as and when required, based on their assessed capacity for expansion.

When considering the likely impact of housing development on the availability of school places, a formula is used to assess the likely number of additional pupils. This is based on census data and is 20 primary aged pupils, 15 secondary and 6 post-16 pupils for every 100 dwellings (of 2 bedrooms and over). These yields are added to the 5 year projected pupil number for the normal area school in which the development is located. Where shortfalls are projected, DCC will work to add capacity where necessary, requesting contributions from CIL where necessary and appropriate.

The IDP provides Local Plan site analysis for the following identified planning areas:

**PRIMARY LEVEL EDUCATION**
- Ashgate/Brampton/Stonegravels Planning Area
- Barrow Hill Planning Area
- Boythorpe/Birdholme Planning Area
- Brimington/Calow Planning Area
- Dunston/Newbold Planning Area
- Hasland/Hady Planning Area
- Inkersall/Staveley/Duckmantown/Poolsbrook/Arkwright Planning Area
- Mastin Moor Planning Area
- New Whittington Planning Area

**SECONDARY AND POST-16 LEVEL EDUCATION**
- Secondary Chesterfield Planning Area
- Secondary Staveley/Bolsover Planning Area
The IDP will continue to be updated at each key stage in the Local Plan process to ensure that the most recent information is used as the basis for forward planning.

4. Funding Mechanisms, Delivery and Responsibilities
The following represent the main funding mechanisms and delivery opportunities for education infrastructure:

The DfE is clear that developer contributions should be the principal source of funding where additional demand for places is directly linked to residential development. In Chesterfield, the principal funding source for the provision of additional education infrastructure to support residential development is CIL funding. ‘Education Provision - Provision of additional pupil capacity in existing schools and contributions to a new school or schools to address shortfalls in capacity arising from new housing growth’ is currently included on the Chesterfield CIL Regulation 123 Infrastructure List.

https://www.chesterfield.gov.uk/media/217383/cil-reg-123-list-april-2016.pdf

Other sources of funding available to support growth in pupil numbers include Department for Education Basic Need allocations to Local Authorities, as well as direct support to academies for expansions, and the Free School programme for the creation of additional schools.

Central government allocates Basic Need Funding to Local Authorities in order to accommodate natural population growth where necessary, based on pupil number projections and school capacity. This is designed to support the capital requirement of providing new pupil places by expanding existing maintained schools.

Expansions to maintained schools are designed and managed by DCC. Expansions to academies are undertaken directly by individual Multi-Academy Trusts. The creation of additional schools through the Free Schools programme are managed directly by the DfE. However, the duty to manage the sufficient provision of places across the county remains with DCC.

The provision of Basic Need funding and other government capital funding does not negate a housing developers’ responsibility to mitigate the impact of their development on education. DCC will continue to make representations for CIL support as and when appropriate.
5. **Agreed matters**  
This Statement of Common Ground confirms the agreed approach between all parties on the future planning and provision of school places in order to support planned growth through the Chesterfield Borough Local Plan.

6. **Outstanding Issues**  
None identified

7. **On-going Cooperation and Liaison**  
All parties are committed to continuing to work together through regular liaison and consultation.

DCC will continue to be consultees on the Chesterfield Local Plan and in future Local Plan Reviews.
APPENDIX A: SIGNATORIES OF THE PARTIES

AUTHORITY

Chesterfield Borough Council

Officer
Name: Alan Morey
Position: Strategic Planning & Key Sites Manager
Signature: 

Date: 20th June 2019

Member
Name: Cllr Terry Gliby
Position: Portfolio Holder, Economic Growth
Signature: 

Date: 20th June 2019

Derbyshire County Council
(Local Education Authority)

Officer
Name: Sue Pegg
Position: Head of Development
Signature: 

Date: 1 July 2019

Member
Name: Cllr Alex Dale
Position: Cabinet Member for Young People
Signature: 

Date: 1 July 2019