

Classification: Open	Decision Type: Key
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Report to:	Cabinet	Date: 25 th September 2024
Subject:	Adoption of Developer Contributions for Education Supplementary Planning Document	
Report of	Leader and Cabinet Member for Strategic Growth	

Summary

1. This report details the results of the Developer Contributions for Education Supplementary Planning Document (SPD17) consultation and seeks approval for the final SPD to be formally adopted.

Recommendation(s)

2. It is recommended that Cabinet:
 - i. Note the responses to the public consultation and the proposed post-consultation revisions as set out in Appendix 2 to this report.
 - ii. Approve the revised SPD as the final version to be adopted and published.
 - iii. Delegate authority to the Executive Director (Place), to make any minor non-material editorial amendments to the SPD ahead of its final publication.

Reasons for recommendation(s)

3. SPD17 sets out how the Council will deal with developer contributions for education when determining planning applications for relevant developments that may impact on education provision, such as school places. The adoption of the document will ensure that all relevant planning applications are considered against up-to-date procedures, legislation and national planning policy.

Alternative options considered and rejected

4. No other options were considered/were applicable.

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Background

5. Places for Everyone (PfE) is a joint plan of nine Greater Manchester districts and was adopted on 21st March 2024.
6. One of the key aims of PfE is to set out where we will build the new homes we need, where our businesses will locate to sustain and create jobs for our people, what infrastructure is needed to support the development and to protect and enhance our towns, cities and landscapes. It is proposed to cover a timeframe up to 2039. In meeting our statutory housing targets, there is a requirement to ensure that the necessary infrastructure is also provided to cater for the needs of increased households, including education provision.
7. PfE Policy JP-P5: Education, Skills and Knowledge sets out the criteria that form the basis for the determination of proposals for education. The Policy seeks to ensure that, where appropriate, housing developments make a financial contribution to the provision of additional school places and/or set aside land for a new school, proportionate to the additional demand that they would generate.

Summary of the Consultation Findings

8. In June 2024, Cabinet members approved a draft of SPD17 for consultation purposes. In accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement, consultation was subsequently undertaken over a six-week period running from 15th July to 19th August 2024 in order to establish stakeholder views on its content.
9. Consultation involved making relevant material available for inspection on the Council's web site; in the reception area of the Town Hall; and at Bury, Prestwich, Radcliffe and Ramsbottom Libraries and at the Tottington Centre. Letters/emails were also sent to relevant contacts that were considered to have the potential to be affected by SPD17. The consultation was also advertised via social media platforms.
10. The consultation generated a total of seven responses - although four of these responded simply to say that they had no comments. These comments and the Council's response to these comments are set out in the Consultation Statement appended to this report.
11. The consideration of these comments has led to the conclusion that SPD17 would benefit from a small number of changes prior to it being formally adopted. In particular:

- Clarification that when a permanent new school is delivered (or the relevant financial contribution is received), no further contributions to temporary provision will be required.
- Reference to developers being liable for the costs incurred with forward funding the provision of a new school in addition to the recovery of the principal sum has been removed.
- Clarification that for large strategic sites, the trigger for release of new provision will be determined on a case-by-case basis to allow flexibility in relation to the timing of release of educational facilities.
- Clarification that any pupil yield resulting from the proposed development which can be accommodated through existing school places will be discounted from the contributions calculation.
- Reference made to staged payments for payment of contributions.

12. In response to the consultation comments received, SPD17 has been updated (see Appendix 1). A consultation summary report (Appendix 2) has also been completed.

Conclusion

13. Members are requested to approve the proposed changes to SPD17 before agreeing to adopt it as fully up-to-date guidance

Links with the Corporate Priorities:

Please summarise how this links to the Let's Do It Strategy.

14. Places for Everyone forms part of the Council's Policy Framework (being one of the statutory plans listed under Article 4 of the Council's Constitution). The Developer Contributions for Education SPD supplements PfE Policy JP-P5: Education, Skills and Knowledge and takes account of national planning guidance

Equality Impact and Considerations:

*Please provide an explanation of the outcome(s) of an initial or full EIA and make **specific reference regarding the protected characteristic of Looked After Children**. Intranet link to EIA documents is [here](#).*

15. The EqIA concludes that there are no negative impacts on equality and a positive impact is recorded.

Environmental Impact and Considerations:

Please provide an explanation of the Environmental impact of this decision. Please include the impact on both **Carbon emissions** (contact climate@bury.gov.uk for advice) and **Biodiversity** (contact c.m.wilkinson@bury.gov.uk for advice)

16. No material environmental impacts.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
The post consultation amendments are not accepted.	The amendments are a result of public consultation and having considered the responses received.
The final Strategy is not approved.	A previous Cabinet report approved the draft SPD. The final SPD has been amended in response to comments received and updated information which has become available.

Legal Implications:

17. The statutory requirements for the preparation of SPDs are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 and paragraphs 8 and 9 of this report sets out how these requirements have been followed. Before adoption of the SPD, Cabinet will need to consider the issues raised during the consultation and how those issues have been addressed. SPDs do not form part of the development plan so they cannot introduce new planning policies. They are however a material consideration in determining planning applications.

Financial Implications:

To be completed by the Council's Section 151 Officer.

18. Adoption of the SPD will support the identification of funding contributions to support the delivery of education infrastructure and additional school places resulting from proposed housing developments.

Appendices:

Appendix 1 – Revised Developer Contributions for Education Supplementary Planning Document

Appendix 2 – Developer Contributions for Education Supplementary Planning Document Consultation Statement

Background papers:

Please list any background documents to this report and include a hyperlink where possible.

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
SPD	Supplementary Planning Document
PfE	Places for Everyone