



Education & Skills Funding Agency

Education and Skills Funding Agency
Department for Education
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Our Ref: ESFA/Local Plan/Epping Forest 2017

29th January 2018

Dear Sir/Madam,

Re: Epping Forest District Local Plan

Consultation under Regulation 19 of Town and Country Planning (Local Planning) (England) Regulations 2012

Submission of the Education and Skills Funding Agency

1. The Education and Skills Funding Agency (ESFA) welcomes the opportunity to contribute to the development of planning policy at the local level.
2. The ESFA launched on 1st April 2017, bringing together the existing responsibilities of the Education Funding Agency (EFA) and the Skills Funding Agency (SFA) to create a single funding agency accountable for funding education and training for children, young people and adults. The ESFA are accountable for £61 billion of funding a year for the education and training sector, including support for all state-provided education for 8 million children aged 3 to 16, and 1.6 million young people aged 16 to 19.
3. Under the provisions of the Education Act 2011 and the Academies Act 2010, all new state schools are now academies/free schools and the ESFA is the delivery body for many of these, rather than local education authorities. As such, we aim to work closely with local authority education departments and planning authorities to meet the demand for new school places and new schools. We do this through a variety of means, including by supporting the adoption of sound local plan policies, site allocations and guidance (all based on robust evidence) that facilitate the delivery of education infrastructure where and when it is needed and maximise developer contributions for schools. In this capacity, we would like to offer the following comments in response to the proposals outlined in the above consultation document.

Comments on the Local Plan

4. As you will be aware, the primary focus at this stage of the Local Plan's preparation is on the soundness of the plan, with regard to it being positively prepared, justified, effective and consistent with national policy. The following detailed comments set out the ESFA's view of the plan's soundness in respect of education provision. **The ESFA generally considers the plan to be sound in respect of planning for the provision of education infrastructure, however recommendations have been made to assist the council to more clearly demonstrate that the approach is positively prepared based on a strategy which seeks to meet objectively assessed infrastructure requirements and justified based on proportionate evidence. Recommendations are also provided for minor modifications to improve the clarity of some policies.**
5. The ESFA notes that there are 38 primary schools within Epping Forest District (including five Free Schools and one academy) and 7 secondary schools. Epping

Forest District has agreed to accommodate approximately 11,400 homes over the plan period 2011-2033; growth will be focused in three garden communities around Harlow (Latton Priory, ~1,050 homes; Water Lane Area, ~2,100 homes; East of Harlow, ~750 homes) as well as in existing built up areas (Epping, ~1,305 homes; North Weald Bassett, ~1,050 homes), Loughton, ~1,021 homes, Waltham Abbey, ~858 homes). This will create a demand for new school places.

6. The ESFA therefore supports the Council's allocation and safeguarding of land for new schools as set out in the following policies:
 - Policy SP5 (Latton Priory, Water Lane Area, East of Harlow) – 3x 2FE primary schools and 2x 10ha sites at Latton Priory and East of Harlow for 2x secondary schools (number of FE tbc);
 - Policy P 1 Epping – **the size of school (number of FE) is not stated. This may be appropriate if, due to uncertainty about the final requirement, specification of this figure has been deferred to the IDP (which can be more easily updated). If this is the case, it would be useful if the IDP was signposted in the policy or supporting text.**
 - Policy P 6 North Weald Bassett – **please see comment above which also applies to this site.**
7. These site allocations, and the allocations for expansion of existing schools, are supported by education interventions set out in the Infrastructure Delivery Plan (updated in 2017; this includes information of the size of school site required in each case), which in turn draws on the County Council's latest *Commissioning School Places in Essex 2016-2021* report.
8. The council might want to consider developing a brief Planning for Schools topic/background paper (or an appendix to the IDP), working with the County Council, that sign posts the relevant evidence in the Council's Infrastructure Delivery Plan and the County Council's *Commissioning School Places in Essex 2016-2021* report, and provides further information on the key assumptions behind the projections of need (e.g. the evidence base behind the pupil yield calculations, how demand is staggered over time and the costs used for construction) and the delivery costs. This would help to demonstrate more clearly to the Inspector that the approach to the planning and delivery of education infrastructure has been **positively prepared** based on a strategy which seeks to meet objectively assessed infrastructure requirements; and **justified** based on proportionate evidence.
9. The requirement of Policy SP 2 Spatial Development Strategy 2011-2033 for development proposals *"to demonstrate that they accord with infrastructure requirements established through the Infrastructure Delivery Plan and all other policies of the Plan"* is supported as the IDP is a key evidence base document for infrastructure planning that can be regularly updated. Details of all schools should be included in the IDP, and these should be regularly reviewed to provide clarity to developers and other stakeholders
10. The emphasis of Policy SP4 Development & Delivery of Garden Communities in the Harlow and Gilston Garden Town, Policy SP5 Garden Town Communities, other site specific policies (e.g. P 1 Epping) and Policy D1 Delivery of infrastructure on ensuring infrastructure requirements are delivered in a timely manner and at a rate and scale to meet the needs that arise from the proposed development are strongly supported.
11. The clear explanation in chapter 6 (paragraphs 6.17) and Policy D1 Delivery of Infrastructure of the requirement for developer contributions towards supporting infrastructure and of how viability constraints on the delivery of infrastructure will be

handled (including through the use of viability reviews and 'clawback' clauses) is also welcomed. This provides clarity to developers and other stakeholders and supports the appropriate maximisation of developer contributions to supporting infrastructure, including school places. The supporting text highlighting education as one of the 'essential facilities and services' and signposting Essex County Council's Developers Guide to Infrastructure Contributions (which includes guidance on education contributions) is also supported. This section therefore supports an **effective** local plan with infrastructure requirements that are deliverable over the plan period.

12. The local planning authority should note that there are two routes available for establishing a new school. Firstly, where a local authority thinks a new school needs to be established, section 6A of EIA 2006 places the local authority under a duty to seek proposals from new school proposers (academy trusts) to establish an academy (free school) and to specify a date by which proposals must be submitted to the local authority. In this 'local authority presumption route' the local authority is responsible for finding the site, providing the capital and pre-/post-opening funding and managing the build process. Secondly, an academy trust can apply directly to the Department for Education during an application round or 'wave' to set up a free school. The local authority is less involved in this route but may support groups in pre-opening and/or may provide a site for basic need. For further details please see:
<https://www.gov.uk/government/publications/establishing-a-new-school-free-school-presumption>

Forward Funding

13. In light of the significant housing growth proposed around Harlow (Policy SP5 Garden Town Communities) and the need for three new primary schools and two new secondary schools to support this, emerging ESFA proposals for forward funding schools as part of large residential developments may be relevant if viability becomes an issue (e.g. due to a significant infrastructure cost burden). The ESFA aims to be able to clarify forward funding options for schools in 2018. We would be happy to meet to discuss this opportunity further once the options have been finalised and if/when relevant. Any offer of forward funding would seek to maximise developer contributions to education infrastructure provision while supporting delivery of schools where and when they are needed.
14. The ESFA would be particularly interested in responding to any update to the Infrastructure Delivery Plan or review of infrastructure requirements, which will inform any proposed Community Infrastructure Levy. As such, please add the ESFA to the database for future CIL consultations.

Conclusion

15. I hope the above comments are helpful in finalising the Epping Forest Local Plan, with specific regard to the provision of land for new schools.
16. Please notify the ESFA when the Local Plan is submitted for examination, the Inspector's report is published and the Local Plan is adopted.
17. Please do not hesitate to contact me if you have any queries regarding this response. The ESFA looks forward to continuing to work with Epping Forest District Council to develop a sound Local Plan which will aid in the delivery of new schools.

Yours faithfully,

DC McNab

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Forward Planning Manager

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