



TRAFFORD COUNCIL

Appeal by: Accrue (Forum) 1 LLP

Site Address: Former B&Q Site, Great Stone Road, Stretford, M32 0YP

LPA reference: 100400/OUT/20

PINS reference: APP/Q4245/W/20/3258552

Education Issues

Proof of Evidence of Sarah Butters
On behalf of Trafford Council

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1. Introduction

- 1.1 I have worked in a management role within Education for Trafford Council for a period of 18 years providing me with extensive experience of the local education system and place planning.
- 1.2 I have worked in my current role as Head of School Places and Access for two and half years with strategic responsibility for school organisation, place planning, admissions, school transport and access. I have responsibility for the forecasting models used to plan for future pupils and chair the School Places and Capital Projects Board which reviews school place planning and agrees recommendations to Council Executive.
- 1.3 I hold an honours degree in Accounting and Finance and a post graduate qualification in Leadership and Management.

2. Statutory Responsibilities

- 2.1 Trafford Council has a statutory responsibility to commission sufficient school places for Trafford under the Education Act 1996, amended by the Education and Inspections Act 2006. This duty includes being able to accommodate children who move into the area during an academic year or during their school lives. For reasons I explain below, in Trafford this is a significant element – with significant numbers of children moving into area during the primary or secondary phases of education and thus needing to be accommodated.
- 2.2 Places within Trafford are commissioned in accordance with agreed School Place Provision strategic objectives. Part of this strategy seeks to ensure the impact of housing development is mitigated by education contributions where appropriate and directly linked to the development.

3. Educational Background for Housing Developments

- 3.1 Trafford Schools are amongst the best in the country attracting families into the area, particularly to access the selective secondary education system. The broad range and high standard of schools in Trafford make it a sought after place to live and be educated.
- 3.2 A forecast is made for pupils resulting from housing developments but these places are expected to be funded by the developer and do not attract basic need funding from the Department of Education.
- 3.3 DfE guidance, Securing Developer Contributions for Education November 2019, describes the mechanisms for securing the funding through a Section 106 planning obligation or the Community Infrastructure Levy (CIL). A planning obligation must comply with the following tests set out in the CIL Regulations 2010, requiring it to be:
 - Necessary to make the development acceptable in planning terms
 - Directly related to the development

- Fairly and reasonably related in scale and kind to the development

The CIL Regulations (as amended in September 2019) no longer impose a 'pooling restriction' on the use of planning obligations to fund the same type of infrastructure or infrastructure project, and an infrastructure project may receive funding from both CIL and Section 106.

- 3.4 Appendix 1 - Trafford Educational Background for Housing Developments sets the context for requesting developer contributions.

4. Education Contribution Methodology

- 4.1 Where new housing development creates demand for school places in excess of those available, Trafford Council seek a financial contribution from the developer that is proportionate to impact, in order to mitigate against the effect of any new development to education infrastructure. This is an approach endorsed by Department for Education (DfE).
- 4.2 The education contribution methodology (Appendix 2) is regularly reviewed to reflect latest government guidance relating to the statutory provision of school places and the national planning policy framework. The latest update was in April 2021 to reflect the DfE guidance: 'Securing developer contributions for education' and 'Local authority school places scorecard 2019'.
- 4.3 In the April 2021 update, the only thing in the Trafford methodology which was amended was the cost of provision rate per place applied to the calculated pupil yield. Prior to the update, the DfE Basic Need rate per place was used. In April 2021 this was changed to the rates published in the DfE Local Authority School Places Scorecard 2019. This approach is endorsed by DfE in Securing Developer Contributions for Education, paragraph 15.
- 4.4 For primary places, the updated cost of provision rate is £15,737 which is the average cost per place of a permanent primary school expansion in Trafford based on actual completed projects, adjusted for inflation. Appendix 3, Local Authority School Places Scorecard 2019 – Primary Places.
- 4.5 For secondary places, the updated cost of provision rate is £21,872. There is not enough data for actual completed projects in Trafford for the secondary phase and so the national average cost per place for a permanent secondary school expansion is used, adjusted for the North West region. The national cost of provision rate for a permanent secondary expansion is £23,775, Appendix 3, Local Authority School Places Scorecard 2019 – Secondary Places. The regional weight factor adjustment is 1.086956522, Appendix 4, Local Authority School Places Scorecard 2019 Underlying Data. The formula to adjust for a region is the national average cost divided by the regional weight factor, Appendix 3 Local Authority School Places Scorecard 2019 Technical Notes – Costs Note 5.

$$£23,775 / 1.086956522 = £21,872 \text{ per place}$$

- 4.6 When a planning application is made, the council carry out an education contribution assessment. All residential developments which result in a net increase of 10 or more dwellings are assessed.
- 4.7 New homes with more than one bedroom are counted, including houses and apartments. Trafford is a metropolitan borough of Greater Manchester covering a small geographical area and a council-wide average yield rate of 3 pupils per year group per 100 homes is applied.
- 4.8 The education contribution methodology uses statutory walking distance to identify schools to consider in the surplus capacity assessment. This is the shortest walking route which is safe and available, rather than a straight line radius. This is in line with DfE Home to School Travel and Transport statutory guidance (Appendix 5) paragraph 16 which prescribes statutory walking distances and paragraph 22 which prescribes how they should be measured. It is a standard approach to adopt and is reflected in Trafford All Age Travel Assistance Policy (Appendix 6) Section A paragraph 4.
- 4.9 The permitted operational surplus range is 5% to 10% and this is not counted as available when calculating developer contributions. The minimum operational surplus needed Trafford-wide is 5%, but when considering smaller areas surplus of up to 10% is permitted to ensure the required minimum surplus is retained overall. The permitted surplus is to account for fluctuation in demand, parental choice and to accommodate in-year applications based on cohort growth year on year. The current surplus capacity rates Trafford wide, without taking into account the future impact of any developments, are 4.2% primary and 4.5% secondary and so expansion projects funded by Basic Need are progressing at 3 different schools to address this.
- 4.10 In 2013, the National Audit Office report 'Capital Funding for New School Places' (Appendix 7) paragraph 1.16 refers to the Department for Education adopting a planning assumption where it considered that on average 5% was the bare minimum needed for authorities to meet their statutory duty with operational flexibility, while enabling parents to have some choice of schools. A surplus range was originally adopted in Trafford when DfE guidance issued in June 2009 stated: *'it is reasonable for authorities to aim for between 5 and 10 per cent primary surplus to allow them some opportunity to respond to parental choice.'* (Appendix 7, paragraph 1.17). Current DfE guidance: 'Securing developer contributions for education' highlights the value of local approaches and methodologies including the definition of a minimum surplus capacity to allow for fluctuations in demand and parental choice, not counted as available when calculating developer contributions.
- 4.11 The developer contribution methodology includes a school capacity assessment to identify surplus places and this is carried out annually in January each year by comparing total Published Admission Number (PAN) with Number on Roll (NOR) from the January school census. The last time this was done was January 2020. This is because Government's National Pupil Projections methodology (Appendix 8) highlights a notable decrease in enrolment in primary schools in the 2021 reporting year compared to previous years which are temporary as a result of the pandemic, rather than long-term changes. It advises against using January 2021 school census figures for this reason and the council followed this advice. The calculated surplus is scheduled to be updated as usual once the January 2022 school census figures become available in March 2022.

4.12 This meant in the education contribution assessment calculations for 100400/OUT/20, the calculated surplus was based on the January 2020 Number on Roll (NOR) figures. At the request of the appellant in a meeting on 30 November 2021, the council agreed to revise its surplus capacity assessment using the Number on Roll (NOR) figures from the October 2021 school census. The council always uses the January figures in its methodology as these are seen as the average figures over the school year and reflect additional pupils joining during the autumn term. The change to use the October 2021 figures was agreed due to the exceptional circumstances of the pandemic and to make sure an up to date position was reflected in the calculation. It is noted however that the surplus capacity assessment will be overstated as the January 2022 NOR figures will be higher than the October 2021 figures used.

5. Education Contribution Assessment

Appellant's Statement of Case

12.26. An updated Education and Health Capacity Assessment prepared by WSP was submitted on 15 July 2020, the updated report confirmed that the development was for 333 homes and 568 new residents (rounded up). The primary pupil yield was calculated as 58 to 120 students, depending on the methodology.

12.27. On 3 August a request of £1,233,623 was sought by the Schools Capital Projects Team on the basis that whilst there is capacity in Manchester Schools, Trafford Schools are oversubscribed. The contribution was based on a methodology of 3 pupils per year group per 100 homes:

Primary School Contribution	47 pupil yield	£639,651
Secondary School Contribution	33 pupil yield	£593,972
Total		£1,233,623

12.28 In an email from TMBC dated 29 September, it was confirmed that further information had been sought with regards to education and capacity within the local area, and as such TMBC will seek developer contributions towards primary school provision to a total of £641,973 and no contributions towards secondary school.

- 5.1 Trafford Council has a statutory responsibility to secure sufficient school places in number, character and equipment for everyone who lives in Trafford that applies for a school place. Parental choice drives demand for school places and if a Trafford resident pupil requests a school place in a Trafford school then this need must be met. Parents may choose to access a school place in another area but parental choice is outside of the council's control. Similarly, Trafford Council is unable to secure any surplus capacity in other local authority areas for Trafford residents, or exercise control over what happens to these places in any way.
- 5.2 Overall Trafford is a net importer for school places meaning pupils residing in other areas who access Trafford schools (inbound migration) exceeds pupils resident in Trafford who choose to attend an out of area school (outbound migration).

5.3 The first education contribution assessment for 100400/OUT/20 was carried out on 29 July 2020. The surplus capacity assessment comparing Total PAN with January 2020 NOR indicated the surplus capacity was within the permitted operational surplus of 10%. Therefore a contribution was sought for all pupils in the calculated pupil yield. Trafford Education subsequently identified a rounding error in the pupil yield calculation and corrected this on 14 September 2020, resulting in a minor amendment to the calculated contribution:

Phase	29 Jul 2020			14 Sep 2020			Difference (£)
	Per Place Rate (£)	Pupil Yield	Developer Contribution (£)	Per Place Rate (£)	Pupil Yield	Developer Contribution (£)	
Primary	13,659	46.83	639,651	13,659	47	641,973	2,322
Secondary	17,757	33.45	593,972	17,757	33	585,981	-7,991
			1,233,623			1,227,954	-5,669

5.4 During the course of the application, the cost of provision rate was amended in the contribution methodology, as described above in paragraphs 4.2 to 4.5.

5.5 The education contribution assessment for 100400/OUT/20 was carried again on 27 May 2021 utilising the updated standard methodology (Appendix 9). The surplus capacity assessment did not change and still compared Total PAN with January 2020 NOR, indicating surplus capacity was within the permitted operational surplus. Therefore a contribution was sought for all pupils in the calculated pupil yield using the updated cost of provision rates, resulting in an amendment to the calculated contribution:

Phase	14 Sep 2020			27 May 2021		
	Per Place Rate (£)	Pupil Yield	Developer Contribution (£)	Per Place Rate (£)	Pupil Yield	Developer Contribution (£)
Primary	13,659	47	641,973	15,737	47	739,639
Secondary	17,757	33	585,981	21,872	33	721,776
			1,227,954			1,461,415

5.6 The LPA did not request a secondary school contribution prior to the assessment dated 27 May 2021 but this was a mistake. Every iteration of the education contribution assessment carried out by Trafford Education included a contribution for secondary places and so it was a mistake by the LPA to not include it as the secondary contribution has always been required.

5.7 At a meeting with WSP and Alfredson York Associates on 30 November 2021, due to exceptional circumstances referred to in paragraph 4.12, Trafford Education agreed to utilise the October 2021 census figures when calculating surplus capacity and a revised education contribution assessment was issued dated 30 November 2021 (Appendix 10). The updated surplus capacity calculation remained within the permitted operational surplus. Therefore a contribution was sought for all pupils in the calculated pupil yield and the amount of the requested contribution remained unchanged:

Phase	27 May 2021			30 Nov 2021		
	Per Place Rate (£)	Pupil Yield	Developer Contribution (£)	Per Place Rate (£)	Pupil Yield	Developer Contribution (£)

Primary	15,737	47	739,639	15,737	47	739,639
Secondary	21,872	33	721,776	21,872	33	721,776
			1,461,415			1,461,415

- 5.8 At this time, an error was identified within the list showing where surplus places had already been allocated to other developments and so this was also updated on the revised calculation dated 30 November 2021 (Appendix 10).
- 5.9 For primary, the Trafford Education assessment methodology calculates 344 surplus places which is 8.1%. After discounting 219 surplus places allocated to other developments where no CIL or Section 106 funding has been secured, the number reduces to 125 surplus places which is 2.9%. These places are to be retained as operational surplus.
- 5.10 For secondary, the Trafford Education assessment methodology calculates 463 surplus places which is 15.5%. After discounting 288 surplus places allocated to other developments where no CIL or Section 106 funding has been secured, the number reduces to 175 surplus places which is 5.9%. These places are to be retained as operational surplus.

6. Pupil Yield

Appellant Statement of Case

12.26. An updated Education and Health Capacity Assessment prepared by WSP was submitted on 15 July 2020, the updated report confirmed that the development was for 333 homes and 568 new residents (rounded up). The primary pupil yield was calculated as 58 to 120 students, depending on the methodology.

- 6.1 The education contribution assessment applies a council-wide pupil yield rate of 3 pupils per year group per 100 homes for both primary and secondary phases of education. This is based on a detailed piece of research carried out in 2014, using data extracted from the Census 2011.
- 6.2 The average yield rate is checked regularly to ensure it remains appropriate by looking at the admissions data for Trafford resident pupils who apply for a place in the usual year of entry, i.e. YR or Y7. As this check is based on applicants for state-funded school places, it does not need to be further adjusted to take account of the pupils who access a place in the independent sector or those accessing specialist provision. The yield rates were last checked in 2019 which resulted in the following:

Planning Area	Primary	Secondary	Overall
Altrincham	3.0370	4.1207	3.5789
Partington	3.5260	4.5408	4.0334
Sale East	2.8131	3.1893	3.0012
Sale West	2.9183	3.1893	3.0538
Stretford	2.9436	3.6235	3.2835

Urmston	2.5020	2.8395	2.6708
Trafford Average	2.9567	3.5838	3.2703

Consideration was given to increasing the secondary pupil yield to 3.5 but after careful consideration it was decided to retain the council-wide average pupil yield of 3 pupils per year group per 100 homes. A further piece of detailed research is scheduled once national ONS Census 2021 data becomes available.

- 6.3 Based on this yield, the following rates are applied to new 2+ bed units on each development:
- Primary = 3 pupils per year group per 100 homes (7 year groups) = 21%
 - Secondary = 3 pupils per year group per 100 homes (5 year groups) = 15%
- 6.4 The council-wide pupil yield rate used in the education contribution methodology calculates the yield for 100400/OUT/20 to be 47 pupils for primary and 33 pupils for secondary.
- 6.5 The Education and Health Capacity Assessment prepared by WSP Indigo calculated pupil yields based on two different methodologies, both of which generate more pupils than the current methodology used by the council. If either of these scenarios were utilised in the calculation instead it would result in an increased developer contribution:

Pupil Yield Calculations						
Phase	Trafford Current Education Contribution Methodology		Scenario 1 – Regeneris Consulting (for Carrington Development)		Scenario 2 – Trafford Former Pupil Yield (SDP1 Planning Obligations 2012)	
	%	No.	%	No.	%	No.
Primary	21%	47	54%	120	24%	58
Secondary	15%	33	n/a	n/a	28%	42

- 6.6 Following a meeting on 30/11/21, Alfredson York Associates sent a file by email which included an alternate pupil generation model which differentiated the yield by type of property and number of bedrooms. This alternate model yielded 32 primary and 14 secondary pupils. This is the third alternate pupil yield approach referred to by the appellant. Importantly it is not the council's established calculation methodology which is used consistently in every education contribution assessment and which has successfully secured s106 contributions from other developments in Trafford.
- 6.7 There is emerging evidence in Trafford that the pupil yield in apartment blocks close to popular schools is higher than the rate currently deployed and further research is planned for 2022.
- 6.8 The former B&Q site is within close proximity to two popular Trafford primary schools:
- **Kings Road Primary School (0.5 mile)**
In 2020, 168 applications for 90 places
In 2021, 183 applications for 90 places
 - **Seymour Park Primary School (1.0 mile)**
In 2020, 204 applications for 84 places

In 2021, 237 applications for 84 places

- 6.9 One particularly high example of pupil yield for apartments in this area is 37 Seymour Grove, a 40 unit apartment block with a mixture of studio, 1 bed and 2 bed apartments, situated 1.0 miles from the former B&Q site. When considering a 4 year average, the average pupil yield is 104% for primary (compared to the current Trafford rate of 21%) and 21% for secondary (compared to the current Trafford rate of 15%). The breakdown is as follows:

School year	2018/19		2019/20		2020/21		2021/22		4 Year Average	
School census	Jan-19		Jan-20		May-21		Oct-21			
	No.	Yield	No.	Yield	No.	Yield	No.	Yield	No.	Yield
Primary pupils	27	135%	19	95%	19	95%	18	90%	21	104%
Secondary pupils	2	10%	4	20%	4	20%	7	35%	4	21%

- 6.10 Another example of pupil yield for apartments in Trafford is Acre House in Sale which is 2.9 miles from the former B&Q site, a development of 40x 1 bed and 40x 2 bed apartments. When considering a 4 year average, the average pupil yield is 67% for primary (compared to the current Trafford rate of 21%) and 28% for secondary (compared to the current Trafford rate of 15%). The breakdown is as follows:

School year	2018/19		2019/20		2020/21		2021/22		4 Year Average	
School census	Jan-19		Jan-20		May-21		Oct-21			
	No.	Yield	No.	Yield	No.	Yield	No.	Yield	No.	Yield
Primary pupils	24	60%	19	48%	23	58%	41	103%	27	67%
Secondary pupils	8	20%	10	25%	15	38%	11	28%	11	28%

- 6.11 A recent sample study of 10 apartment developments across Trafford totalling 421 units, 291 of which were 2+ bedrooms, indicated an average primary yield of 37% (compared to current Trafford rate of 21%) and 11% for secondary (compared to 15% current Trafford rate). This emerging evidence indicates differing yields from apartments for primary and secondary but the overall average from this sample study is a 48% combined yield rate across the primary and secondary age range, which is 4 pupils per year group per 100 homes. If the sample developments in the Stretford planning area are isolated within this study, the yield is 3 pupils per year group per 100 homes which is the average rate currently used.

- 6.12 A small study of the 2021 YR intake for a sample of apartments in the Stretford planning area including Park Rise, 37 Seymour Grove, Glaze Brook, New Belvedere, 1001 Chester Road, Metropolitan House, Kinetic and Novus indicated a yield of 4.7 pupils per 100 homes. This is based on where families were living in April 2021.

- 6.13 A detailed research project into pupil yield rates is scheduled for 2022 once the national ONS Census 2021 data becomes available.

7. Response to Alfredson York Associates (AYA) Education Impact Statement (EIS)

Appellant Statement of Case

12.30. As set out at **Exhibit 5**, work by Alfredson York ascertains the level of contribution required. The submitted Education Impact Assessment concludes that the contribution requested has not been sufficiently justified and therefore fails the tests set out in the CIL regulations. The report concludes that a contribution of £641,937 education is not necessary to make the development acceptable in planning terms nor related fairly and reasonably related in scale and kind to the development. The appellant therefore proposes no contribution toward primary education.

- 7.1 The full response to AYA EIS dated 11 November 2020 can be found in Appendix 11.
- 7.2 All the council figures quoted in section 7 relate to the surplus capacity assessment at the time the council responded to the AYA EIS which was based on January 2020 NOR. This is important to highlight the errors, miscalculations and incorrect assumptions made in the AYA EIS. As described in paragraph 5.7, the council calculation has subsequently been updated to reflect the October 2021 NOR figures and so the surplus figures in the most recent calculation have changed and are highlighted in paragraphs 5.9 and 5.10.

AYA EIS Local Primary Schools – Current Baseline

- 7.3 The AYA EIS 3.5.1 table includes all primary schools within a 2 mile straight line distance of the former B&Q site, a total of 15 primary schools. The education contribution methodology uses 2 miles statutory walking distance rather than a straight line radius, in line with DfE Home to School Travel and Transport statutory guidance (Appendix 5) and Trafford All Age Travel Assistance Policy (Appendix 6). A total of 13 primary schools are considered in the council's calculation. The two schools included in the AYA EIS calculation but excluded from the council calculation are St Hugh of Lincoln RC Primary School and Barton Clough Primary School.
- 7.4 The AYA EIS 3.5.1 table shows the net capacity figure for each of the 15 schools listed. The net capacity figure is incorrect for 12 of the 15 schools when compared to Net Capacity 2019 submitted to the DfE by Trafford Education. The total of the 15 quoted net capacity figures is also incorrect, it does not equal the total of the numbers quoted in the column. The AYA total is 4,995 but the total of the figures quoted is actually 4,985 so it is overstated by 10.
- 7.5 The AYA EIS 3.5.1 table shows the PAN figure in brackets for each school. Each of the PAN figures is correct but the total of the PANs is incorrect as it states 729 when the total of the PAN numbers quoted in the table is actually 804, so it is understated by 75 places.
- 7.6 The AYA EIS 3.5.1 table shows the Number on Roll (NOR) figure for each school. The NOR figure is incorrect for 1 of the 15 schools when compared to the January 2020 school census. The total of the 15 quoted NOR figures is also incorrect, it does not equal the total of the numbers quoted in the column. The AYA total is

4,990 but the total of the figures quoted is actually 4,563 so it is overstated by 427.

- 7.7 AYA compare the Number on Roll (NOR) with Net Capacity to calculate surplus places but this is not the approach used by the council. The Net Capacity is a calculation of the number of children that a school can reasonably be expected to accommodate using the DfE Net Capacity Assessment Method. However schools tend to operate with classes of 30. The Net Capacity figure is often not a multiple of 30. It also does not take into account that some older schools may have small classrooms when compared to current recommended sizes which results in their Net Capacity being less than the number of pupils they actually take based on their PAN. Therefore the AYA approach for calculating surplus places is incorrect.
- 7.8 Trafford Education compare Number on Roll (NOR) with Total Published Admission Number (PAN) which provides an accurate calculation of surplus places. Total PAN is based on the admission number which schools have formally determined within their admission arrangements and therefore can be viewed as the maximum capacity. A school must follow a statutory process to make a change to its PAN.
- 7.9 Of the 15 schools listed in the AYA EIS Primary School table, 8 have the same figure for Net Capacity as Total PAN. For the other 7 schools, the Total PAN figure is higher than the Net Capacity. This means if the AYA methodology of comparing Net Capacity with NOR was correctly calculated, surplus capacity would be understated.
- 7.10 AYA concludes the surplus place rate for primary when comparing Net Capacity with NOR is 9.93%. This is incorrect as it includes 2 schools which are further than statutory walking distance, 12 incorrect Net Capacity figures, 1 incorrect NOR figure and it does not take into account surplus places which have been allocated to other developments.
- 7.11 To illustrate the impact of the inaccuracies within the AYA EIS, using the AYA method of comparing Net Capacity with NOR:
- Kings Road Primary School surplus is overstated by 114 places
 - Moss Park Infant School surplus is overstated by 54 places
 - Victoria Park Infant School surplus is overstated by 52 places
 - St Matthews CE Primary School surplus is overstated by 25 places
 - St Teresa's RC Primary School surplus is understated by 10 places
 - St Alphonsus RC Primary School surplus is understated by 10 places
 - St Ann's RC Primary School surplus is overstated by 43 places
 - Old Trafford Community Academy surplus is overstated by 30 places
 - St Hilda's CE Primary School surplus is overstated by 26 places
- 7.12 The total surplus places calculated for the 15 schools by AYA is 496. The correct number of surplus places comparing Net Capacity with NOR for the 15 schools is 172. This reduces to 143 when the two schools outside statutory walking distance are removed. The correct total of the Net Capacity figures is 4,045 and not the 4,995 calculated by AYA. This means the correct surplus place rate when

comparing Net Capacity with NOR is 143 divided by 4,045 which is 3.54%. This is significantly different to the 9.93% quoted by AYA.

7.13 AYA EIS paragraph 3.5.5 states that there is a different number of places available across the schools if the PAN figures are used to calculate this instead of net capacity. AYA state the total of the PANs is 729 and this is multiplied by 7 year groups to get a total of 5,103 places. This is incorrect for a two reasons. Firstly, the total of the PANs is actually 804. Secondly, it is not correct to multiply this number by 7 year groups as the list of schools includes 2 infant schools which only have 3 year groups and 2 junior schools which only have 4 year groups. So total PAN must be calculated for each individual school and then added together. The correct number of available places based on total PAN is 4,788 for the 15 schools in the AYA list. This is reduced to 4,263 when the two schools outside of statutory walking distance are removed. This is significantly different to the 5,103 quoted by AYA.

7.14 Using the correct methodology to calculate surplus places which is to compare Total PAN to NOR, there were 233 surplus places. This can be divided by 4,263 total PAN to give a surplus place rate of 5.47% in January 2020.

AYA EIS Primary Admissions

7.15 The AYA EIS considers reception year allocation figures from September 2020 in Table 3.6.2 for a total of 13 schools. This list is different to the 15 schools included in the capacity assessment because 2 of these schools are junior schools which do not have a reception intake. The AYA list incorrectly includes 2 schools which are outside of statutory walking distance. In the total line for both the PAN and the YR allocation, AYA incorrectly add up the items listed in the column above. Total PAN is overstated by 45 and YR allocation is overstated by 45. The AYA totals and the correct totals are as follows:

Total for 13 Schools per AYA list	PAN	Year R Allocation	Available Places
AYA Stated Total	729	637	92
Actual Total of AYA figures	684	592	92

7.16 The AYA table incorrectly includes 2 schools outside of statutory walking distance. When these schools are removed, the correct totals are as follows:

Total for 11 Schools per council calculation	PAN	Year R Allocation	Available Places
Actual Total (with 2 schools removed)	609	518	91

7.17 AYA quote the YR vacancy rate as 12.62% when the correct figure, with the 2 schools outside of statutory walking distance removed, is 14.94%.

7.18 It is not appropriate to only consider the reception year intake as places must also be available to meet the demand for places from in-year applications. Trafford operate a co-ordinated in-year admissions system for the primary phase

and receive 990 in-year primary applications on average each year. This means vacancies must be available not just in the reception year, but across all school year groups.

- 7.19 Considering a 3 year average, these in-year applications for primary places result in 877 pupil placements each year. Of these, 637 (73%) are newly resident in Trafford. For secondary places, the 3 year average for in-year applications is 297 pupil placements each year. Of these, 203 (68%) are newly resident in Trafford.
- 7.20 To illustrate the impact of this, the cohort which entered reception year in September 2014 increased in size by 4% by the time it became a Year 6 cohort in September 2020.
- 7.21 Trafford has experienced a recent unprecedented surge of in-year applications with more than double the usual amount received in a 12-week period between 3 May and 15 July 2021, 69% of which were from families newly resident in Trafford. Without an operational surplus it would not have been possible to provide places for these new arrivals and the council would have failed to discharge its statutory duty. The places allocated in response to this surge are accounted for in the most recent surplus capacity calculation which is based on the NOR from the October 2021 school census.

Birth Rates

- 7.22 AYA refer to birth rates in the Gorse Hill and Longford wards in table 3.7.3, showing a fall since 2014/15. Importantly, live births do not take into account migration patterns prior to starting school. Trafford Council's well established methodology for the School Capacity Survey (SCAP) utilises GP registration data rather than live birth data as the basis to forecast future pupil numbers. In Trafford, we see migration into our area in the years between a child being born and them starting in reception class at age 4 so they can access our high performing schools. See Appendix 12 – Trafford Pupil Forecast Methodology.

AYA EIS Secondary Schools – Current Baseline

- 7.23 The AYA EIS includes all Secondary Schools within a 3 mile straight line distance of the site. There are 7 secondary schools included in the AYA list. The Education Contribution Methodology uses statutory walking distance rather than a straight line radius. A total of 4 secondary schools are considered in the council's calculation. The three schools included in the AYA EIS calculation but excluded from the council calculation are Sale High School, Urmston Grammar Academy and Sale Grammar School.
- 7.24 Although St Anthony's RC School is included in the AYA list, there are no figures in the table for Number on Roll (NOR) or for surplus places. Therefore although this school is in the list, it is actually excluded from the AYA surplus calculation. This school is included in the council calculation as it is within statutory walking distance of 3 miles.
- 7.25 In the secondary school table 3.8.1 AYA Net Capacity has been shown to include sixth form places. This is misleading as there are sufficient surplus places in the

sixth form sector and so the education assessment calculation is only requesting developer contributions for secondary places in school years 7 to 11 (age 11-16). Therefore it is incorrect in principle to conflate secondary capacity with sixth form capacity.

- 7.26 In the AYA table, 6 of the 7 net capacity figures used are incorrect, even before the adjustment is made to exclude the sixth form capacity.
- 7.27 AYA concludes there are 661 surplus places and the surplus place rate when comparing Net Capacity with NOR is 11.49%. This is incorrect because it includes sixth form places, it includes 3 schools outside of statutory walking distance and excludes 1 school within statutory walking distance and it does not account for surplus places which have been allocated to other developments.
- 7.28 As explained previously, AYA incorrectly calculate surplus places by comparing Net Capacity with NOR whereas the established methodology used by the council compares total PAN with NOR. For the 4 schools in statutory walking distance, the total surplus places is 527 and the surplus place rate was 17.68% at January 2020. Once surplus places that have already been allocated to other developments are taken into account, it was within the permitted 10% operational surplus.

8. Community Infrastructure Levy (CIL) Test

- 8.1 Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 impose a limitation on the use of planning obligations and provides that a planning obligation may only constitute a reason for granting planning permission if the obligation is:
- **necessary to make the development acceptable in planning terms**
- 8.2 If there is not sufficient infrastructure to support the impact of the housing development, then the development is considered unsustainable. The education contribution assessment assesses the impact on school places and whether the existing education infrastructure in the area can support the impact of the development. If not, then the council will object to the development unless a contribution is made to allow additional education places to be provided. The contribution is necessary to make the development acceptable when it would otherwise not be.
- **directly related to the development**
- 8.3 The education contribution assessment considers only the education provision within 2 miles walking distance (primary) or 3 miles walking distance (secondary) of the centre of the development.
- 8.4 The bedroom mix of dwellings on the site is requested from the developer and the pupil yield factor is applied to those dwellings resulting in a pupil yield for the development. This number of pupils is compared with the number of vacant places at the schools within the prescribed walking distance, after taking into account the operational surplus, to understand whether they can be accommodated.

- **fairly and reasonably related in scale and kind to the development**

8.5 The amount of education contribution requested is directly linked to the number and type of dwellings on the development as provided by developer. The contributions are to provide additional school places to accommodate those pupils from the development at a school local to the development when there are not adequate spare spaces within statutory walking distance.

9. SCAP Forecasts

9.1 Trafford Council's place planning forecasts have been established for over ten years. Whilst there have been refinements over this time, the principle method of forecasting is unchanged. The Department for Education (DfE) do not publish a forecast methodology and request that local authorities develop their own robust methods to meet DfE criteria.

9.2 The forecast methodology by which the school planning forecasts are constructed is submitted annually to the Department for Education (DfE) for review as part of the statutory SCAP return. Trafford Education has regular meetings with DfE colleagues and Greater Manchester School Place Planning and our approach has never been challenged.

9.3 DfE Local authority school places scorecard 2019 indicates the accuracy of pupil forecasts for one year ahead and three years ahead. Trafford Council is a particularly high performer:

Year	Primary				Secondary			
	Trafford		England		Trafford		England	
	1 Year	3 Year	1 Year	3 Year	1 Year	3 Year	1 Year	3 Year
2019	-0.1%	1.3%	1.0%	2.7%	-0.9%	-0.9%	1.4%	3.2%
2018	-0.2%	-1.4%	1.1%	2.1%	-1.3%	-2.5%	1.5%	2.6%

9.4 These are the aggregated pupil forecasts for the 13 primary schools within statutory walking distance of the B&Q site:

Academic Year	Primary Forecasts							
	R	1	2	3	4	5	6	Total
2021/22	514	530	532	582	549	606	612	3,927
2022/23	576	551	567	569	619	586	643	4,112
2023/24	537	576	552	568	569	619	586	4,008
2024/25	537	538	577	552	568	570	620	3,961
2025/26	540	537	538	577	552	569	570	3,884

9.5 The current actual numbers on roll in the October 2021 census are 3,942 which is 15 more than the 3,927 predicted in the SCAP 2021 pupil forecasts. The number of pupils forecast to be on roll in each of the next 3 years is higher than the current level which means surplus capacity in existing schools will not

increase. For 2025/26, the furthest projection into the future, the forecast pupil numbers are 3,884 which is 58 less than are currently on roll. If these 58 places do become unoccupied the surplus would increase but remain within the permitted operational surplus.

- 9.6 These are the aggregated pupil forecasts for the 4 secondary schools within statutory walking distance of the B&Q site:

Academic Year	Secondary Forecasts					
	7	8	9	10	11	Total
2021/22	548	554	538	544	525	2,710
2022/23	570	548	554	538	544	2,754
2023/24	562	570	549	554	539	2,773
2024/25	521	562	570	549	554	2,757
2025/26	535	522	562	571	549	2,739
2026/27	507	535	522	562	571	2,696
2027/28	493	507	535	522	562	2,619

- 9.7 The current actual number on roll in these secondary schools in the October 2021 census is 2,643 which is 67 less than the 2,710 predicted in the SCAP 2021 pupil forecasts. The number of pupils forecast to be on roll in each of the next 4 years is higher than the current level which means surplus capacity in existing schools will not increase. For 2027/28, the furthest projections into the future, the forecast pupil numbers are 2,619 which is 24 less than are currently on roll. If these 24 places do become unoccupied the surplus would increase but remain within the permitted operational surplus.

10. Conclusion

- 10.1 The education contribution calculation follows an established methodology and clearly indicates there is no available surplus capacity in either the primary or secondary sector to be attributed to this development, meaning a contribution for all pupils yielded will be required to mitigate against the impact on education infrastructure.
- 10.2 All education contributions are based on an assessment of probability and averages, recognising that the precise mix of age groups and school choices cannot be known before a development is built. The council-wide pupil yield factor which is tested regularly continues to accurately reflect yield and has been used consistently in all calculations including where contributions have been secured.
- 10.3 The CIL tests are met, the requested contribution is necessary to mitigate against the impact on education infrastructure and it is directly related to the development, considering the type and number of dwellings as provided by the developer and considering schools within statutory walking distance of the site.