

**COTON PARK EAST (Phase C)  
LAND ALLOCATIONS FOR SCHOOLS AND EARLY YEARS EDUCATION**

Prepared by:

**Educational Facilities Management Partnership Ltd (EFM)**

On behalf of:

**A C Lloyd Group (“Developer”)**

And

**Infrastructure and Regeneration  
Warwickshire County Council (“WCC”)**

In relation to:

**Coton Park East site allocation under Policy DS3 in the Rugby Borough Council Submission Local Plan, 2017**

WCC anticipate a shortfall in secondary school places in the period 2018/19 – 2030/31 which is prior to the secondary schools at Houlton and South West Rugby being completed.

The preferred method for accommodating the shortfall is through expansion of the existing secondary school(s). However, all of the existing secondary schools are either academies (and outside of the control of WCC) or in one case a Foundation School (which is its own admissions authority). Thus, expansions have to be negotiated.

As a fall-back position, WCC has agreed with ACLloyd (Coton Park East) that 7.3ha of land allocated for housing can be identified for a 12-24 month period that WCC could acquire for a new school (an all-through school in combination with the land identified for a primary school) if WCC fails to secure capacity at existing school(s).

The terms are all as agreed between WCC and South West Rugby (and Lodge Farm) for the cost of land and provision of school places so as to provide equity across the Borough.

The Parties agree that during that 12 month window, a private contract between the Parties to acquire the land would need to be agreed. The Parties further agree that the terms would be land compensation terms as agreed and set out in the South West Rugby Statement of Common Ground under the sub-heading **Funding education provision** together with the planning obligations towards education to be set out in a section 106 agreement, too, as set out in that section of the South West Rugby Statement of Common Ground.

**Funding education provision** (from the SWR SoCG)

The funding of education infrastructure provision ~~across the SWR site to serve the pupil demand generated from the SWR allocation itself~~ will be met by <the Applicant> having to make a financial contribution based on the mechanism below, which provides a cost per dwelling based on whether or not the applicant has/ has not provided land upon which new school infrastructure is proposed to be located. Existing planning permissions are to remain outside of this arrangement.

The new schools will be delivered in line with Government policy. This currently requires all new schools to be Free Schools and Warwickshire County Council will work with colleagues from the Education Skills Funding Agency and the Regional Schools Commissioner to identify Academy Sponsors and the most appropriate mechanism for delivery of the new schools.

An education contribution cost per dwelling calculated as follows:

A=	Education contribution cost per dwelling						
B=	Adjusted education cost per dwelling						
C=	Total school capital cost (excludes land costs <del>and Lodge Farm</del> )						
D=	Total number of dwellings (site capacity as per illustrative masterplan)						
E=	Development land value <Land Value + Development Profit> per hectare (school sites)						
F=	Total development land value <Land Value + Development Profit> (school sites)						
G=	Area of applicants' land provided for school site(s) (Ha)						
H=	Number of dwellings on application site (Mechanisms #2 ONLY)						

Based on the applicants specific circumstance, the **cost per dwelling** is then calculated based on one of the following mechanisms

Mechanism	Scenario	Formula
#1	Where no land for education is provided by the applicant	$A = \left\{ \frac{(C+F)}{D} \right\}$
#2	Where land for education is provided by the applicant	$B = \left\{ \frac{(C+F)}{D} \right\} - \text{[capital cost [A x H] - land value [E x G]}$ H

Under mechanism #2, where the final value results in a negative figure Warwickshire County Council will reimburse the applicant to the same value with monies secured, as appropriate, via s106 Agreements attributable to other applicants <and its own resources where indicated>. at ~~SW Rugby and also the proposed allocation at Lodge Farm~~. It is, however, the responsibility of the developer to provide free that portion of land which relates to the education infrastructure requirements arising from its own development.

In terms of land valuation for school sites, the Development Value or material consideration is equity <both land value and development profit> and not solely land value per se. That is, a ~~Consortium Member~~ gifting land for a school (or part thereof) gives up the opportunity to place housing on that land. Equally, a ~~Consortium Member~~ not giving land for a school (or part thereof) gains by being able to develop all developable land for housing. It is agreed that provided that this is the primary consideration, in the event of any disagreement between ~~Consortium Members~~ <the Parties>, the <RICS Chartered Valuation Surveyor or> District Valuer or any other mutually agreed expert will arbitrate.

**In Addition**

The Parties agree that in the event that a new secondary school is located at Coton Park East and is operational, prior to the infrastructure to access and service it has been provided for the housing development, the costs associated with making the school operational fall to WCC.

Warwickshire County Council

Educational Facilities Management Partnership Ltd

25<sup>th</sup> April 2018