

DERBYSHIRE COUNTY COUNCIL

CABINET

5 AUGUST 2014

Report of the Strategic Director for Children & Younger Adults

The Ecclesbourne School - Section 106 Funding – (Children & Young People)

- 1 Purpose of Report** To approve the allocation of Section 106 funding from two housing developments in the Duffield area to The Ecclesbourne School.
- 2 Information and Analysis**
 - 2.1 A Section 106 agreement has been negotiated in respect of a development by Miller Homes on land at Radbourne Lane, Mackworth (AVA/2009/0359) which is within the normal area of The Ecclesbourne School. The Section 106 Agreement signed in May 2010 allows for £1,500,000 (plus interest) to be paid when the Development commences on site, a further £711,722.40 (plus interest) to be paid when 50% of the dwellings are occupied, and the balance (plus interest and dependent upon the final size of the development) to be paid when 95% of the dwellings are occupied (the final figure is not yet known but will be determined by the agreement and will be based on the final number of houses built). In addition to these amounts there is separate provision for primary school places (the final figure is not yet known but will be determined by the agreement and will be based on the final number of houses built) .
 - 2.2 The housing development of up to a maximum of 500 dwellings would yield 75 secondary and 30 post-16 students potentially for whom places would be needed at The Ecclesbourne School.
 - 2.3 A first payment with respect to secondary provision of £1,699,910.51 was received by the Authority on 19 June 2014.

- 2.4 In addition, a Section 106 Agreement was negotiated in respect of a development at Cumberhills Farm (AVA/2002/1397), a development by Radleigh Homes of twenty dwellings within the normal area of The Ecclesbourne School. The Local Authority has received a payment of £51,801.60 (including interest) from the developer.
- 2.5 The Ecclesbourne School has designed a building programme in a phased plan which will improve facilities and ensure there are sufficient and appropriate places for pupils. The Academy has started the works on site, completing the Sports Hall and the Languages block to date for which the funds from these S106 agreements is needed.

3 Financial Considerations

The Academy has a costed programme of building works for the development of their site, funded through their own resources, together with the S106 education contributions agreed with Miller Homes and Radleigh Homes. There is no financial commitment from the Local Authority.

4 Legal Considerations

Local Authorities have a duty to ensure sufficiency of school places and to work with Academies to ensure these places are delivered. The S106 Agreements name The Ecclesbourne School as the recipient of the education contribution for secondary and post-16 places.

5 Other Considerations

In preparing this report the relevance of the following factors has been considered – prevention of crime & disorder, equality of opportunity, health, environmental, property and transport considerations.

6 Background Papers A file in the CAYA Development Team.

7 Key Decision No

8 Call-in Is it required that call-in be waived in respect of the decisions being proposed within this report? No

9 Strategic Director's Recommendation That Cabinet:

- 9.1 Agrees that Section 106 funding of £1,699,910.51 from the development at Radbourne Lane, Mackworth by Miller Homes be transferred to The Ecclesbourne School for the capital

programme to address both sufficiency and suitability of accommodation, on site currently;

- 9.2 Agrees that S106 funding of £51,801.60 from the development at Cumberhills Farm, Duffield by Radleigh Homes be transferred to The Ecclesbourne School to address both sufficiency and suitability of accommodation;
- 9.3 notes that there will be further reports on the transfer of S106 funds when received for the next stages of the building programme at The Ecclesbourne School.

Ian Thomas
Strategic Director for Children & Younger Adults