

## CYPE CABINET COMMITTEE REPORT

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**From:** Christine McInnes, Corporate Director of Children, Young People and Education

**Beverley Fordham, Cabinet Member for Education and Skills**

**To:** Children's, Young People and Education Cabinet Committee –  
18 November 2025

**Subject:** Proposal to permanently increase the formal designated number of Broomhill Bank School, Broomhill Road, Royal Tunbridge Wells, Tunbridge Wells, TN3 0TB, from 318 students to 490 students

**Decision no:** 25/00087

**Key Decision:** It affects more than 2 Electoral Divisions and Expenditure of over £1m

**Classification:** Unrestricted

**Past Pathway of report:** N/A

**Future Pathway of report:** Cabinet Member Decision

**Electoral Division:** Swanley, served by Dean Truder and Tunbridge Wells West, served by John Moreland

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**Is the decision eligible for call-in?** Yes

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### **Summary:**

This report sets out the proposal to permanently increase the formal designated number of Broomhill Bank School from 318 students to 490 students, facilitated through capital investment on both school sites.

### **Recommendation(s):**

The Children's, Young People and Education Cabinet Committee is asked to **CONSIDER** and **ENDORSE** or make recommendations to the Cabinet Member for Education and Skills on the proposed decision as set out in the attached PROD.

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## **1. Introduction**

- 1.1 Kent County Council (KCC) as the Local Authority, has a statutory duty to ensure sufficient high quality school places are available, in the right places for

all learners, while at the same time fulfilling our other responsibilities to raise education standards and promote parental preference. The County Council's Commissioning Plan for Education Provision in Kent 2025-2029 is a five-year rolling plan which is updated annually. It sets out KCC's future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent.

- 1.2 The Kent Commissioning Plan 2025-2029 indicated that there will be a shortfall in Special School provision in North and West Kent. Even though KCC's direction of travel is to increase Special Educational Needs (SEN) provision in mainstream schools and associated Specialist Resource Provisions (SRPs), due to already identified shortfalls and anticipated population growth in certain areas of North and West Kent, more specialist provision is required for children and young people with more complex needs.
- 1.3 KCC SEN Data for North Kent as at April 2025, evidenced that there were 237 children and young people waiting for a Special School placement, and 243 open cases, of which was anticipated that a large number would require a Special School placement. For West Kent as at April 2025, there were 201 children and young people awaiting a Special School placement, with 207 open cases.
- 1.4 In July 2023 KCC was informed that it had been successful in bidding for a new 250 place Profound, Severe, and Complex Needs (PSCN) Special School in North Kent (Swanley). The school had an initial target opening date of September 2026 and was to be funded and built by the Department for Education (DfE). However, for a number of reasons progress has been incredibly slow and there are now concerns that the school may not progress any further. Even if it were to continue, that school would not be built until 2028 at the very earliest and as the data shows, provision is required now. KCC Officers and the Cabinet Member for Education and Skills continue to push the DfE and Ministers for confirmation of the status of the proposed new Swanley Special School.

## **2. Key Considerations**

- 2.1 The proposal to permanently increase the formal designated number of the Broomhill Bank School from 318 students to 490 students, will require new teaching spaces and enhancements to existing infrastructure on both school sites in Tunbridge Wells and Hextable. The building projects for this expansion will be managed by Broomhill Bank School, while KCC Infrastructure will oversee the scheme from a quality assurance perspective.
- 2.2 If no further action is taken in the longer term, KCC will find it extremely difficult to provide sufficient state-funded Special School provision in North and West Kent.
- 2.3 Any works undertaken by Broomhill Bank School are to be overseen by KCC Infrastructure with all costs validated at every stage by the appointed experienced KCC Project Manager.

- 2.4 This report sets out the proposals for consideration by CYPE Cabinet Committee, to inform the decision to proceed with the next stage of detailed feasibility and plans, ahead of the final proposed decision being recommended to the Cabinet Member.
- 2.5 The decision itself, will only be taken when the planning process has progressed to a stage where KCC Officers feel they have greater certainty of the overall scheme cost.

### **3. Background**

- 3.1 Broomhill Bank School is a Foundation Special School and a member of Kent Special Educational Needs Trust (KsENT), catering for students aged 11-19 years who have communication and interaction needs associated with Autism and speech, language and communication needs.
- 3.2 All students have Education, Health and Care Plans.
- 3.3 Following an inspection that took place in October 2023, Ofsted deemed Broomhill Bank School to be a 'GOOD' school.
- 3.4 A significant proportion of the proposed increase relates to the North (Hextable) site of Broomhill Bank School. North Kent is still encountering significant growth primarily in Dartford, but the other two districts of Gravesham and Sevenoaks are fast approaching completion of their new Local Plans, which will see significant housebuilding required for the period up to 2040 and beyond.
- 3.5 There will be a smaller increase in students on the West Kent site to facilitate the Executive Headteacher's commitment to continue to admit children and young people with a wider dimension of need.
- 3.6 Due to delays regarding the proposed new PSCN School, the numbers of students in North Kent still requiring specialist provision at this time, and the fact that all Special Schools in the locality are already over capacity; this is unsustainable in the short and medium term, and if not addressed will lead to further places in the independent sector. There is a clear need for further expansion of state-funded specialist provision, where appropriate, to secure the current number of places on a permanent basis alongside the expansion of SRPs and mainstream inclusion.
- 3.7 Broomhill Bank School is already admitting students over and above the designated number, and this proposal to permanently increase the formal designated number of the school from 318 students to 490 students, requires the provision of new teaching and ancillary spaces along with modifications and enhancements to existing infrastructure on both school sites. The majority of the work will focus on the Hextable site with the main proposal being the introduction of new teaching accommodation with capacity for 105 students.
- 3.8 The Executive Headteacher of Broomhill Bank School continues to admit students with a wider dimension of need, a practice that began three years ago and commits to continue this practice, whilst ensuring the quality of

education for all students is maintained. This proposal is part of a plan to help alleviate current pressures and help mitigate future population growth across the wider North and West Kent areas, alongside the expansion of SRPs and mainstream inclusion.

3.9 The Senior Leadership Team and the Governing Body of Broomhill Bank School North have consulted on the proposal to permanently increase the formal designated number of Broomhill Bank School from 318 to 490 students and have agreed to progress with the scheme on the understanding that the requisite infrastructure is provided.

3.10 The building work required to facilitate this proposed expansion is as follows:

Broomhill Bank School North (Hextable) site:

- the demolition of Lindsay House (one of the original buildings now unusable due to the condition being beyond economical repair)
- building two new blocks totalling twelve modular classrooms and ancillary space
- upgrades to outdoor areas
- making internal modifications to the main school building
- carrying out remodelling work to the car park and any necessary highways mitigations

Broomhill Bank School West (Tunbridge Wells) site also requires some minor adaptations and enhancements to existing buildings to facilitate the increase in student numbers across the school:

- the creation of two lodges (one for social enterprise and one for skills for employment)
- improvements and enhancements to the existing perimeter fence line
- further site space needs development for increased outdoor learning opportunities
- the repurposing of accommodation used previously by the Specialist Teaching and Learning Service (STLS)

3.11 All of these developments will enable Broomhill Bank School to create a curriculum offer to support children and young people with a wider dimension of need

#### **4. Kent's Strategic Statement**

4.1 The County Council's Commissioning Plan for Education Provision in Kent 2025-2029 is a five-year rolling plan which is updated annually. It sets out KCC's future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent. A copy of the latest plan can be viewed from this link: [Commissioning Plan for Education Provision in Kent 2025-2029](#).

4.2 The proposed decision supports KCC's strategic statement in the following ways:

- This proposal supports improved efficiency and timeliness in SEND services and compliments plans to also expand Specialist Resource Provisions (SRPs) and increase mainstream inclusion capacity.
- In line with Section 7 of the KCP: Commissioning Statutory School Provision by Districts, this proposal will assist in responding to housing growth and demographic pressures and help to ensure housing growth is sustainable.
- In line with Section 5 of the KCP: Capital Funding, which outlines the use of developer contributions, Basic Need funding, and cautious capital investment strategies, this proposal promotes in-house provision where financially viable and reducing reliance on independent placements.

4.3 This proposal is necessary for KCC to continue to deliver the statutory duty, in a cost-effective way, in line with the guidelines described KCC's strategic statement. It will help to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.

## **5. Options considered and dismissed, and associated risk**

5.1 KCC has considered whether other Special Schools in the North and West Kent areas are viable candidates for a permanent increase to their formal designated numbers. There is also a proposal to expand Parkwood Hall Co-operative Academy, but this alone will not produce sufficient places to meet current demand, as that expansion primarily relates to additional places for Primary age children. Therefore, Broomhill Bank School is the most appropriate and viable option to also increase its designated number.

5.2 By increasing their formal designated number through the physical expansion of Broomhill Bank School, which is KCC maintained provision, it protects the Local Authority from increased revenue costs. The proposal will help to mitigate against the need to place students further away from home and incurring additional transport costs, alongside incurring increased costs from placing a greater number of children in high-cost independent settings to alleviate the current pressures in KCC state-funded Special Schools in the area.

## **6. Financial Implications**

### **6.1 Capital**

6.1.1 Progression of the scheme will be dependent on the outcome of detailed feasibility and design work – these will inform the full overall cost of the scheme, at which point the formal decision will be taken by the Cabinet Member for Education and Skills.

6.1.2 The project will be a school managed scheme and will be confirmed via legally binding funding and development agreements between KCC and Broomhill Bank School.

- 6.1.3 The costs of the two new blocks on the North (Hextable) site, and upgrades and modifications across both the North (Hextable) site and West (Tunbridge Well) site will be borne by the CYPE High Needs Capital Budget, this is funded from a ring-fenced Capital Grant from the DfE. From initial feasibility studies, the estimated cost for the whole scheme was £4,000,000.
- 6.1.4 However, after initial feedback from KCC Planning and Highways colleagues, there is a possibility that costs may increase, primarily due to the need for additional Highways mitigations around the Broomhill Bank School North (Hextable) site. Therefore, we will not be requesting the formal decision to be taken until such time that planning is concluded, and the full extent of the cost of the scheme is known. The latest estimates indicate the costs could increase to as much as c£5.5m, but much work still needs to be undertaken with Planners and Highways to determine the extent of the mitigations required.
- 6.1.5 For Special School capital projects, the average cost per student place for a school expansion in Kent is c£85,000. However, even if this scheme were to produce only the teaching accommodation for 105 students the higher estimated cost equates to a cost per place of only c£52,000, which still demonstrates good value for money.
- 6.1.6 The final estimated cost of the project will be reported appropriately through KCC internal governance routes before the Cabinet Member for Education and Skills is requested to make the formal decision.
- 6.1.7 KCC Project Managers will be undertaking continuous checks to keep project costs as low as possible.
- 6.1.8 Should the Cabinet Member for Education and Skills agree to progress the scheme; the Funding Agreement will be finalised and sealed. The agreement will set out the milestones for when funding will be passported to Broomhill Bank School.
- 6.1.9 An allowance of up to £2,500 per teaching space may be payable to Broomhill Bank School; to outfit each new teaching room with appropriate ICT equipment, such as touch screens or projection equipment. This will be met from the overall Capital allocation for this scheme.
- 6.1.10 The High Needs Capital Programme has been running since 2020-21 with a total combined budget of just under £109m of which £67m has been either spent or committed to current known schemes (as at Quarter 1 2025 capital monitoring reported to Cabinet in September 2025). In the same way as the Basic Need programme is managed, to ensure all schemes are prioritised appropriately and expenditure is controlled within available funding, any proposed new or additional capital expenditure, first needs to be considered by KCC Officers through Education Asset Board, before being progressed through the formal governance processes and included in the capital programme.

## **6.2 Revenue**

- 6.2.1 Should the scheme not proceed through to completion, any costs incurred at the time of cessation would become abortive costs and are likely to be recharged to Revenue. This would be reported through the regular financial monitoring reports to Cabinet. This will be a cost to the General Fund.
- 6.2.2 As the scheme progresses, £8,000 per newly provided learning space, would be provided towards the cost of furniture and equipment, such as tables, desks, chairs, cabinets and learning resources. This will be funded from the Dedicated Schools Grant Growth Fund.
- 6.2.3 State funded Special School places are commissioned by Local Authorities and paid based on a rate per place. The rate per place set by KCC for Broomhill Bank School is currently between £15,041 to £24,946 dependant on need type. The higher rate for Broomhill Bank School is approximately £35,000 less than a place in an independent Special School. Local Authorities use the High Needs Block of the Dedicated Schools Grant to pay for these places. Broomhill Bank School will use the revenue income they receive to facilitate additional staffing requirements and increased running costs.
- 6.2.4 Whilst there are no direct General Fund implications to these proposals, ensuring children are educated as locally as possible, avoids additional school transport costs, which are a General Fund expenditure. In addition, the Council is currently overspending on its Dedicated Schools Grant High Needs Block by approximately £55m-£60m per year. The use of independent Special Schools rather than state-funded provision (mainstream to Special School), has been highlighted as a key contributing factor to this position.
- 6.2.5 Whilst the cost of Special School places do not directly impact the General Fund, the Council is part of the DfE Safety Valve Programme, for which the Council has agreed to contribute a total of £82m between 2022-23 and 2027-28 to help reduce the accumulated deficit on the Dedicated Schools Grant High Needs Block. KCC's contribution is alongside an extra £140m from DfE.
- 6.2.6 The DfE funding is contingent on the development of a plan to achieve value for money within the existing SEN regulatory framework, and the aim is to reach an in-year breakeven position by the end of 2027-28. Reducing the Council's reliance on independent sector education placements is a key part of the strategy to achieve this. Therefore, alleviating unsustainable pressures on existing Special Schools who are over-capacity by securing additional state-funded Special School places will help to avoid future dependence on the independent sector.

## **6.3 Human**

- 6.3.1 Broomhill Bank School will appoint additional staff as required; utilising revenue funding allocated through the Schools Funding Formula for these additional students.

## **7. Legal implications**

- 7.1 Under the Children and Families Act 2014 KCC has a duty 'to support the child and his or her parent, or the young person, in order to facilitate the development of the child or young person and to help him or her achieve the best possible educational and other outcomes'. By ensuring we have appropriate provision as locally as possible, we are delivering on our obligation in accordance with this legislation.
- 7.2 Local Authorities need to deliver their statutory duties and be aware of non-statutory guidance and advice, which relate to children and young people with SEN. These are:
- Department for Education-Making significant changes to maintained schools 2025: statutory guidance for proposers and decision makers.
  - The Equalities Act which: places duties on Local Authorities to review support services and in doing so requires Local Authorities to have due regard to the way in which any changes will affect children and young people with a disability.
  - The SEND Code of Practice places requirements on Local Authorities to: provide access to advice from a suitably qualified person as part of the EHCP process and subsequent "assess, plan, do, review" cycles, and make appropriate provision for those with an EHC plan in the 0-25 range.
  - Sufficiency Duties: KCC is under a statutory duty to contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education and secondary education are available to meet the needs of the population of their area: section 13 of the Education Act 1996 ("the 1996 Act").
  - KCC must ensure that its education functions are exercised by the authority with a view to promoting high standards, ensuring fair access to opportunity for education and training, and promoting the fulfilment of learning potential by every person under the age of 20 and those over the age of 20 and for whom an EHC Plan is maintained: section 13A. By section 14, KCC must secure that sufficient schools for providing primary and secondary education are available for their area, defined as being sufficient in number, character and equipment to provide for all students the opportunity of appropriate education.
  - Under section 27 of the Children and Families Act 2014 ("the 2014 Act"), KCC is under a duty to keep under review the educational provision, training provision and social care provision made in its area (and outside it) for children and young people who have special educational needs or a disability. KCC must consider the extent to which its provision is sufficient to meet the educational needs, training needs and social care needs of the children and young people concerned.
  - KCC, when carrying out its functions must have "due regard" to the provisions of section 149 of the Equality Act 2010, known as the 'public sector equality duty'.
- 7.3 All individual proposals to either establish new, expand current or cease current provision are required to go through the statutory process under The School Organisation (Prescribed Alterations to Maintained Schools) (England)



(Amendment) Regulations, 2025. As part of this process, a public consultation was undertaken ahead of presentation of the proposal to CYPE Cabinet Committee. Should the Cabinet Member agree to the permanently increase to the formal designated number of the Broomhill Bank School from 318 students to 490 students, through a permanent expansion, a Public Notice will be issued for a period of 4 weeks.

- 7.4 The Director of Infrastructure in consultation with the Director of Education will be overseeing the scheme to ensure public funds are utilised appropriately.

## **8. Equalities implications**

- 8.1 An Equalities Impact Assessment (EqIA) has been completed and indicated that there are no issues to the proposal to permanently increase the formal designated number of the Broomhill Bank School from 318 students to 490 students. This assessment was re-examined, and no further or new issues have been identified.

- 8.2 The proposed permanent increase to the formal designated number of Broomhill Bank School will not change the delivery of education with the school. Therefore, there should be no equalities implications.

- 8.3 The early-stage EqIA will be reviewed as the scheme continues.

## **9. Data Protection Implications**

- 9.1 Any information that would have Data Protection implication was gathered by Broomhill Bank School and KCC. A consultation was conducted by the school and KCC. Any protected data will be managed by Broomhill Bank School and KCC.

## **10. Other corporate implications**

- 10.1 Broomhill Bank School will consult with Planners and KCC's Highways and Planning colleagues as appropriate, throughout the planning process.

## **11. Governance**

- 11.1 The Senior Leadership Team and the Governing Body of Broomhill Bank School are fully supportive of the proposal.
- 11.2 KCC Infrastructure Team are engaged in overseeing and ensuring that the funding is spent appropriately.
- 11.3 The decision itself, will only be taken when the planning process has progressed to a stage where KCC Officers feel they have greater certainty of the overall scheme cost.

## **12. Consultation**

- 12.1 The KCC Members for Swanley, served by Dean Truder, and Tunbridge Wells West, served by John Moreland, have both been informed of the proposal.

- 12.2 A Public Consultation was undertaken on the proposal, which ran from 20 June 2025 to 18 July 2025.
- 12.3 Broomhill Bank School held a public drop-in session on 24 June 2025 which was attended by KCC Officers.
- 12.4 The consultation results were be presented to the Governing Body of Broomhill Bank School on 07 October 2025.
- 12.5 The Governing Body of Broomhill bank School are fully supportive and have made the decision to continue with the proposal to permanently increase the formal designated number of the school from 318 students to 490 students.
- 12.6 The Assistant Director Education-North Kent and Assistant Director Education-West Kent have said that the analysis of demand in North and West Kent shows that additional Special School capacity is required in the area. All alternatives have been considered, and the conclusion is to permanently increase the formal designated number of the school from 318 students to 490 students.

### **13. Conclusions**

- 13.1 The Senior Leadership Team and the Governing Body of Broomhill Bank School agree to the proposal to permanently increase the formal designated number of the school from 318 students to 490 students, subject to the requisite infrastructure being provided.
- 13.2 The analysis of demand in North and West Kent shows that additional Special School capacity is required in the areas. All alternatives have been considered, and the conclusion is to permanently increase the formal designated number of Broomhill Bank School from 318 students to 490 students.

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### **Recommendation(s):**

The Children's, Young People and Education Cabinet Committee is asked to **CONSIDER** and **ENDORSE** or make recommendations to the Cabinet Member for Education and Skills on the proposed decision as set out in the attached **PROD**.

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### **14. Background Documents**

- Kent Commissioning Plan 2025-2029
- EqIA
- Appendix 1 - Responses to the Public Consultation 20 June 2025 to 18 July 2025

## 15. Contact details

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