

DECISION REPORT TO CABINET MEMBER

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

To: Beverley Fordham, Cabinet Member for Education and Skills

Subject: Proposed New Paddock Wood Primary School

Decision no: 25/00025

Key Decision : expenditure of over £1m

Classification: Unrestricted

Past Pathway of report: Children's, Young People and Education Cabinet Committee on 12 May 2026

Future Pathway of report: Cabinet Member Decision

Electoral Division: Mark Munday - Tunbridge Wells Rural

Is the decision eligible for call-in? Yes

Summary: This report seeks the allocation of the capital funds needed to complete the pre-construction design activities and to initiate the presumption process required to establish a new primary school at Paddock Wood.

Recommendation(s):

That the Cabinet Member for Education and Skills consider the following proposal:

- 1) APPROVE the allocation of £1,409,507 from the Children, Young People and Education Services Basic Need Capital Budget to complete the pre-construction design activities required to establish a new primary school at Paddock Wood.
- 2) AUTHORISE the initiation of the presumption process required to establish a new primary school at Paddock Wood.
- 3) DELEGATE authority to the Director of Infrastructure in consultation with the Director of Education and SEND, and the Head of Law to take relevant actions, to deliver the pre-construction phase, including but not limited to negotiating, entering into and finalising the terms of relevant contracts, contract variations or other legal agreements (including granting of leases for utility installations for over 20 years, if necessary) as required, to implement the decision; and
- 4) AGREE for the Director of Infrastructure, to be the nominated Authority Representative within the relevant agreements, with authority to enter variations as envisaged under the contracts. Variations to contract value to be no more than 10%

above the capital funding agreed by the Cabinet Member for Education and Skills without requiring a new Record of Decision.

1. Introduction

1.1 Kent County Council (KCC), as the Local Authority (LA), has a statutory duty to ensure sufficient school places are available. The County Council's Commissioning Plan for Education Provision in Kent 2026-30 (KCP) is a five-year rolling plan which is updated annually. It sets out our future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent. A copy of the plan can be viewed from this link:

[Commissioning Plan for Education Provision - Kent County Council](#)

1.2 For provision planning purposes KCC's forecasting methodology produces forecasts according to planning groups. These planning groups are nationally recognised by central Government.

1.3 Paddock Wood has seen significant housebuilding in recent years, consequently the forecast for the Paddock Wood planning group shows deficits throughout the KCP Plan period. In the short term, the demand for places can be accommodated in the neighbouring planning groups or within one of the small schools within the planning group offering over PAN. However, from 2028-29 the demand is forecast to be 1 FE (form of entry, or a class, namely 30 pupils) or greater and there are fewer places available in neighbouring planning groups.

1.4 To meet this demand for places within the Paddock Wood planning group we will seek to establish a new primary school within the town to open in September 2028. The new school will include classroom space to accommodate 1FE and core facilities sufficient for 2 FE to support future expansion when needed. The new school will also include a 26 place nursery and a 14 place SRP.

2. Analysis of Demand:

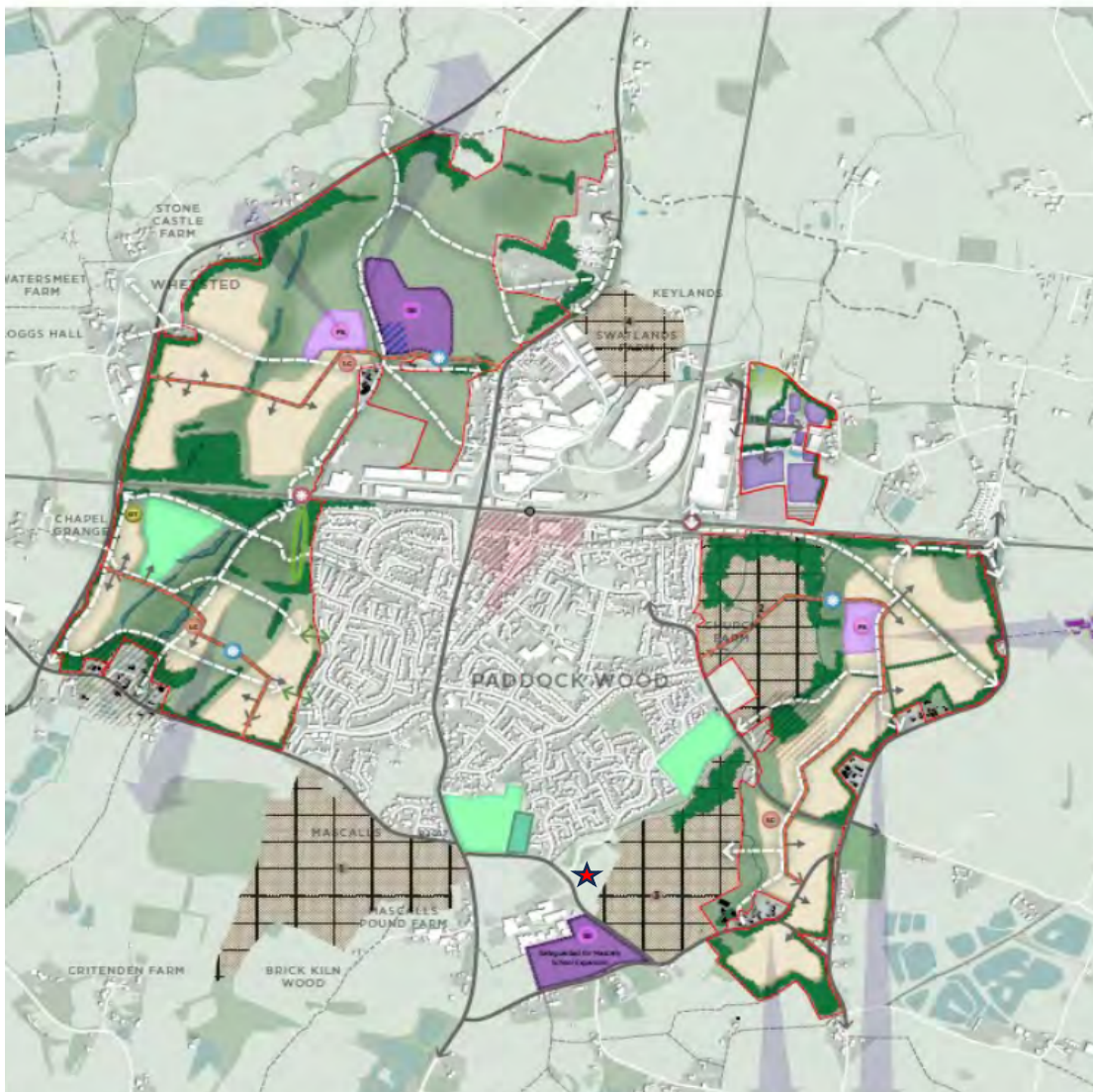
2.1 Paddock Wood is a small town within Tunbridge Wells Borough. Over recent decade it has taken significant amounts of housing growth and in the Borough's adopted Local Plan, is planned to increase significantly.

2.2 There are currently 4 major development sites with planning consent and under construction; totalling 713 units with permission; 464 of these homes have been built and occupied in the last 5 years with 249 under construction and due for completion in the next three years. The school site was secured via s106 on one of these consented development sites, Mascalls Court Farm. In addition to this, further growth of 2,450 dwellings is identified within the Borough's Local Plan. These will take place across 5 parcels; two of which are subject to current planning applications.

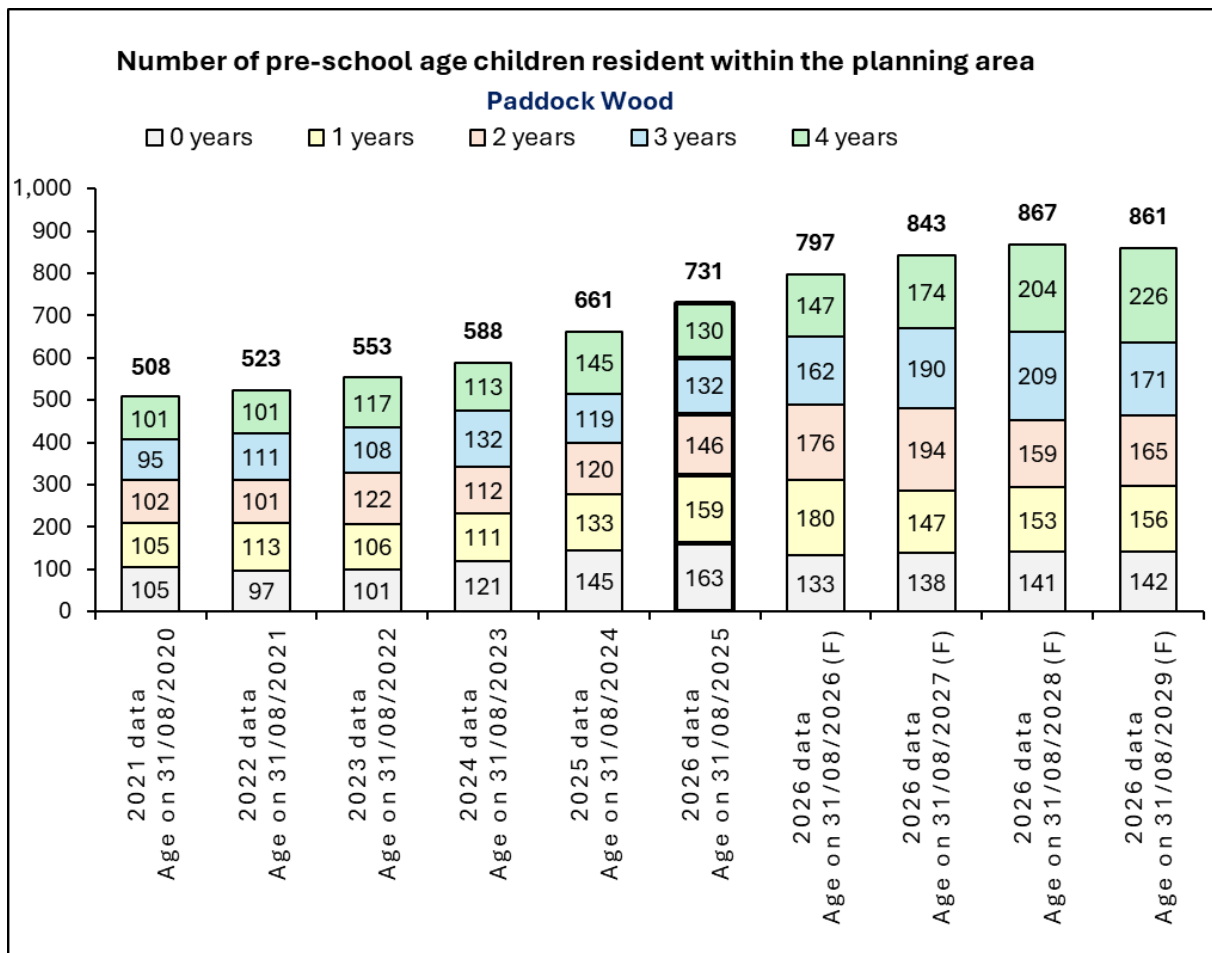
2.3 The phasing for the first 1564 units is shown below:

Ref	Site Address	Lower	Mid	Upper	26/27	27/28	28/29	29/30	2030-2038
STR/SS1	The Strategy for Paddock Wood and east Capel	2374	2453	2532	80	230	320	320	1564
STR/SS1	East Parcel (Redrow)				30	80	100	100	290
STR/SS1	East Parcel (Persimmon)				50	80	80	80	270
STR/SS1	East Parcel (Remaining Land)				0	0	0	0	64
STR/SS1	West Parcel (Crest)				0	30	80	80	580
STR/SS1	West Parcel (Dandara)				0	40	60	60	360

2.4 The masterplan below shows the planned expansion of the town, those sites hatched are under construction, with 464 units completed. The star indicates the site of the proposed primary school.



2.5 The pre-school aged population within the Paddock Wood planning group increased by 43.9% from 2020 to 2025 and significant growth in the pre-school population is forecast to continue until 2028. The forecast indicates an increase in excess of 1 FE for the year 4 cohort by 2027, which is then expected to increase again by a further 1 FE in 2028 and 2029. The growth in the pre-school population is illustrated by the table below: (this includes 2025 data in bold, which was not factored into the current KCP forecasts):



2.6 Along with an increase in 0 year olds, there can be observed strong cohort growth – indicative of children born elsewhere moving into new homes in the area.

2.7 The KCP forecast below shows deficits for Reception places in the Paddock Wood planning group for the entire Plan period. The demand for places is consistently in excess of 1 FE for the Plan period, with the exception of 2029 when it drops to just under 1 FE for that year.

Planning Group	2024/25 capacity	2026/27 (F)	2027/28 (F)	2028/29 (F)	2029/30 (F)	2030/31 (F)	2031/32 (F)	2032/33 (F)	2033/34 (F)	2034/35 (F)	2034/35 capacity
Paddock Wood	120	-7	-27	-50	-29	-38	-44	-47	-48	-49	120

(the above forecasts do not incorporate the 2025 preschool data which shows a further increase in the cohort sizes)

3. Key Considerations

3.1 By law, all new schools in England must be opened as Free Schools, set up and run by Multi-Academy Trusts. The process by which local authorities establish a new Free School, and the Secretary of State appoints a Multi-Academy Trust to run it, is known as the Free School Presumption. Along with

requesting the allocation of Basic Need capital funds needed to complete the pre-construction design activities, permission will be sought to commence the presumption process required to establish a new school.

- 3.2 As part of the Presumption process, the LA must assess all proposals received and send the outcome of the assessment to the Secretary of State for consideration and approval. The preference indicated by the LA will be a key factor in that consideration. We are proposing the initial timeline below for completing the free school presumption competition to appoint a sponsor:

Event	Proposed Dates
Community Consultation	9 March to 22 April 2026
Cabinet Member decision to enable start of the presumption competition	May/June 2026
Start of the presumption competition - Invitation to submit a proposal published	July 2026
Deadline for receipt of applications	September 2026
KCC informs Department for Education (DfE) of all proposals received	September 2026
Promoter Assessment Panel meets	October/November 2026
KCC submits all proposals to the Secretary of State	November 2026
Secretary of State appoints the successful sponsor	January 2027
New school opens	September 2028

- 3.3 This report seeks approval for pre-construction expenditure and to commence the Free School Presumption process. However, a further Key Decision will be brought forward to approve the capital funding for the construction phase once Stage 4 design is complete and full costs are confirmed.

4. Background

- 4.1 The principle of a school being established in Paddock Wood and at this location has been set for over a decade. The likely long term need for a new school was identified when the 4 current development sites were consented in 2015. Around this time the DfE ran a Free School Wave, (Wave 11). A bid by the Tenax trust for a new Church of England primary school in Paddock Wood was agreed in principle by the DfE. At that time the DfE's Free School Programme placed less weighting on the need for school places in an area to meet an expected shortfall than it does today, significant weighting was also given to proposals that increased parental choice.
- 4.2 The County Council's response to the DfE's approval of the Free School was supportive, on the basis that the opening of the new school would be timed to create additional places in response to additional need and that it did not create detriment for existing schools. It was agreed with the DfE and Trust that a review would be undertaken each year to identify the opening date.

- 4.3 Whilst housing development commenced in the town quickly and children began living in the new homes, a decrease in the birth rate within the existing part of the town meant there was not a net increase in the pre-school population significant enough to warrant a new school. Given the potential detriment to existing schools, particularly local small rural schools, KCC sought the DfE to defer the opening of the free school each year. In 2022 the DfE removed the school from their programme.
- 4.4 Whilst the principle of a school being established is advantageous, the secured s106 contributions from the previously consented developments do not incorporate significant amounts of Education contributions as the DfE were to fully fund the construction of the school; however this DfE funding fell away when the school was removed from the programme and the school's establishment will largely be funded through Basic Need.

5. Options considered and dismissed, and associated risk

- 5.1 Paddock Wood currently has one primary school that is situated on a compact site that has limited scope for future expansion. The nearest schools that border Paddock Wood are smaller schools in rural locations with very limited scope for substantial expansion. They collectively do not have sufficient places available to accommodate the growing demand driven by new housing development.
- 5.2 The nearest schools with places available are within Tonbridge and Tunbridge Wells town centres which would mean travel distances of around 5 miles from the new school site; for many children located to the East of the new school site it would entail greater distances. Pupils travelling these distances would be eligible for free school transport. This would have a substantial and long-term impact on KCCs school transport budget.
- 5.3 The option to not commission additional school places through the establishment of a new school has been dismissed. The town's significant expansion will permanently increase the size of the population and requires an increase in the number of school places to ensure that all children are offered one and that places are provided alongside the community; it would not be financially nor socially sustainable to require children to travel distances of over 5 miles to neighbouring towns on an ongoing basis.

6. Financial Implications

Capital

- 6.1 Initial feasibility and design works were completed and a contractor appointed via the KCC Construction Partnership Framework to design the new school up to RIBA Stage 3 (outline design and planning submission). This work was completed within officers delegated authority at a total cost of £871k. See breakdown below:

Activity	Cost
Pre-Construction PSC Value (A1)	£427,599.00
Pre-Construction Survey Value (A2)	£324,020.00
Pre-construction Client Direct Costs (C1)	£120,000.00

Total Forecast Pre-construction Commitment	£871,619.00
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- 6.2 To complete the design of the new school up to RIBA Stage 4 a further c£537k is required, See breakdown of estimated cost below:

Activity	Cost
Pre-Construction PSC Value (A1)	£401,646.00
Pre-Construction Survey Value (A2)	£33,642.00
Pre-construction Client Direct Costs (C1)	£102,600.00
Total Forecast Pre-construction Commitment	£537,888.00

- 6.3 A Cabinet Member decision is therefore being sought to complete pre-construction activities and inform stage 5 construction costs, as the combined value of pre-construction activities will be over £1 million, with an estimated value of £1,409,507.
- 6.4 At this early stage of the project the indicative construction costs are estimated to be £10.7m making the combined whole project cost circa £12.11m. However, as this is based on no design or investigation information as the extent of the project becomes known the costs may change and a further decision taken.
- 6.5 Capital Costs for mainstream provision are funded through the Basic Need Capital Programme, which is made up from a range of sources including the Basic Need Grant, Developer Contributions, Prudential Borrowing (originally agreed to fund shortfalls in historic schemes) and other specific grants (such as schools rebuild programme). The Basic Need Grant is the largest contributor to the programme and is provided by the DfE to support local authorities fulfil their statutory duty to ensure there are enough school places for children aged 5 to 16 in their area. The Education capital programme is continuously reviewed, with projects entering and leaving the programme regularly in response to demand and project completions. The 2026-27 Basic Need Budget, agreed at County Council in February, of £148 million included an allowance for completing these pre-construction costs.
- 6.6 Section 4 outlines the history regarding the funding of this school. Developer contributions are expected to be in the region of £37k, with the remaining balance of the project expected to be funded from the wider basic need capital funding.

Revenue

- 6.7 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.
- 6.8 If the school proceeds, future running cost of the schools would be met through the school budget and funded by the Dedicated Schools Grant, a specific grant from the Department of Education.

7. Legal implications

- 7.1 Planning permission will be required for the new school.
- 7.2 The Director of Infrastructure in consultation with the Director of Education will be overseeing the scheme to ensure public funds are utilised appropriately.
- 7.3 Local authorities must plan for and secure sufficient school places for their area in line with their duties under section 14 of the Education Act 1996.
- 7.4 Section 6A of the Education and Inspections Act 2006, provides that local authorities in England are required to seek proposals to establish an 'academy' (free school), when a new school is needed. The "free school presumption" process requires new schools to be independent of local authority control. The process includes local authority consultation, identifying a site, running a competition, and assessing proposals from academy trusts. Non-statutory Guidance has been published in May 2024, to support and assist local authorities and new school proposers. [[Establishing a new academy: the free school presumption route](#)].

8. Equalities implications

- 8.1 An Equality Impact Assessment (EqIA) has been completed for the Proposed new school. The screening found no evidence that the KCP will impact negatively on pupils from Protected Groups or lead to them being treated less favourably.

9. Data Protection Implications

- 9.1 There are no data protection implications.

10. Other corporate implications

- 10.1 Support from the Capital and Strategic Programmes team will be required to deliver the project. KCC Highways and Planning colleagues will be consulted, as appropriate, throughout the planning process.

11. Governance

- 11.1 This decision seeks approval for pre-construction expenditure and to commence the Free School Presumption process.
- 11.2 This decision delegates authority to the Director of Infrastructure, in consultation with the Director of Education and SEND and the Head of Law, to undertake the necessary actions, to deliver the pre-construction phase, including but not limited to negotiating, entering into and finalising the terms of relevant contracts, contract variations or other legal agreements, as required, to implement the decision.
- 11.3 Approval of capital funding for the construction phase will be subject to a separate Key Decision once the Stage 4 design has been completed and full costs are known

12. Consultation

- 12.1 Before embarking on the launch of a free school presumption competition, LAs are encouraged by the DfE to conduct a local consultation. The consultation aims to publicise the need for a new school to the local community stakeholders and potential providers. Feedback gathered through consultation can help to formulate and finalise the LA specification for a new school before its publication.
- 12.2 Therefore, KCC conducted an informal local consultation that ran for 6 weeks from 11 March to 22 April 2026. The following stakeholders were consulted:
- Schools in Tunbridge Wells, Tonbridge and Malling and Maidstone Districts
 - Elected Members (Kent County Council, Tunbridge Wells Borough Council)
 - Parish and Town Councils
 - Local MP
 - Dioceses of Canterbury and Rochester and Archdiocese of Southwark
 - Residents Groups
 - Local Community Groups
- 12.3 All stakeholders were able to access copies of the key documents on the KCC website.
- 12.4 Additionally, the Assistant Director of Education held a discussion with representatives from the 13 most local schools, their MAT representatives where applicable and the Diocese of Rochester. This provided those attending with as much information and data as possible to inform their responses to the consultation.
- 12.5 As at the time this report was being written, the consultation was still on going, with 32 responses received: 27 in favour of the new school, 4 against and 1 undecided. The majority of the respondents were from local residents and parents.

13. Conclusions

- 13.1 This report sets out the need for additional primary school provision in the Paddock Wood area to meet the forecast demand for places. To meet this need KCC, as the local authority, are proposing to opening a new primary school in Paddock Wood in September 2028. Without the provision of additional primary provision, local Paddock Wood children would need to travel outside of Paddock Wood to attend schools with available places. This would potentially perpetually increase the financial burden on the school transport budget. Therefore, permission is sought to used Basic Need Capital expenditure to complete the pre-construction design activities and to initiate the presumption process required to establish a new school.

Recommendation(s):

That the Cabinet Member for Education and Skills consider the following proposal:

1) APPROVE the allocation of £1,409,507 from the Children, Young People and Education Services Basic Need Capital Budget to complete the pre-construction design activities required to establish a new primary school at Paddock Wood.

2) AUTHORISE the initiation of the presumption process required to establish a new primary school at Paddock Wood.

3) DELEGATE authority to the Director of Infrastructure in consultation with the Director of Education and SEND, and the Head of Law to take relevant actions, to deliver the pre-construction phase, including but not limited to negotiating, entering into and finalising the terms of relevant contracts, contract variations or other legal agreements (including granting of leases for utility installations for over 20 years, if necessary) as required, to implement the decision; and

4) AGREE for the Director of Infrastructure, to be the nominated Authority Representative within the relevant agreements, with authority to enter variations as envisaged under the contracts. Variations to contract value to be no more than 10% above the capital funding agreed by the Cabinet Member for Education and Skills without requiring a new Record of Decision.

14. Background Documents

- Equality Impact Assessment
- Commissioning Plan for Education Provision in Kent 2026-30

15. Appendices

- Appendix A – Record of Decision

16. Contact details

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