REPORT TO CABINET COMMITTEE

From: Beverley Fordham, Cabinet Member for Education and Skills

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

To: Children Young People and Education Cabinet Committee – 26 November 2026

Subject: Capital funding - Proposed New Paddock Wood Primary School

Decision no: 26/00068

Key Decision: expenditure of over £1m

Classification: Unrestricted

Past Pathway of report: N/A

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 enable a new primary school at Paddock Wood to progress through detailed design, construction and opening of the school.

Recommendation(s):

The Children, Young People and Education Cabinet Committee is asked to CONSIDER and ENDORSE or make RECOMMENDATION to the Cabinet Member for Education and Skills on the proposed decision as set out in the attached PRoD (Appendix A) to allocate a further £13,290,493 of capital funding to enable the new Paddock Wood Primary School to proceed through detailed design, construction and opening in September 2028.

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1. Introduction

1.1 The strategic case, initial pre-construction funding and the initiation of the process for establishing a new primary school in Paddock Wood were endorsed by the Children Young People and Education Cabinet Committee on 12 May 2026. Subsequently the Cabinet Member for Education and Skills took the decision (26/00025) to allocate £1,409,507 from the Children, Young People and Education Services Basic Need Capital Budget to complete the

pre-construction design activities and the initiation of the process required to establish the new primary school.

1.2 Since the Cabinet Member decision was taken, the contractor has completed the Gateway 3 design stage, site investigations have been undertaken and a detailed cost plan has been prepared. The need for the school remains unchanged and forecast demand continues to support the establishment of new provision within the Paddock Wood planning group.

1.3 A decision is sought to allocate a further £13,290,493 from the Children, Young People and Education Services Basic Need Capital Budget to enable the project to progress through detailed design, construction and opening in September 2028.

2. Analysis of Demand:

2.1 The planning provision data outlining the forecast need for school places against the current capacity was outlined in the Cabinet Committee Report of 12 May 2026, alongside options for mitigating the forecast deficit in provision.

2.2 Since that report, housing development within the planning group has continued and updated forecasts continue to identify a deficit in Reception capacity from September 2028 and then on an ongoing basis.

2.3 The Committee Report of 12 May included forecasts from the 2026 Commissioning Plan; these forecasts have since been refreshed as part of the annual exercise of submitting statutory data to the DfE and production of the Kent Commissioning Plan.

2.4 Below is an extract of the forecasts from proposed 2027 Kent Commissioning Plan (KCP), which benefit from an additional year's worth of pre-school data.

Planning Group name	2025/26 capacity	2028/29 (F)	2029/30 (F)	2030/31 (F)	2031/32 (F)	2032/33 (F)	2033/34 (F)	2034/35 (F)	2035/36 (F)	2035/36 capacity
Paddock Wood	120	-60	-63	-37	-44	-47	-50	-50	-50	120

2.5 The forecasts continue to show significant and sustained deficits. There has been no material change to the rationale for establishing the school and it remains necessary to ensure every child is able to receive the offer of a school place in the future.

3. Key Considerations

3.1 The previous process by which local authorities sought the establishment of a new school, known as the Free School Presumption, was replaced by an updated process from 1st September 2026 under the following:
'Opening new schools Statutory guidance for proposers and decision-makers'

3.2 Under the new guidance, Kent County Council's (KCC), earlier consultation can be treated as the first stage of the revised process. The indicative timeline for selecting the academy trust to run the new school is set out below.

Event	Proposed Dates
Community Consultation	9 March to 22 April 2026
Cabinet Member decision to enable start of the competition	May/June 2026
Start of the competition – Trusts invited to submit a proposal to run the new school	7 September 2026
Deadline for receipt of proposals	19 October 2026
Representation Period	October/November 2026
Assessment processes	November/December 2026
Scoring and shortlisting of proposals	January 2027
Trust Interviews	February 2027
Decision on Selected Trust	February/March 2027

4. Background

4.1 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

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

4.3 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 deficit is forecast to be 1 FE or greater and there are fewer places available in neighbouring planning groups. This increase in demand is linked to significant expansion of the town and the consequential increase in the population; it is not driven by birth rates within the existing population.

4.4 To meet this demand for places within the Paddock Wood planning group KCC will seek to establish a new primary school within the town to open in September 2028. The first phase of 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.

4.5 A new primary school in Paddock Wood has been provisionally planned since the approval of four housing developments in 2015, when the Department for Education also approved and agreed to fund a free school proposal from the Tenax Schools Trust. KCC supported the proposal on the basis that the school would open when additional places were needed and without detriment to existing schools. Annual reviews found that falling birth rates in the town were offsetting demand from new housing, so the opening was deferred, particularly to protect nearby small rural schools. In 2022, the DfE removed the project from its programme as part of its review of approved free schools that did not have a confirmed start date.

4.6 Because the school was expected to be funded through the Free Schools Programme, developer contributions from the earlier developments were directed to other infrastructure through the borough council's planning consents, this included highway improvements. With the DfE no longer planning on building the school directly, the school will now be constructed by KCC and funded largely through Basic Need, a DfE external grant. This history demonstrates KCC's approach of planning ahead so that places can be delivered when required, while avoiding premature provision that could adversely affect existing local schools.

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 than this. 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 The Cabinet Member for Education and Skills took a Key Decision (26/00025) to allocate £1,409,507 from the Children, Young People and Education Services Basic Need Capital Budget to complete the pre-construction design activities and the initiation of the process required to establish the new primary school.

These activities have now been substantially completed and have informed the preparation of the contractor's detailed cost plan.

6.2 The contractor's Gateway 3 submission identifies a total project cost of £14,700,000. This includes the construction works, fees, risk allowances and other project costs associated with delivery of the scheme.

6.3 The decision seeks approval to allocate a further £13,290,493, which together with the £1,409,507 previously approved, will provide the full estimated project funding requirement of £14,700,000. The decision allows 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 further Key Decision, if required this additional capital would also be funded from the Basic Need Capital Budget.

6.4 The Gateway 3 cost plan reflects the developed design and incorporates the outcomes of technical investigations undertaken during the pre-construction phase. The cost estimate therefore provides a more robust assessment of the funding required to deliver the scheme than the early-stage assumptions reported previously. The cost plan also includes allowances for a number of site-specific abnormal costs. These allowances are included within the total project cost and represent the current worst-case position for the budget request.

6.5 The project team is working with statutory undertakers, developers and other stakeholders to reduce or avoid these costs where possible and to establish whether any costs should be met by third parties. If alternative solutions are secured, or third-party funding responsibilities are confirmed, the final project expenditure will reduce accordingly.

6.6 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 and Developer Contributions 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 latest 2026-27 Basic Need Budget is £127 million. This includes confirmed grant funding from Government up to 2027-28 only. Government have recently confirmed Kent should not expect to receive any further grant funding in 2028-29 and grant arrangements post 2029 are yet to be agreed.

6.7 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. There is no prudential borrowing associated with this Decision.

Revenue

6.8 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. Given that considerable preliminary works have already been completed within the initial stages of the project, any abortive costs are likely to be substantial. This would be reported through the regular financial monitoring reports to Cabinet. This will be a cost to the General Fund.

6.9 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 The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 set out the statutory framework for opening, closing, or altering local-authority-maintained schools in England were updated by The School Organisation (Establishment and Discontinuance of Schools) (Amendment) Regulations 2026, which came into force on 1st September 2026. The amendment revised the content, publication, and notification rules for competition notices and proposals to establish new maintained schools.

7.5 Previously, Section 6A of the Education and Inspections Act 2006, provided that local authorities in England were required to seek proposals to establish an ‘academy’ (free school), when a new school was needed; the proposed new school was to be established via “free school presumption” process. However, under the subsequent amendment, where a local authority think that a new school should be established in their area, it can invite proposals for different types of school (mainstream schools, special schools, alternative provision schools).

7.6 The updated process for establishing a new school from September 2026 is detailed in the Non-statutory Guidance published in May 2026 [‘Opening new schools Statutory guidance for proposers and decisionmakers’].

8. Equalities implications

8.1 An Equality Impact Assessment (EqIA) has been completed for the original Cabinet Member decision relating to the establishment of the proposed new school. The screening found no evidence to suggest that the establishment of the new school will impact negatively on pupils from Protected Groups or lead to them being treated less favourably. As The EQIA will be reviewed and, where needed, updated at key stages of the establishment of the proposed new school.

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 to allocate a further £13,290,493 from the Children, Young People and Education Services Basic Need Capital Budget to enable the new Paddock Wood Primary School to proceed through detailed design, construction and opening in September 2028.

11.2 Together with the £1,409,507 previously approved under Decision 26/00025 for pre-construction activities, this provides a total approved project budget of £14,700,000.

11.3 Subject to approval, the decision will seek to delegate authority to the Director of Infrastructure, in consultation with the Director of Education to take relevant actions including but not limited to negotiating, entering into and finalising the terms of relevant contracts, contract variations and other legal agreements, including the granting of leases for utility installations for periods exceeding 20 years, if required

11.4 The Director of Infrastructure will be the nominated Authority Representative within the relevant agreements, with authority to enter into variations as envisaged under the contracts. Variations to the contract value will be limited to no more than 10% above the capital funding agreed by the Cabinet Member for Education and Skills without requiring a further Key Decision.

11.5 Implementation of the decision will be kept under review and will be subject to any requirements arising from Local Government Reorganisation, where relevant.

12. Consultation

12.1 In accordance with the DfE guidance, KCC undertook consultation on whether a new school should be established in Paddock Wood.

12.2 The consultation ran for six 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, KCC 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 There were 35 responses via emails and digital response forms: 29 in favour of the new school, 5 against and 1 undecided. The majority of the respondents were from local residents and parents.

13. Conclusions

13.1 This report sets out the proposal to release the capital funds needed to enable the proposed new primary school at Paddock Wood to progress through detailed design, construction and opening 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. It is also noted that if the scheme was aborted at this stage, the County Council would incur substantial abortive costs.

Recommendation(s):

The Children, 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 (Appendix A) to allocate a further £13,290,493 of capital funding to enable the new Paddock Wood Primary School to proceed through detailed design, construction and opening in September 2028.

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14. Background Documents

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

15. Appendices

- • Appendix A – ProD

16. Contact details

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