

Overview and Scrutiny Management Board Supplementary Information



Date: Monday, 18 October 2021

Time: 2.00 pm

Venue: The Chamber - City Hall, College Green,
Bristol, BS1 5TR

6. Public Forum

(Pages 3 - 15)

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Overview & Scrutiny Management Board

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Public Forum



Statements

| Ref | Name | Topic | Page |
|-----|--|---|------|
| S 1 | Clive Stevens | Corporate Risk CRR32, Failure to deliver enough affordable homes to meet the City's needs (Agenda item 9) | 2 |
| S 2 | Cllr Christine Townsend | Mayor's Forward Plan (Agenda Item 11) | 2 |
| S 3 | David Redgewell, South West Transport Network and Railfuture Severnside, and Graham Ellis, Melksham Railway Group. | Transport | 3 |
| S 4 | David Redgewell and Ian Beckey, South West Transport Network | Transport | 4 |
| S 5 | David Redgewell, South West Transport Network and Railfuture Severnside | Transport | 6 |

Questions

| Ref | Name | Topic | Page |
|----------|---|---|--------|
| Q 1 | Suzanne Audrey | Performance Report (Agenda item 8) | 6 |
| Qs 2 - 3 | Clive Stevens | Corporate Strategy and Corporate Risk Report (Agenda items 7 & 9) | 7 - 8 |
| Q 4 | Cllr Christine Townsend | Mayor's Forward Plan (Agenda Item 11) | 8 - 9 |
| Qs 5 - 7 | Hayley Hemming | Special Educational Needs and Disability | 9 - 13 |
| Qs 8 - 9 | Christina Biggs, Bristol Clean Air Alliance | Clean Air Zone | 13 |



Public Forum Statements

Statement 1: Clive Stevens

Dear OSMB – sorry to bang on about affordable housing (lack of) but it is an important issue to at least 25% of Bristolians and could be a threat to the Corporate Plan.

Let me give you a recent example. Last week a Council adult social care professional handed in their notice. They had been working for the Council for just four months and were to be an important part of the team. They have a partner, a social worker. Their reason for both leaving so soon was they couldn't afford to live in Bristol. They have moved to where property is cheaper. A household of two working people (not totally full time) can't afford to live here.

This lack of affordable housing problem has been getting worse since at least the year 2000. In 2009 the Housing Need report showed Bristol with a waiting list of 7,000 and a shortfall of about 500-600 a year. Ten years later, in 2019 the housing list was 13,000. Which is 10 years x 600. Officers were right. In July 2021, Zoe Willcox says delivery will be 450 affordable homes this year 2021/22. The mayor rightly wants 1,000 that is the same shortfall. **STILL THE SAME...**

Officers are right with CRR32, there is low chance of meeting the City's needs and high harm caused by not doing so. Risk rating is maximum = 28. The risk report system that Audit Committee worked on so studiously between 2017 and 2020 seems to be working, at least it gives an accurate assessment of CRR32.

Yet South Gloucester have reduced their waiting list (figures prior to Covid). They are achieving 35% affordable housing. Whether that's inside the Green Belt I don't know but there is so much construction going on there that I would imagine much of it is. As for new homes outside the Green Belt, if you have to work in Bristol (like those two adult social care workers I told you about earlier) it makes commuting expensive, time consuming and environmentally unsustainable. Easier to live elsewhere.

I understand OSMB you will be looking at affordable housing in more detail later in the year. May I suggest you ask officers how South Glos do it. Perhaps Bristol can team up with South Glos (within the Green Belt) to share housing lists and affordable homes? Both Councils working closely together within WECA? And you might want to ask if all affordable homes are affordable, the Government seems to have relaxed the definition so much.

At what stage should lack of affordable housing be declared an emergency?

Statement 2: Councillor Christine Townsend

Dear Councillors

This statement draws your attention to the content of the Mayor's Forward Plan paper item 11 on your agenda.

At People Scrutiny in July 2021 the Director of Education and Skills for BCC Alison Hurley stated

'we come back to cabinet October/November time to allocate the new capital grant looking at the risk profile around Year 7 but it also means we allocate and identify the funding available for specialist provision as well'

The agenda paper **does not** list a school place capital paper for either the November cabinet meeting or the December meeting.

This should be of great concern to us all, families with children in year 6 are currently applying for year 7 school places that literally do not exist and, as far as we are aware, are not being planned for putting the Council in a risk position of not being able to fulfil a most fundamental legal duty for our city's children. Those currently with an EHCP or being assessed for an EHCP that might need a special school place are also in the same position – these families are also living with the uncertainty of not knowing where, or if, their child might be able to access a place that can fully cater for their needs.

Whilst the responsibility for ensuring school place sufficiency and communication of such sufficiency is entirely the responsibility of the administration, I stand before you today to officially put on record the concerns of the Green Party councillors regarding this statutory issue. The current position places additional uncertainty and anxiety onto families as a result of longstanding neglect and apathy from the elected Mayor with regards to our children's universal statutory service.

Statement 3: David Redgewell, South West Transport Network and Railfuture Severnside, and Graham Ellis, Melksham Railway Group.

We are very concerned about the Department for Transport withdrawing passenger trains from Bristol Temple Meads station via Keynsham Oldfield Park Bath Spa Bradford on Avon, Trowbridge Westbury Warminster Salisbury Clapham Junction and London Waterloo.

Without a public consultation with local authorities such as Bristol City, South Gloucestershire Council, Bath and North East Somerset, Wiltshire Council or the Mayor Marvin Rees or Metro Mayor Dan Norris of the West of England Combined Authority or North Somerset council. Western Gateway Transport Board. All these bodies object to the service withdrawn, but the secretary of state has withdrawn the service.

The service has been running for 20 years and Transport focus should have been asked to carry out a public consultation.

This will mean no link to south London or Clapham Junction for connection to the south coast.

But also the last of commuter trains in and out of Bristol and Bath. The service is operated by First Group MTR South Western railway under contract to the Department for Transport.

The public transport user groups with the help of the Melksham railway users Group South West Transport Network Railfuture Severnside Travelwatch South West; along with the railway unions have organised parliamentary petitions and a public meeting on Zoom.

We would like the overview and scrutiny commission to raise with the local MPs and the Metro Mayor Dan Norris and Bristol City Council Mayor Marvin Rees. As no replacement trains are provided by Metro

West until 2022; We would have hoped Metro West that service could have extend from Bristol Temple Meads, Keynsham Oldfield Park, Bath Spa, Freshford Avoncliffe Bradford on Avon, Trowbridge Westbury to Warminster Salisbury and London Waterloo. Under the First Group Great Western Railway contract with the Department for Transport or First Group MTR South Western railway.

The petition is at the following link: [Continue to run through trains from Bristol to Waterloo via Trowbridge - Petitions \(parliament.uk\)](https://www.parliament.uk/petitions/continue-to-run-through-trains-from-bristol-to-waterloo-via-trowbridge)

Statement 4: Ian Beckey and David Redgewell, South West Transport Network

Whilst we welcome the plan for the bus infrastructure in the city centre and to Brislington, Keynsham and Bath, Hengrove hospital, M32 to the park and ride site, Yate park and ride Yate bus station, Bristol city centre to Gloucester Road, Cribbs Causeway and Thornbury, a service to Nailsea and Clevedon; and whilst we welcome the loop bus service which will need proper investment in interchange facilities shelters realtime information castle kerbs and drop kerbs, paper timetables, be sited near kiosk and public toilets; the problem we have with the strategy is it is an approach to fast express routes on motorways or Trunk roads with bus lanes which do not operate via the inner city; because all buses operate via the M32. The service 5 mint line Bristol city centre to St Pauls, St Werburghs, Eastville park, Stapleton village, Fishponds Oldbury Court and Downend has no evening or Sunday services.

One option would have been to operate the Y4 from Bristol bus and coach station to St Pauls, St Werburghs, Stapleton village, Frenchay park then onto Yate. Other intercity communities have asked for a metro bus stop at Eastville roundabout.

Restoring the evening and Sunday services. For the rest of the 5 part of the route, 49a rerouted in the evening to Oldbury Court estate once an hour and on Sunday; So operating Old Market Street, Stapleton Road and station, Eastville Park, Fishponds Road Oldbury Court and Downend then normal route.

It's very important that working class communities get their bus services on the A4 corridor to Brislington Keynsham and Bath Spa bus station.

We need more bus priority measures including bus lanes along the Callington Road link and then to Brislington park and ride either at the present site or at Hick gate if the farm issue can be overcome.

But running 349 Keynsham bus and x39 bus from Bath Spa bus and coach station pass a park and site when they could call in and reduce cost of council park and ride service would help; this is the situation in Taunton park and ride service and in Oxford with service buses operating via the park and ride, Oxford include coach services. Salisbury reds town service operator via the park and ride service.

The issue of improvements on the Wells Road to Hengrove and Whitchurch is to improve the 376 from Street, Glastonbury, Wells bus station, Chewton Mendip Farrington Gurney Clutton Pensford Whitchurch Hengrove Knowle Bristol Temple Meads station Bristol bus and coach station with a park and ride site at Whitchurch.

But in south Bristol we need to invest in Bus infrastructure improvements around south Bristol using the Callington Road link to Hengrove hospital and building the metro bus route through Hartcliffe and Witherwood via the south Bristol link road to Ashton Gate park and ride and the city centre.

We need to improve bus services from south Bristol hospital Whitchurch Hengrove Withywood Hartcliffe Highridge to long Ashton park and ride Portway to Portway Parkway station and on to Severn Beach Cabot park.

And the bus 91 92 from Bristol city centre to Temple Meads station Totterdown Knowle Hengrove and Whitchurch need improvement, more bus priorities and improve stops in Whitchurch.

The bus back better National bus strategy has a lot of infrastructure improvements and certainly a bus lane from Old Market to Temple Meads via Temple Way is long overdue as is a bus boulevard in the Haymarket outside the bus and coach station. Putting a bus taxis and local traffic gate would help in Park Street.

As is a Northern entrance to Bristol Temple Meads station and a proper Bus interchange. Facilities and similar facilities at southern gateway entrance with a new staff car park; Along with the Eastern entrance Temple Meads station needs good bus rail interchange; But at present no funding is identified other than the Eastern entrance.

But the most important issue to people living in Greater Bristol is a local bus service around the north and south of the city region. Such a link from UWE to Downend Staple Hill Hillfields, Kingswood, Warmley, North Common, Warmley, Keynsham, Saltford Newbridge Weston and Bath Spa bus and coach station route 18 and route 19 Cribbs Causeway bus station, Patchway, Parkway station, UWE, Downend, Staple Hill, Hillfields, Kingswood, Warmley, Cadbury Heath Oldland Common Bitton Kelson Weston, RuH back entrance Bath Spa bus station. Evening and Sunday services are required.

We welcome this bus strategy which has to be part of Metro Mayor Norris Bus Back better National bus strategy bus services improvements plan with North Somerset council; But looking at the recent funding reductions from the Department for Transport of £27.3 million a week for covid 19 bus operators grant to £226.5 Million from September to April 2022 there is a revenue support shortfall which the metro mayor needs from the treasury to keep service operating, no bus or coach service is making profit in England at present. The West of England Combined Authority does not have tax raising powers unlike the other Mayoral combined Transport Authorities. The West of England mayoral combined authority is like Greater Manchester without Stockport and Salford.

The bus service strategy which is part of the bus services improvements plan needs an enhanced quality partnership with First Group West of England buses Stagecoach West buses HcT group and RA P Bath bus company; and improvements at key railway stations like Bristol Temple Meads station Lawrence Hill Stapleton Road Montpellier station Redland and Clifton Down Bedminster station and Parson Street station in Central Bristol area; And good interchange with ferry services and Terminals and National Express Coaches Megabus and flix bus.

It's very clear from public transport user point of view that bus and train operation at West of England combined authority Mayor Dan Norris needs also to complete control of all bus services infrastructure in the 4 unitary authorities to make a complete public transport network plan which is fully accessible to all users.

The final version of the North Somerset and West of England mayoral combined Transport authority bus service improvements plan will be sent to the Department for Transport on the 30th October 2021.

Statement 5: David Redgewell, South West Transport Network

Setting up of an integrated transport authority and staff working on Transport in the city and county of Bristol, North Somerset Council, Banes and South Gloucestershire to work for West of England Combined Authority and North Somerset council to join.

This is the structure in Greater Manchester and the West Midlands Combined Authority have bus and rail powers.

In Bristol, Bath and South Gloucestershire the bus stop which are a West of England Mayoral Combined Authority with North Somerset Council; but the local authority maintains them but many have graffiti and are in disrepair.

West of England Combined Authority provided timetable displays and real time information. Railway officers are at the local authorities when West of England Combined Authority and Western Gateway transport board are responsible to Network Rail Western and First Group and Great Britain railways.

On Broadmead the need to address the need for shopping centre regeneration after the loss of Marks and Spencer and Debenhams.

Is Growth and Regeneration commission going to address this issue with the Mayor and the West of England Metro Mayor?

Public Forum Questions**Question 1:** Suzanne Audrey

In the past, Quarterly Progress Reports included a target about the % of Freedom of Information requests responded to within 20 days. See for example:

<https://democracy.bristol.gov.uk/documents/s41014/Minutes%20Public%20Pack%2028022019%20Resources%20Scrutiny%20Commission.pdf>

However, I can no longer find reference to FOI requests in the quarterly progress reports. This may be because I am not searching correctly.

Q1. Please can you confirm whether the target relating to the council's response to Freedom of Information requests has been removed from the quarterly progress reports?

Officer Response

- '% of Freedom of Information requests responded to within 20 days' is still a performance measure, but is part of a more detailed suite of measures published for the Resources Scrutiny

Commission, rather than within those provided to Overview and Scrutiny Management Board. The example link provided is for a meeting of the Resources Scrutiny Commission.

- The latest performance against this measure will be published on 21st October 2021 ahead of a Resources Scrutiny Commission meeting on 1st November 2021.

Questions 2 - 3: Clive Stevens

Dear Councillors on OSMB,

The questions below were rejected when I sent them to Audit Committee. I was told they were a matter for Scrutiny. They relate to the risk register which is Agenda 9 and how it engages with the Corporate Strategy (Agenda 7).

In a nutshell if we don't have enough affordable homes, the City won't have access to enough key workers to be able to deliver some of the Corporate Strategy goals. This is a systemic risk.

The risk report (Agenda 9 - Appendix A - page 1 of 29) rightly puts risk CRR32, which is "not achieving enough affordable homes to meet the city's needs", as a top level of risk at 28. I think this is accurate; basically; no chance of achieving it.

I need to pass across some facts from a previous Audit Meeting. On page 8 of the Audit Committee minutes from 26th July 2021, when they were studying risk CRR32, Zoe Willcox, Director of Development of Place is written down as saying the target for affordable homes is 450 per year. The overall target for house construction is circa 2,000 a year (also from the same page of the minutes). These numbers equate to 22.5% affordable. I thank Zoe Willcox for clarity.

These figures indicate a massive shortfall compared with the real need for affordable housing; expressed in the Bristol Mayor's May manifesto where he said he is aiming for 1,000 affordable per year by 2024. This 1,000/year goal is repeated on policy HC1, page 41 of the draft Corporate Strategy (which you are scrutinising at item 7 today).

Q2. Refers to Agenda item 9 (Methods of securing affordable housing): Does OSMB have confidence that the current system for provision of affordable housing is ever going to meet 1,000 a year by 2024? (That, by the way, equates to 50% of the new build target, not the 22.5% mentioned above). I understand that you will be having a deeper look at affordable housing later this year. Please be very sceptical of what officers tell you. Bristol planners and builders have failed to deliver enough during the last 20 years

Officer Response

The emerging 2021-25 Housing Delivery Plan will set out the Council's strategy for meeting the 1000 homes a year target by 2024. It will look at a wide range of options for accelerating supply by working with partner providers, the Council's housing company and the direct delivery of council homes. It will also reflect the processes, budgets, and officer capacity across the Council to support accelerated housing delivery.

Affordable housing delivery is an agenda item for November's G&R scrutiny Committee.

It should be noted for accuracy that 450 affordable homes is the target for delivery for 2021/22. The target will increase annually, staircasing delivery to reach the Mayoral target of 1000 affordable homes being built in 2023/24.

OSMB members' response to be provided verbally in the meeting.

Q3. Refers to Agenda item 7: This affordable housing shortfall presents a systemic risk to the Mayor's entire Corporate Strategy because having enough affordable homes is such an important part of having enough carers, teachers and other key workers in the City. They are needed to carry out other parts of the Corporate Strategy. So what aspects of the Corporate Strategy might well miss their goals if the lack of affordable housing continues?

Officer Response

The Housing Delivery Plan will reflect the impact affordable housing has on meeting wider Corporate aims. We recognise the importance and value of affordable housing, and continue to press for the right national investment in key projects such as Temple Quarter that support our ambitious aims for the city.

There are many factors that could feasibly affect our ability to achieve all of our goals and aspirations, and the supply of affordable housing is one of these. However, in terms of issues like workforce availability, we should be mindful that there is a much broader travel to work area.

The Corporate Strategy sets out overarching aims and there is more detailed planning, risk assessment and target setting across the whole council that flows from this top-level strategy. This will include risks associated with the delivery of affordable housing and both this and progress against targets will be reported transparently to appropriate Scrutiny and Cabinet forums over the life of the strategy.

Question 4: Councillor Christine Townsend

At People Scrutiny held on July 19th 2021 Alison Hurley the Director of Education stated in relation to the authority's legal requirement to offer a year 7 school place to all resident children who apply that:-

'we come back to cabinet October/November time to allocate the new capital grant looking at the risk profile around Year 7 but it also means we allocate and identify the funding available for specialist provision as well'

The cabinet papers for October did not include this paper and the Mayor's Forward Plan in your pack does not indicate that such a place planning funding document is coming to cabinet in November or indeed December.

Q4. Can it be explained to members and parents when we will know how/where the authority will create Year 7 places for the Sept 22 entry and when the progress on the Phase 2 special school places projects will be made public?

Officer Response

The November and December Cabinet dates were a target to seek approval to allocate basic need funding to SEND capital projects and 'bulge expansions' for year 7 students. This decision is needed due to delays to the new DfE secondary schools in the city.

The complexity of identifying how bulge classes can be introduced and the impact of a very volatile construction market on anticipated costs for projects has meant that sufficient confidence in budget has not been available to enable Cabinet to make a decision. Confidence in cost is now being secured allowing the decision to enter the decision pathway with a February Cabinet date the expected outcome. Timelines for delivery show there is sufficient time to meet the bulge requirements for Sept 22' and would allow immediate mobilisation in Feb for the next SEND capital projects. The location of schools that will have bulge classes will be communicated as soon as possible.

Questions 5 - 7: Hayley Hemming

Refer to the BCC data dashboard link

<https://opendata.bristol.gov.uk/explore/dataset/ehcp/table/?sort=-date> and screenshot below (Image 1).

Parents have often reported to BCC that the use of statistics does not seem to reflect parent experience and in the past the data has not been correct. To allay these concerns BCC agreed to report on EHCP figures online.

Image 1

| | Calendar Month | New Requests Received | Number of Finalised EHC ... | Finalised in 20 weeks | Quarter | % Finalised within 20 weeks |
|----|----------------|-----------------------|-----------------------------|-----------------------|---------|-----------------------------|
| 21 | September 2020 | 43 | 45 | 16 | 2020_Q3 | 35.6 % |
| 22 | October 2020 | 67 | 61 | 16 | 2020_Q4 | 26.2 % |
| 23 | November 2020 | 78 | 50 | 11 | 2020_Q4 | 22.0 % |
| 24 | December 2020 | 88 | 42 | 11 | 2020_Q4 | 26.2 % |
| 25 | January 2021 | 72 | | | 2021_Q1 | |
| 26 | February 2021 | 69 | | | 2021_Q1 | |
| 27 | March 2021 | 86 | | | 2021_Q1 | |
| 28 | April 2021 | 50 | | | 2021_Q2 | |
| 29 | May 2021 | 90 | | | 2021_Q2 | |
| 30 | June 2021 | 89 | | | 2021_Q2 | |
| 31 | July 2021 | 94 | | | 2021_Q3 | |

ⓘ All dates and times are in Europe/London time.

Share Embed Widget

<https://opendata.bristol.gov.uk/explore/embed/dataset/ehcp/table/?sort=-date>

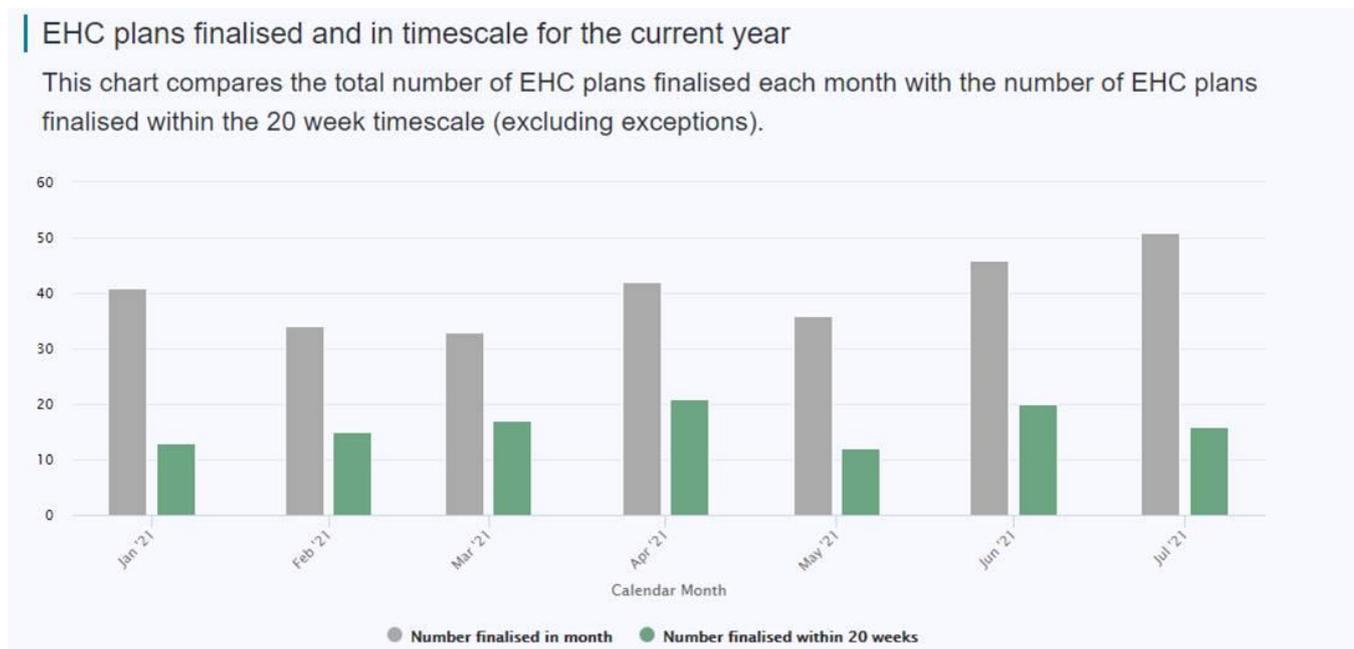
Q5. Since January 2021 BCC have stopped reporting the number of finalised EHCPs in a given month, the number finalised in 20 week and the % finalised in 20 weeks. Why is this?

Officer Response

This data is being updated on the Open data site. The page was updated at the start of the year to reflect the new methodology for the DfE KPI but the old data was left up for reference. The data under the previous methodology is no longer updated which is why there is no update shown in that table since the end of last year. The data table queried also includes the updated measure in the later columns which are updated with the data for 2021. This information can also be found on the summary page which includes visuals of the latest data and commentary: [Summary of Education, Health and Care Plans — Open Data Bristol](#)

The chart from the open data site (*figure 1*) shows the number of plans finalised and the number in timescale each month.

Figure 1



The percentage on time is included in the table on the following page (*figure 2*). This is available at the bottom of the Open Data Bristol page (see [Summary of Education, Health and Care Plans — Open Data Bristol](#)).

Figure 2

| | Calendar Month | New Requests Received | KPI Number of Finalised E... | Compliance using new DfE... |
|----|----------------|-----------------------|------------------------------|-----------------------------|
| 10 | October 2020 | 67 | 59 | 27.1 |
| 11 | November 2020 | 78 | 45 | 24.4 |
| 12 | December 2020 | 88 | 42 | 26.2 |
| 13 | January 2021 | 72 | 41 | 31.7 |
| 14 | February 2021 | 69 | 34 | 44.1 |
| 15 | March 2021 | 86 | 33 | 51.5 |
| 16 | April 2021 | 50 | 42 | 50.0 |
| 17 | May 2021 | 90 | 36 | 33.3 |
| 18 | June 2021 | 89 | 46 | 43.5 |
| 19 | July 2021 | 94 | 51 | 31.4 |

Q6. The data dashboard in the image above mentions 'new DfE Cohort' as shown in image 2 below. What is meant by the New DfE cohort?

Image 2

| KPI Number of Finalised E... | KPI Number of Fin |
|------------------------------|-------------------|
| 42 | 574 |

New DfE cohort - excludes those with a mediation and/or tribunal before the final plan is issued and exception cases

Officer Response

The 'new DfE cohort' refers to the timeliness measure used by the DfE to calculate the % of EHC plans completed within the 20 week timescale. The methodology for this measure was updated at the end of 2020 in line with updated guidance from the DfE. At this point we adjusted our reporting to meet the new reporting requirements. Both the old and new measures are reported on the open data site for reference but only the new measure is reported on for the current year. Please see item 3.2 on page 24

of the following link for the DfE methodology:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1013751/SEN2_2022_Guide.pdf

Q7. The data dashboard in image 2 also says that the number finalised excludes those going through mediation and appeal. Mediation and appeal could be appropriate where for example the LA have received a needs assessment request but have decided not to proceed with it. A parent or carer can then mediate or appeal this decision with the aim of overturning this decision so that their child can then go on to have their needs assessed.

Page 190 (F12) of the pack states, “During the period January to March 2021 107 new EHC plans were finalised of which 45 were within the 20 week timescale”.

It’s commendable that BCC has improved the number being issued on time to 42.1% (the national average figure for EHCPs completed within 20 weeks in 2020 was 58% and pre covid it was 60.8%)

The claim in this report is that 107 EHCPs were due to be issued in 20 weeks. But 20 weeks previously between January - March 2021 BCC received 188 Needs Assessment requests.

This means that roughly 81 children (43% of EHCNA Requests) are missing from this data, possibly because they are mediating or appealing. It’s important to note this figure (81) is an estimate based on the data on the public dashboard. The data there is not reported in a helpful manner, so the figure is likely to be incorrect but not by a significant number.

- Is BCC sure this data is accurate?
- If it is accurate, is it possible that Needs Assessments are being unlawfully rejected in order to artificially increase the number that are being completed within 20 weeks? For example, as an illustration; 100 children and young people could apply for a Needs Assessment, you reject 50 outright not following the legislation, their parents then appeal and are not included in the data. You then issue 25 C/YP with an EHCP in 20 weeks and claim you have issued 50% on time.
- If this isn’t the case and the data is accurate, is it possible for Bristol City Council to report their data monthly / termly in a transparent manner much like the annual data they return to the DofE (EHCNA Received, EHCNA refused, EHCNA Carried out, EHCP Issued, EHCP issued in 20 weeks) which is published online at the end of the year?

This would restore parental confidence in the statistics being put into the public domain.

Officer Response

A few points to be raised here:

“The claim in this report is that 107 EHCPs were due to be issued in 20 weeks. But 20 weeks previously between January - March 2021 BCC received 188 Needs Assessment requests.” – 107 refers to the number of EHCPs finalised in the time period not the number that were due. Between Jan and March 2021, 227 needs assessment requests were received not 188.

The calculations made in the query are not correct. To clarify, the number of requests received in a month minus the number of plans finalised does not give you a number of children missing. The number of requests received in the time frame does not relate to the number of plans finalised in the same time period. EHCPs finalised in the first quarter can be from requests received at any previous date and not just those received in that quarter. The two numbers are therefore not comparable.

As mentioned in previous question responses, mediations and tribunals are excluded from the KPI as per the DfE methodology.

All the data undergoes a rigorous quality assurance process each month before being reported.

Questions 8 - 9: Christina Biggs, Bristol Clean Air Alliance

Q8. How much money have BCC asked JAQU for, to help businesses transition to less polluting vehicles for the Clean Air Zone?

Officer Response

To follow

Q9. Is this to transition to new diesels or to petrol vehicles or to electric vehicles or e-cargo bikes? Have JAQU responded yet? Have BCC applied to WECA, Business West or other sources of funding?

Officer Response

To follow