

# Summons to attend meeting of Full Council



**Date:** Tuesday, 12 March 2024

**Time:** 6.00 pm

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

**To: All Members of Council**

**Issued by:** Oliver Harrison, Democratic Services

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**Date:** Friday, 1 March 2024



# Agenda

## 6. Public Petitions, Statements and Questions

Please note that with the agreement of the Lord Mayor, the deadline for Public Questions and Statements relating to Item 16: Special Urgency Decision DSG Safety Valve has been extended to 12.00 noon on Monday 11 March.

(Pages 3 - 44)

Public forum items can be about any matter the Council is responsible for or which directly affects the city. Submissions will be treated in order of receipt and as many people shall be called upon as is possible within the time allowed within the meeting (usually 30 minutes).

Further rules can be found within our Council Procedure Rules within the Constitution.

Please note that the following deadlines apply to this meeting:

a. Public petitions and statements: Petitions and written statements must be received by 12 noon on Friday 8 March 2024 at latest. One written statement per member of the public is permitted.

b. Public questions: Written public questions must be received by 5pm on Wednesday 6 March 2024 at latest. A maximum of 2 questions per member of the public is permitted. Questions should be addressed to the Mayor or relevant Cabinet Member.

Public forum items should be e-mailed to [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)

Signed



Proper Officer  
Friday, 1 March 2024



## **PP 01 Nico Scarlett – Fix Stapleton Road’s Bus Seating (128 signatures)**

We the undersigned want Bristol City Council to take seriously that the bus seating on Stapleton Road (next to the post office) is needed for the residents and visitors of Easton who are disabled, elderly or pregnant. We want Bristol City Council to understand that it's not okay that we have to either: sit on the floor; sit on the cold metal base (under what would be the seat); or stand for periods of time which they would not do otherwise. We want Bristol City Council to take our concerns seriously and to not neglect residents and visitors of Easton.

We have tried reporting this issue to the council, and have back and forth emails with the Public Transport Team from Bristol City Council, but they are refusing to replace the seating that was taken out due to 'anti-social behaviour'.

We believe that seating is a minimum requirement, that needs to be available for everyone but especially people who are disabled, elderly or pregnant. This means that people unable to stand, or can only stand for small amounts of time, have to stand, or end up sitting on the cold and thin metal base of what was the bottom of the seat.

We believe this is unfair to people who are unable to stand, or can only stand for small amounts of time.

**Dear Nico,**

**Thank you for bringing this issue to Full Council.**

**You’re right to raise concerns about a lack of seating restricting accessibility and making residents’ journeys more difficult.**

**I’m aware that this issue has been brought to the attention of Cllr Don Alexander, Cabinet Member for Transport. He has asked officers to take steps to reinstate the seating and inform all relevant stakeholders of the progress made.**

**I will take steps to ensure you are updated as this happens.**

## **STATEMENT PS 01**

**Submitted by John Stansfield**

### **Title: Plant Based Treaty**

The combination of a growing world population increasingly keen to adopt the 'western' diet of high meat, dairy and fish intake is enacting in a scenario where the production of these products (certainly meat and dairy) entails vast - and unavoidably - inefficient land usage. The availability of land is coming into short supply as a result, meaning that humanity's very survival will inevitably involve a wholesale shift towards a (much healthier) plant based diet. That is simple fact that receives the wholesale support of global scientists and institutions from the UN downwards (will provide the respective statements from these bodies). As the UK's first European Green Capital, and the first UK city to declare a Climate Emergency, as well as its clearly stated commitment to improve the health of its citizenry (will provide BCC's respective statements and declared policy) it would be remiss in the extreme for BCC to ignore the 30% contribution of agriculture (mainly animal agriculture) to the world's GOC emissions - and irresponsible in the extreme for BCC to ignore the powerful bodies of evidence testifying to the burgeoning human health problems directly attributable to the consumption of meat, dairy and fish products (with fish now containing large amounts of metals and plastics). These problems include obesity, hearth disease, cancers and strains of diabetes (will include pertinent pronouncements by the medical profession on this). These problems, of course, also impose huge additional pressure on NHS funds. In light of this it is incumbent on BCC to accept the inevitable shift towards increasingly plant based nutrition - and absurd, in view of its credentials - if it does not. The request is therefore that the Council joins other forward-looking councils and bodies by signing up to the Plant Based Treaty - and if it is not prepared to do so - to proved robust reasons why not.

**Bristol has been leading the way on sustainable food production - as well as decarbonisation in general – as is evidenced in it being only the second city in the UK to achieve Gold Standard for food sustainability. While I agree that emissions from animal agriculture do need to be tackled, I have some reservations that some of components of this treaty will harm society's poorest.**

**Changing behavioural habits, such as diets, takes time. Blunt instruments such as a tax on meat could well have no effect on meat consumption but will make already-struggling low income families struggle even further. The focus should instead be on making fruit and vegetables as cheap as possible, so that healthy, sustainable diets are an option for everyone – this is the approach we're taking in Bristol.**

**However, I would stress that the principles in the treaty are a matter for central Government rather than local. I suggest you email your Member of Parliament about this – three of Bristol's four Labour MPs are vegan, so I'm sure will have sympathy with the treaty's aims.**

**On a local level, the Labour administration is committing significant resources to make our food systems more sustainable. As I stated, we've received Gold Standard Award for food sustainability – only the second city in the country to do so – for our efforts to reduce food waste, grow the city's good food movement, address food inequality, increase urban food growing, improve catering and procurement, and tackle the impacts of our food system on public health, nature, and climate change. We also have a commitment to growing sustainable food in every ward in the city. It is absolutely right to have a focus on local food production, as doing so massively reduces the airmiles of our food which is one of the main contributors to Co2 emissions from agriculture – both animal and otherwise.**

## **STATEMENT PS 02**

**Submitted by Jen Smith**

**Title: Delivering Better Value in SEND and Safety Valve application**

Bristol City Council Safety Valve

At Bristol Schools Forum on 12 July 2023, The director of education presented paper Delivering Better Value in SEND Programme.

There was an update on 26 September 2023 by the same director.

A further update took place on 28 November 2023 by the same director.

There appears to be no update at the meeting on the 16 January 2024. Unfortunately, after the meeting on 12 July 2023, no other Bristol Schools Forum meetings are available to view on YouTube to confirm this.

It seems extraordinary that Bristol City Council gave the appearance of working on the Delivering Better Value in SEND programme when it was already working with the Department for Education on its application to join the Safety Valve Programme from 28 July 2023.

Cabinet papers say that following the invitation to join the Safety Valve, the council 'entered a development period with DfE advisors who worked with us to provide a robust and deliverable DSG DMP and the underpinning financial modelling. On completion of this process the Council's Safety Valve application was formally submitted to the DfE on 12 January 2024 following engagement with Cabinet Board and the Council's Finance Scrutiny Task Group. The submission was supported by the Chief Executive, the Director Education and Skills and the Council's Section 151 Officer.'

This covered a period of time, tinkering with Send when the council did not even have an Executive Director of Education.

The paper to approve Bristol's application for the Safety Valve was uploaded the day before the Cabinet meeting. There was no opportunity for members of the public to ask questions or submit statements.

This paper should never have been allowed to go to Cabinet when Bristol had not been upfront and transparent about its application to the Safety Valve. This is something which will have a huge impact on Send children and young people for years to come.

I am unaware of any other local authority which has taken such a cloak and dagger approach to something so important to the point it disregarded all democratic process.

The agenda item was allowed through under APR16 Special Urgency on account that the taking of the decision could not be reasonably deferred.

Well it shouldn't have been allowed. Sometimes people need to say no. There are huge concerns by campaigners in other parts of the country about the impact Safety Valve agreements will have on the provision of Send in local authorities.

If Bristol is harbouring under the illusion that people will go quietly over this, it's wrong.

**In accordance with the usual process, the chair of OSMB gave agreement for the paper to be considered urgently at the March meeting. A further paper was tabled for April to provide more information. Both of these have been considered at a combined OSMB and People scrutiny meeting.**

**Any future administration has the prerogative to refuse membership of the Safety Valve and send back the funding for the Dedicated Schools Grant budget.**

## **STATEMENT PS 06**

**Submitted by Lucy Holburn**

**Title: Bus to Stapleton**

Dear Democratic Services,

As a member of the Lower Stapleton Residents Association I would like to advocate for the many people that raised this as a significant issue to them at the last residents meeting.

Removing the bus service to Stapleton has disproportionately impacted people on lower income, people with mobility issues, and is pretty wild considering we are in a climate crisis (people forced to use cars if they have them). It is isolating people.

This is a public health issue, an active travel issue, an Economic issue, a climate issue, and a social justice issue.

We are calling on Bristol City Council and WECA to do everything in your power to address this and put it right - we have been without appropriate public transport for too long.

With thanks  
Lucy Holburn

**Thank you for raising this issue with me.**

**I agree with you that Bristol's bus services are not what we need them to be. East Bristol has long been ignored by strategic bus routes. They fall short of being the reliable transport option residents deserve, despite their importance for keeping local communities connected. Viable public transport is the backbone of sustainable travel.**

**Operation of bus services have been deregulated in the United Kingdom since the 1980s, giving local authorities limited powers to influence the way bus operators work.**

**Supported bus services in the region are managed by the West of England Combined Authority (WECA), who will be delivering improvements through the Bus Services Improvement Plan (BSIP). You may be interested in reading about the work being done to improve transport in Bristol here: Bristol streets – Transport Corridor Improvements - Travelwest.**

**Despite limited powers, we've worked hard to implement bus prioritisation where we can. Our recently completed road improvement scheme on Bristol Bridge is supporting a fast, reliable and sustainable travel option for residents to access the city centre. We also have plans for major road improvement works on the A4 Portway, increasing the effectiveness of our busses.**

**To solve Bristol's transport issues, we need transformative change. We need a segregated mass transit system, separate from other modes of transport to ensure its reliability and to connect people to jobs and opportunity. This must include underground sections where there is no reasonable other option, to prevent crippling road closures that would take our city's transport system back to square one.**

**I hope this information has been useful, good luck with your campaign.**

## **STATEMENT PS 10**

**Submitted by Sally Collins**

**Title: Bus service for Stapleton**

I am writing to echo Councillor Bennett's concern for the people of Stapleton who live on or near a this main road into Bristol and yet are still without any buses to serve them. It seems extraordinary that so many buses frequent Fishponds Road and yet not one cannot deviate along Manor Rd and on through Stapleton. I object most strongly to the loss of a service. Firstbus originally claimed that it was underused. I would argue that it had become so unreliable in terms of punctuality (or not arriving at all) that this contributed to a loss of passengers.

Please find away to allow these citizens of Bristol who live less than three miles from the city centre to allow us to access it! Thank you.

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**I hope this information has been useful, good luck with your campaign.**



## **STATEMENT PS 18**

**Submitted by Megs Smith**

**Title: Call for debate around Green agenda and NetZero emissions**

The Green agenda supports Net Zero emissions, the eradication of petrol and diesel vehicles and the uptake of Electric Vehicles, but how 'green' this agenda is in reality is up for debate. Councils all over the country are being held into account by residents for their actions around Net Zero and it would be useful for debate to take place in Bristol too.

**The Full Council agenda is not set by myself, but through Party Group Leaders and the Lord Mayor.**

**As a city, we have together set ambitious goals of becoming a carbon neutral, climate resilient, and nature rich city. In the One City Plan, Bristol committed to becoming carbon neutral and climate resilient by 2030. Therefore, as a city we need to act now to reduce direct and indirect carbon emissions to net zero, since we are facing a climate emergency. One goal we are aiming to reach by 2030 is that Bristol will have a sustainable, carbon neutral transport system with a modal shift to significantly more people walking, cycling, and using low carbon transport.**

**On account of this and the governments directive for us to reduce air pollution to legal limits as quickly as possible, we implemented Bristol's Clean Air Zone (CAZ). Since implementing the CAZ in November 2022, we have seen vast improvements in the air that we all breathe. Nitrogen dioxide pollution is down by ten percent across Bristol, and this is almost thirteen percent lower inside the CAZ. Outside the Bristol Royal Infirmary and Children's Hospital, nitrogen dioxide is down by about twenty percent. This improvement in air quality will have an important impact on our health and our children's health, now and in the future.**

## **STATEMENT PS 21**

**Submitted by Tina Holmes**

**Title: Statement on Council Consultation on Proposed changes to Bristol Allotment Rent and Tenancy Agreement**

I will not be able to attend in person, but here is my statement.

Whilst I object strongly to the new allotment rent charges, my concern is that should an Allotment Association chose not to adhere to your new rent and water increases, you will force them by revoking their leases, then just issuing new ones at a higher rate.

Obviously associations do a lot of the leg work themselves using volunteers, requiring minimum input from the council, so shouldn't be forced to charge the same as one directly managed by the council. I hope this is taken in to consideration.

**Bristol is a leading city in terms of our approach to sustainable food growing and food equality. Everyone recognises the importance of a thriving network of accessible spaces for local people to grow healthy and sustainable food.**

**Allotment rents have not been raised for seven years and the current rental income does not meet the cost of running the service. This means that allotments are currently subsidised by council tax payers who do not benefit from an allotment, which is not financially sustainable or fair. This also creates financial pressure for the Parks service, detracting from investment in parks across the city. The rental uplift that was proposed and carried in March's Cabinet, while not meeting full cost recovery, would have improved the financial sustainability of allotments and the service received by tenants.**

**Since March's Cabinet and Full Council, the decision regarding Allotment rents and water charges was called-in by a group of councillors. Expert officers from our parks, consultation, equality and legal teams all advised that this decision was made legitimately and provided a robust defence against the claims raised by opponents to the decision. However, in the spirit of cross-party collaboration as we move into a committee system of governance, Cllr Ellie King proposed to pause implementation of the decision and defer until after the election for consideration by the future Public Health and Communities policy committee. This means that the rental uplift will not progress under my administration**

## STATEMENT PS 23

Submitted by Tess Price

### **Title: Statement on Council Consultation on Proposed changes to Bristol Allotment Rent and Tenancy Agreement**

This is a collective statement from a number of allotment site-based community groups and projects, who have come together to state our concerns about the impact on our groups of the allotment rent rises recently agreed by Cabinet.

Bristol has a fantastic range of motivated and committed community groups/projects on allotment sites, and collectively we bring huge benefits to the city including on access to healthy food, physical and mental health, reducing isolation, building community and opportunities to connect with nature and land.

The Council acknowledges this in its PGSS Food Growing and Allotments strategy, and claims to want to encourage and support us: Page 44 states: "Collective growing plots are a great way to enjoy the benefits of an allotment plot without having to commit to an individual allotment tenancy or join the waiting list for a plot. These have been established by a group or organisation to satisfy a particular community need and interest in food growing, providing social interaction and community cohesion.

There is great opportunity for these initiatives to encourage the participation of under-represented groups, and to be a stepping-stone for everyone to progress from an interest in food growing to taking on their own allotment plot. Increasing opportunities for collective food growing will require a collaborative and creative approach, but it has the potential to reduce pressure on our allotment waiting list and ensure the benefits of food growing are accessible."

But in fact these rent rises will be really damaging to us and they risk closing many of us down.

- The rent rises are huge, ranging from around twice as much to almost 6 times as much as current rents. The rises are higher on larger plots, disproportionately affecting our projects. Many of us rent multiple plots for our projects, the new rents for many of us will be in the region of £500 to over £1000 per year. These are huge sums for community-led, volunteer-run projects to find.
- Your proposed 50% discount won't work to make the rent rises manageable for us. Some of us are already receiving discounts of 50% or even 100%. Even with the discount, one Community Orchard has calculated it will have to pay £605/yr under the new rent regime.
- The discount scheme itself will involve a large extra administrative burden on groups and potentially large extra costs. In order to receive the discounts, groups may have to keep records of all participants/visitors including date/time of visits, equalities monitoring data, records of food yields and maintenance activities. GDPR law is likely to apply to these records. Groups may also have to set up Public Liability Insurance if they don't already have it.

The potential impacts on us are as follows:

- Some of us will be forced to close our projects, or parts of our projects, because they are no longer financially viable. Many of us provide free hands-on food and fruit growing learning

opportunities; we give away surplus produce to our local communities, and to local Food Banks; and we provide outdoor healthy spaces and community to people who may otherwise be unable to access such things. Does Council really want us to charge for such services? If so you will make these services unaffordable and inaccessible to many of these people.

- Some of us who raise funds through member subs will have to increase those subs by a large margin to cover our costs, effectively closing our groups to those on a low income.
- Some of us will be forced to seek new or additional grant funding to cover our costs. This will increase our workload, make the future of our groups vulnerable to cuts in grant funding, and prevent us from planning for the longer term. It is also extremely hard to find grant giving bodies willing to fund ongoing running costs such as rent.
- We all rely largely or entirely on volunteer labour to keep our projects running. The extra administrative burden is likely to be impossible to sustain for many of us, already struggling to balance this work with paid employment, family and caring commitments. As a result some of us may have to close because key organisers and volunteers won't be able to continue to run and manage the projects.
- Potential new groups/projects will be disincentivized by the new rents and the need to meet stringent requirements to obtain the 50% discount. New groups of this kind never start out fully formed with lists of volunteers, and are rarely able to obtain grant funding in their early stages. They are nearly always the result of the hard work of a few committed individuals, often for years, in order to get the group up and running and get plots safe and ready for the intended use. Your rent and discount scheme proposals will act as a very high barrier for any new groups of this kind.

We are asking the full Council to reverse and rethink these damaging rent rises as soon as possible, before any of our projects are forced to close.

We are asking that the Council works together with us and other community groups/projects to develop new rent proposals that can support a viable allotments service and enable us to flourish as well.

Furthermore the Council needs to back up their stated encouragement for community groups by looking to work with us and support us. We can help support the allotments with support and training, resources and organisation, but we can only do this if our projects are themselves sustainable. From this could come the innovation which is more important than rent rises to bring about improvement to access and maintenance of allotments.

Groups who have co-written and signed up to this statement:

- Alive Dementia-friendly Allotment
- Beaufort Road Community Growing Collective
- The Birch Collective
- Easton Community Garden
- Edible Bristol
- Fishponds Community Orchard
- The Haven Project
- Herbalists Without Borders Bristol (Herb Allotment)
- Metford Road Community Orchard

- Redland Green Community Orchard
- Royate Hill Community Orchard
- Street Goat
- Thingwall Park Community Chickens
- Woodcraft Community

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**Since March's Cabinet and Full Council, the decision regarding Allotment rents and water charges was called-in by a group of councillors. Expert officers from our parks, consultation, equality and legal teams all advised that this decision was made legitimately and provided a robust defence against the claims raised by opponents to the decision. However, in the spirit of cross-party collaboration as we move into a committee system of governance, Cllr Ellie King proposed to pause implementation of the decision and defer until after the election for consideration by the future Public Health and Communities policy committee. This means that the rental uplift will not progress under my administration**

## **STATEMENT PS 24**

**Submitted by Caroline Dalcq**

### **Title: Statement on Council Consultation on Proposed changes to Bristol Allotment Rent and Tenancy Agreement**

Firstly, the proposed rents are not reasonable and need to be reassessed.

The recent allotment consultation results show that 78% of respondents disagreed with the proposed rent increase. Section 10 of the Allotments Act 1950 provides the power for the Council to charge “such rent as a tenant may reasonably be expected to pay for the land”. The definition of reasonable is defined by case law and The National Allotment Society (NAS) gives a number of guidelines for setting reasonable rents. One of which is comparing to leisure facilities. It also suggests that the “present level of rent and its historic tradition” should be taken into account and also the “likely effects of rent levels on plot take-up”.

Rents are due to rise between 7 and 492% depending on the plot. This inconsistent rise is not reasonable: it is not on line with the increase to local leisure facility prices, nor does it have any historical precedent.

The councils EIA confirms that people may be priced out of the allotments and the councils risk assessment in the report put to cabinet admits that these price rises will push people off their plots. Is the Council taking into account this effect on plot take-up?

The only argument the council has that their new rents are ‘reasonable’ is by comparing the rent rises to a few other local authorities (carefully selected for their high rents). In policy 103, the NAS specifically says it “does not endorse the use of benchmarking against other allotment providers”.

Secondly the budget supporting the need for these rent increases is unexplained and obscure.

The council has argued time and time again that rents need to rise because allotments are being massively subsidised by the parks authority. It is clear looking at the allotment budgets for 2017-22 that allotment spending is usually higher than income and I accept rents need a SMALL rise to negate this.

However, there are no budget figures available for 22/23 and the budgets for 24/25 suggest that for this year at least the allotments don't outstrip spending, with the spending being £191K and the income being £337K.

Going forward the budget includes a massive and unprecedented spending of £301K per year for the next 15 years on infrastructure. From my understanding it is this figure that is being used to justify the need for the huge rent increases, rather than a smaller rise. However it is very unclear what this money will be spent on.

What allotment infrastructure will cost £4.5 million in the next 15 years? Please can details of this be released and clarified.

When discussing these matters, can we all remember that allotments are a service that the Council has to provide to all, not a luxury we should beg for.

Thank you for listening

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## **STATEMENT PS 26**

**Submitted by Sue Crimlisk**

**Title: Objection to proposed changes to allotments consultation**

Dear Council

I would like to submit my objection to the current proposed changes to the allotments consultation

Yours

Sue Crimlisk

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## STATEMENT PS 30

**Submitted by Christopher Faulkner Gibson**

**Title: Allotment Rents and water Charges**

I fully understand that allotment rents need to increase. The fact that previous agreed increases were not implemented is the fault of Bristol City Council, not the allotment tenants who are now facing punitive increases to compensate for this failure.

However, we want to work constructively with the Council, and we all agree that improvements are needed and must be paid for: the current staff levels are totally insufficient. We do not disagree with you on the principles but on the detail and the means of implementation.

Your decision to phase in the increases over two years is welcome, as is making monthly Direct Debit payments available but this does not go far enough.

79% of respondents to your consultation (many of whom live in the two most deprived deciles of the city) said that they either disagreed or disagreed strongly with the rent rises.

This is not reflected in your EIA, and I cannot see how you can justify the rent increases given this level of opposition.

Whilst I was pleased to see the new rules and additional fees postponed for further review and consultation, I do not believe that the responses to the consultation on rents have been properly considered.

Various suggestions have been put forward as to how the allotment charging regime can become fairer, but this is not reflected in your consultation report – you seem determined to go ahead regardless, ignoring both the level of opposition and the constructive suggestions that have been put forward.

In common with many other tenants, I believe your proposals will, if implemented as they are, be vulnerable to Judicial Review. The Bristol Allotmenters Resist group is actively investigating this, and it is believed that the costs could be met through a Crowdfunder appeal with little difficulty.

I also find it astonishing that so much anger is being stoked up across the entire city so close to an election. I am aware of several people who are vowing that if these increases go ahead they will no longer vote Labour, saying they feel betrayed that a Labour Council is penalising working people in this way.

Please, step back from this and take an altogether more imaginative and collaborative approach.

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## **STATEMENT PS 33**

**Submitted by Samara Flaherty-Rigg**

**Title: Statement on Council Consultation on Proposed changes to Bristol Allotment Rent and Tenancy Agreement**

Hi there,

Just to inform you we sent our BellHill Allotment petition to CEO Mr Peacock and our MP representative-Kerry McCarthy..stating our concerns..still awaiting response.

As a council to public services how do you plan to honour the equality act 2010 and your duty to fair tariff , where these rents increases cease to be inclusive and Benefit subsidies do fail to accommodate the broader community..if failure to do so in its approach..does directly discriminate, your rent increases be distributed as over two years is still unrealistic and still will have the exact same negative impact on allotment people and shares holders ..how do you wish to proceed in view of your obligations to the above?

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**Allotment rents have not been raised for seven years and the current rental income does not meet the cost of running the service. This means that allotments are currently subsidised by council tax payers who do not benefit from an allotment, which is not financially sustainable or fair. This also creates financial pressure for the Parks service, detracting from investment in parks across the city. The rental uplift that was proposed and carried in March's Cabinet, while not meeting full cost recovery, would have improved the financial sustainability of allotments and the service received by tenants.**

**Since March's Cabinet and Full Council, the decision regarding Allotment rents and water charges was called-in by a group of councillors. Expert officers from our parks, consultation, equality and legal teams all advised that this decision was made legitimately and provided a robust defence against the claims raised by opponents to the decision. However, in the spirit of cross-party collaboration as we move into a committee system of governance, Cllr Ellie King proposed to pause implementation of the decision and defer until after the election for consideration by the future Public Health and Communities policy committee. This means that the rental uplift will not progress under my administration**

## **STATEMENT PS 34**

**Submitted by Melanie Riley**

**Title: Bristol allotment price hike**

I disagree with the potential increase in allotment fees throughout Bristol. Allotments should be affordable for all and with the current increase people will be forced to give up their plots. People use allotments for many reasons beyond just growing fruit and veg such as for wellbeing purposes and for a sense of community. Preventing people on lower income from access to this is outrageous. I love Bristol for its village like/community feel however increasing the allotment prices will take this away from many. There is a joy in having an allotment so close to home whilst living in a small terrace house with a tiny back garden. It is not fair to take this away from people!!

More land should be allocated to allotments within the local plan instead of price increases. With allotment fees increasing people are more likely to opt for a private allotment company instead of the council owned allotments. These currently provide more services than the council run allotments (we only get access to water!) and are therefore a more desirable option and also availability.

I honestly think you should re-think the plans on increasing allotment prices before it is too late and everyone boycotts Bristol Council allotments!

**Bristol is a leading city in terms of our approach to sustainable food growing and food equality. Everyone recognises the importance of a thriving network of accessible spaces for local people to grow healthy and sustainable food.**

**Allotment rents have not been raised for seven years and the current rental income does not meet the cost of running the service. This means that allotments are currently subsidised by council tax payers who do not benefit from an allotment, which is not financially sustainable or fair. This also creates financial pressure for the Parks service, detracting from investment in parks across the city. The rental uplift that was proposed and carried in March's Cabinet, while not meeting full cost recovery, would have improved the financial sustainability of allotments and the service received by tenants.**

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## **STATEMENT PS 35**

**Submitted by Kelly Allen**

**Title: Statement on Council Consultation on Proposed changes to Bristol Allotment Rent and Tenancy Agreement**

I just want to register my objection to the rent increases.

This is awful and unsustainable and undemocratic. It has been pushed through by the council with no real consultation with the allotment tenants.

**Bristol is a leading city in terms of our approach to sustainable food growing and food equality. Everyone recognises the importance of a thriving network of accessible spaces for local people to grow healthy and sustainable food.**

**Allotment rents have not been raised for seven years and the current rental income does not meet the cost of running the service. This means that allotments are currently subsidised by council tax payers who do not benefit from an allotment, which is not financially sustainable or fair. This also creates financial pressure for the Parks service, detracting from investment in parks across the city. The rental uplift that was proposed and carried in March's Cabinet, while not meeting full cost recovery, would have improved the financial sustainability of allotments and the service received by tenants.**

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## **STATEMENT PS 37**

**Submitted by David Adams**

**Title: Statement on Council Consultation on Proposed changes to Bristol Allotment Rent and Tenancy Agreement**

Fees:

1. The rent rises are massive, way above inflation.
2. It is unreasonable to have extra fees for installing sheds, fruit cages and ponds. New tenants will have extra fees to pay if they want to install these things, which is just too much on top of the raise in plot fees.
3. It is unreasonable to have fees for getting a key - so you could have an allotment but not get a key to access it without paying extra money
4. I don't trust that BCC is able to reliably contact me via email - £50 for a rental reminder is unacceptable.
5. It is not acceptable to ask people to pay for a site inspection challenging a Notice to Quit.
6. Fees for clearing a plot-holder's overgrown plot after having left are extraordinary.
7. Likewise fees for removing structures - these may have been there on the plot before current owner took over

Is the point to a lot of money from these fees - mediation included?

**Bristol is a leading city in terms of our approach to sustainable food growing and food equality. Everyone recognises the importance of a thriving network of accessible spaces for local people to grow healthy and sustainable food.**

**Allotment rents have not been raised for seven years and the current rental income does not meet the cost of running the service. This means that allotments are currently subsidised by council tax payers who do not benefit from an allotment, which is not financially sustainable or fair. This also creates financial pressure for the Parks service, detracting from investment in parks across the city. The rental uplift that was proposed and carried in March's Cabinet, while not meeting full cost recovery, would have improved the financial sustainability of allotments and the service received by tenants.**

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## **STATEMENT PS 38**

**Submitted by Annette Cath**

**Title: East Bristol Liveable Neighbourhood**

I have been unable to find any evidence of funding or a budget to remove or alter street furniture after the ebln trial according to public feedback. This seems to suggest it is not a trial but a permanent scheme. This appears to be a dishonest approach by the council.

**In March, the decision was made to proceed with the East Bristol Liveable Neighbourhood trial scheme.**

**You can find more information about the scheme in these blogs: [Delivering the East Bristol Liveable Neighbourhood - The Bristol Mayor](#), [East Bristol Liveable Neighbourhood to be trialled - The Bristol Mayor](#).**

# Full Council – 12 March 2024

## Agenda item 6 b

### Public questions



#### Procedural note:

##### Questions submitted by members of the public:

- Questions can be about any matter the Council is responsible for or which directly affect the city.
- Members of the public who live and/or have a business in Bristol are entitled to submit up to 2 written questions, and to ask up to 2 supplementary questions. A supplementary question must arise directly out of the original question or the reply.
- Replies to questions will be given verbally by the Mayor (or a Cabinet member where relevant). Written replies will be published within 10 working days following the meeting.





\*point of explanation - where a person has asked two questions on the same topic they are on the same line. Where topics are different they have different lines.

Ref No	Name	Title
PQ01	Agnes Sales	Climate Future Advertising
PQ02	Richard Pawley	Plant Based Catering
PQ03	Simon Hobeck	Totterdown Bridge
PQ04	Suzanne Audrey	Ecology
PQ05	Suzanne Audrey	Housing Density
PQ06	Hilary Saunders	Quaker Burial Ground
PQ07	David Redgewell	Bus Services
PQ08	Dan Ackroyd	Safety Valve
PQ09	Fiona Castle	Safety Valve
PQ10	Ivan Veiga	Safety Valve
PQ11	Catherine Veiga	Safety Valve
PQ12	Em Williams	Safety Valve
PQ13	Gillian Crea	Safety Valve
PQ14	Jenny Clarke	Safety Valve
PQ15	Scott Daniels	Safety Valve
PQ16	WITHDRAWN	
PQ17	Jen Smith	Safety Valve
PQ18	Eleanor Freeman	Safety Valve
PQ19	Tara Waite	Safety Valve



**QUESTION PQ 01**

**Subject: Climate Future Advertising**

**Question submitted by: Agnes Sales**

I am deeply concerned about the climate crisis and the huge role advertising can play in this. The Advertised Emissions report that was launched at COP26 in 2021 found that advertising adds on average an extra 28% to the annual carbon footprint of every single person in the UK. Council has a stated goal that by 2030 “people in Bristol will consume carbon neutral food and drink”.

It seems important that decisions about advertising within our city are made in such a way to promote environmentally sensitive ways of eating. I know Council has already brought in an advertising policy that bans certain harmful ads. My question is, if meat and dairy products are known to have such a high carbon footprint, why are adverts for these products not included within this policy?"

**REPLY**

**Reply given in meeting:**

**<https://www.youtube.com/live/ZIWs3JtGJw?si=m3xzudCwyYgJ-XYf&t=1269>**



## **QUESTION PQ 02**

**Subject: Plant Based Catering**

**Question submitted by: Richard Pawley**

The Bristol Good Food 2030 Framework rightly points out that limited funding presents a major constraint for enabling Bristol's food system to align with the Council's stated goal of having the city become carbon neutral by 2030.

The scientific evidence is starkly clear that reducing meat and dairy consumption has a substantial impact in reducing carbon emissions.

Other councils such as Lewisham, Faversham, Hythe and Oxford, that have previously transitioned to 100% plant-based catering, have noted that there are no financial implications for this transition on council budgets.

With all this in mind, my question is: will you recognise that a transition to plant-based catering is an obvious move for reducing the climate impact of the city's food in a context of budgetary constraint, and that failing to do so will make achieving carbon neutrality in the city increasingly difficult?

Finally, if the council is responsive to the wishes of its people - would they not act upon this. It is clear that the residents of Bristol want more action on climate change, should you not fully embrace a climate strategy which would involve incorporating a roll out of plant-based catering as default; rather than as a desultory afterthought?

## **REPLY**

**Reply given in meeting:**

<https://www.youtube.com/live/ZIWs3JtGJw?si=YWzbhrUbAaH1RuuE&t=2343>



### QUESTION PQ 03

**Subject: Totterdown Bridge**

**Question submitted by: Simon Hobeck**

The towerblock development at Totterdown Bridge is currently unfinished, there is no sign of work progressing, and the 17-storey tower has only one escape route which does not comply with fire safety regulations for buildings over 18 metres. Residents of Totterdown regularly ask about progress.

We are aware that Sir Keir Starmer was taken to the development site in 2021 as part of your mayoral re-election campaign, and so we hope you have maintained interest in the development.

Please can you provide an update on what is happening to the towerblock development at Totterdown Bridge?

**Reply:**

**This is a private development being carried out by Clarion, a Registered Provider who acquired the site after planning was secured in 2019. They are delivering the site for a mix of social rent and shared ownership homes.**

**Clarion have confirmed:**

- **Progress on works halted while Clarion re-engaged with the design team to engage a new contractor. This is not easy in the current market (inflation, Brexit, labour supply etc.), and finding local contractors with suitable experience has been a challenge.**
- **They are talking to a company and hope to enter into agreement to take the building to completion.**
- **The current timeframe is for completion is 2025.**
- **A phased occupation is not possible because of the building's layout.**



**QUESTION PQ 04**

**Subject: Ecology**

**Question submitted by: Suzanne Audrey**

For Cllr Marley Bennett, Cabinet member for Waste, Climate, Ecology and Just Transition

Unfortunately the 'ecology' element of your new title was missing on the Council website for a while, although it has now been added. This gave the impression that ecological concerns are not prioritised - despite a well-publicised "ecological emergency". You may be aware that Avon Wildlife Trust, a key partner in declaring the ecological emergency, has recently challenged the activities of Bristol City Council in relation to ecology and biodiversity. The incidents at Yew Tree Farm, in which an ancient hedgerow and site of nature conservation interest suffered significant damage, have added to concerns. However, in your role as cabinet member with responsibility for ecology, I am not aware that you have said anything about these issues or tried to address them.

Please will you outline your role as cabinet member with responsibility for ecology and the actions you have taken to protect Bristol's nature-rich sites?

**Reply:**

**Any glitch on the council website in Marley's job title resulting in the word ecology not being included does not actually suggest it's not a priority, it just creates the opportunity for some people to suggest it's not a priority.**



## QUESTION PQ 05

**Subject: Housing Density**

**Question submitted by: Suzanne Audrey**

For the Mayor.

On several occasions, you have told a story about myself and other members of the public making statements at full council. I raised concerns about children living in high rise tower blocks, another person spoke of the need for more homes, and another raised concerns about building on nature-rich land. In telling this story, you add: "I told them they should speak to each other". We do. Building homes within Bristol's "42 square miles" is not a binary choice between building on nature-rich land or building high-rise. Bristol's Urban Living supplementary planning document focuses on creating quality homes, although in practice it has been repeatedly ignored in favour of the slogan #gettingstuffdone. However, another of your stories does acknowledge the problems of high-rise, when you talk about moving a family out of an overcrowded tower block, and the potential benefits for their mental health and family life.

Please can you outline your understanding of 'gentle density' and whether this may be a better way of increasing density while supporting healthy communities and preserving nature-rich sites?

**Reply:**

**Since 2016, Bristol is set to have built 14,500 new homes. This year, we're set to see 600 new affordable homes completed – the most in any year for two decades.**

**If by "gentle" you mean not building adequate numbers of homes, then that's not something I support. It sounds like a phrase for people that support things in principle but not in practice.**

**We face an unprecedented collection of crises, across housing, climate, inequality, poverty, ecology, transport and I would add local government finance. Life in temporary accommodation is not gentle. Homelessness is not gentle. Poverty is not gentle. Urban heat island effects are not gentle. What we must do, and have been doing, is to "act now" with an absolute commitment to getting things done.**



**QUESTION PQ 06**

**Subject: Quaker Burial Ground**

**Question submitted by: Hilary Saunders**

In the 1950s the Quakers gave their Burial Ground opposite St Mary Redcliffe Church to the City Council for the benefit of the City, on the basis that it would be cared for as a precious space and treated with the respect that burial grounds deserve.

Recently various organisations have been working to use part of the space for a Memorial Garden where Asylum seekers and refugees can go to remember the losses they have suffered in being displaced. Quakers believe that this is a fitting use for the Burial Ground as a peaceful place. This project has involved the Bristol City of Sanctuary, the Hope Project, SARI,, BRASP, UWE and the Parks Dept. Representatives of Asylum seekers and refugees have also been involved, including in detailed work with UWE architecture students to produce a design for the space.

We now hear that although the Quaker Burial Ground is not included in the Redcliff development, the developers have asked to use it t as a compound where plant and construction materials would be stored and heavy vehicles would repeatedly drive over this space. The duration may be as long as 5 years. We believe that this use will destroy the space. In addition, the arboricultural and landscape plans appear to contradict each other and there is no clear reinstatement plan. We are also concerned about the destruction of the heritage walls that surround the space at the moment.

We are concerned that this will destroy a site of historical importance to the City and stop the plans for a memorial garden. We believe that the decision to allow this has not yet been made.

1. What can you do to stop the potential desecration of a sacred space of historical importance?
2. How well do you feel this sits with the Council's application to be reaccredited as a City of Sanctuary?

**Reply given in meeting:**

<https://www.youtube.com/live/ZIWs3JtGJw?si=BPLE5zS-Jl2UB2se&t=1448>



## QUESTION PQ 07

**Subject: Bus Services**

**Question submitted by: David Redgewell**

### Question 1

What progress is being made on the urgent replacement of bus services improvement jointly with the west of England mayoral combined transport Authority and south Gloucestershire county council, From the community in Stapleton and Broomhill without a public bus service on the old services 5 route From Bristol city centre, Bristol Broadmead shopping st Paul's, St werburges Eastville park Stapleton Broomhill Fishponds Oldbury court Downend Bromley Heath.

And an extension of services 1 cribs causeway bus station, Henbury Westbury on Trym, Clifton Down station park street, Bristol city centre Bristol Temple meads station, Arnos vale Bristlington sandy park road shopping Wick Road, Guildford Road St Anne's park, Broomhill Hungerford road Bristlington village School Road Guildford Road St Anne's park Wick Road,

To give the community of Bristlington and St Anne's park a bus service,

Services 5 a new route Clifton Down Park Street Bristol city centre Bristol Broadmead shopping centre old market St Anne's park, an extension is required to Bristlington Hungerford road and Knowle.

Service 10 Avonmouth Dock Shirehampton Westbury on Trym Southmead hospital bus station extension to uwe bus station Bristol Parkway railway station Aztec west roundabout Hortham Alverston and Thornbury,

Service 52 Bishopsworth, Hengrove hospital Bedminster Bristol city centre And Broadmead,

I view of the importance of access to school College university heath provision hospital basic food shopping trips leisure and Tourism facilities What discussion are taking place with

First Group plc Wales and West buses Division, stagecoach west, And Transporta buses with the west of England mayoral combined transport Authority to restore these very important bus routes?

### Question 2 ,

What progress is being made in urgent discussion by mayor Rees and councillor Don Alexander with the west of England mayoral combined transport Authority and First group plc Wales and West buses Division stagecoach west South Gloucestershire county council, to save the bus service 3 from Bristol city centre Bristol Broadmead shopping centre, Park street Clifton Down station, Down sea Mills Shirehampton Avonmouth Dock Severnside Lawrence weston Henbury cribs causeway bus station.

Which finishes on the 7 th April 2024

Leaving Avonmouth and parts of Lawrence weston without cross North Bristol bus service

**Reply given at meeting:**

[https://www.youtube.com/live/ZIW3JjTGJw?si=Z7\\_falo5UHgNa8GE&t=1961](https://www.youtube.com/live/ZIW3JjTGJw?si=Z7_falo5UHgNa8GE&t=1961)





## QUESTION PQ 08

**Subject: Safety Valve**

**Question submitted by: Dan Ackroyd**

The Local Authorities (Executive Arrangements) (Meetings and Access to Information), the law that governs how papers must be published ahead of public meetings, says that emergency decisions can be made when it is 'impracticable' to publish things in a timely manner.

This council knew for months that it was in the process of negotiating entry into the Safety Valve program as it would have been invited into that program some time last year.

Part of that invitation would have included instructions from Central Government about the need to get political clearance in a timely manner.

"We will publish all agreements made in 2023-24 in March 2024. You will need to factor into the above timetable political clearance of the proposal within your authority,"

What is the basis for claiming that it was 'impracticable' to publish the papers related to the Safety Valve program in a timely manner?

**Reply:**

**In August 2023 the Department for Education confirmed that Safety Valve negotiations could not be made public and the terms of any negotiated agreement were to remain confidential until published by the Department for Education.**

**As you'll be aware, the central government funding is often unpredictable, inadequate, short term and competitive, so you might be able to understand how we've been placed in a position of needing to move quickly at times.**

**Under APR16 rules, the consent of the chair of OSMB is required, and once that was secured we published the paper.**



**QUESTION PQ 09**

**Subject: Safety Valve**

**Question submitted by: Fiona Castle**

1. In the paperwork submitted to the Cabinet meeting last week and subsequent comments by the Mayor and Deputy Mayor, it was stated that Bristol's joining of the government Safety Valve Programme had to remain secret up to now, by order of the Department for Education. Given that other LAs, who were invited to join the programme at the same time as Bristol, have shared information with the public, can the Council confirm if the other LAs are in violation of a DfE Embargo, or if in fact Bristol has chosen to hide these negotiations from the public?

2. Given that the Safety Valve Programme is going to require the LA to make significant year on year savings to its SEND budget, that it has not up to now been able to achieve, how can the LA reassure parent carers that those savings will not come at the expense of their children's statutory rights to provision, as detailed by the Children and Families Act 2014 and the SEND Code of Practice 2015?

**Reply given in meeting:**

**<https://www.youtube.com/live/ZIWs3JjTGJw?si=LEtliOkbVB96UARR&t=1681>**



## QUESTION PQ 10

**Subject: Safety Valve**

**Question submitted by: Ivan Veiga**

1. What are Bristol City Council's top three priorities for how to use the Safety Valve funding?

**Reply:**

**As outlined in our Safety Valve submission, our aim is to:**

- **Create a SEND system where more Children Young People with SEND can remain in mainstream provision for longer, by providing schools with the support to strengthen practice and improve physical spaces.**
- **Ensure we have the right mix and level of provision to meet the needs of all children and young people when a specialist place is required.**
- **Design efficient and effective systems ensuring CYP with SEND receive timely support, and that schools receive the right level of funding to meet those needs.**
- **Continue to build, strengthen, and sustain relationships with key stakeholders engaging them in genuine collaboration and co-design.**

**We are waiting final confirmation – but we hope that £54m over three years.**

**Additional DSG funding made available by the DfE if the Council is accepted onto the Safety Valve programme can only be used to reduce current and future deficits in the DSG reserve.**

2. More specifically: improved training and better-informed SEND caseworkers would improve the efficiency of council SEND services and so drive both better and more cost-effective provision; good independent SEND training courses are available e.g. from IPSEA (<https://www.ipsea.org.uk/pages/category/training>), while copies of e.g. SEND legislation and code of practice can be downloaded (<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>) or purchased from the Government, to take just two examples of how to achieve this; with what specific training and information does Bristol City Council plan to provide its SEND caseworkers using the Safety Valve funding?

**Reply:**

**Additional DSG funding cannot be used for any other purpose other than that stated above.**

**Regardless of our acceptance onto the SV programme the Council will continue to invest in training and information for its SEND Statutory Assessment and Inclusion Officers.**

**In your question you're asking to recruit more staff and more training, both of which costs money – and local government finance is stretched. Need and demand for our services is increasing, the cost of providing services to meet those needs is increasing, and local government finance continues to be short term, inadequate and unpredictable. This is one of the reasons the safety valve is important, as restrictive as it is.**



## **QUESTION PQ 11**

**Subject: Safety Valve**

**Question submitted by: Catherine Veiga**

1. Given that the experience from other LAs is that adherence to a safety valve agreement makes it impossible to also meet the LA's statutory obligations in the Children's and Families Act 2014 and the SEND Code of Practice 2015 (and vice versa), what assurance can the council give that any cost savings required in order to meet the terms of the Safety Valve agreement will not be to provision that would result in unlawful decision-making?

**Reply:**

**We will fulfil our statutory obligations under the Children and Families Act 2014 and SEND Code of Practice 2015.**

**This will continue to be the case if we are accepted onto the Safety Valve programme.  
If you advice as to how to make work well, please share further details.**

2. In light of the fact that the First Tier Tribunal makes its decisions based on the applicable legislation and not local policy (which a safety valve agreement effectively is), how does the council propose to meet its safety valve obligations, when the Tribunal is likely frequently to find against it if policy rather than legislation has been followed when making decisions in relation to EHCPs?

**Reply:**

**Tribunals can make non-binding recommendations about health and social care aspects, but the LA is generally expected to follow such recommendations.**

**As a Local Authority we always follow these recommendations, especially if they are related to the following sections:**

- **Section B is Special Educational Need**
- **Section F is Special Educational Provision**
- **Section I is placement.**

**If you have suggestions about how we make this work better please feel free to share.**



## QUESTION PQ 12

**Subject: Safety Valve**

**Question submitted by: Em Williams**

1. How will you ensure that The Safety Valve will not entrench and widen inequality for disabled children and young people?

**Reply:**

**An EQIA has been published and will continue to be reviewed and updated to ensure the Council is assessing any equality impacts, if the Council is accepted onto the SV programme.**

**A SEND Inclusion Strategy is currently in the process of being co-designed/co-produced with a range of stakeholders across education, health, and social care – as well as with parents and carers. This will be subject to a city-wide consultation and full EqIA.**

2. Who will support, in both the short and longer term, financially, emotionally and physically, the children and young people who can get neither top up funding nor an EHCP in Bristol going forward and are unable to fully access education?

**Reply:**

**Following a comprehensive review and consultation regarding the current non- Statutory funding system (Top-Up) BCCs Cabinet took a key decision to phase out the current system and replace it with a targeted funding model and outreach support offer for education settings.**

**BCC has entered into a period of co-design with key stakeholders to develop the focus of these two new offers to support vulnerable children without an EHCP. This model intends to support schools to improve their provision for children with SEND by maximising the impact of their existing budgets.**



### QUESTION PQ 13

**Subject: Safety Valve**

**Question submitted by: Gillian Crea**

As the chairman of Extraordinary Links CIO, we would like to ask the council two questions concerning the safety valve agreement, for which we are vehemently opposed, as we feel that implementing this will undermine the educational opportunities for children with SEN.

1. As BCC has removed non-statutory high-needs funding, which will force parents to seek statutory support in the form of EHP/EHCNA's, how will the councils sign up to the safety valve agreement (which aims to remove the need for statutory support above the ordinarily available provision), affect the children concerned, in short, how will they now receive the help and interventions they need?

**Reply:**

**We will continue to deliver and fulfil our statutory obligations under the Children and Families Act 2014 and SEND Code of Practice 2015 and these will continue to be the case if we are accepted onto the Safety Valve programme.**

**Following a comprehensive review and consultation regarding the current non- Statutory funding system (Top-Up) BCCs Cabinet took a key decision to phase out the current system and replace it with a targeted funding model and outreach support offer for education settings. BCC has entered into a period of co-design with key stakeholders to develop the focus of these two new offers to support vulnerable children without an EHCP.**

**This model intends to support schools to improve their provision for children with SEND by maximising the impact of their existing budgets.**

2. In the same council meeting, it was decided that SEND children aged 16-18 would no longer be given paid transport to school. How does the council suggest that they will honour the commitment to ensure children have the statutorily mandated opportunity to remain in education until 18 when they are no longer able to get to their educational establishment due to their disability and/or SEND needs?

**Reply:**

**We will continue to deliver and fulfil our statutory obligations under the Children and Families Act 2014 and SEND Code of Practice 2015.**

**This will continue to be the case if we are accepted onto the Safety Valve programme.**



**QUESTION PQ 14**

**Subject: Safety Valve**

**Question submitted by: Jenny Clarke**

Please can you let me know how this will benefit SEND children and why the agreement was kept secret?

**Reply:**

**The Safety Valve programme provides financial support to give LAs the space to improve local services which will benefit children and young people with SEND.**

**In August 2023 the DfE confirmed that Safety Valve negotiations could not be made public, and the terms of any negotiated agreement were to remain confidential until published by the DfE**



## QUESTION PQ 15

**Subject: Safety Valve**

**Question submitted by: Scott Daniels**

Please clarify that the LA will not agree any terms in regards to the proposed DSG Safety Valve that would:

- Seek to limit the number of EHC Plans issued.
- Seek to increase the number of EHC Plans which are un-maintained or ceased following annual review.
- Seek to increase the number of young people with an EHC Plan whom are educated within the mainstream.

**We will continue to deliver and fulfil our statutory obligations under the Children and Families Act 2014 and SEND Code of Practice 2015.**

**This will continue to be the case if we are accepted onto the Safety Valve programme.**

**This means that:**

- **We will not seek to limit the number of EHC plans issued,**
- **We will cease EHCPs following a review only when appropriate,**
- **We are seeking to increase the number of C&YP educated in mainstream provision where their needs can be fully met through high quality teaching and inclusive practice.**

Any and all of these provisions would be patently unlawful in their nature. The idea that councils can set in motion a policy of significantly restricting access to EHCP support would fail when challenged in every instance. One cannot simply manage demand for disability services by disregarding reality.

Given LA procedure is, in almost every instance, overturned at tribunal on the basis that their actions are unlawful and in contrary to statutory guidance; how does the LA intend to both fund the significant increase in appeals/tribunal defences that they will need to mount, and subsequently the provision that those upheld appeals will dictate?

**Reply:**

**We will continue to deliver and fulfil our statutory obligations under the Children and Families Act 2014 and SEND Code of Practice 2015 and these will continue to be the case if we are accepted onto the Safety Valve programme.**

**Whole set of assumptions that our team don't accept and will be working to avoid.**

**We will continue to deliver and fulfil our statutory obligations under the Children and Families Act 2014 and SEND Code of Practice 2015 and these will continue to be the case if we are accepted onto the Safety Valve programme.**





**QUESTION PQ 16**

**[Withdrawn]**



## QUESTION PQ 17

**Subject: Safety Valve**

**Question submitted by: Jen Smith**

1. Could you explain the rationale behind the decision to finalise the deal in secrecy without undergoing scrutiny, and how this aligns with the principles of transparency and public accountability? Please bear in mind when you answer that DfE have clarified there was no need for secrecy. Other areas on the funding also had no requirement for secrecy.

**Reply:**

**In August 2023 the DfE confirmed that Safety Valve negotiations could not be made public and the terms of any negotiated agreement were to remain confidential until published by the DfE.**

2. Recognising the importance of coproduction in effective policy implementation, can you outline the council's plans to involve and collaborate with families in the decision-making process, especially given the previous lack of coproduction highlighted by two failed Ofsted inspections?

**Reply:**

**We will work with partners and Bristol Parent and Carer Forum to complete our co-produced charter that will make clear what coproduction looks like.**

**This will provide the basis for a refreshed approach to a way of working together for the benefit of children and young people with SEND.**



## **QUESTION PQ 18**

**Subject: Safety Valve**

**Question submitted by: Eleanor Freeman**

- This decision is reported as being a non-key decision ModernGov - bristol.gov.uk. However, the statutory definition of a key decision is:
  - to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
  - to be significant in terms of its effects on communities living or working in two or more wards in the City.

**Reply:**

**This has been treated as a key decision applying APR16 of the Access to Procedure Rules.**

Given every school in every ward across the City will be impacted by definition and council reserves amounting to tens of millions of pounds have been earmarked, this fulfills both elements of the definition. Can the Mayor explain how this decision was deemed to be 'non-key'?

- Given the claims from the Mayor of the need for imposed 'confidentiality' of the safety valve engagements since Jan 12th have been debunked by the DfE, can the Mayor explain how this supports the identified need to 'repair fractured relationships' with parent/carers of children with SEND?

**Reply:**

**It was a key decision, and has been noted as a key decision in the decision record.**

**In August 2023 the DfE confirmed that Safety Valve negotiations could not be made public, and the terms of any negotiated agreement were to remain confidential until published by the DfE**

**We will work with partners and Bristol Parent and Carer Forum to complete our co-produced charter that will make clear what coproduction looks like.**

**This will provide the basis for a refreshed approach to a way of working together for the benefit of children and young people with SEND.**



**QUESTION PQ 19**

**Subject: Safety Valve**

**Question submitted by: Tara Waite**

1. Will these Safety Valve Agreement be abiding by law in compliance to The Special Educational Needs and Disability Regulations 2014?

**Reply:**

**We will continue to deliver and fulfil our statutory obligations under the Children and Families Act 2014 and SEND Code of Practice 2015.**

**This will continue to be the case if we are accepted onto the Safety Valve programme.**

2. What are the implications if the council does not take up this Safety Valve Agreement?

**Reply:**

**The statutory override which allows Local Authorities to separate their DSG deficits from their wider finances is due to expire on the 31 March 2026. BCC's has forecast the DSG deficit at this point to be £96m.**

**Without a Safety Valve agreement, we would need to find this funding from other resources – potentially leading to a reduction in other LA funded services.**

**Ultimately, the council is at risk of bankruptcy.**

