

# Cabinet

## Supplementary Information



**Date:** Tuesday, 9 April 2024

**Time:** 4.00 pm

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

### 2. Public Forum

(Pages 3 - 12)

**Issued by:** Amy Rodwell, Democratic Services

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**Date:** Tuesday, 23 April 2024



**Question: CQ10.01**

**Cabinet – 9 APRIL 2024**

**Re: Agenda item 10 – Temporary Accommodation Update**

**Question submitted by: Councillor Steve Pearce**

**Question 1:** Additional funding to tackle rough sleeping is to be welcomed by all, I'm sure. Under the Labour administration, the number of affordable homes being built in Bristol has hit a 20-year high – an outstanding statistic considering the Government, Covid, the war in Ukraine, and other economic shocks outside of our control. How does the rate of empty council properties currently compares to other years throughout the past two decades?

**Reply:**

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Bristol	619	537	453	622	481	365	508	487	453	505	503	518	538	369	389	337	257	226	297	353

[https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fmedia%2F6602df57a6c0f7580fef927c%2FLT\\_615.ods&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fmedia%2F6602df57a6c0f7580fef927c%2FLT_615.ods&wdOrigin=BROWSELINK)

**Question: PQ11.01 & PQ11.02**

**Cabinet – 9 APRIL 2024**

**Re: Agenda item 11 – Safety Valve Programme – capital funding**

**Question submitted by: Jai Breitnauer**

**Question 1:** in the safety valve report it states the DfE requested secrecy in August 2023 and this is why Bristol Council did not undertake the usual democratic process. I have spoken to the DfE and they have told me there was no embargo before the agreement was signed in March 2024. They said that councils are free to discuss safety valve and undertake usual democratic process and they advised me that Bristol's leaders either misunderstood or misappropriated the embargo advice. I want to know which one it is, and why.

**Reply:**

Responded to in the meeting:

<https://www.youtube.com/live/sePmSiguNzA?si=LMSXYt1S0e6t7mjoy&t=3390>

**Question 2:** the council announced safety valve will bring an additional £53.8m of funding to SEND in Bristol but the report makes it clear this funding can only be used to pay off the so-called SEND deficit manufactured by Tory government policy. Can the cabinet please admit that there is in fact no actual money coming from the government through safety valve to be spent on SEND education, just cuts that will put the council at risk of legal action as they won't be able to fulfil their duties under the CFA 2014 and SEND legislation.

**Reply:**

Responded to in the meeting:

<https://www.youtube.com/live/sePmSiguNzA?si=NKLGJjSctos8JyAu&t=3505>

**Question: PQ11.03**

**Cabinet – 9 APRIL 2024**

**Re: Agenda item 11 – Safety Valve Programme – capital funding**

**Question submitted by: Caroline Lee-Smith**

**Question 1:** what will be the effect of the safety valve regime on issuing EHCPs? For example are we likely to see more push back from BCC on requests ie more times when parents and carers have to go to tribunal to get their child an EHCNA or issued an EHCP?

**Reply:**

BCC is responsible for commissioning and funding provision for a child or young person with an education, health and care (EHC) plan under the special educational needs and disabilities (SEND) Code of Practice. The Safety Valve will not change that obligation or commitment.

We will continue to meet our legal requirement to fund all EHCPs in line with the Code of Practice.

**Question: PQ11.04 & PQ11.05**

**Cabinet – 9 APRIL 2024**

**Re: Agenda item 11 – Safety Valve Programme – capital funding**

**Question submitted by: Tara Waite**

**Question 1:** Will the safety valve programme ultimately lead to the neglect and mistreatment of all SEND children in the name of financial cuts, while the council will be rewarded for those cuts by the DfE with funds to pay off it's debts?

**Reply:**

BCC is responsible for commissioning and funding provision for a child or young person with an education, health and care (EHC) plan under the special educational needs and disabilities (SEND) Code of Practice. The Safety Valve will not change that obligation or commitment.

We will continue to meet our legal requirement to fund all EHCPs in line with the Code of Practice.

**Question 2:** Why was there a lack of transparency and accountability from the council in signing up to this potentially harmful initiative when there was no embargo whatsoever implemented by the DfE?

**Reply:**

In August 2023 after being invited to develop a safety valve bid the DfE advised BCC officers in writing and in several conversations, that whilst they should inform elected members as part of the democratic process, they should not announce this work publicly.

The DfE are in the process of clarifying this miscommunication, but council followed the direction correctly given our understanding of the instruction.

**Question: PQ11.06 & PQ11.07**

**Cabinet – 9 APRIL 2024**

**Re: Agenda item 11 – Safety Valve Programme – capital funding**

**Question submitted by: Jen Smith**

There are 200+ children in mainstream schools whose EHCPs have identified they require a specialist setting.

Safety valve proposes that more children are educated in mainstream settings. There is no reference that for some children the right setting will not be a mainstream setting.

Even the most inclusive schools can't meet every child's needs and this is even more so the case when we consider the sensory needs of autistic learners which make up 80% of Bristol's SEND learners.

I feel that Bristol schools are already under enormous pressure.

**Question 1:** Can you tell me how much do the £100 million "investment" will go to helping schools?

Can you please only provide the total guaranteed figure not the figure pending grant decisions.

**Reply:**

All of the £100m will be for helping schools. Either towards a deficit already accrued by the DSG, or spend in future.

Under the Safety Valve Agreement, £100.2m of additional funding will be allocated to the Bristol SEND education system. Of this, the DfE will provide £53.7m and the Council will provide an additional £46.5m from its own resources. Together these amounts represent additional Bristol SEND education system funding over and above the allocation made available through the normal Dedicated Schools Grant.

**Question 2:** Can you also tell me specifically how the £100 million "investment" will be spent across the 170+ schools in Bristol?

**Reply:**

Of the £100.2m additional funding, £56.1m will be allocated towards the existing forecast historic deficit as at 31 March 2024 on the Dedicated Schools Grant reserve and the balance will be allocated to the future costs of the Bristol SEND education system. It is money already spent on schools in Bristol, hence the deficit.

It is not possible to break down how the remaining funding will be allocated across schools in Bristol as this will be based on future demand for support.

## **Question: PQ11.08 & PQ11.09**

**Cabinet – 9 APRIL 2024**

**Re: Agenda item 11 – Safety Valve Programme – capital funding**

**Question submitted by: Dr Em Williams**

**Question 1:** How does Bristol LA intend to fund SEND provision given:

- A) a sustained lack of investment in mainstream schools across the city in terms of supporting the needs of disabled learners driving up mental ill health, exclusions, absenteeism and requests for specialist settings;
- B) the removal of top up funding;
- C) the way in which safety valve funding has been used by other LAs as debt recovery rather than investment?

**Reply:**

Under the Safety Valve Agreement, £100.2m of additional funding will be allocated to the Bristol SEND education system. Of this, the DfE will provide £53.7m and the Council will provide an additional £46.5m from its own resources. Together these amounts represent additional Bristol SEND education system funding over and above the allocation made available through the normal Dedicated Schools Grant.

Of the £100.2m additional funding, £56.1m will be allocated towards the existing forecast historic deficit as at 31 March 2024 on the Dedicated Schools Grant reserve and the balance will be allocated to the future costs of the Bristol SEND education system.

The current non-statutory 'Top-Up' process is being replaced with a targeted fund and support system for schools which will be outcome focused to improve sustainable inclusive practice in mainstream schools.

**Question 2:** How will you demonstrably and evidentially reassure schools and parents that safety valve is a positive step for our children when the process has been subject to secrecy and a lack of scrutiny around the emergency measures used to rush it into effect?

**Reply:**

In August 2023, after being invited to develop a safety valve bid, the DfE advised BCC officers in writing that whilst they should inform elected members as part of the democratic process, they should not announce this work publicly.

Under the Safety Valve Agreement, £100.2m of additional funding will be allocated to the Bristol SEND education system. Of this, the DfE will provide £53.7m and the Council will provide an additional £46.5m from its own resources. Together these amounts represent additional Bristol SEND education system funding over and above the allocation made available through the normal Dedicated Schools Grant.

**Question: PQ11.10**

**Cabinet – 9 APRIL 2024**

**Re: Agenda item 11 – Safety Valve Programme – capital funding**

**Question submitted by: Dan Ackroyd**

The paper says: "In August the DfE advised that no public announcements should be made relating to the Safety Valve invitation."

but at the same time, the invitation to the Safety Valve program said "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,"

**Question 1:** Exactly what was the advice from the DfE about no public announcements? Wasn't it to not publicise the details of the negotiations, rather than than to keep the whole thing entirely secret?

**Reply:**

In August 2023 after being invited to develop a safety valve bid the DfE advised BCC officers in writing that whilst they should inform elected members as part of the democratic process, they should not announce this work publicly.



**Question: PQ13.01**

**Cabinet – 9 APRIL 2024**

**Re: Agenda item 13 – Hybrid Meeting Technology and Audio-Visual Upgrades**

**Question submitted by: David Redgewell**

**Question 1:** What progress is being made With hybrid meeting at Bristol city council at City Hall fitting hybrid screens in committee rooms and the council chamber?  
South Gloucestershire county council, Gloucestershire county council, Somerset council and North Somerset council yeovil Town Council and western Gateway Transport Board allows the public and stakeholders group to join meeting remotely and ask Question and make statement about the council or Regional Authority's agenda When doe the city and county of Bristol council intend to follow it neighbouring Authority's into full Hybrid meeting so more people can take party In local democracy.

**Reply:**

Response given in the meeting:

<https://www.youtube.com/live/sePmSiguNzA?si=FdgHo7Yw81gDhbCO&t=4140>

**Question: PQ15.01**

**Cabinet – 9 APRIL 2024**

**Re: Agenda item 15 – Increase in Fixed Penalty Notice Rates for Fly Tipping and Graffiti**

**Question submitted by: David Redgewell**

**Question 1:** We very much welcome this policy On Graffiti removal and penalties and fines , Can the mayor Malvin Rees, Please inform us how many prosecution have take place for tagging on buildings and especially bus and coach station, interchanges bus stops and shelters, on buses ,Trains and railway stations?

Working with the Avon and Somerset police, British Transport police and Bristol Port police, Police and crime commissioner office, west of England mayoral combined transport Authority and neighbours Authority's. Tagging and Graffiti is criminal damage and causes part of the city to look and feel unsafe to residents and Tourists On this very important service of Bristol city council and Bristol waste company,

**Reply:**

Response given in the meeting:

<https://www.youtube.com/live/sePmSiguNzA?si=gtQKSi7HAOKEHaoW&t=781>

**Question: CQ15.01**

**Cabinet – 9 APRIL 2024**

**Re: Agenda item 15 – Increase in Fixed Penalty Notice Rates for Fly Tipping and Graffiti**

**Question submitted by: Councillor Steve Pearce**

As a former Cabinet Member for Waste, and former member of the Bristol Waste Board, I welcome the proposal to increase fly-tipping fines to the legal maximum.

**Question 1:** The Government has recently changed the rules to allow councils to increase fines for littering further. Would you also support raising fines for littering to the legal maximum?

**Reply:**

Response given in the meeting:

<https://www.youtube.com/live/sePmSiguNzA?si=sQL3Ofyvr9VftXWT&t=1153>