

## **North Somerset Council Decision**

**Decision Of: Executive Member for Children's Services & Lifelong Learning**

**With Advice From: Director of Children's Services**

**Directorate: Children's Services**



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### **Decision No: CY64 (2021/22 scheme)**

**Subject: Approval to publish a Statutory Notice as part of the process to progress an Expansion of Baytree School onto a second site and enable an increase in the school's Place Value from 72 to 120 places with effect from September 2023 or as soon as possible thereafter**

**Key Decision: Yes**

**Reason: Pupils attend Baytree School from across all parts of North Somerset**

### **Background:**

- 1.1 In September and October 2019, the Council asked for views on its proposal to expand Baytree School onto a second site. The expansion, if agreed, will take the school from operating as a single site school at The Campus in Weston-super-Mare, that currently caters for around 72 pupils, to a two-site school with an additional provision for between 65 and 85 pupils on the new location, off Brookfield Walk in Clevedon. Whilst the provision across the two sites is future proofed to allow for at least 157 places to be physically available, initially the expansion is looking for the two sites to offer around 120 school places across both locations.
- 1.2 Since re-starting the most recent school-place consultation, on 18 October 2021 a claim for a judicial review of the new site's planning and appropriation processes was lodged by a resident. North Somerset Council did not consider there to be any merit in the claim but accepted that it would not be appropriate to begin building work on the new school site until the court has fully considered the application. Planning permission was granted on 6 September 2021 and pre-start conditions were approved on 18 October 2021.
- 1.3 Waiting for planning approval to deliver the new site was one reason why the school organisation process to expand provision had not been fully progressed. The renewed consultation restarted as planning approval was granted.

- 1.4 His Honour Judge Jarman QC determined on 1 December 2021 that the application made by the Claimant to apply to the High Court for a judicial review in relation to concerns raised around both planning and appropriation decisions made by North Somerset Council was refused.

The claimant exercised his right to apply for an Oral Hearing of his case. This was heard by His Honour Judge Keyser QC on 14 January 2022. At this hearing His Honour also determined that both planning and appropriation claims for judicial review were declined. As far as North Somerset is aware, as at 24 January 2022, the Claimant has not submitted a claim to the Court of Appeal within the required 7 days from this determination.

Legislation allows caveated decisions. The outcome of the Judicial Review to the High Court has been positive for the Council. The claimant had until 21 January 2022 to ask that his case is heard by the Court of Appeal and, as far as we are aware, no claim has been submitted. Progressing this process now may prevent any further delays in this part of the approval processes, especially as this outcome could also be submitted for review to the courts.

**Decision:**

That the Executive Member for Children & Young People's Services approves the publication of a Statutory Notice by the Council to expand the provision at the Baytree Special School from a 72- place provision to a 120-place school located across the existing and a new site in Clevedon with effect from, at the earliest, 1 September 2023.

**Reasons:**

The Council has a statutory duty to meet the school place needs of all children and young people. This includes those with profound and severe learning needs for whom, without this expansion, there is a deficit of places locally.

**2 Options Considered:**

- 2.1 Baytree School is the only school in North Somerset designated to provide education to children with profound and complex learning difficulties. The school needs the capacity to offer more places to meet increasing demand. In addition, the current 2-storey site does not include hoist systems or offer a fire-resistant lift so as well as being undersized to meet demand, it is also no longer capable of meeting the physical needs of those pupils who require physical assistance or who are unable to use stairs. Statistics outlining the reasoning behind the proposed Baytree School expansion can be found in the following document: [Baytree consultation key facts and figures.pdf](#) [228.08 KB]
- 2.2 Options considered have included:
- To do nothing - The Council has a moral and legal duty to meet the needs of children and young people with SEND
  - To continue to send pupils to placements, many of which may need to be outside of North Somerset - The Council cannot afford to continue to overspend on the

High Needs block as this is impacting on the resources available for all pupils across the district

- To find another site - The planning submission for the 2nd site for Baytree School included an assessment of 528 sites. Due to its greenbelt status the decision to use this site was reviewed by Robert Jenrick MP, the then Secretary of State for Secretary of State (SoS) for Housing, Communities and Local Government. The SoS determined in January 2021 that he would not conduct a public inquiry to inform his decision. He allowed the Local Planning Authority to make their own determination.

### 2.3 Work for the proposed way forward to date has included:

- Determining an application made to the Commons Registration Authority (North Somerset Council) in October 2019 for the land at Brookfield Walk to be designated as a **town and village green**. The application was rejected at a meeting of our Planning and Regulatory Committee in August 2020.
- Undertaking a **wider review of sites** (528 in all) across North Somerset to be able to satisfy the Local Planning Authority that 'special circumstances' exist that could enable the use of green belt land to be considered in a planning submission. The review determined that the Brookfield Walk site was the only location that could reasonably deliver a new building to best match the requirements for the school and the pupils it serves.
- Developing a robust **planning application** that could meet the statutory tests to enable planning consent to be considered. A planning application was registered in April 2020 and a **Notice of Decision granting consent** to the 'Erection of an up to 85 place, single storey Profound and Multiple Learning Difficulties School (use class D1) for 3yrs to 19yrs including classrooms, recreation hall, dining hall, hydro-therapy pool and therapy rooms plus external play areas, parking and amenity space' was made on 6 September 2021.
- Overcoming designated green belt land concerns and **objections to the scheme from a statutory consultee**, in this case the Environment Agency, in line with regulations. These considerations meant that in both cases the application had to be referred to the Secretary of State (SoS) for Housing, Communities and Local Government. The SoS determined in January 2021 that he would not conduct a public inquiry to inform his decision and he has allowed the Local Planning Authority to make their own determination.
- Undertaking **further, local noise and air quality assessments** to meet the conditions of the planning consent provided by the Planning and Regulatory Committee on Thursday 16 September 2020. This included the collection of data over a 6-month period. Reports were submitted and approved in August 2021 as the air quality and noise mitigation met planning requirements. Judges at both High Court Hearings found that the planning processes followed when granting planning permission were robust (see below).
- Securing a positive outcome when **appropriating the site**. This is the process that allows the Council to change the purpose for which it holds a piece of land. A

decision was made by the Executive Member for Asset Management in July 2021 to allow this change to proceed.

On 18 October 2021 a claim for a judicial review of the new site's planning and appropriation processes was lodged by a resident. North Somerset Council did not consider there to be any merit in the claim but accepted that it would not be appropriate to begin building work on the new school until the court has considered the application.

The outcome of CO/3533/2021 The Queen on the application of Blerk -v- North Somerset Council was received on 1 December 2021. It was confirmed the application for a judicial review was refused. The claimant requested an oral hearing, and this took place on 14 January 2022. The application for a judicial review was again refused. As far as we are aware, there has been no request for the case to be heard by the Court of Appeal.

- 2.4 The expansion of Baytree School is part of a wider strategy to meet the needs of pupil requiring places in North Somerset special schools. Once Baytree can expand into its new site, a review of its space on its current site will be undertaken. Noting that the new site can accommodate at least 65 pupils, the current site is assessed to meet the needs of 72 pupils (137 in total) and the planned increase in Place Value is recommending 120 places, there may be between 17 – 20 spaces available for alternative SEND use (still to be determined) such as Early Years, more complex Moderate Learning Difficulties etc. It is therefore essential that the need for extra PSLD places is completed so the reviews on further provision within existing resources can commence.

### 3 Financial Implications:

The Council has a statutory duty to secure sufficient school places for its residents.

#### Costs - Revenue

- 3.1 Funding for maintained special schools comes from the High Needs Block of the Dedicated Schools Grant (DSG). This funding stream is experiencing unprecedented levels of increasing demand, driven by significant increases in the number of children with Education, Health and Care Plans and parental preferences for specific named special school provision.

With a brought forward over-spend of £7.150m from 2020/21 and with an anticipated further over-spend as below, the delivery of an expanded Baytree School is essential to the strategic delivery of a reduction in this expenditure.

Dedicated Schools grant at 31 December 2021	£000s	£000s
<b>Brought Forward deficit</b>		<b>7,150</b>
<b>In-year variances:</b>		
- Out of Authority Placements	2,624	
- Top-up Funding	1,907	
- Children Missing Education (Bespoke Packages)	789	

- Schools Block Contingencies and Growth Funding	278	
- Delegated Place Funding	143	
- Other	110	
<b>Sum of in-year variances</b>		<b>5,851</b>
<b>Projected deficit to carry forward to 2022/23</b>		<b>13,001</b>

3.2 The current Baytree site has the capacity for 72 pupils. There are 75 pupils on roll. At the end of the 2021/22 school year, 1 pupil will leave the school. There is currently demand from 17 new pupils (9 early years and 8 of statutory school age) to join the school in the 2022/23 school year. Demand for 2023/24 shows 5 pupils leaving and 5 possible early years children and 3 statutory school age children requiring places based on data as at October 2021.

3.3 The average cost per place at Baytree as at October 2021 is £31,844. This figure is made up of £10,000 place funding and £21,844 Top-up-Funding. The current average cost at Claremont, the nearest appropriate alternative school located in Bristol if a place is available) as at October 2021 is £50,676. This is made up of £10,000 place funding, £32,670 Top-up-Funding, and £8,006 site specific costs.

Figures based on current projections for this financial year show the home to school transport costs per annum are as below:

- Average cost per head to Claremont is £20,035
- Average cost per head to Baytree is £5998

Based on 8 pupils, the addition cost of HTST to Claremont totals £112,296 pa ( £14,037 per child).

Using this information and projections going forward, and based on the assumptions of demand for places and base costs remaining the same until 2028/29 for illustration purposes (though costs are likely to increase) this is the impact for the next 7 years:

	2021 /2022	2022 /2023	2023/ 2024	2024/ 2025	2025/ 2026	2026/ 2027	2027 /2028	2028/ 2029	Change from 2021/22
<b>Baytree 1</b>	75	75	75	75	75	75	75	75	0
<b>Minimum extra places needed</b>	0	7	3	8	8	8	8	8	50
	75	82	85	93	101	109	117	125	50
	£	£	£	£	£	£	£	£	£

<b>Additional cost based on mentioned assumptions</b>		230,082	328,689	591,640	854,591	1,117,542	1,380,493	1,643,444	1,643,444
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Internal placements are on average £32,859 per place less, including transport costs.

- 3.4 On speaking with the Headteacher of Baytree School, they already have taken 3 pupils over their capacity of 72 pupils and so, other than filling the vacant space (that could be for an older child), they are having to refuse all future admissions on the grounds that there is no space within their current buildings to admit more pupils. In addition to the extra places needed to meet new demand, there are pupils who will come to an end of a phase of education outside of the district that we are hoping to be able to offer a local place to at their transition stage. These are not included in the above figures.

#### **4. Legal Powers and Implications:**

- 4.1 Section 14 of the Education Act 1996 provides Local Authorities (LAs) with a statutory duty to ensure that there are sufficient schools for primary and secondary education in their areas.
- 4.2 The School Standards and Framework Act 1998 sets out how Local Authorities should exercise their statutory duties to secure primary and secondary education to meet the needs of the population in their area. The Education and Inspection Act 2006 enhanced the role of Local Authorities, making them strategic commissioners of services with a mandate to promote high standards for all and greater choice and diversity.
- 4.3 The Education Act (EA) 1996 Section 14A, added by Section 3 of Education and Inspections Act (EIA) 2006 requires Local authorities to consider and respond appropriately to parental representations about school provision in relation to local authorities' functions under Section 14 of the Education Act 1996. Local Authorities must reasonably consider parental representations regarding the provision of schools and respond accordingly, including outlining any proposed action or, where it is considered action is not needed, to explain the reasons for this.
- 4.4 The Education Act 2011 maintains the role of Local Authorities as the strategic commissioner of services but provides greater autonomy of education provision by the encouragement of the establishment of academies, free schools, studio schools and Enterprise Colleges that are independent of the Local Authority. The Act gives Local Authorities 'a critical new role as strengthened champions of choice, securing a wide range of education options for parents and families, ensuring there are sufficient high-quality school places, co-ordinating fair admissions, promoting social justice by supporting vulnerable children, and challenging schools which fail to improve.'
- 4.5 The School Admissions Code does not apply to special schools. Governing Bodies of all categories of special school, and LAs for community special schools, may seek to

increase the number of places by following a statutory process, if the increase is by:

- 10%; or
- 20 pupils (or 5 pupils if the school is a boarding-only school), (whichever is the smaller number).

As the school will increase in size by more than 10% and more than 20 pupils, a formal process must be followed on this occasion.

- 4.6 Where the main entrance of a proposed new site for a school would be more than two miles from the main entrance of the current school site, LAs can propose the transfer to an entirely new site for community special schools following a statutory process.

This is a 2<sup>nd</sup> site for this school as the current site is not capable of expansion. It is considered prudent to consult on this change alongside the increase in provision to avoid any challenge in terms of the location changes.

- 4.7 The Council's agreed [Education Provision in North Somerset - A Commissioning Strategy 2021-2024 \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk/education-provision-in-north-somerset-a-commissioning-strategy-2021-2024) is the policy base for any local decisions.

Special schools can be considered for expansion when they are classed by OfSTED as good or outstanding, there is a proven demand for places, where any building works will increase capacity but also enhance and assist to resolve condition issues, and where the increase fits with the Council's strategic principles as outlined in its commissioning strategy. Baytree School is a 'good' school.

- 4.8 This consultation is not about the merits or otherwise of a 2<sup>nd</sup> site for Baytree Special School in Clevedon, but rather about the need for an expansion that will need to be on a new site as the current buildings are not capable of further enlargement. The strength of feeling from local residents to a proposed site is however evident in the responses and cannot be isolated from the proposal overall.

## **5 Climate Change and Environmental Implications:**

- 5.1 The Council is committed to becoming carbon neutral by 2030. Reducing the journey lengths of pupils attending special schools and offering local provision will assist with this commitment
- 5.2 An energy efficient approach has been carried throughout all aspects of the new site's design and passive design has been utilised to minimise both energy usage and running costs. A three-tier approach has been adopted. Firstly, building loads have been reduced through effective fabric design that go above and beyond the U-values and air tightness values stated within 2013 Part L2A 2 of the Building Regulations and those recommended within the National Calculation Methodology Non-Domestic Modelling Guide. Secondly, installed building services systems have been designed to maximise their efficiencies so that resources are not wasted. Finally, 15% regulated energy via renewable technologies has been incorporated.

## 6 Consultation:

6.1 The consultation responses in 2019 showed that whilst there was overwhelming support for the need for extra school places on a new site, there was considerable opposition from some to its proposed location in Clevedon. Working through the necessary steps to secure a site with planning approval has delayed the progress of the school expansion. This is because, before a decision is taken that will result in the allocation of places to named individuals, the Council needs to be certain it can deliver the new site and that the school will be ready to receive pupils. Initially the agreed recommendation was that only when there was a reasonable expectation of delivery would the decision to deliver the expansion be submitted for school place expansion and relocation determination.

6.2 Overall there were 88 responses to the e.Consult consultation by the closing date.

- Just over 85% of those responding agreed there is a need to create more places for pupils with Severe and Profound Learning Difficulties by September 2023. 8% opposed the recommendation and just under 7% had no view
- Just under 80% of consultees agreed that to take more pupils, Baytree Special School needs to expand onto a second site. Just under 15% of consultees disagreed that this requires a second site whilst just over 5% had no view
- When asked if the second site should be located within easy reach of most homes and within easy reach of the current Baytree Special School, around 78% agreed with this proposal. Just over 11% disagreed and just under 11% had no view.
- Overall just under 70% supported the suggested proposals, 26% opposed the recommendations and just over 4% had no view.
- Just under 23% of consultees (20 responses) indicated they had concerns about equality impacts. When assessed against the legislative criteria for such an impact, this number was reduced to 1 response from a person with a child with a protected characteristic who would no longer have access to the field for leisure pursuits (1.1%). An additional person stressed that a failure to approve the expansion would be contrary to the requirement to provide schooling for disabled children and a clear equalities issue. It was unclear whether they were responding directly for or on behalf of someone with a protected characteristic.

There were an additional 18 responses that referenced equality issues for others that included the need for pupils with SEND to have equality in the provision and location of their places when compared with mainstream pupils. Most concerns were in relation to the need for local neighbours to be able to use the Brookfield site field. They wanted these needs and concerns to be considered as equally important as the needs of the pupils that the school will be designed to serve.

- Of those responding to the consultation overall, 26% have direct links with the school, 25% are direct neighbours of the new site and 10% are residents of Clevedon. 2% are residents of the current school, 22% have links to the wider community and 15% have other reasons to respond. In general terms those who



live closer to the site were opposed to the changes proposed, whilst those who have links with the SEND community are in support of the changes.

6.3 The full responses to the consultation are attached as appendix 1 to this Decision Sheet. A comparison of the responses to the 1<sup>st</sup> and 2<sup>nd</sup> public consultations are as below:

1 <sup>st</sup> questionnaire – 428 responses	2 <sup>nd</sup> questionnaire - 88 responses
96% of those responding agreed there is a need to create more places for pupils with Severe and Profound Learning Difficulties by September 2021. Slightly less than 2% opposed the recommendation and just over 2% had no view	Just over 85% of those responding agreed there is a need to create more places for pupils with Severe and Profound Learning Difficulties by September 2023. 8% opposed the recommendation and just under 7% had no view
93% of consultees agreed that to take more pupils, Baytree Special School needs to expand onto a second site. 4% of consultees disagreed with this proposal whilst 3% had no view	Just under 80% of consultees agreed that to take more pupils, Baytree Special School needs to expand onto a second site. Just under 15% of consultees disagreed that this requires a second site whilst just over 5% had no view
When asked if the second site should be located within easy reach of most homes and within easy reach of the current Baytree Special School, 87% agreed with this proposal. Just under 5% disagreed and 8% had no view.	When asked if the second site should be located within easy reach of most homes and within easy reach of the current Baytree Special School, around 78% agreed with this proposal. Just over 11% disagreed and just under 11% had no view.
Overall 90% supported the suggested proposals, 8% opposed the recommendations and just over 2% had no view.	Overall just under 70% supported the suggested proposals, 26% opposed the recommendations and just over 4% had no view.
13% of consultees indicated they had concerns about equality impacts, although when assessed against the legislative criteria for such an impact, this number was reduced to 2 responses from people with protected characteristics – 0.5%. An additional 1 person who by the nature of the response would have a protected characteristic did not have any concerns about equality impacts that they wanted to raise. There were an additional 53 responses that referenced equality issues for others,	22% of consultees indicated they had concerns about equality impacts, although when assessed against the legislative criteria for such an impact, this number was reduced to 1 response from a person with a child with a protected characteristic – see 1.3 above.  Of those responding on equalities grounds, 3 support the expansion, 2 have no view and the remaining 15 are opposed to the change.

<p>ranging from the need for pupils with SEND to have equality in the provision and location of their places when compared with mainstream pupils, to the need for local neighbours to be able to use the Brookfield site field with their needs and concerns being considered as equally important as the needs of the pupils that the school will be designed to serve.</p>	
<p>Of those responding to the consultation overall, 49 had direct connections with the school, 67 were members of the community with a connection to the school, 39 were residents of Clevedon but not direct neighbours to the new site, 54 were members of the wider community, 36 neighbours of the proposed new site, 19 neighbours of the current site and 164 were classified as other stakeholders. In the category of other stakeholders, of those who provided a category, 17 identified as parents of children at Baytree Special School, 21 were parents of children with SEND and 5 were parents of children that had recently left Baytree Special School.</p>	<p>Of those responding to the consultation overall, 12 had direct connections with the school, 19 were members of the community with a connection to the school, 9 were residents of Clevedon but not direct neighbours to the new site, 54 were members of the wider community, 22 were neighbours of the proposed new site, 2 were neighbours of the current site and 13 were classified as other stakeholders. There were 11 responses from parents of pupils at the school.</p>

- 6.4 In general terms those who live closer to the site were more likely to be opposed to the changes proposed, whilst those who have links with the SEND community are more likely to be in support of the changes.

Examples of comments from those in support of the scheme include:

*I am a parent of a child who has profound learning difficulties and it is so important that our most vulnerable children have access to an education in the correct setting.*

*There is a need for a bigger provision in North Somerset and a split site will provide greater access to families.*

*The cohort of students attending Baytree School is completely different of that when the school was first built. More student assessability equipment is required and this is impacting on the already limited space that the school has.*

Examples of comments from those who oppose the scheme include:

*Nobody in the local or wider community disputes the need for a school, however, the location is completely unsuitable and at the deprivation of immediate residents by taking away their only green space.*

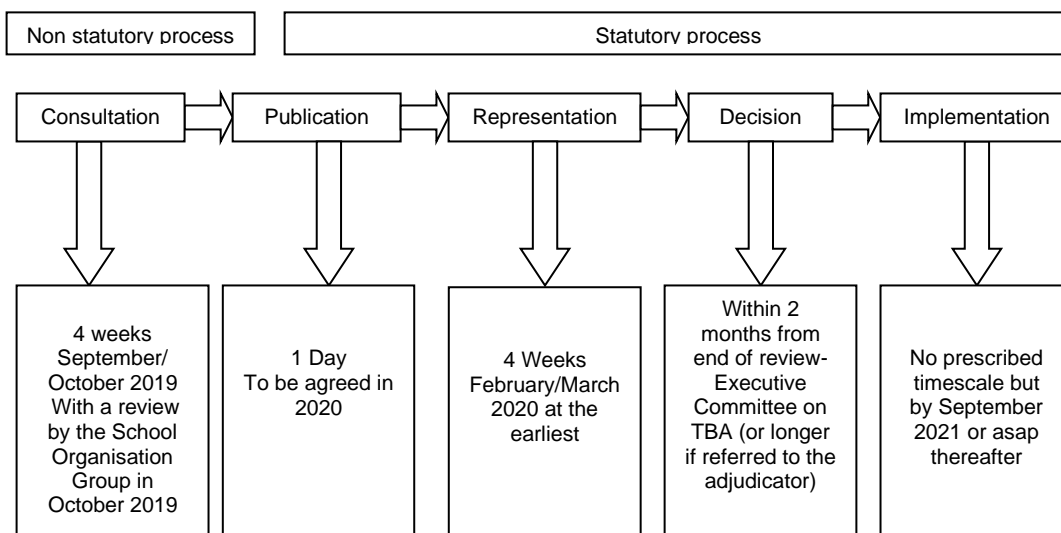
*Children with complex physical & learning difficulties should remain in the original purpose-built site. Other pupils without need for specialist buildings could be re-sited on non-green belt sites.*

*Totally wrong site for children pollution coming from motorway*

6.5 A summary of the equalities issues is given in the Equalities Section (7) below.

6.6 The ‘Making Significant Changes (prescribed alterations) to Maintained Schools ~ Statutory Guidance for Proposers and Decision Makers – October 2018 requires Local Authorities to consult interested parties when developing proposals prior to the formal publication of any proposals. For the significant changes such as the one being recommended, this would include holding consultations and public meetings during term time.

Initially, for the LA to progress any changes for Baytree Special School the following consultation process was to be followed:



With delays to the scheme as detailed above, the publication process was to be deferred from the dates shown in Option A to the interim dates shown in Option B. Revised dates, following the JR claim, are shown in Option C.

Process	Option A - Initial Dates	Options B - Interim Dates	Option C - Dates to be agreed
Consultation	October/November 2019	September/October 2021	September/October 2021
Publication	January 2020	January/February 2022	February/March 2022

Representation	February/March 2020	February/March 2022	February/March 2022
Decision	May 2020	April 2022 Executive	April 2022 Executive
Implementation	September 2021	September 2023	September 2023 or as soon as the new build is complete

6.7 The consultation stage has now been completed. Based on the responses provided there is still support for the expansion and the new site. Noting the positive JR outcome, it is recommended that the publication of a Statutory Notice should continue, following the Option C revised timescale with the caveat added that any progression is subject to the delivery of the new site. Regulations allow decision makers to:

- Reject the proposal
- Approve the proposal without modification
- Approve the proposal with modifications,
- Approve the proposal without modification subject to certain conditions – such as the delivery of the new buildings (with an expiry date)

A proposal can be withdrawn at any point before a decision is taken. A notice must be placed on the website where the original proposal was published. Within one week of making a decision, the LA must publish the decision with reasons on their website and send a copy to the School’s Adjudicator.

## **7 Risk Management:**

7.1 Whilst early consultations with the public are not statutory, it has been important to share the strategic plans and commissioning strategies of the Council in relation to its special education provision planning with schools, other partners and local stakeholders. By consulting on proposed plans, the risk of not providing the right forms of education is mitigated.

7.2 Local neighbours are not happy that the plans are progressing and have indicated that they believe ‘ the council to be underhand and have no regard for local residents opposing the development. They have ignored their own policies to get the result they want.’

The findings of The Queen on the application of Blerk -v- North Somerset Council in both written and oral hearings have confirmed that the Council’s processes have been robust. It is hoped that these independent reviews will allay the concerns of some who have previously been opposed to the expansion proposals.

It is noted that this has been a consultation and not a referendum.

Despite this opposition, overall the latest review continues to show that there are more in support of the changes recommended than there are those opposing the scheme.

- 7.3 The initial consultation in September/October 2019 showed that an expansion of Baytree Special School was supported. The location of a 2<sup>nd</sup> site was and remains contentious with some local neighbours. The updated review again shows support for the changes proposed, with continued opposition to the site choice by some. As with the earlier response, in general those who are responding from the SEND community are in supportive of the changes, and neighbours are largely opposed to the scheme.

Whilst general opposition to the scheme can be seen to have increased slightly, the % of responses from neighbours in proportion to the total number of responses has also increased. Overall, however, the numbers of those replying to this consultation has decreased from 428 in September/October 2019 to 88 in October 2021. This may or may not show that acceptance by the wider community of the need for the school is now in place or that overall opposition to the changes is reducing.

Responses from immediate neighbours to this consultation have however increased from 14 in 2019 to 22 in 2021. They are the largest single block of responders in 2021. This could have affected the decrease in support overall, that still remains high.

Wilmott Dixon, in their newsletters to immediate neighbours about the physical scheme, deliver newsletters to c300 neighbours to the site.

- 7.4 An outcome of sharing plans with the local community before a planning submission was made was that neighbours of the site submitted a Town and Village Green (TVG) application. This application was not supported by the Planning Committee in August 2020. Now that this determination has been made, a new TVG cannot be submitted.
- 7.5 The need for the planning decision to be referred to the Secretary of State and ongoing discussions with the Environment Agency did delay the planning determination by approximately 4 months. Both external decision makers have now offered no objection or have withdrawn their objection to the scheme accordingly. This has shown that the decision has been reviewed by external statutory consultees who have not offered objections.
- 7.6 The full review of all potential sites and an exemplar design meant that planning permission could be granted in September 2021.
- 7.7 There remains a risk that the full capital funds needed to progress this scheme will not be found as the TVG, Secretary of State review and Judicial Review processes have delayed a start on site for the new build over a significant period. Officers continue to work to secure capital allocations from developers and through external funding sources as available. Ultimately, these delays have had an impact on the delivery of capital upgrades to other local schools and on the number of resources available in schools to support all pupils in mainstream and special schools across North Somerset with SEND. The initial findings of the judge in December 2021 and an early date for Oral review in January with a determination on the day have helped to reduce this risk.
- 7.8 Parents have been reassured that the senior staff at Baytree Special School will consider not only the needs of the child in relation to the delivery of education at either site, but also the school locations of other family members and the linking of pupils with their peer groups before any changes in site location are made. Any changes will be discussed and agreed with parents beforehand. Whilst a meeting with parents was

offered for the most recent review, only 2 parents wanted to attend. These parents met with the Headteacher of the school individually and both sets were supportive of the changes proposed.

- 7.9 In a recent meeting with residents in September 2021, a few indicated again that they may be more prepared to accept the development on land adjacent to Brookfield Walk if they receive compensation for the changes. They have indicated that they received payments when the motorway was developed. There are no policies or budgets to support this request.
- 7.10 The Council has been asked for its Plan B following comments that the public feel it has not acted quickly enough to find the funding and site which fully meets the school's requirements. If this project cannot be delivered, the pupils will be offered places at the nearest school with a place available. This could be a considerable distance from their home. There are currently no other sites that can meet the urgent need to provide extra provision for North Somerset pupils within an existing town/community. Having Secretary of State support and having the support of the High Court has reduced this risk.
- 7.11 Any delay to the provision of extra places for pupils with SEND across North Somerset will add to transport costs. Whilst this will be dependent on the outcomes of individual pupil placements, it is likely to continue to be considerable.
- 7.12 It is highly probable the new school site will not be available from the later date of September 2023. Officers are working on interim solutions that may provide a short contingency provided the progress of the new Baytree site is a delay rather than a cancellation.

## 8 Equality Impact Assessment

- 8.1 On the question of equality, 20 responses included concerns about equality issues. Those who made a written comment are included below, although only one appears to be from a person with a protected characteristic and others, shown as N\* (No) or Y\* (Yes), are in support of those who may have a protected characteristic but not, it would appear, specifically from a person in this group. Where a response is within the categories of the act, this is shown with a Y (Yes):

	<b>Equality Concern</b>	<b>Equality Issue that complies with the Protected Characteristics definition within the Equalities Act</b>	<b>Comment</b>
1	I am unhappy with the loss of the green fields to local residents. Could they not use the closed down Golden Valley garden centre brown field site on the Tickenham Road	N	The garden site in Tickenham has been designated for homes that are being delivered on this site

2	2 years have passed and in light of what has occurred, new priorities a new consultation should commence otherwise it is likely to not be ethical or in line with equality	N	This consultation has been specifically undertaken to ask for updated views
3	Levelling up agenda. Penalising Clevedon residents in loss of limited green space when alternative sites are available at cost.	N	The review of alternative sites has been accepted to have shown that Special Circumstances do exist, and this is the only site that needs the needs of the school. The appropriation decision determined that whilst the removal of any land used by the local community is not taken lightly, the need for the school is greater and there are other local open spaces available to residents within Clevedon
4	Just if the proposals effected the play areas that's all really	N	See 3 above
5	The children will be exposed to unnecessary stress on their travels as the road structure can't cope with existing traffic with M5 also having heavy demands during school run.	N*	Having extra local school places available and delivering the new site is to avoid children and young people having to undertake journeys to schools outside of North Somerset that will often incur far longer journey times
6	The council have torn up the rule book by allowing itself to build on green belt land and not considering the objections	N	The planning committee approved the special circumstances case. This was also reviewed by the Secretary of State who provided no objection to the scheme. The delivery of a special school has been deemed an exceptional exception to the green belt status

7	The impact on locals near the proposed new site have not been fully taken into account. Residents have not been taken seriously. The feedback was glossed over and ridiculed by councillors.	N	See 3 above
8	This school should be built on the second field by the comprehensive in Clevedon. Much more inclusive than this suggestion. This is not at all inclusive	N	The review of alternative sites has looked at this site. It is used for sport and recreation and is an integral part of the delivery of secondary-aged curriculum needs by Clevedon School. It is not available for alternative uses. See also 6 above.
9	The kids are being used as an excuse to move when it's not in their best interest - pollution, travel, congestion etc.	N	The noise and air quality assessments show that the site is suitable for the school.
10	Where in walking distance does my disabled daughter get green space ??	Y	Older, disabled and younger people living close to the site may be differentially negatively affected by the loss of the open space as they may find it harder to travel any extra distance to other local sites. In relation to play space there are 5 other play areas within a mile / 1.1 miles of the site.
11	There has been no consideration of the equality of the residents living in the road as objections were ignored	N	See 3 above
12	Unfair to children with learning difficulties next to busy M5 & main road/noise levels	N*	See 9 above
13	Impact on Clevedon due to building on our open land the only space that is in green belt in	N*	See 3 above



	this area of Clevedon is detrimental to the health and welcoming of local residents and children. How can you take from one group to give to another		
14	Floods, additional traffic, loss of green space, public recreation, environment, kids' health!	N*	See 3 and 9 above. The Environment Agency has approved the planning application for delivery.
15	Disability has been used inappropriately to make the law surrounding green belt & environmental concerns irrelevant	N*	The application has been reviewed by the Secretary of State. See 3 and 10 above.
16	The development will deprive local residents both going and old by taking away the only green space accessible within walking distance, this space has been a much-loved area enjoyed by local residents for many years.	N*	See 10 above
17	What about local families	N	See 10 above n
18	Yes, there are equality issues for the local residents and their children who, during lock down, the only green place we have had to get out in is the proposed site. Taking away this green space puts local families at a disadvantage	N*	See 10 above
19	Failure to approve the expansion is contrary to the requirement to provide schooling for disabled children and a clear equalities issue	Y*	Agreed – the reason for the changes proposed is to enable the Council to fulfil its statutory duty to provide school places for all its pupils. This this is in support of the change
20	NSC have not carried out any formal assessment.	N	An EIA assessment was carried out as part of this review, was submitted with the planning application, and is being reviewed because of this extended consultation process

8.2 The Council acknowledges the importance of this site to residents in the immediate vicinity and it does not take the decision to deliver a school on this site lightly. The matters raised in objections, including loss of recreation areas and the significance of the site for the well-being of its users, have been carefully weighed.

It is considered that the loss can be justified by the benefits to the wider community of the expansion of the Baytree Special School, being a highly specialised and much-needed provision of extra capacity to care for children with the most acute needs in our area.

These balancing of views were referenced when His Honour Judge Jarman (JC) and His Honour Judge Keyser (QC) considering the case for judicial review in written and oral hearings of the High Court in December 2021 and January 2022 respectively.

- 8.3 The changes proposed by this consultation are intended to enhance the learning experiences of children with S&PLD who attend Baytree Special School as well as creating additional places at a purpose-designed school to enhance the Council's current local offer.
- 8.4 Those responding to the consultation expressed concerns in relation to equality, stating that a loss of amenity land for local pupils will affect their mental health. According to the Council's records, as at January 2021 (last school census data available) there were 117 children attending North Somerset schools that live in this area, broken down as follows:

<b>NCY</b>	<b>No. of children</b>
R	8
1	12
2	10
3	10
4	11
5	15
6	13
7	7
8	3
9	5
10	6
11	11
12	2
13	4
	117

Figure 8

There is a playground in Cherry Avenue, 0.3 miles and 6 minutes walking time from the Brookfield walk site. Teignmouth Road playground is 0.4 miles and a 7 minutes walking time away from the area. The football pitches and play area at the end of Hazel Close / Homeground are 0.7 miles and 14 minutes walking time from the site

and Clevedon Rugby ground is 0.8m away and a 16 minutes walking time from this location. Other nearby open spaces include the Coleridge Vale Road and Churchill Avenue play areas that are 1.1m away and 22 minutes walking time from the site.

- 8.5 The creation of a new school site in Clevedon will remove access to the site from the local community. Consideration was given during the project to those locally who could be affected due to their age. This includes children who may play on the site or older people who may access the site for, for example, walking their dog.

The school site needs to be at least 2ha in size to provide sufficient space for all the indoor and outdoor spaces required for the pupils it serves. The site at Brookfield Walk is 1.9ha. Consideration was given to not including one area of land adjacent to the homes and its bordering field so this could be retained for community use. Regrettably this would remove necessary play space for the school that cannot be located elsewhere due to the need to provide drainage swales and to keep site material within this location for environmental reasons.

Asking Clevedon Town Council for a land swap of the Community Orchard for this area of land was also considered. The trees are a natural resource open to the whole community. Whilst the pupils would and can have access to them, the area would not provide the play space needed for the school. A request for a land-swap consideration of this land, whilst initially explored, was not pursued.

- 8.6 The findings of this updated EIA following consultation shows there is one person with a protected characteristic who could be affected by the removal of the Brookfield Walk site. There are also those living near to the school who are children or older people who could suffer as a result of a loss of play space or the use of a nearby facility for, for example, dog walking.

There are other alternative nearby facilities within a mile of the site that can be used for the above purposes. The impact on those within the parameters of the EIA who would benefit from the creation of a new site could be argued to provide a greater benefit than the loss to the person with a protected characteristic or to older neighbours who, on the whole, have not stated explicitly they have an EIA category.

- 8.7 Once Councillors have reviewed the responses to this consultation, the EIA for the project will be updated to include these and/or their comments.

## **9. Corporate Implications:**

- 9.1 The Council has a duty to meet the school-place needs of primary and secondary-aged pupils living in North Somerset including those with special educational needs and disabilities. The consultation sought the views of pupils, parents, staff and local stakeholders to ensure that the best possible long-term educational outcomes can be achieved for children with S&PLD and that local resources are used effectively across the whole district.

## **Appendices:**

See Appendix 1 – responses to the consultation.

**Background Papers:**

- Education Provision in North Somerset ~ A Commissioning Strategy 2021 - 2024 – see [Education Provision in North Somerset - A Commissioning Strategy 2021-2024 \(n-somerset.gov.uk\)](http://www.n-somerset.gov.uk)
- Executive – 5 February 2019 - <http://apps.n-somerset.gov.uk/cairo/docs/doc29420.pdf>
- Council – 19 February 2019 - <http://apps.n-somerset.gov.uk/cairo/docs/doc29460.pdf>  
[Approval to start consultations to expand Baytree Special School - https://www.n-somerset.gov.uk/wp-content/uploads/2019/07/19-20-PC-19-Signed.pdf](https://www.n-somerset.gov.uk/wp-content/uploads/2019/07/19-20-PC-19-Signed.pdf)
- Approval to designate a possible site for the expansion of Baytree Special School - <https://www.n-somerset.gov.uk/wp-content/uploads/2019/08/19-20-CSD-43-signed.pdf>
- Expansion of Baytree Special School Consultation: [http://consult.n-somerset.gov.uk/consult.ti/Expansion\\_of\\_Baytree\\_School/consultationHome](http://consult.n-somerset.gov.uk/consult.ti/Expansion_of_Baytree_School/consultationHome)
- CYPS Policy & Scrutiny Committee on 20 June 2019 ~ <http://apps.n-somerset.gov.uk/cairo/docs/doc29644.pdf>
- Full Council Initial Budget Approval for Developing the Scheme - £1m – <https://apps.n-somerset.gov.uk/Meetings/document/report/NSCPM-38-558>
- Executive Member for Children Services and Lifelong Learning Decision Sheet (PC 19) - <https://www.n-somerset.gov.uk/wp-content/uploads/2019/07/19-20-PC-19-Signed.pdf>
- CSD43 Executive Member Decision for Baytree School 2nd site – <https://www.n-somerset.gov.uk/sites/default/files/2020-02/19%2020%20CSD%2043%20signed.pdf>
- Town & Village Green application - Planning & Regulatory Committee – <https://apps.n-somerset.gov.uk/Meetings/document/report/NSCPM-105-633>
- Planning Application Determination ~ Planning and Regulatory Committee - <https://apps.n-somerset.gov.uk/Meetings/ByCommittee/4/2020/75>
- [Appropriation Determination - July 2021 executive member decisions | North Somerset Council \(n-somerset.gov.uk\)](http://www.n-somerset.gov.uk)
- [Extension to the Phase 1 consultation process – Baytree School Expansion - August 2021 executive member decisions | North Somerset Council \(n-somerset.gov.uk\)](http://www.n-somerset.gov.uk)

**Signatories:**

**Decision Maker(s):**



Signed: .....

Title: Executive Member for Children’s Services and Lifelong Learning

Date: 07.02.22

**With Advice From:**

A handwritten signature in blue ink that reads "Sheila Smith". The signature is written in a cursive style and is underlined with a single horizontal line.

Signed: .....

Title: Director of Children's Services

Date: 07.02.22

**Footnote: Details of changes made and agreed by the decision taker since publication of the proposed (pre-signed) decision notice, if applicable:**

# APPENDIX 1

## **e.Consult Responses**

to

Supplementary Consultation  
for Proposed expansion to  
Baytree Special School,  
including location onto a second site

NB: All comments are a direct representation of those received and have not been altered to correct typographical or other errors etc

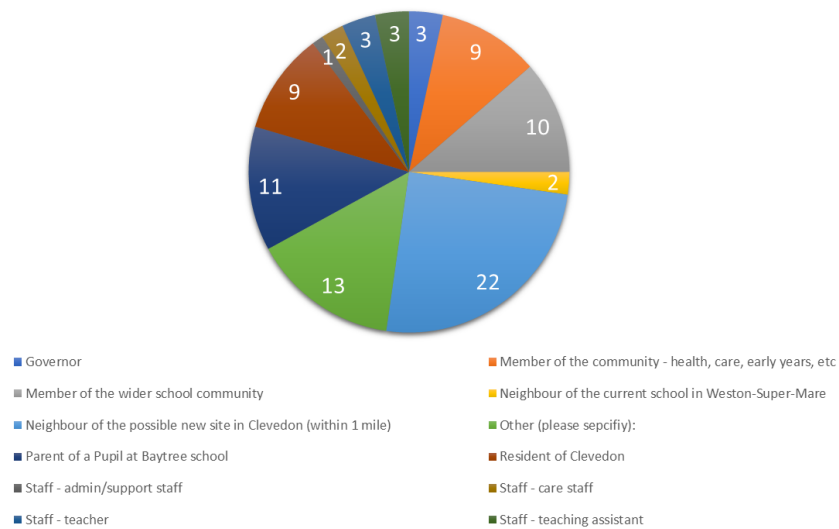
# Supplementary Consultation for Proposed expansion to Baytree Special School, including location onto a second site

## e.Consult Responses

Comments (including typographical errors) are exact copies of those provided by respondents

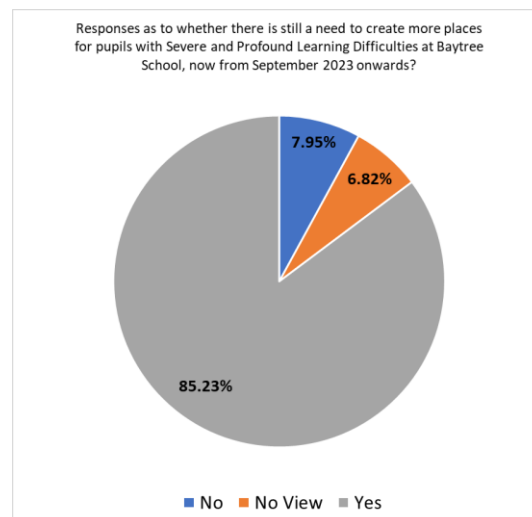
How many responded to the online consultation questionnaire? 88  
 Who responded to the questionnaire:

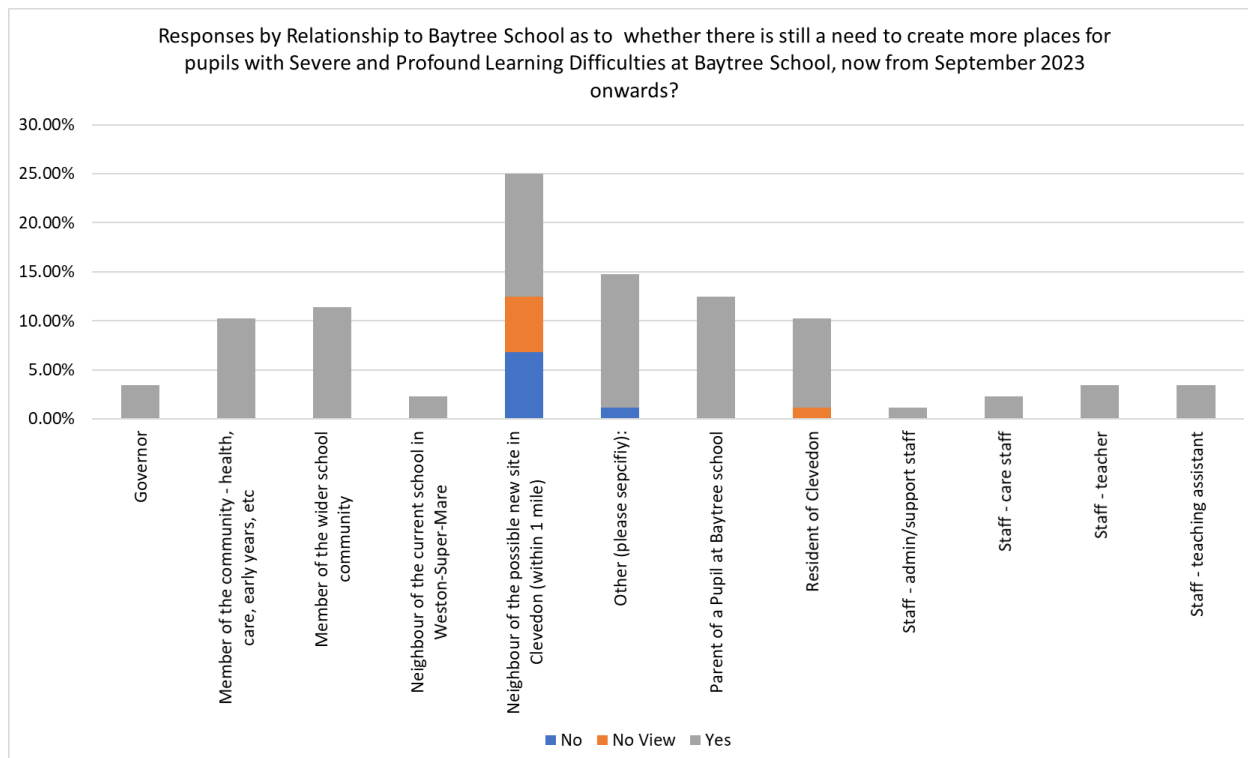
Responders Relationship with Baytree School



### Responses to the questionnaire:

**1. Based on the information you have been given, do you agree there is still a need to create more places for pupils with Severe and Profound Learning Difficulties at Baytree School, now from September 2023 onwards?**





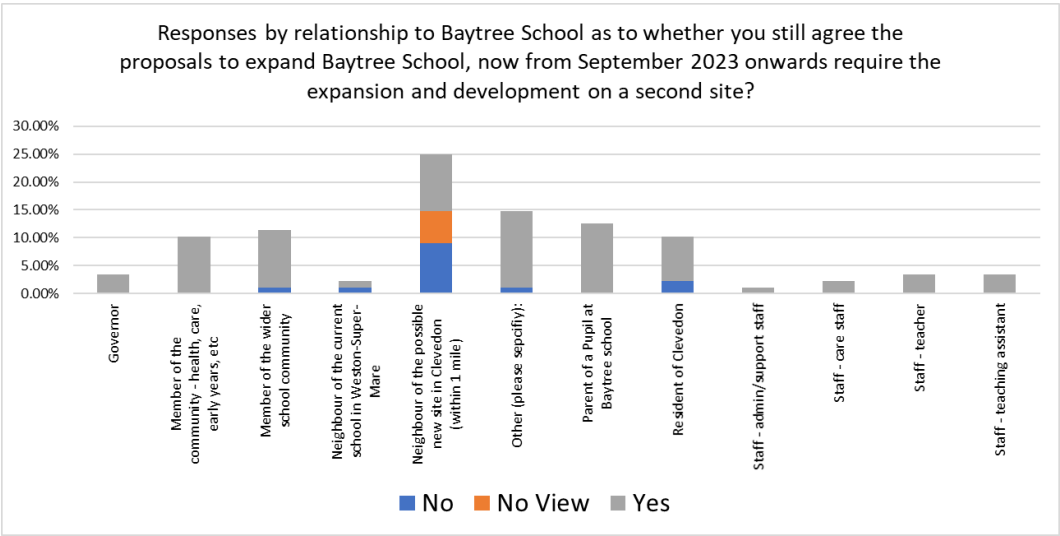
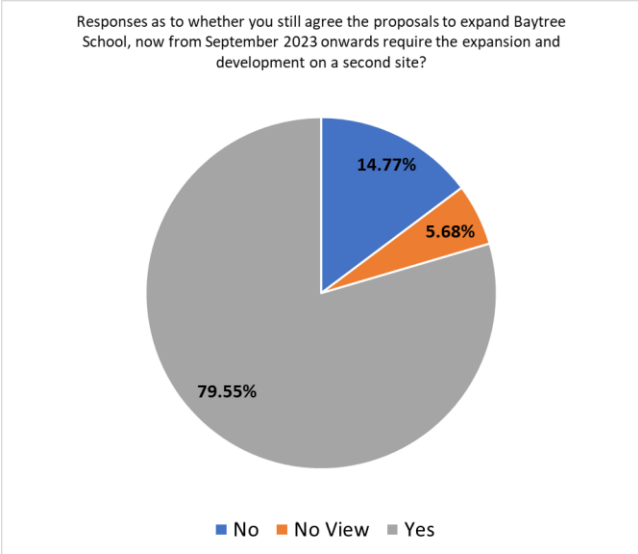
#### Comments:

- The document attached to this questionnaire only outlines your intention to gauge original responses. The original consultation is 2 years old and has not been included. It therefore does not give consideration to New concerned parties
- The need is plentiful and much needed. The current building is outdated and too small
- The need to expand Baytree School is now critical. The number of children and young people requiring a school placement at Baytree School has increased dramatically and the current site is over capacity.
- May be less far for some children to travel, eleviating additional transport/travelling time
- Surely not on green belt land in direct opposition to the councils self declared climate emergency
- Yes. Not on Green belt. Where does my disabled daughter get to walk now?
- It would seem from the councils own statistics that it would take many years for the new proposed new site to be used to it's full capacity. I would query whether pupils based at the current bay tree site would travel to Clevedon
- I believe there is a need to provide extra space for children with special needs however I believe the proposed site is not a appropriate site for the build, this is due to the removal of green belt, a rise in pollution levels on the residential
- I understand there has been suggested a need for extra places but this is the wrong place for children next to motorway and busy main road & housing estate



- Anyone who may be sensitive to noise pollution shouldn't be subjected to an environment which is so close to the M5 and a noisy (at times) Trading Estate.
- I don't know enough about this
- But not next to M5, wrong location
- even more urgent than before
- I am a parent of a child who has profound learning difficulties and it is so important that our most vulnerable children have access to an education in the correct setting.
- But not on green space! NSCC back ganders!
- DId not require new site
- Expansion IS probably needed but NOT at the expense of green space/local community playing fields.
- Nobody in the local or wider community disputes the need for a school, however, the location is completely unsuitable and at the deprivation of immediate residents by taking away their only green space. This survey should provide everyone with the op
- Only 25 pupils in the North Somerset District benefit from this new school, only 5 in Clevedon itself. Building a school to support 120 pupils is excessive and the school would be better suited in another location.
- Yatton Parish Council Planning Committee discussed the consultation for the expansion of Baytree Special School on Monday 4th October 2021. The Committee still very much supports the expansion of the school on the chosen site and considered there
- As the parent of a child with complex profound additional needs we have no place for schooling in North Somerset and would like not to be excluded by the lack of provision in the county

**2. Based on the information you have been given, do you still agree the proposals to expand Baytree School, now from September 2023 onwards require the expansion and development on a second site?**

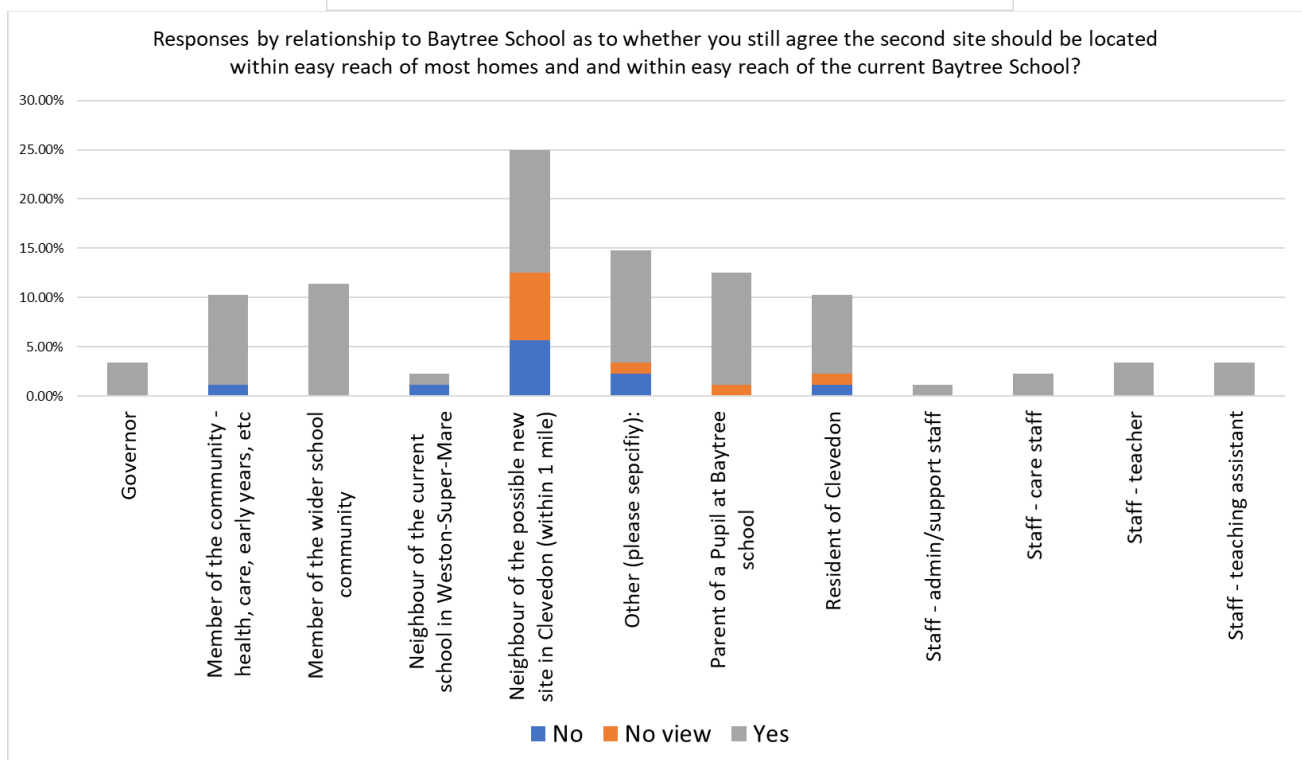
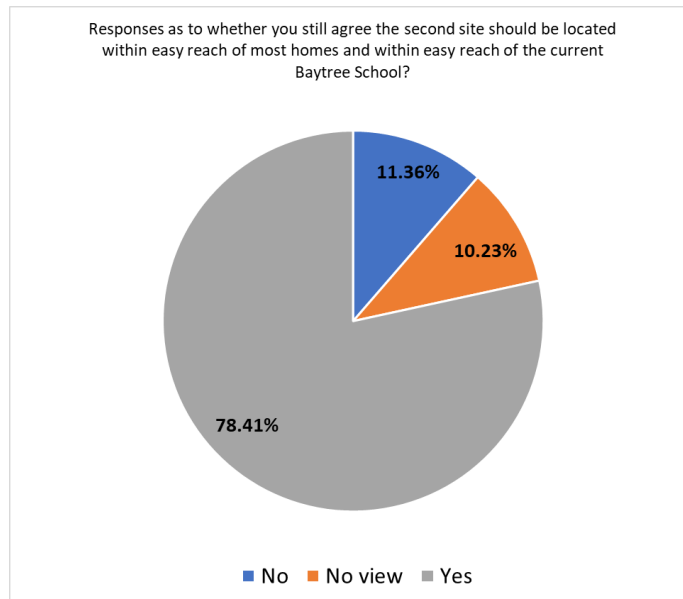


Comments:

- In light of it being 2 years further consideration needs to be given in light of COVID-19 and education recovery plan as a whole county
- But not the site identified when other are available.
- There is a need for a bigger provision in North Somerset and a split site will provide greater access to families.
- Not on a green open space flood plain in Clevedon
- Yes, as the current site cannot be expanded the creation of a second site is paramount in ensuring CYP who require SEND provision receive this within their community.
- I DO NOT object to the Brookfield Walk site being used for the second site.

- The site which has been selected is not fit for purpose it is being built on green belt land which the council have now removed the green belt. The site is at risk of flood and next to the motorway. The estate is busy and it is the wrong place
- The current school could be made bigger. Other schools for special needs are not single story, and the expansion could go upwards. Or a better location could be found. Traffic in this area is already horrific.
- Surely not on green belt land in direct opposition to the councils self declared climate emergency
- Not on green belt land- disgusted beyond words by councils conduct
- The cohort of students attending Baytree School is completely different of that when the school was first built. More student assessability equipment is required and his is impacting on the already limited space that the school has.
- Reasons as per the above question
- As said before I believe the site is not appropriate
- Not if children need a quiet place too near busy motorway and main busy roads
- I don't have sufficient information
- None
- Leave green space a build away from a polluted motorway! Think of the kids!
- Children with complex physical & learning difficulties should remain on original purpose built site. Other pupils without need for specialist buildings could be resited on non green belt sites.
- AS per Q4, expansion but NOT at ghe expense of green belt/fields.
- Nobody in the local or wider community disputes the need for a school, however, the location is completely unsuitable and at the deprivation of immediate residents by taking away their only green space. This survey should provide everyone with the op
- Children need to exercise more but NSC want to take away green spaces
- See response above. Also building next to a motorway where pollution levels are a factor does not consider the needs of the pupils.

**3. Based on the information you have been given, do you still agree the second site should be located within easy reach of most homes and within easy reach of the current Baytree School?**

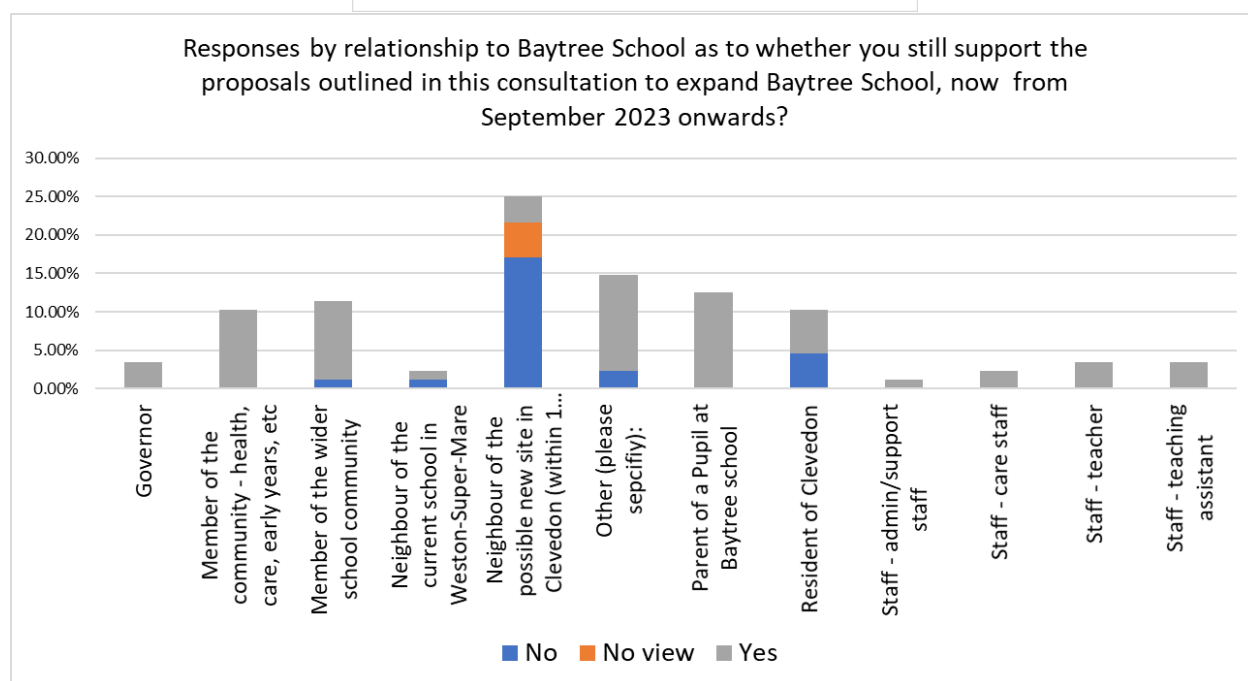
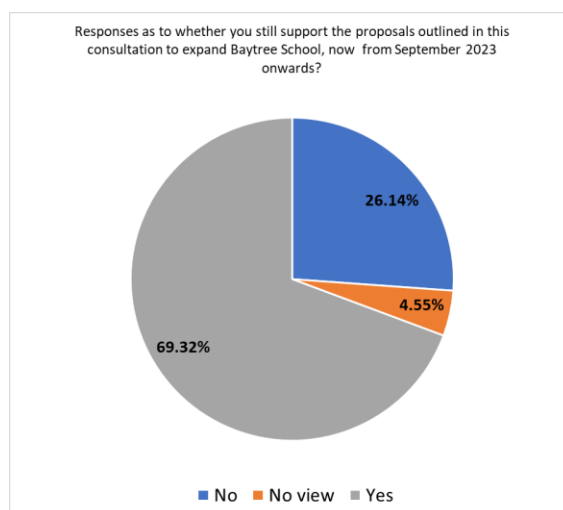


**Comments:**

- But not the site identified when others are available. No appeal has been made to Gov't fir additional funds or fundraising sought to buy a alternative site.
- I think it needs to be on a site that can be managed by the Baytree leadership team but also considering the needs of the families and the accessibility of the new site to families across the whole area.
- Not on a green open space flood plain in Clevedon
- The Clevedon site is not practical, the traffic when children will be arriving/leaving is clogged with rush hour cars, adding chi

- Yes, this is critical in ensuring the expansion is within and enhancing the local community as well as being close to the current site to ensure the children, families and staff team feel apart of the Baytree community.
- Site is an ideal central location to the North of the district near the motorway and surrounding villages
- It should be sited in Weston so it is accessible to Baytree. There is more land available in Weston such as near the new housing development /old airfield.
- Because these questions are not asking what people need to answer, only worded how you want the answers. Rubbish
- But surely not on green belt land in direct opposition to the councils self declared climate emergency
- Not at the detriment of other disabled people living nearby's only area of green space
- The proposed new site is easily accessible for both Bristol and North Somerset students.
- I'm not convinced that Clevedon is sufficiently near enough to the current siter enough
- However there are better sites suited to the build
- Totally wrong site for children pollution coming from motorway
- It's a different school, I haven't got information to say why it's important to be 'close' to another school.
- Yes, leave the green green space alone and build on sites that need rejuvenated
- Lies have been told to warp the facts to allow building on green belt
- 'Easy reach' is a broad spectrum question.
- Nobody in the local or wider community disputes the need for a school, however, the location is completely unsuitable and at the deprivation of immediate residents by taking away their only green space. This survey should provide everyone with the op
- Easy reach of existing schoolOP
- The location of the proposed site will cause distress to those travelling to the site. Traffic volumes are are excessive during the rush hour and this will impact those travelling to the site. There are more suitable locations.
- Easy reach within the community, but the existing baytree base should move to the new site too so they are all together and getting all the support they all need.
- Define EASY. It is easy to fly. From brs to mad
- Our near neighbour has a profoundly disabled child who attends Baytree. Having a local school suitable for her special needs in Clevedon would significantly improve her quality of life and wellbeing.

**4. Based on the information you have been given, do you still support the proposals outlined in this consultation to expand Baytree School, now from September 2023 onwards?**

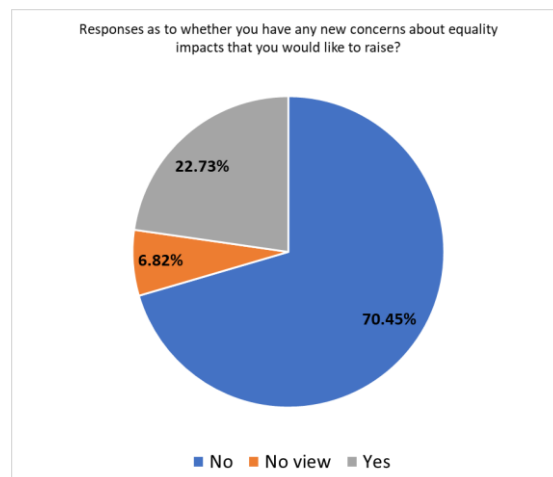


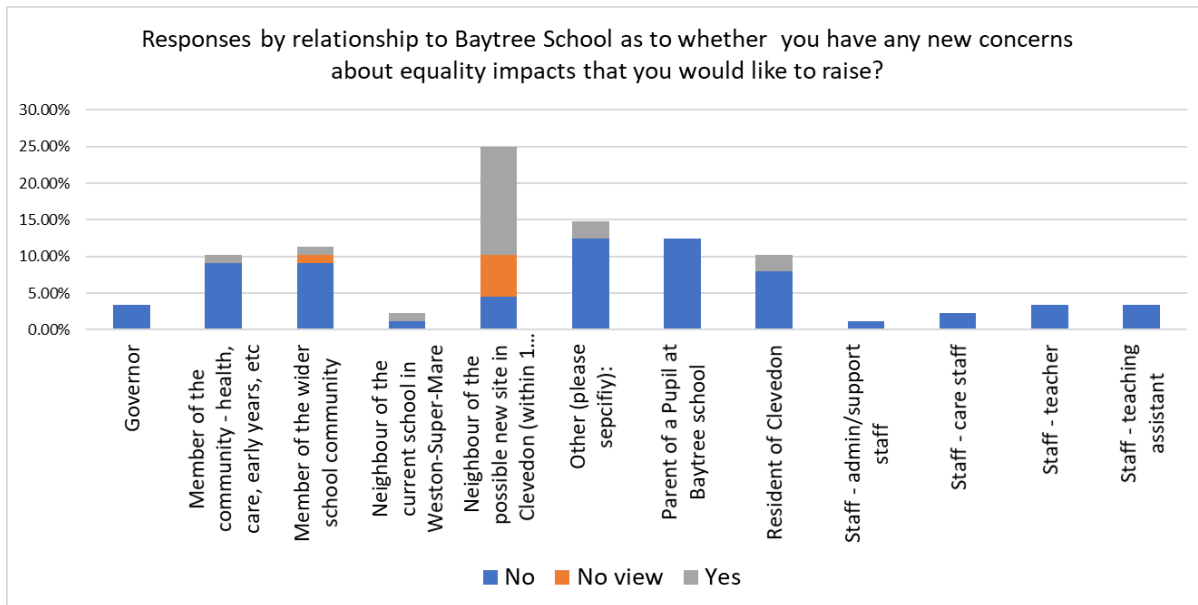
**Comments:**

- It needs to be reviewed and further consideration and consultation given as things there are new matters that need to be considered if this a true consultation
- As previous answers. Wrong location. Next to M5. Pollution from busy roads. Loss of green belt and an asset to the community
- Yes but I would nto like to see the skate park feature taken away from the local residents the children love this area to hang out and play its important kids have somewhere to socialise for community cohesion
- Not on a green open space flood plain in Clevedon
- Children will be stuck in traffic arriving and leaving school, this will cause distress and anxiety for all concerned

- No evidence of increasing need has been provided.
- Surely not on green belt land in direct opposition to the councils self declared climate emergency
- Yes I agree with the expansion but this is the wrong site, for the children, the residents and the wider community.
- Not on green belt
- The site will contribute to pollution, congestion of traffic, removal of green belt, flood plain, limited parking, removal of natural habitat among over issues.
- Too close to motorway & main roads/housing estate
- Where is the information to support this?
- Not supported the location
- there is an urgent need for this
- I don't support building on any green space land!
- I think this is an appalling misuse of power to destroy green belt land.
- Not on green belt
- No, I NEVER supported the proposal & these questions are biased and unfairly loaded

**5. Based on the information given, do you have any new concerns about equality impacts that you would like to raise?**





### Comments:

- I am unhappy with the loss of the green fields to local residents. Could they not use the closed down Golden Valley garden centre brown field site on the Tickenham Road,
- 2 years have passed and in light of what has occurred, new priorities a new consultation should commence otherwise it is likely to not be ethical or in line with equality
- Levelling up agenda. Penalising Clevedon residents in loss of limited green space where alternative sites are available at cost.
- Just if the proposals affected the play areas that's all really
- The children will be exposed to unnecessary stress on their travels as the road structure can't cope with existing traffic with M5 also having heavy demands during school run.
- The council have torn up the rule book by allowing itself to build on green belt land and not considering the objections
- The impact on locals near the proposed new site have not been fully taken into account. Residents have not been taken seriously. The feedback was glossed over and ridiculed by councillors.
- This school should be built on the second field by the comprehensive in Clevedon. Much more inclusive than this suggestion. This is not at all inclusive
- The kids are being used as an excuse to move when it's not in their best interest - pollution, travel, congestion etc.
- Where in walking distance does my disabled daughter get green space ??
- There has been no consideration of the equality of the residents living in the road as objections were ignored
- Unfair to children with learning difficulties next to busy M5 & main road/noise levels
- Impact on Clevedon due to building on our open land the only space that is in green belt in this area of Clevedon is detrimental to the health and welcoming of local residents and children. How can you take from one group to give to another



- Floods, additional traffic, loss of green space, public recreation, environment, kids health!
- Disability has been used inappropriately to make the law surrounding green belt & environmental concerns irrelevant
- The development will deprive local residents both young and old by taking away the only green space accessible within walking distance, this space has been a much loved area enjoyed by local residents for many years.
- What about local families
- Yes, there are equality issues for the local residents and their children who, during lockdown, the only green place we have had to get out in is the proposed site. Taking away this green space puts local families at a disadvantage
- Failure to approve the expansion is contrary to the requirement to provide schooling for disabled children and a clear equalities issue
- NSC have not carried out any formal assessment.

**6. If you wish to make additional comments, please use the space below.**

- Further consultation opportunity should be given on the whole proposal as there are significant changes which influence these proposals
- As previous comments
- I support children who are deafblind/multi-sensory impaired and to have more provision available to these families would be encouraging.
- Please refer to our previous comments in support of this second site for Baytree school in Clevedon
- It's not acceptable to put children through the stress of traffic delays, with the addition of support staff and professionals contributing to extra cars on the roads, this is not fair on them or the local children who walk to/ from local school
- We cannot wait for the new school.. it's vital to so many children's well-being. Good luck
- The expansion of Baytree school is an essential part of the NS plan to address SEND needs. While close proximity to the existing site is important, the proposed new site still lies in an accessible area of North Somerset and the families who would access it
- Brookfield walk is still a totally unsuitable site.
- I believe this expansion is essential and will benefit children and their families as well as the local community
- not enough places for children with additional needs. Entitled to education the same as mainstream children are. For some children, their needs are such that if placed in a mainstream environment, it would be at the detriment to the other children
- The fields are well used by the community. This has not been acknowledged at all. There are no other public green spaces nearby. Most people will need to drive to get to green spaces. Totally against environmental issues including cutting down trees.
- This school does need to be built, but in a more appropriate location than on a road with limited parking, and very limited access. The fact the local residents do not want it there should also give pause. The ring road is congested already.
- Building on green belt land is an act of environmental terrorism

- Personally I feel that the Baytree expansion is a front, and their well being is not the first thought in all of this, I think we can all see the future, in that the original baytree will move in full and that land will then be sold for housing
- Councils conduct to date has been disgusting. How dare you put money before disabled children, including those that use that green space to walk, together with children of baytree and residents. Lies the whole way through.
- I understand the argument from both perspectives however I feel that there would be a more appropriate land located else where that would be better suited to this build, there is limited access onto the current road that is already congested enough
- Totally disagree with building on green belt and land that belongs to the local community. Inappropriate site for children with learning difficulties right next to M5/busy main roads//housing estate
- There is no sufficient space to comment shame on you North Somerset once again undermining local democracy with your underhand tactics.
- Residents have never NOT agreed the need for more SEN places,just location
- Would parents of children in mainstream schools find it acceptable for their children to have to travel half - an hour each way to school? No they would not SO why should children with severe and profound difficulties be expected to?
- AGREE there is a need for additional school, but don't take away green space that will benefit the local community! Rejuvenate and use common sense, and what us tax payers are paying you for!
- I find it unbelievable how the council has had such a disregard for the climate & environment we live in , in order to save themselves money
- Plenty of sites more suitable than Brookfield walk which would also be a lot less contentious!
- The whole process has been underhand and NSC have no regard for local residents opposing the development. They have ignored their own policies to get the result they want.
- Nothing should be built on this site
- This questionnaire is biased and unfairly loaded assuming
- This response is made on behalf of Bristol North Somerset & South Gloucestershire NHS Clinical Commissioning Group
- This school is desperately needed by the children in North Somerset.
- This provision has been separately needed for five years and now is absolutely critical to support the most vulnerable, life limited children and their families in North Somerset. Failure to approve the expansion is a legal and moral failure.
- NSC should not consider building on green belt land ANYWHERE in NS
- We desperately need more SEND school spaces within North Somerset and currently this seems to be the most appropriate option.

## **7. Additional responses received by email:**

To Whom it May Concern,

On behalf of the HPA community we are completely in agreement with the proposal to expand the Baytree school on the proposed site. We hope that the planning and development

itself continues at pace to deliver much needed places for some of the local authority's most vulnerable children and young adults.

Regards

I am writing on behalf of the Governing Body at Flax Bourton Church of England Primary School to support the expansion of Baytree School on a site in Clevedon.

Places for children with complex needs are in such short supply across North Somerset that many children are unable to have their needs met locally. This is distressing for families and their children and very frustrating for all in the field of education and care of children.

We all want to be able to provide the very best care and education for every child whatever their need and we would urge the council to grant permission for this building work in order to fulfill their duty of care \*and education) for all children.

Ruth Newton

(Chair of governors Flax Bourton Church of England Primary School)