



Meeting: **Cabinet**

Date/Time: **Tuesday, 10 October 2017 at 2.00 pm**

Location: **Sparkenhoe Committee Room, County Hall, Glenfield**

Contact: **Mrs. J. Twomey (Tel. 0116 305 6462)**

Email: **joanne.twomey@leics.gov.uk**

Membership

Mr. N. J. Rushton CC (Chairman)

Mr. R. Blunt CC Mr. J. B. Rhodes CC
Mr. I. D. Ould CC Mr. R. J. Shepherd CC
Mr. B. L. Pain CC Mr. E. F. White CC
Mrs. P. Posnett CC

Please note: this meeting will be filmed for live or subsequent broadcast via the Council's web site at <http://www.leicestershire.gov.uk>
– Notices will be on display at the meeting explaining the arrangements.

AGENDA

<u>Item</u>	<u>Report by</u>
1. Minutes of the meeting held on 15 September 2017.	(Pages 3 - 18)
2. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.	
3. Declarations of interest in respect of items on the agenda.	
4. ESPO Trading Company Ltd.	Chief Executive and Director of Corporate (Pages 19 - 28)



		Resources	
5.	Implementation of the Markets in Financial Instruments Directive (MiFID II).	Director of Corporate Resources	(Pages 29 - 34)
6.	Localisation of Council Tax Support - County Council Contributions.	Director of Corporate Resources	(Pages 35 - 58)
7.	Developer Contributions towards County Council Services - Update.	Chief Executive	(Pages 59 - 64)
8.	Planning for the Right Homes in the Right Places - Consultation Response.	Chief Executive	(Pages 65 - 74)
9.	Delegation of Adult Social Care Functions to Blaby District Council (Lightbulb Programme) - Urgent Action by the Chief Executive.	Director of Adults and Communities	(Pages 75 - 80)
10.	Draft Leicester, Leicestershire and Rutland Carers Strategy 2018 - 2021.	Director of Children and Family Services, Director of Adults and Communities, and Director of Public Health	(Pages 81 - 134)
11.	Delivery of Leicester and Leicestershire Rail Strategy (Including HS2)	Director of Environment and Transport	(Pages 135 - 186)
12.	Items referred from Overview and Scrutiny.		
13.	Any other items which the Chairman has decided to take as urgent.		



Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Friday, 15 September 2017.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Mr. R. Blunt CC
Mr. I. D. Ould CC
Mr. B. L. Pain CC

Mrs. P. Posnett CC
Mr. R. J. Shepherd CC

Apologies

Mr. J. B. Rhodes CC and Mr. E. F. White CC

In attendance

Dr. R. K. A. Feltham CC, Mrs. C.M. Radford CC, Mr. T. J. Pendleton CC, Mr. D. Jennings CC, Mrs. R. Page CC, Mr. S. J. Galton CC, Dr. T. Eynon CC

22. Minutes of the previous meeting.

The minutes of the meeting held on 23 June 2017 were taken as read, confirmed and signed.

23. Urgent Items.

The Chairman advised that there was one urgent item for consideration, a report of the Director of Children and Family Services entitled "Early Support and Inclusion for Children with Special Educational Needs and Disabilities", which concerned the Council's current position in relation to the Early Support and Inclusion contract the Department had with Menphys and plans for the delivery of the services post December 2017.

The report was urgent because the issue had arisen after the agenda for the Cabinet meeting had been published and the subject needed to be addressed at the earliest opportunity.

With the agreement of the Cabinet the report was taken under item 20 on the agenda (minute 42 refers).

24. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

Mrs P. Posnett CC declared a personal interest in item no. 17 on the agenda (Melton Local Plan – Addendum of Focused Changes Consultation Response) as a member of Melton Borough Council.

Mrs P. Posnett CC also declared a personal interest in the urgent item (Early Support and Inclusion for Children with Special Educational Needs and Disabilities) as Chairman of Melton Mencap Group which worked with Menphys.

Mr. B. L. Pain CC declared a disclosable pecuniary interest in item no. 10 on the agenda (Special Educational Needs and Mainstream Home to School Transport Policies – Approval to Consult) as the Director of a taxi firm and undertook to leave the meeting whilst that item was considered.

25. Change to the order of business.

The Chairman sought and obtained the agreement of Members to vary the order of business from that set out in the agenda.

26. 2017/18 Medium Term Financial Strategy Monitoring (Period 4) and Investment Proposals.

The Cabinet considered a report of the Director of Corporate Resources which set out the 2017/18 revenue budget and capital programme monitoring position and sought approval for investment in two transport projects using funding from the central inflation contingency. A copy of the report, marked '4', is filed with these minutes.

Members noted the comments of the Scrutiny Commission, a copy of which is filed with these minutes.

Mr. Rushton CC said that the pressures on the Council's Children and Family Services budget was worrying and other counties were also experiencing similar shortfalls in funding.

Mr. Ould CC said that whilst the Children and Family Services Department continued to overspend he was pleased to report that the Service had managed to generate some savings by reducing the number of children in its care as a result of an invest to save programme. He added that the Government could not expect local authorities to continue to take on extra responsibilities without allocated additional funding or giving them the ability to raise council tax as was permitted for Adult Social Care.

Mr. Pain CC welcomed the proposal to release funds from the inflation contingency balance in order to fund two important transport initiatives which would be welcomed by Leicestershire residents across the County.

RESOLVED:

- (a) That the comments of the Scrutiny Commission be noted;
- (b) That the current year financial position as outlined in the report be noted;
- (c) That the release of £0.7m of the £5.4m inflation contingency balance be approved in order to provide funding for the Environment and Transportation Department, to
 - (i) improve response times for repairing reported potholes (£0.5m), and
 - (ii) manage school parking concerns better, through enforcement of 'zig zag' zones (£0.2m).

(KEY DECISION)

REASON FOR DECISION

To enable the investment of spare resources to improve response times for repairing reported potholes and address school parking issues.

27. Medium Term Financial Strategy Update.

The Cabinet considered a report of the Director of Corporate Resources which detailed the overall financial position of the Council and the proposed approach to updating the Medium Term Financial Strategy. A copy of the report, marked '5', is filed with these minutes.

Members noted the comments of the Scrutiny Commission, a copy of which is filed with these minutes.

Mr. Shepherd CC said that the financial pressure on the Authority continued to be extremely challenging and stressed the importance of a successful outcome to the fair funding campaign.

RESOLVED:

- (a) That the significant financial challenge faced by the County Council be noted;
- (b) That the approach outlined in the report to updating the Medium Term Financial Strategy be noted;
- (c) That the Director of Finance following consultation with the Cabinet Lead Member for Corporate Resources be authorised to -
 - (i) submit an application for the County Council to participate in the 100% business rates retention pilot programme for 2018/19;
 - (ii) if the County Council's application is successful, take all action necessary to proceed with the pilot;
- (d) That the comments of the Scrutiny Commission be noted;
- (e) In respect of comments made in the Scrutiny Commission about the accuracy of references in the report to Council Tax collection and the rejection by District Councils of an external review with the intention of improving performance and collection rates to benefit local authority, Police and Fire budgets, the Cabinet is satisfied with the accuracy of the references.

(KEY DECISION)

REASON FOR DECISION:

To formalise the County Council's approach to develop plans to address the worsening financial position.

To enable an application to be made to participate in the business rates retention pilot and, if successful, to ensure that arrangements are put in place at the earliest opportunity.

28. Special Educational Needs and Mainstream Home to School Transport Policies - Approval to Consult.

(Mr. B. L. Pain CC, having declared a disclosable pecuniary interest in the matter, left the meeting whilst this item was considered).

The Cabinet considered a report of the Director of Environment and Transport which sought the Cabinet's approval to consult on proposed changes to the Special Educational Needs Transport Policy and the Mainstream Home to School Transport Policy so far as they relate to non-compulsory school age children. A copy of the report, marked '10', is filed with these minutes.

Members noted comments received from Mr Max Hunt CC and the Liberal Democrat Group, copies of which are filed with these minutes.

Mr. Rushton CC reminded members that Phil Crossland, the Director of Environment and Transport, would be retiring shortly and on behalf of the Cabinet, thanked him for all his work with the County Council and wished him a long and happy retirement.

In relation to the proposal to reduce the Council's discretionary element of transport provision for children not of statutory school age, Mrs. Posnett CC said that such a decision would not be taken lightly and she welcomed the proposed consultation exercise which would allow service users to share their views and ideas.

RESOLVED:

- (a) That the proposed changes to the Special Educational Needs Transport Policy and the Mainstream Home to School Transport Policy as set out in paragraphs 22 to 24 of the report, be approved for consultation, including any low income contribution;
- (b) That a further report be submitted to the Cabinet in spring 2018 regarding the outcome of the consultation and presenting the final revised Policies for approval.

(KEY DECISION)

REASON FOR DECISION:

Significant growth pressures on the Council's Special Educational Needs (SEN) transport budget mean that a review of the discretionary element of transport provision for children not of statutory school age is required to ensure future expenditure on this Service can be contained within the funding available.

(Mr. Pain CC then returned to the meeting).

29. LTP3 Hinckley Area Project Phase Zone 4 - Proposed Transport Improvements.

The Cabinet considered a report of the Director of Environment and Transport concerning the LTP3 Hinckley Area Project Zone 4 - Proposed Transport Improvements. A copy of the report, marked "11" is filed with these minutes.

Members noted the comments of the Environment and Transport Overview and Scrutiny Committee, a copy of which is filed with these minutes.

Mr. Pain CC said that whilst it was regrettable that further funding had not been made available for the Hinckley Area Project – Zone 4 under the Government's Single Local Growth Fund, £12 million had already been invested into the Project to deliver works as part of Zones 1 – 3, which equated to a considerable part of the Council's budget.

RESOLVED:

- (a) That the comments of the Environment and Transport Overview and Scrutiny Committee be noted;
- (b) That the outcome of the LLEP's Growth Deal 3 bid to the Government's Single Local Growth Fund submitted in July 2016 which did not secure funding for the Hinckley Area Project Zone 4, and the effect of this on the proposed package of works previously considered by the Cabinet in September 2016 be noted;
- (c) That the outcome of the stakeholder consultation on the prioritisation of schemes to be included within Zone 4 of the Hinckley Area Project in light of the significantly reduced funding available be noted;
- (d) That the revised list of schemes for Zone 4 of the Hinckley Area Project, detailed in Appendix D attached to the report, for implementation in 2017/18 using the remaining £800,000 of the LLEP's 2014 successful Single Local Growth Fund bid, be approved.

(KEY DECISION)

REASON FOR DECISION:

In order for a revised number of Zone 4 works of the Hinckley Area Project to commence using the significantly reduced funding available as a result of the Council failing to secure funding through the LLEP Growth Deal 3 bid.

30. Highway Infrastructure Asset Management Plan.

The Cabinet considered a report of the Environment and Transport Overview and Scrutiny Committee concerning the Highways Infrastructure Asset Management Plan. A copy of the report, marked "12" is filed with these minutes.

Members noted the comments of the Environment and Transport Overview and Scrutiny Committee and Mr Max. Hunt CC, copies of which are filed with these minutes.

Mr. Pain CC said that despite continued reductions in the Environment and Transport budget, a recent national highways and transportation survey recognised the County as having the best road conditions in the country and whilst the Plan prepared for a

deterioration in future years he hoped the Authority could continue to defy the national trend and maintain or even further improve Leicestershire's roads.

RESOLVED:

- (a) That the comments of the Environment and Transport Overview and Scrutiny Committee be noted;
- (b) That the Highway Infrastructure Asset Management Plan (HIAMP) appended to the report, be approved;
- (c) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member, be authorised to make such minor amendments to the Highway Infrastructure Asset Management Plan as are considered necessary to ensure that it remains current and conforms to legislation;
- (d) That the Director of Environment and Transport be authorised to develop and implement such operational procedures as are considered necessary to ensure the effective delivery of the HIAMP.

REASONS FOR DECISION:

Authorities have until October 2018 to fully adopt the Government's new Code of Practice titled "Well-Managed Highway Infrastructure". The HIAMP embeds a risk-based approach in operational planning, as required by the latest Code, and it will form the high-level strategic document from which operational procedures will be derived.

The Plan supports the delivery of a service that is aligned to the Medium Term Financial Strategy (MTFS) and ensures that the Council, as Highway Authority, continues to meet its statutory duties under the Highways Act 1980.

The HIAMP will help the Authority secure the highest band (band 3) under the Government's Department for Transport (DfT) Incentive Fund scheme and it is increasingly being required as part of other funding bids. Its adoption therefore has financial implications for the Authority.

31. Permit Scheme for Street Works and Road Works.

The Cabinet considered a report of the Director of Environment and Transport which sought approval to implement a Permit Scheme for Street Works and Road Works. A copy of the report, marked "13" is filed with these minutes.

Members noted the comments of the Environment and Transport Overview and Scrutiny Committee, a copy of which is filed with these minutes.

RESOLVED:

- (a) That the comments of the Environment and Transport Overview and Scrutiny Committee be noted;
- (b) That the Leicestershire County Council Permit Scheme as detailed in Appendix A and B to the report be approved for implementation from the 1st November 2017;

- (c) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member, be authorised to implement and oversee the on-going management, and to make minor changes to the Permit Scheme as he considers appropriate.

REASONS FOR DECISION:

To enable the County Council to introduce a Permit Scheme to better manage activities on the public highway and improve the County Council's ability to minimise disruption to highway users from street and road works.

To help fulfil the Authority's statutory network management duty under the Traffic Management Act (TMA) 2004 to ensure the expeditious movement of traffic.

Updating the County Council's approach to managing street and road works will support the delivery of the savings identified in the Medium Term Financial Strategy (MTFS) by replacing the current New Roads and Street Works noticing system with a Permit Scheme, which enables the County Council to recover all associated costs.

32. Draft Corporate Asset Investment Fund Strategy 2017/18.

The Cabinet considered a report of the Director of Corporate Resources which detailed the Council's intended approach to its future asset investments, utilising the Corporate Asset Investment Fund. A copy of the report marked '6' is filed with these minutes.

Members noted the comments of the Scrutiny Commission, a copy of which is filed with these minutes.

RESOLVED:

- (a) That the comments of the Scrutiny Commission be noted;
- (b) That the Corporate Asset Investment Fund Strategy as attached at Appendix A to the report be approved;
- (c) That the investment acquisitions and development projects detailed in paragraphs 28 to 42 of the report be approved;
- (d) That the proposed amendments to the delegations to the Director of Corporate Resources as set out in Appendix B to the report be approved;
- (e) That the Cabinet receives an Annual Report on performance of the Corporate Asset Investment Fund.

(KEY DECISION)

REASONS FOR DECISION:

The Corporate Asset Investment Fund is increased to enhance the Authority's financial resilience and deliver other benefits, such as economic development. Given the level of investment now proposed it is necessary to have a detailed Strategy in place to govern the approach taken in respect of future investments and the development of these utilising the CAIF.

Property transactions are often time sensitive, so seeking the Cabinet's approval of each transaction is not always practicable. Delegating authority to the Director of Corporate Resources, following consultation with the Board, to agree any future investments utilising the CAIF will ensure that the Council can take advantage of investment opportunities as they arise.

33. Funding Requirements to Deliver the Ofsted Continuous Improvement Plan

The Cabinet considered a report of the Director of Children and Families concerning progress to date and future funding requirements to deliver the Ofsted Continuous Improvement Plan. A copy of the report, marked "7" is filed with these minutes.

Members noted the comments of the Children and Families Overview and Scrutiny Committee, a copy of which is filed with these minutes.

Mr. Ould CC welcomed the proposals which would enable the Authority to address the recommendations of the Ofsted inspection and achieve the required level of practice to attain a 'good' classification.

RESOLVED:

- (a) That the comments of the Children and Families Overview and Scrutiny Committee be noted;
- (b) That a growth bid of £2.5m for Children and Family Services for the 2018/19 financial year be approved.

(KEY DECISION)

REASON FOR DECISION:

The additional funding is required in order to deliver the 17 key Ofsted recommendations for improvements to Children and Family Services, to ensure that services for vulnerable children and families are consistently of a good standard. The funding includes £0.5m already agreed for the service.

34. Proposals to Consult on Removal (Closure) of Residential Facilities at Maplewell Hall Special School

The Cabinet considered a report of the Director of Children and Family Services which sought approval to consult on the removal of the residential facilities from September 2018 at the Maplewell Hall Special School in Woodhouse Eaves.

Mr. Ould CC said that the Council continued to look very carefully at how it spent its money and was forced to consider whether it could justify financing services for children with special needs which were not identified as necessary in their personalised Education Health Care Plan.

RESOLVED:

- (a) That the current position regarding the use of the residential facilities at the Maplewell Hall Special School be noted;

- (b) That the commencement of informal/pre-consultation, as part of the statutory prescribed alterations process, on a proposal to remove (close) the residential facilities with effect from the start of the school year in September 2018 be approved;
- (c) That a further report be submitted to the Cabinet on 24 November 2017 on the outcomes of the consultation referred to in (b) above in order to determine the next steps.

(KEY DECISION)

REASONS FOR DECISION:

There are no pupils placed at Maplewell Hall who are assessed as having a need for residential provision stated in their Education Health and Care Plans (EHCP).

There is significant pressure on the Council's High Needs Block (HNB) budget which funds special needs provision. The closure of the residential facilities will allow savings to be made to the HNB budget and funding to be directed to other areas of increased demand where appropriate.

The closure of the residential facilities in September 2018 will allow for phased removal and adequate measures of support to be put in place (where appropriate) for families/pupils affected by the change.

Following the statutory process and undertaking consultation on the proposals is in keeping with the Council's corporate standards and the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

35. Leicestershire and Rutland Local Safeguarding Children Board and Safeguarding Adult Board Annual Reports 2016/2017.

The Cabinet considered a report of the Independent Chairman of the Leicestershire and Rutland Local Safeguarding Children Board and the Leicestershire and Rutland Safeguarding Adult Board regarding the key findings of the Boards' Annual Reports for 2016/17. A copy of the report, marked 'item 9', is filed with these minutes.

Members noted the comments of the Adults and Communities and the Children and Families Overview and Scrutiny Committees, copies of which are filed with these minutes.

RESOLVED:

- (a) That the comments of the Children and Families and the Adults and Communities Overview and Scrutiny Committees be noted
- (b) That the Leicestershire and Rutland Local Safeguarding Children Board and Safeguarding Adult Board Annual Reports for 2016/17 be welcomed and noted.

REASONS FOR DECISION:

The LRLSCB and LRSAB are statutory bodies and local authorities have a duty to ensure that the Boards are able to operate effectively.

It is a requirement of (the statutory guidance) Working Together 2015 that the LRLSCB Annual Report be reported to the Leader of the Council together with the Chief Executive of the local authority, the Chairman of the Health and Wellbeing Board, and the Police and Crime Commissioner. It is a requirement of the Care Act 2014 statutory guidance that the LRSAB Annual Report is also reported to these individuals as well as the Chief Constable and Healthwatch.

It has been previous practice in Leicestershire to submit both the Annual Report and Business Plan for the LRSAB and the LRLSCB to the Cabinet and the relevant Overview and Scrutiny Committees.

36. Progress with the Implementation of the Communities and Wellbeing Strategy 2016-2020.

The Cabinet considered a report of the Director of Adults and Communities concerning the work undertaken to implement the Communities and Wellbeing Strategy 2016-2020 and sought approval to progress a number of actions to enable the next phase of implementation. A copy of the report, marked '14' is filed with these minutes.

Members noted the comments of the Adults and Communities Overview and Scrutiny Committee, a copy of which is filed with these minutes.

Mr. Blunt CC said that the proposals outlined in the report would deliver an improved offer for service users as well as make important efficiency savings.

RESOLVED:

- (a) That the results of the SMART library pilot at Syston library and the business case for SMART libraries be noted;
- (b) That the Director of Adults and Communities be authorised to implement full SMART library technology (Option 2), as outlined in the Business Case attached as Appendix B to the report, where possible, within the following libraries:

Ashby de la Zouch, Blaby, Broughton Astley, Birstall, Coalville, Earl Shilton, Glenfield, Hinckley, Loughborough, Lutterworth, Melton Mowbray, Oadby, Shepshed, Wigston Magna
- (c) That the options appraisal for the development of a Collections Hub be noted and a full business case be submitted to the Cabinet in 2018 for consideration;
- (d) That the Director of Adults and Communities be requested to carry out further work, including any necessary consultation and engagement with partners, stakeholders and service users, to:
 - (i) Develop a more sustainable and cost-effective delivery model for the Green Plaque Scheme;

- (ii) Develop proposals to decommission the Care Online service;
- (iii) Explore the decommissioning or possible development of a new model for the British Museum sponsored Portable Antiquities Scheme;
- (iv) Review the Mobile Library Service to improve efficiency;
- (v) Explore possibility of transferring the Century Theatre, Coalville, to alternative management;
- (e) That it be noted that further reports will be submitted to the Cabinet as appropriate regarding progress with (d) (i)-(v) above;
- (f) That it be noted that the current structure of the Communities and Wellbeing Service will need to be revised having regard to the proposed changes outlined in the report;
- (g) That, noting the comments of the Adults and Communities Overview and Scrutiny Committee, a further review of the art collections be undertaken with a view to consolidating the collection and achieving efficiency savings.

(KEY DECISION)

REASONS FOR DECISION:

To enable the full implementation of the Communities and Wellbeing Strategy, which has been developed to fulfil statutory duties, meet budgetary requirements and the efficiency targets detailed in the Medium Term Financial Strategy (MTFS) and to provide a basis for the planning, commissioning and delivery of services.

The introduction of SMART library technology across the County-funded library network will realise circa £230,000 per annum savings whilst potentially increasing hours of access. Of the 16 libraries in the network, Market Harborough library is the only library where it is not proposed to have SMART technology installed. This is due to its layout and shared use arrangements.

The creation of a Collections Hub could realise circa £350,000 per annum savings whilst also providing a modern enhanced facility for the area.

It is considered that the balance of £750,000 savings can be achieved through a blend of remodelling or decommissioning of the Mobile Library Service, the Green Plaque scheme, the Care Online service, the Portable Antiquities scheme, transferring the Century Theatre and an end point restructuring of the Communities and Wellbeing Service.

37. Delayed Transfers of Care.

The Cabinet considered a joint report of the Director of Health and Care Integration and the Director of Adults and Communities which provided an update on the revised targets associated with improving delayed transfers of care (DTOC) which formed part of Leicestershire's Better Care Fund (BCF) Plan for 2017/18 – 2018/19. A copy of the report marked '15' is filed with these minutes.

The Director of Health and Care Integration reported that since the report had been published, NHS England had added additional pressure on Clinical Commissioning Groups (CCGs) locally and nationally to commit to improvements in delayed transfers of care by the original target of November 2017.

Mr. Blunt CC said that whilst it was important that the NHS ensure that its resources are used as effectively as possible it had set a target that Leicestershire simply could not meet and it would be irresponsible therefore to agree to this.

Mr. Ould CC and Mr Rushton CC added that NHS England's actions to place further pressure on CCGs to meet unrealistic targets, its unwillingness to compromise on a revised timescale and its threat to withdraw funding if targets were not met was perverse.

RESOLVED:

- (a) That the target for improving performance on delayed transfers of care across Leicester, Leicestershire and Rutland by March 2018 be noted;
- (b) That the inclusion of specific investments to improve hospital discharge within the Better Care Fund (BCF) expenditure plan as detailed in Appendix A and paragraphs 21 to 23 of the report be noted;
- (c) That it be noted that poor performing areas which fail to implement such improvements could be subject to CQC review and potentially face a withdrawal of that national funding;
- (d) That the preparation and governance arrangements for the submission of Leicestershire's BCF Plan for 2017/18-2018/19 to NHS England by 11 September 2017, such arrangements including the prior agreement of local NHS commissioning bodies and the Accident and Emergency Delivery Board, be noted;
- (e) That the Cabinet notes with concern that NHS England are challenging the submission of the BCF Plan in respect of delayed transfers of care and that Cabinet wholly supports the Local Government Association and the County Councils Network in resisting NHSE interventions of this sort which seek to impose unrealistic and unachievable targets.

REASONS FOR DECISION:

In July 2017, after a lengthy national delay, technical guidance was published by NHS England for the preparation and submission of BCF Plans for the period 2017/18 – 2018/19. This technical guidance included new requirements for improving delayed transfers of care with challenging expectations placed on each health and wellbeing board area in terms of the rate of improvement to be achieved during 2017/18.

The guidance also highlighted that areas with poor performance on DTOC could be subject to external review and financial penalties; however there are no further details on the process for this at the time of writing the report.

The national conditions for the BCF Plan include a requirement that it is jointly agreed by the County Council and CCGs, including through the Health and Wellbeing Board.

38. Leicestershire Minerals and Waste Local Plan Proposed Changes and Future Programme.

The Cabinet considered a report the Chief Executive which sought the Cabinet's approval for proposed changes to the pre-submission draft Leicestershire Minerals and Waste Local Plan (MWLP) to be recommended to the full Council for publication and public consultation. A copy of the report marked '16' is filed with these minutes.

Members noted that the Environment and Transport Overview and Scrutiny Committee had considered the report at its meeting on the 7 September and supported the proposals.

RESOLVED:

- (a) That the amendments to the Minerals and Waste Development Scheme as set out in Appendix B to the report be approved;
- (b) That the County Council at its meeting on 27 September be recommended to:
 - (i) Agree that the Proposed Changes to the pre-submission draft Minerals and Waste Local Plan attached as Appendix A to the report be published for consultation as amendments to the document to be submitted to the Secretary of State for Communities and Local Government in accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 and subsequently to be submitted to the Secretary of State;
 - (ii) Authorise the Chief Executive, following consultation with the Cabinet Lead Member, to make such minor adjustments to the Pre-Submission Plan or accompanying documents as he considers necessary, including changes considered appropriate in response to the consultation on the Proposed Changes and issues raised by the Planning Inspector post-submission.

(KEY DECISION)

REASONS FOR DECISION:

In order to comply with the Planning and Compulsory Purchase Act 2004, and the Town and Country Planning (Local Planning) (England) Regulations 2012, the County Council must prepare a Minerals and Waste Local Plan for submission to the Secretary of State for independent Examination by a Planning Inspector before it can be adopted by the County Council.

Stakeholder consultation has taken place as part of the preparation of the MWLP and the Sustainability Appraisal report required to accompany it but there is a need to undertake further formal consultation on Proposed Changes prior to the submission of the Plan to the Secretary of State.

39. Melton Local Plan - Addendum of Focused Changes Consultation Response.

The Cabinet considered a report of the Chief Executive which sought the Cabinet's approval for the County Council's response to the Addendum of focused changes to the pre submission draft Melton Local Plan and the Community Infrastructure Levy

consultation prepared by Melton Borough Council. A copy of the report marked '17' is filed with these minutes.

In response to questions from members concerning school place planning, the Chief Executive reported that the Authority would continue to push Melton Borough Council for clarity regarding the sequence and size of its planned housing developments and how that would impact on the provision of school places in the area.

RESOLVED:

- (a) That the detailed comments on the Addendum of focused changes to the pre-submission draft Melton Local Plan and the Community Infrastructure Levy consultation as set out in the Appendix to the report, be submitted to Melton Borough Council as the views of the County Council;
- (b) That the key comments set out in paragraphs 35 to 52 of the report be specifically drawn to the attention of Melton Borough Council.

REASON FOR DECISION:

To ensure that the County Council provides appropriate input at this key stage in the Local Plan process, so that issues of importance for the County Council are clearly expressed and the authority influences the content of the Local Plan.

40. Local Code of Corporate Governance.

The Cabinet considered a report of the Director of Corporate Resources which detailed the publication of the revised CIPFA/SOLACE Delivering Good Governance in Local Government: Framework and sought approval for a revised Local Code of Corporate Governance to be presented to the County Council for approval. A copy of the report marked '18' is filed with these minutes.

RESOLVED:

That the County Council be recommended to approve the revised Local Code of Corporate Governance appended to the report, at its meeting on 27 September 2017.

(KEY DECISION)

REASON FOR DECISION:

A review and revision of the previous Code of Corporate Governance was last approved by the County Council on 19 March 2008. It is therefore necessary for an updated local code to be adopted which reflects the revised Delivering Good Governance in Local Government: Framework (the Framework) issued in April 2016. The Annual Governance Statements prepared for the financial year 2016/17 was agreed by the Corporate Governance Committee on the 26 May 2017 and had regard for the updated code.

41. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

42. Urgent Item - Early Support and Inclusion for Children with Special Educational Needs and Disabilities.

The Cabinet considered an urgent report of the Director of Children and Family Services concerning the Council's current position in relation to the Early Support and Inclusion contract the Department had with Menphys and plans for the delivery of the services post December 2017. The report was urgent because the issue had arisen after the agenda for the Cabinet meeting had been published and the subject needed to be addressed at the earliest opportunity. A copy of the report is filed with these minutes.

Mr. Ould CC said that the Council had already made its position clear on how it intended to deliver its Early Support and Inclusion provision once its contract with Menphys ceased in December 2017 and its stance remained the same. He added that he had written to Local MPs to explain further the Authority's position.

RESOLVED:

- (a) That delivery of the Early Support and Inclusion Services on the basis of in-house provision be approved;
- (b) That Menphys be advised that the Council's contract and procurement rules do not allow a further extension to the contract, and the Council is under no obligation to re-tender the provision as Menphys has requested.

REASONS FOR DECISION:

There is significant pressure on the Department's budgets to ensure that Medium Term Financial Strategy (MTFS) savings are met. Alongside this is a strong commitment to ensuring that Early Support Services are delivered to those children and families assessed as requiring support in order to meet needs and reduce the demand on specialist and high cost services.

The Department is concerned that the response from Menphys as a result of ending the current contract and reshaping how services are delivered may impact on relationships between the Department and children with special educational needs and their families.

11.00 am - 12.29 pm
15 September 2017

CHAIRMAN

This page is intentionally left blank

**CABINET – 10TH OCTOBER 2017****ESPO TRADING COMPANY LTD.****REPORT OF THE CHIEF EXECUTIVE AND DIRECTOR OF
CORPORATE RESOURCES****PART A****Purpose of the Report**

1. The purpose of this report is to advise the Cabinet of the recommendations of the ESPO (Eastern Shires Purchasing Organisation) Management Committee and senior officers of the six member councils concerning the establishment of a new company, ESPO Trading Limited.
2. The report has been written to enable consideration of the matter in public. As such the detailed business case and draft documents necessary to incorporate and begin trading through the company are not appended to this report. These documents have been closely scrutinised by the ESPO Management Committee, and the senior officers and legal and financial teams of each of the six member authorities. With the exception of the business case the other documents necessary to incorporate the company have been drafted by external specialist legal advisors for Leicestershire County Council and shared with all member authorities.

Recommendations

3. It is recommended that:
 - a) The decision of the ESPO Management Committee, having reviewed the detailed business case and other documents, to recommend each of the six member authorities to establish a new trading company, be noted;
 - b) Approval be given to the establishment of a new trading company, 'ESPO Trading Limited' on the basis outlined in this report and that the Chief Executive be authorised to agree the terms of and sign the necessary documentation to give effect to this decision;
 - c) It be noted that the Board of Directors of the trading company will include five officers, acting as Executive Directors made up as follows:
 - (i) Three officers from ESPO being the following office holders:
 - Director of ESPO
 - Deputy Director and Chief Commercial Officer
 - Assistant Director of Finance and IT

- (ii) The Director of Corporate Resources (Leicestershire County Council) or his nominee;
- (iii) A officer nominated by the other Shareholder (member authorities) of ESPO;
- d) Approval be given for arrangements to be put in place to indemnify the ESPO and LCC officers in discharging their role as Executive Directors of the Company;
- e) It be noted that the Shareholders (member authorities) may nominate up to two Non-Executive Directors to serve on the Board of the Company;
- f) It be noted that each of the six member authorities will be equal shareholders in the new Company and that the shareholder representative on the new company will be one elected member from each member authority drawn from the membership of the ESPO Management Committee;
- g) It be noted that the shareholder representatives (Elected Members) will be responsible for taking strategic decisions and agreeing the Annual Business Plan for the Company.

Reasons for Recommendations

- 4. ESPO is established as a joint committee set up in accordance with the Local Government Act 1972 and the Local Government Act 2000. Its servicing authority, Leicestershire County Council, is limited to trading under powers in section 1 of the Local Authorities (Goods and Services) Act 1970 with a limited number of organisations defined as public bodies under that Act.
- 5. Member authorities of ESPO have the opportunity to explore alternative markets that are not public bodies, by using the powers under:-
 - i) Section 4 of the Localism Act 2011 and Section 95 of the Local Government Act 2003 to trade for profit, through the new separate company;
 - ii) Section 3 of the Localism Act 2011 and Section 93 of the Local Government Act 2000 to make a charge through the existing joint committee and servicing authority for goods and services to organisations other than those with which ESPO may trade by virtue of the Local Authority (Goods and Services) Act 1970.
- 6. By virtue of being able to trade with organisations in addition to public bodies, ESPO and the new Company will be able to secure ESPO's position in an increasingly competitive market and deliver the growth and profit targets set by the ESPO Management Committee in its Medium Term Financial Strategy.

Timetable for Decisions (including Scrutiny)

7. The ESPO Management Committee which comprises two elected members from each of the six member authorities has over the past six months considered the detailed business case that supports the establishment of the new Company. At its meeting on 20th September the Management Committee, having considered the advice of its Chief Officer Group and independent legal advice, agreed to recommend the establishment of a new company.

Policy Framework and Previous Decisions

8. The County Council established joint arrangements for the purchase of goods and supplies and the provision of agreed services by forming a joint committee with Lincolnshire County Council, Cambridgeshire County Council, Norfolk County Council, Warwickshire County Council and Peterborough City Council, which has the trading name the Eastern Shires Purchasing Organisation (ESPO). A joint committee was established in accordance with section 102 of the Local Government Act 1972.

Resource Implications

9. There will be no cost to any of the member authorities arising from the recommendations in this report, other than £100 each to subscribe for shares in the new Company, as the working capital for the new Company will be met from existing ESPO reserves.
10. The ESPO Management Committee agreed a target surplus of £6m by 2020/21. Whilst most of this will be achieved by growth rate based on ESPO's existing core business, a number of new projects and initiatives are also needed. It is considered that there is potential for sales growth of around £1 - £1.4m within the first two years of operation of the new ESPO trading company: figures are based on a cautious approach to the selected markets.
11. More detail is given in Part B of this report, below.

Circulation under the Local Issues Alert Procedure

None.

Officers to contact

Chris Tambini – Director of Finance and ESPO Consortium Treasurer
 Tel 0116 305 6199
 Email – chris.tambini@leics.gov.uk

John Sinnott – Chief Executive and ESPO Consortium Secretary
 Tel 0116 305 6000
 Email - john.sinnott@leics.gov.uk

PART B

Background

12. ESPO is a public sector buying organisation operating as a Local Government Committee, jointly owned by six local authorities. As it is not a separate legal entity its functions are performed through Leicestershire County Council, which acts as the Servicing Authority to the joint committee.
13. Its main objective is the provision of a professional, comprehensive value for money purchasing, contracting and supplies service for its member authorities and other public bodies under the provisions of the Local Authority Goods and Services Act 1970. It does so by providing access to a catalogue containing nearly 27,000 product lines and over 150 framework solutions.
14. In financial terms ESPO not only has a statutory duty to recover its operating costs but also to keep these to a minimum commensurate with the level of service required and the long term development of the business. Any surpluses accrued are distributed to the member authorities in line with an agreed formula after a proportion of the profits have been set aside for a development reserve and as working capital. Last year ESPO generated a profit of nearly £4.2m of which £2.8m was distributed to the member authorities.
15. ESPO now trades successfully on a self-funded basis and is recognised as one of the leading public sector buying organisations in the country, supplying to a broad range of customers principally in the education sector. However, as its sole power to trade through its Servicing Authority is under the Local Authorities (Goods and Services) Act 1970 as a joint committee, ESPO is limited to being able to trade with organisations identified and listed under that Act. This list is updated from time to time but is strictly limited and does not include all contracting authorities that wish to buy ESPO's goods and services, such as central government departments. Whilst the Act and joint committee facilitated ESPO's creation of the organisation, it is also constrained by its constitution and structure and can trade only with other public bodies in the UK. This market is shrinking as local authority resources reduce and services are outsourced to private or voluntary sector organisations.

New Trading Company

16. Restriction on trading has led ESPO's Management Committee to explore alternative markets: potential customers that are not public bodies. These fall into two groups:-
 - (a) customers that are not contracting authorities, such as charities and others in the voluntary sector, using alternative powers to trade through a separate company; and
 - (b) charging those that are contracting authorities but not public bodies, such as central government departments, on a cost recovery basis, using alternative powers to charge that do not require the use of a company.

17. The charging model for 16(b) above enables ESPO to continue to serve its existing customers from the wider public sector on a non-commercial basis. It is not intended as a means for actively pursuing commercial growth, rather to enable those customers to continue using ESPO as a public sector supplier. Charging will be based on the guidance laid down by the Chartered Institute for Finance and Accountancy (CIPFA).
18. In 2015/16 the ESPO Management Committee set a target to achieve a surplus of £6m by 2020/21. Whilst most of this (£4million) will be achieved by growth rate based on ESPO's existing core business, new projects and initiatives will be needed to deliver the target surplus. These include:-
 - Creation of a Private Trading Arm
 - Automation in Warehouse (in progress)
 - Personalised Procurement Service (PPS) (marketing activity)
 - International Sourcing (business as usual buying activity)
 - Mergers and Acquisitions (reviewed as opportunities arise).
19. The creation of ESPO Trading Ltd. is one of the key projects intended to drive future growth. Through it, ESPO intends to exploit the opportunity to trade in current products and services, through its existing infrastructure, but to new markets and customers. It will also allow ESPO to trade with confidence with organisations with a public sector ethos, but which are not designated as 'Public Bodies' under the Local Authority (Goods and Services) Act 1970.

Structure, Management and Staffing of the new company

20. The Company will be a separate legal person, distinct from the local authorities that comprise ESPO's joint committee. The Company's operations, whilst related to those of ESPO, will not be governed by the Consortium Agreement. Instead, the Companies Act 2006 and the Company's Articles of Association will regulate in part the relationship between the local authorities who are or subscribe to become shareholders in the Company. Overlaying these, a shareholders' agreement will complete the relationship between the shareholders.
21. The activities of the Company will be restricted to those agreed in a business plan that the shareholders will review and update when they determine.
22. Each shareholder will subscribe for an equal number of shares in the Company. Any prospective shareholder in the Company must join ESPO's joint committee, if not already a member, and agree to become bound by the shareholder agreement and the Consortium Agreement.
23. Control of the Company will be split between the shareholders and a Board of Directors. The Board of Directors will be responsible for the day-to-day management of the Company. It will comprise of up to five officers employed by the shareholders, three representing ESPO, one nominated by Leicestershire County Council and one nominated by the remaining shareholders. Each category of director must be present for the Board to be quorate.

24. In addition, shareholders will appoint two Non-Executive Directors to the Board and may appoint observers to attend Board meetings. Observers appointed will not have the right to speak or vote at Board meetings.
25. Shareholders will take strategic decisions in general meetings of the Company, where an elected member will represent each shareholder. This provides the option for shareholders to arrange for member participation in general meetings to coordinate with the separate management of ESPO through its Management Committee. These strategic decisions will concern matters reserved to shareholders and set out as such in the shareholders' agreement.
26. The shareholders agreement also describes: how the directors of the Company will determine the distribution of the Company's profits as dividends to shareholders; the financial information to be provided to shareholders; the limitations on shareholders' ability to transfer shares to others and the potential for shareholders to be required to transfer shares if they cease to be members of ESPO's joint committee or act in breach of the shareholders' agreement; the mechanism for settling any dispute; and arrangements, should the Company be wound up.
27. The primary objective of the new Company is to legally trade outside of ESPO's current boundaries. It is not envisaged as an employment vehicle. It is intended that current ESPO employees will continue to be employed by Leicestershire County Council as the Servicing Authority. If additional staffing and resources are required to fulfil operational and governance requirements of the new company, a tax efficient transfer-pricing model will be adopted, under which a recharge will be made between the new Company and ESPO.
28. Leicestershire County Council (on behalf of ESPO) and ESPO Trading Ltd. will need to enter a management agreement under which the Council provides all the services and goods to the Company. ESPO Trading Ltd will, at least in the short term, simply be a shell company with no employees or assets as a necessary requirement of statute in order to act for a commercial purpose.

Business Case

29. ESPO is an established, well known and reputable brand in its current markets of education, local government and the wider public sector.
30. ESPO provides a catalogue offer for goods. It also provides procurement services, primarily in the form of access to a range of frameworks (agreements with providers or a range of providers, enabling buyers to order services without running full tendering exercises). Frameworks enable customers to access goods and services by contracting directly with the supplier.
31. The education market accounts for the majority of ESPO's catalogue business. This market has been declining in recent years, reflecting real-term reductions in funding per pupil. According to the Institute for Fiscal Studies, this market is forecast to decline by 8% over the next five years.

32. ESPO's MTFS has financial growth expectations for which it has set a target to increase its market share. ESPO intends to obtain these new sales by accessing new customer markets through ESPO Trading Ltd.
33. ESPO Trading Ltd will prioritise the marketing of existing products where there is already a high level of internal experience. The impact on the organisation will therefore be limited with ESPO already well positioned to form a foundation on which ESPO Trading Ltd can be established and developed relatively easily.
34. Utilising the current products, staffing, and overall infrastructure will enable ESPO to enter the new and extended markets by simply extending its existing offer to new customers. Rather than being a new supplier in the market, ESPO Trading Ltd will simply be a new way of trading, and as such will not be subject to the barriers to entry most new company's face.
35. ESPO's competitors now trade with both private and public sector customers. They have already set out that public sector education providers can trade with private customers, so the work has been done to establish this as a viable proposition to the customers targeted. In addition, the attractive price point by which ESPO is known will also remain, making the sales pitches less difficult and will make converting new customers more achievable.
36. With the majority of ESPO's current catalogue sales in education, it has a good range of products to offer to the private, charitable and voluntary sectors. ESPO Trading Ltd also provides opportunities to expand the business, offering familiar products to organisations that fall outside the scope of public bodies and contracting authorities.
37. ESPO has examined its current trading trends and markets as well as those that will be most suited to ESPO Trading Ltd and, through a process of filtration and funnelling, has prioritised its target customer groups.
38. The commercial opportunities or target markets identified for the new Company are broadly: education sector collaboration, independent sector diversification, residential care, charities and volunteering groups, as well as potential for international education sector trade and the wider offering of framework solutions to private sector users. All of these draw on the existing infrastructure and skillsets within ESPO while addressing the legal limitations to trade within the current constitution.
39. ESPO's strong brand has performed well in the UK education market and is recognised in the wider public sector for its extensive framework solutions and individual contracts. The branding will feature in all marketing strategies in new growth areas.

Summary of Sales Growth potential in years 1 and 2

40. The consolidated commercial opportunities for growth outlined above equate to a combined indicative turnover of £1m to £1.4m. This is based on a cautious approach to the selected markets:

	£m	
	Year 1	Year 2
Education via collaboration		
Region A	0.104	0.156
Region B	0.175	0.260
Region C	0.300	0.450
Education via diversification	0.140	0.210
Care, Charity and local private sector	0.281	0.350
	1.000	1.426

41. Through the 'Charging' aspect of this proposal, catalogue sales and rebate income on frameworks will also be protected. Those customer types that are not included within the Local Government Goods and Services Act 1970 list of public bodies, but which nevertheless appear to be public bodies, could be transferred from ESPO to ESPO Trading Ltd or continue to be served under a 'Charging' mechanism.

Finance

42. The proposed share capital of ESPO Trading Ltd is 600 shares of £1 each held equally by each of the six member authorities. Working capital for ESPO Trading Ltd will come from ESPO's existing reserves through a mechanism which will reflect commercial rates.
43. ESPO Trading Ltd will operate within the assets of ESPO and therefore under the same IT systems and processes as ESPO.

Governance – Practical Considerations

44. As stated earlier, ESPO Trading Ltd will not require a Servicing Authority. Instead, it will be governed by the Companies Act 2006, its Articles of Association, its shareholders' agreement, decisions of the shareholders in general meetings and by written resolution, and decisions of its Board of Directors.
45. As member authorities are also shareholders, each will have similar influence over ESPO Trading Ltd as they currently do over ESPO. It is therefore expected that these two entities will work under parallel but complementary systems ensuring good governance control.
46. The practicalities of running ESPO Trading Ltd are such that it would make sense for its governance arrangements to follow the meeting cycle and governance of the existing ESPO Management Committee and that matters relating to the new Company should be a separate item on the agenda for those meetings.

Risk Assessment

47. If there is a failure of management to ensure proper governance such as being non-compliant with legislation (e.g. Health and Safety, Data Protection, Employment, Freedom of Information), this would result in fines and possibly legal action. This could make it difficult to obtain insurance cover or could increase premiums. The risk of this is, however, mitigated by the oversight provided by the Internal Audit of Governance arrangements, preparation of the Annual Governance Statement and the regular liaison meetings with the Servicing Authority.
48. There is also the possibility that existing customers loyal to ESPO for its public sector ethos may perceive the creation of a private trading company as tarnishing its public sector credentials leading to loss of business. This will be managed by appropriate marketing within both ESPO and ESPO Trading Ltd to ensure that customers understand that ESPO's commitment to the public sector is still at its core.
49. If ESPO Trading Ltd fails to achieve its business plan, then there is the possibility that ESPO would be unable to pay dividends to its members in line with the MTFS and unable to pay its suppliers. In addition, substantial interest charges could be incurred on borrowings and aggressive credit control practices would be required to maintain cash-flow.
50. This risk will be mitigated by balancing planned annual incomes and expenditure to ensure ESPO continues to generate trading surpluses and positive cash flows in line with its MTFS, maintaining robust customer credit control procedures and aged debtor reporting. Daily monitoring of Orders and Lines and weekly and monthly reporting of incomes and trading results against budget and target will also ensure that management have a detailed overview of the business and are able to course correct throughout the year as needed.
51. If ESPO Trading Ltd fails to achieve proper segregation from ESPO, this could result in inaccurate accounts, qualified audit reports, and an incorrect calculation of dividends. The risk of this happening will be minimised by employing Internal Audit investigations and Standard Operating Procedures designed to address segregation of duties.
52. There is also the risk of mergers in the market and emerging competitors coming from within existing key partners but as with ESPO itself, management will continue to undertake market monitoring and benchmarking.
53. While there are a range of risks as set out above, the Management Committee was satisfied that the proposed method of establishing ESPO Trading Ltd and its business model will ensure that risks are mitigated by control measures. Its risk profile will be within acceptable tolerances and will receive the same rigorous monitoring and audit as recommended by Leicestershire County Council's Internal Audit.

Comments of the Director of Law and Governance

54. Legal Advice has been obtained on the formation of the company from external specialist commercial solicitors who have worked closely with the Council's in house legal team. This has enabled assurance in relation to the vires, regulatory, constitutional and governance issues arising from the proposed company formation.
55. As progress towards incorporation of the trading company is made, there will be a requirement for ongoing legal and regulatory advice. Thereafter, once incorporation has taken place, the Company will require its own separate and independent legal advice.
56. The legal rationale for the trading company and the statutory limitations on trading as a joint committee are as set out in the report.

Conclusion

57. There is an underlying trend of volume decline in the core education marketplace and while ESPO continues to hold and even grow its market share, ESPO's Management Committee has agreed that continued growth will need to be underpinned by the development of new projects and initiatives. ESPO Trading Ltd is a cornerstone to ward off decline and to contribute towards ESPO's projected surplus growth being delivered to its members.
58. The member authorities' legal officers have scrutinised the legal basis for charging within ESPO and have been working with Browne Jacobson, independent legal advisors, to shape the shareholder agreement, articles of association and deed of variation required to establish a company, having due regard for the ESPO Management Committee Consortium Agreement and Constitution.
59. Having presented this groundwork to the Management Committee on 20 September 2017, they agreed to support the creation of ESPO Trading Ltd on the basis as set out above, pending the necessary approvals by the six member authorities.
60. Once established, ESPO Trading Ltd will complement the existing operation and facilitate commercial opportunities which are currently not accessible via the existing consortium arrangement.

Background Papers

61. None.

Equalities and Human Rights Implications

62. There are no equality or human rights implications directly arising from this report.



CABINET 10 OCTOBER 2017

**IMPLEMENTATION OF THE MARKETS IN FINANCIAL
INSTRUMENTS DIRECTIVE (MiFID II)**

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

PART A

Purpose of the Report

1. The purpose of this report is to recommend action that will ensure that the County Council can continue to access a full range of relevant investment opportunities following implementation of the Markets in Financial Instrument Directive 2014/65 (MiFID II).

Recommendations

2. It is recommended that the Cabinet:
 - (a) Notes the potentially detrimental impact onto the County Council's treasury management and other investment activities if it becomes classed as a 'retail client' in accordance with Markets in Financial Instrument Directive 2014/65 with effect from 3rd January 2018;
 - (b) Authorises the Director of Finance to commence the relevant applications for the County Council to seek to opt-up to elected professional client status with all relevant institutions in order to enable it to continue to implement an effective treasury management strategy and other investment activities;
 - (c) Notes that if it is successful in its applications to obtain elected professional client status, the County Council will forgo those protections available to retail clients as listed in the appendix attached to this report.

Reasons for Recommendation

3. Unless the County Council seeks to 'opt-up' to elected professional client status there will be a detrimental impact on the investments it can access either as part of its treasury management function, or as part of any other investment activity. Retail investors (which, under the new Directive, the County Council will become classified as without the opt-up) will not be able to

access some of the investment options that are currently available, and there is a possibility that some of the existing investments (most notably the pooled property funds currently held) may be forcibly sold if the County Council is reclassified as a retail investor.

Timetable for Decisions

4. MiFID II becomes effective on 3rd January 2018 and, in order to ensure that there is no possibility of a detrimental impact on the County Council, the opt-up process will need to be completed before this date.

Policy Framework and Previous Decisions

5. Treasury management is an integral part of the County Council's finances. The Treasury Management Policy Strategy for 2017/18 was agreed by the full Council in February 2017 as part of its Medium Term Financial Strategy 2017/18 – 2020/21(MTFS). If the Authority does not secure elected professional client status, some of the investments permitted under this Strategy will not be available.
6. Within the County Council's MTFS is provision for investment in three pooled property funds. It is recommended that the Authority seeks to attain the elected professional client status to avoid the possibility of it being forced to sell these holdings.

Resource Implications

7. There are no additional resource implications arising from this report. However, failure to opt-up to professional investor status is likely to have a detrimental effect on the ability of the County Council to maximise the performance of its treasury management portfolio and to invest in other opportunities which are considered appropriate.

Circulation under the Local Issues Alert Procedure

8. None

Officers to Contact

Chris Tambini, Director of Finance
Tel: 0116 305 6199
E-mail: chris.tambini@leics.gov.uk

Colin Pratt, Investments Manager
Tel: 0116 305 76569
Email: colin.pratt@leics.gov.uk

PART B

Background

9. MiFID II introduces fundamental changes to how local authorities are classified for investment purposes. Under the current UK regime, local authorities are automatically categorised as 'per se professional' clients in respect of non-MiFID scope business (such as the placing of cash deposits) and are categorised as 'per se professional' clients for MiFID scope business (anything that could be considered as a more complex investment) if they satisfy the MiFID Large Undertakings test. The County Council satisfies the Large Undertakings test and so, currently, it can invest in the full range of such business without restriction.
10. Following the introduction of MiFID II, as from 3rd January 2018 all local authorities must be classified as 'retail clients' by their asset managers for MiFID scope business and this could impose significant limitations on the investments the Council can make and severely restrict its ability to continue to make some of the investments currently permitted under its existing 'per se professional' client status. This is unless the Authority is accepted as an 'elected professional client' by the relevant counterparties and investment managers, as detailed below.
11. The purpose of MiFID II is to protect unsophisticated investors from investing in assets where they do not properly understand the potential risks.

The potential effect of MiFID II on the County Council and the option to 'opt-up'

12. Reclassification as a retail investor would make it very difficult for the County Council to implement an effective, diversified treasury management strategy as Money Market Funds (which are routinely used) could potentially be classed as unsuitable for retail investors. In addition, certificates of deposit, which are allowable under the Council's Treasury Management Policy although not used to any great extent, will only be available to professional investors.
13. The County Council can request to be re-categorised, i.e. 'opted-up' to professional client status. To do this it must meet certain criteria and the decision rests with investment firms.
14. The County Council currently invests in three pooled property funds, and it will be at the discretion of the investment managers as to whether the Authority needs to be opted-up to allow it to continue to invest in these funds. If the opt-up is not sought by the County Council and agreed by the investment managers, and they take the view that their fund is not suitable for retail investors, they will ultimately have the ability to redeem the units held by the County Council. Becoming a forced seller is never a good position to be in.

15. There is a possibility that the County Council will want to make future investments that are not available to retail investors. Even if the need to opt-up was not required at present it would be sensible to 'future-proof' the ability for the Council to access any future investment opportunities it deems to be suitable.
16. Retail investors benefit from certain protections that are not available to professional investors, and these are protections that the County Council does not currently have as a 'per se professional' investor under MiFID. It is considered that these protections (which are listed in the Appendix to this report) are insignificant in comparison to the potential risk to the Authority of not seeking to opt-up, which will deny access to many investment opportunities and potentially force the sale of some existing investments.
17. The opt-up process is relatively straightforward and standard templates and letters have been agreed that are relevant to local authorities. Crucially, part of the documentation requires evidence that the relevant 'committee' has agreed that the opt-up is appropriate. For County Council investments this is the Cabinet.
18. Whilst MiFID II is relevant to the County Council it is far more significant an issue for the Leicestershire Pension Fund, given the range of investments it holds. The Local Pension Committee approved the opt-up for the Pension Fund at its meeting on 1 September 2017.

Conclusion

19. Given the restrictions faced by the County Council when MiFID II comes into force, it is sensible for the Authority to seek to be re-categorised and 'opt-up' to professional client status to ensure it can maintain sufficient options to manage its investments in an optimal manner. For the avoidance of doubt, opt-up to professional status would not be required if the only investment activity undertaken was the placing of cash deposits.

Appendix

Appendix - Warnings – loss of protections for the Local Authority if categorised as a Professional Client

Background Papers

Report to the Local Pension Committee – 1 September 2017 – Implementation of the Markets in Financial Instruments Directive (MiFID II)

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=740&MId=4905&Ver=4>

Equality and Human Rights Implications

20. There are no equality and human rights implications directly arising from this report.

Appendix**Warnings - loss of protections for the Local Authority if categorised as a Professional Client**

Professional Clients are entitled to fewer protections under the UK and EU regulatory regimes than is otherwise the case for Retail Clients. This Schedule contains, for information purposes only, a summary of the protections lost when requesting and agreeing to be treated as a Professional Client.

Part 1 – Loss of protections as a Professional Client when receiving Services**1. Communicating with clients, including financial promotions**

As a Professional Client the simplicity and frequency in which firms communicate with you may be different to the way in which we would communicate with a Retail Client. Firms will ensure however that their communication remains fair, clear and not misleading.

2. Information about the firm, its services and remuneration

The type of information that a firm provides to Retail Clients about itself, its services and products and how it is remunerated differs to what it provides to Professional Clients. In particular,

- (A) It is obliged to provide information on these areas to all clients but the granularity, medium and timing of such provision may be less specific for clients that are not Retail Clients;
- (B) the information which it provides in relation to costs and charges for its services and/or products may not be as comprehensive for Professional Clients as it would be for Retail Clients, for example, it is required when offering packaged products and services to provide additional information to Retail Clients on the risks and components making up that package; and
- (C) when handling orders on behalf of Retail Clients, it has an obligation to inform them about any material difficulties in carrying out the orders; this obligation may not apply in respect of Professional Clients.

3. Suitability

In the course of providing advice or in the course of providing portfolio management services, when assessing suitability for Professional Clients, a firm is entitled to assume that, in relation to the products, transactions and services for which Professional Clients have been so classified, that they have the necessary level of experience and knowledge to understand the risks involved in the management of their investments. Firms cannot make such an assumption in the case of Retail Clients and must assess this information separately. Firms would be required to provide Retail Clients with a suitability report, where they provide investment advice.

4. Appropriateness

For transactions where a firm does not provide investment advice or portfolio management services (such as an execution-only trade), a firm may be required to assess whether the transaction is appropriate for the client in question. In respect of a Retail Client, there is a specified test for ascertaining whether the client has the requisite investment knowledge and experience to understand the risks associated with the relevant transaction. However, in respect of a Professional Client, a firm is entitled to assume that they have the necessary level of experience, knowledge and expertise to understand the risks involved in a transaction in products and services for which they are classified as a Professional Client.

5. **Dealing**

A range of factors may be considered for Professional Clients in order to achieve best execution (price is an important factor but the relative importance of other different factors, such as speed, costs and fees may vary). In contrast, when undertaking transactions for Retail Clients, the total consideration, representing the price of the financial instrument and the costs relating to execution, must be the overriding factor in determining best execution.

6. **Reporting information to clients**

For transactions where a firm does not provide portfolio management services (such as an execution-only transactions), the timeframe for providing confirmation that an order has been carried out is more rigorous for Retail Clients' orders than Professional Clients' orders.

7. **Client reporting**

Firms that manage a retail portfolio that includes positions in leveraged financial instruments or contingent liability transactions shall inform the Retail Client, where the initial value of each instrument depreciates by 10% and thereafter at multiples of 10%. These reports do not have to be produced for Professional Clients.

8. **Financial Ombudsman Service**

The services of the Financial Ombudsman Service may not be available to you as a Professional Client.

9. **Investor compensation**

Eligibility for compensation from the Financial Services Compensation Scheme is not contingent on your categorisation but on how your organisation is constituted. Your rights (if any) to make a claim under the Financial Services Compensation Scheme in the UK will not be affected by being categorised as a Professional Client.

10. **Exclusion of liability**

A firms' ability to exclude or restrict any duty of liability owed to clients is narrower under the FCA rules in the case of Retail Clients than in respect of Professional Clients.

11. **Trading obligation**

In respect of shares admitted to trading on a regulated market or traded on a trading venue, a firm may, in relation to the investments of Retail Clients, only arrange for such trades to be carried out on a regulated market, a multilateral trading facility, a systematic internaliser or a third-country trading venue. This is a restriction which may not apply in respect of trading carried out for Professional Clients.

12. **Transfer of financial collateral arrangements**

As a Professional Client, a firm may conclude title transfer financial collateral arrangements for the purpose of securing or covering your present or future, actual or contingent or prospective obligations, which would not be possible for Retail Clients.

13. **Client money**

The requirements under the client money rules in the FCA Handbook (CASS) are more prescriptive and provide more protection in respect of Retail Clients than in respect of Professional Clients.



CABINET – 10 OCTOBER 2017

**LOCALISATION OF COUNCIL TAX SUPPORT -
COUNTY COUNCIL CONTRIBUTIONS**

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

PART A

Purpose of the Report

1. The purpose of this report is to seek the Cabinet's approval to cease all contributions made by the County Council to Leicestershire billing authorities (i.e. the seven district councils) to support the administration of the Localisation of Council Tax Support schemes (LCTS) and to the Discretionary Discount Funds administered by the billing authorities, both introduced in 2013.

Recommendation

2. It is recommended that:
 - (a) The County Council cease all contributions it makes to billing authorities towards the administration costs of operating the Localisation of Council Tax Support schemes as from 1 April 2018 and to the Discretionary Discount Funds from 1 April 2019;
 - (b) £100,000 be set aside from the forecast 2017/18 Medium Term Financial Strategy monitoring underspend to fund the contribution to the Discretionary Discount Funds in 2018/19 until this is ceased in accordance with (a) above.

Reasons for Recommendation

3. Due to the financial pressures facing the County Council, the MTFS included a saving from a review of the contributions it makes to the 7 Leicestershire billing authorities in respect of LCTS scheme administration costs and to the Discretionary Discount Funds (DDF). The proposals set out in this report are aimed at achieving this saving but on a timescale that will enable billing authorities to manage the proposed reduction in funding, particularly in respect of the DDF.

Timetable for Decision (including Scrutiny)

4. Subject to approval by the Cabinet, the County Council's contributions to the billing authorities for LCTS scheme administration costs will cease from 1 April 2018 and to the DDF from 1 April 2019. A decision is needed by the end of October to provide

sufficient time for billing authorities to assess how they would manage the reduction in funding.

Policy Framework and Previous Decisions

5. The MTFS was approved by the County Council in February 2017 and this includes Saving CI2 - Review of contributions to the Discretionary Discount Funds and LCTS administration costs.
6. The LCTS scheme was established in 2013 and the County Council agreed its contributions towards the administration costs of this scheme and to the DDF in its 2013 MTFS to begin in the 2013/14 financial year.
7. The Cabinet on 23 June 2017 considered a report on District Council Collection of Council Tax performance. The Leader of the Council has written to all District Council leaders to propose and fund a review of their collection and forecasting processes with the aim of improving these for all authorities.

Resource Implications

8. The original County Council contributions totalled £375,000 in 2013/14 (£125,000 administration costs and £250,000 DDF). However, due to the low take up of the DDF the County Council reduced its budgeted contribution to these Funds to £100,000 in its 2016 MTFS. The Council's current contributions therefore total £225,000 p.a.
9. The current MTFS (2017) includes saving CI2 - Review of contributions to Discretionary Discount Funds and LCTS administration of £100,000 in 2017/18 rising to £225,000 from 2018/19.
10. The proposals in this report will achieve this saving in the long term, but not in 2017/18 as originally intended and a contribution of £100,000 will be required in 2018/19 to continue to support the DDF for that year. It is proposed that £100,000 is set aside from the overall 2017/18 MTFS forecast underspend to fund these costs into 2018/19. At period 5, the forecast underspend was £1.1m.
11. The Director of Law and Governance has been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

None.

Officers to Contact

Chris Tambini
 Director of Finance, Corporate Resources Department
 Telephone: 0116 305 6199
Chris.Tambini@leics.gov.uk

Declan Keegan, Head of Finance
 Corporate Resources Department
 Telephone: 0116 305 7668
Declan.Keegan@leics.gov.uk

PART B

Background

12. In 2012, the Government announced that it would localise support for Council Tax from 2013/14. The changes included the Government abolishing council tax benefit from 1 April 2013 and instead allocating grant funding, equivalent to Council Tax benefit paid less 10%, to local government. In Leicestershire the seven districts, Leicester City Council, Rutland County Council and the major preceptors (Leicestershire County Council, the Office of the Police and Crime Commissioner and Leicestershire Fire and Rescue Service) worked together to achieve a consistent approach and developed the LCTS schemes to offset the reduction in government funding.
13. The Leicestershire billing authorities operate the LCTS schemes with a cap on the maximum of council tax that recipients will pay. The caps vary between billing authorities and range between 12% and 15%. The schemes are administered by the billing authorities as the statutory bodies responsible for the administration and collection of council tax.
14. The core elements of the schemes ensure that everyone apart from pensioners (protected by government) pay something towards their council tax bill, introduced a DDF to support the most vulnerable, provided administration contributions to cover the costs of collecting debts and joint working to maximise efficiencies and streamline processes where possible.
15. The agreements for contributions towards the administration costs of operating the schemes and to the DDF are contained within a report 'Leicestershire Local Council Tax Support Schemes – Summary Arrangements'. The agreement includes provision for it to be reviewed annually by 31st January each year [preceding the year affected] and for any major changes to be subject to consultation in accordance with best practice.

Council Tax Administration

16. To support administration of the changes the following contributions were agreed:

Administration Costs	BLA	CHA	HAR	HIN	MEL	NWL	OAD	Total
Billing Authority	£3,051	£4,673	£3,051	£2,363	£2,276	£4,896	£2,280	£22,590
County Council	£15,942	£28,448	£15,942	£16,509	£11,965	£23,651	£11,964	£124,421
Leicestershire Police	£2,607	£4,653	£2,607	£2,699	£1,957	£3,867	£1,957	£20,347
Leicestershire Fire	£800	£1,427	£800	£829	£601	£1,186	£600	£6,243
Total Gross Costs	£22,400	£39,201	£22,400	£22,400	£16,799	£33,600	£16,801	£173,601

17. In addition to the above, the billing authorities also receive an annual grant from the Department for Communities and Local Government (DCLG) to support the administration of the LCTS scheme and in 2017/18 this was £560,000.

Discretionary Discount Fund

18. The DDF was established to support people experiencing severe financial hardship and who are struggling to meet their Council Tax obligations. The discount is for Council Tax only and is a one off or temporary payment. Residents must apply to access the Fund and each application is considered on its own merits.
19. The original contributions towards the DDF were calculated as follows:

Discretionary Fund	BLA	CHA	HAR	HIN	MEL	NWL	OAD	Total
CTB paid out in 2011/12	£4,630,678	£9,297,088	£3,519,268	£5,831,863	£2,544,301	£5,895,084	£3,095,715	£34,813,997
Discretionary Fund @ 1%	£46,304	£92,967	£35,188	£58,316	£25,438	£58,943	£30,958	£348,114
Preceptor Breakdown								
Billing Authority	£6,543	£11,085	£4,792	£6,151	£3,447	£8,589	£4,201	£44,808
County Council	£32,759	£67,463	£25,044	£42,981	£18,118	£41,489	£22,046	£249,900
Leicestershire Police	£5,358	£11,035	£4,096	£7,027	£2,963	£6,785	£3,606	£40,870
Leicestershire Fire	£1,644	£3,384	£1,256	£2,157	£910	£2,080	£1,105	£12,536
Total Gross Cost	£46,304	£92,967	£35,188	£58,316	£25,438	£58,943	£30,958	£348,114

20. However, calls on the fund have been significantly lower than anticipated, averaging £105,000 p.a. overall, excluding the first year which included transitional grant from DCLG, (Appendix A to this report). Funding is released on the basis of forecast need with any unspent balance carried forward to the next financial year. The average County Council contribution to the Funds is £75,000 p.a., which is around £11,000 per billing authority.
21. As a result of the low take up, in 2016 the County Council reduced its budgeted contribution to this Fund to £100,000.

Consultation

22. The County Council wrote to the billing authorities in May 2017 to consult on the possible withdrawal of contributions to both the DDF and the administration costs. The closing date for responses was 31 July. A copy was also sent to the other major preceptors.
23. Responses were received from 5 of the 7 billing authorities. No response was received from Blaby District Council or Oadby and Wigston Borough Council. A summary of the responses are given below:
 - Charnwood Borough Council – Plans to use internal resources to continue the discretionary fund and to absorb the reduction in administration funding.
 - Melton Borough Council – The administration funding has been targeted at the recovery of council tax resulting in improved collection rates, particularly in areas where residents were required to pay for the first time due to the changes. The impact of lost funding may affect that improvement negatively. The discretionary fund is considered an important way to support people's financial well-being. Where discretionary funding is awarded it is on the proviso that the recipient receives additional support to help them become more financially sustainable.
 - Leicestershire Partnership (Revenues and Benefits (Hinckley and Bosworth, Harborough and North West Leicestershire District councils)) – The administration fund is fully utilised and supports the maximisation of council tax collection. The

withdrawal is likely to affect collection and increase debt written off. Discretionary funding provides short term financial help. Although there is low take up to date, this may change when further welfare changes take effect. If County Council funding is withdrawn completely consideration will need to be given to the amounts working age claimants pay (by reducing the amount they pay). Withdrawal would place financial pressure on residents and affect collection rates. Budgets for the partnership for 2017/18 have already been set.

24. The County Council has also advised the other major preceptors of its proposals - the Office of the Police and Crime Commissioner and Leicestershire Fire and Rescue Service. It is possible that the other preceptors may also review their contributions.

County Council Response and Other Funds

25. The financial challenges facing the Council are both serious and extremely challenging. This is particularly so for a low funded authority such as Leicestershire as room for further savings is limited. The current Medium Term Financial Strategy 2017/18 – 2020/21 (MTFS) has a funding gap of £2.1m which is forecast to increase to between £30m and £40m by 2021/22 when the MTFS is updated in Autumn/Winter 2017. This is on top of the need to successfully deliver £43m of savings across the four years of the MTFS to 2021. The Council must therefore consider all options to make further savings.
26. There is a risk that the proposed changes to the administration contributions will affect council tax collection rates in some areas. The Leicestershire Partnership have also raised the prospect that they may reduce the caps on their LCTS schemes. The impact of both changes would fall proportionally on all preceptors (including billing authorities), however, as the largest preceptor, the biggest impact will be on the County Council which receives c.72% of all council tax collected.
27. To support the billing authorities the County Council has indicated its willingness to fund a review of council tax collection processes. Such a review could identify efficiencies and improvements that could help mitigate the reduction in funding. The County Council has also previously noted that collection rates across Leicestershire could be improved when compared with similar areas. However District Councils have indicated that they do not require such a review. Responsibility for council tax administration and collection is a billing authority function and District Councils do receive government funding to provide this service.
28. To allow a sufficient period of notice, the Cabinet are recommended to approve the continuation of contributions towards the LCTS scheme administration costs for the remainder of 2017/18 and then to withdraw funding from 2018/19. This will achieve a saving of £125,000 p.a.
29. The County Council recognises the potential impact of the proposal to withdraw its contributions to the DDF to the Fund and the billing authorities and in turn residents. In order to allow for a longer period of notice to make changes the Cabinet are recommended to approve the continuation of its contribution to this Fund for 2017/18 and 2018/19. At this stage, however, the County Council is prepared to listen to representations from the billing authorities of the benefits of continuing this funding.

30. The impact of the proposals will mean that the saving included in 2017/18 of £100,000 will not be achieved, and an additional £100,000 will be required in 2018/19 to continue the contribution to the DDF for that year. The Cabinet are recommended to set aside funding from the forecast 2017/18 MTFS monitoring underspend to fund this additional cost.
31. It should be noted that the County Council continues to support and contribute to other funds for those facing hardship. During 2017/18 the Council allocated £100,000 of growth funding to ensure that the successor scheme to the Local Welfare provision can continue to support economic inclusion. The Council also provides funding to the Leicestershire Citizens Advice Bureau.

Equality and Human Rights Implications

32. An initial screening assessment for the equalities and human rights impact has been undertaken and reviewed by the Chair of the Departmental Equality Group. No equality and human rights implications have been identified as arising directly from this report. A copy of the EHRIA screening assessment is attached as Appendix B.

Appendices

Appendix A – Historic Discretionary Discount Fund contributions and actual expenditure
 Appendix B – Equality and Human Rights Implications Assessment

Background Papers

Report to the Cabinet - 23 June 2017 – District Council Collection of Council Tax
<http://politics.leics.gov.uk/documents/s129538/FINAL%20District%20Council%20Collection%20of%20Council%20Tax.pdf>

Report to the County Council - 22 February 2017 – Medium Term Financial Strategy 2017/18 to 2019/20
<http://politics.leics.gov.uk/documents/s126527/MTFS%202017%20-2021.pdf>

APPENDIX A**Admin Fund**

2013/14 to 2016/17

Administration Costs	BLA	CHA	HAR	HIN	MEL	NWL	OAD	Total
Billing Authority	£3,051	£4,673	£3,051	£2,363	£2,276	£4,896	£2,280	£22,590
County Council	£15,942	£28,448	£15,942	£16,509	£11,965	£23,651	£11,964	£124,421
Leicestershire Police	£2,607	£4,653	£2,607	£2,699	£1,957	£3,867	£1,957	£20,347
Leicestershire Fire	£800	£1,427	£800	£829	£601	£1,186	£600	£6,243
Total Gross Costs	£22,400	£39,201	£22,400	£22,400	£16,799	£33,600	£16,801	£173,601
FTE Equivalent	1.00	1.75	1.00	1.00	0.75	1.50	0.75	7.75

Hardship Fund

2013/14

Discretionary Fund Allocation	BLA	CHA	HAR	HIN	MEL	NWL	OAD	Total
Billing Authority	£6,543	£11,085	£4,792	£6,151	£3,447	£8,589	£4,201	£44,808
County Council	£32,759	£67,463	£25,044	£42,981	£18,118	£41,489	£22,046	£249,900
Leicestershire Police	£5,358	£11,035	£4,096	£7,027	£2,963	£6,785	£3,606	£40,870
Leicestershire Fire	£1,644	£3,384	£1,256	£2,157	£910	£2,080	£1,105	£12,536
Total Gross Cost	£46,304	£92,967	£35,188	£58,316	£25,438	£58,943	£30,958	£348,114

Spend in year	£8,654	£12,912	£8,558	£7,914	£8,207	£6,623	£6,024	£58,892
---------------	--------	---------	--------	--------	--------	--------	--------	---------

2014/15

Discretionary Fund Allocation	BLA	CHA	HAR	HIN	MEL	NWL	OAD	Total
Billing Authority	£0	£0	£0	£0	£0	£0	£0	£0
County Council	£0	£0	£0	£0	£0	£0	£0	£0
Leicestershire Police	£0	£0	£0	£0	£0	£0	£0	£0
Leicestershire Fire	£0	£0	£0	£0	£0	£0	£0	£0
Total Gross Cost	£0	£0	£0	£0	£0	£0	£0	£0

Spend in year	£14,445	£32,500	£9,676	£15,770	£14,422	£19,236	£6,647	£112,696
---------------	---------	---------	--------	---------	---------	---------	--------	----------

2015/16

Discretionary Fund Allocation	BLA	CHA	HAR	HIN	MEL	NWL	OAD	Total
Billing Authority					£3,447			£3,447
County Council					£18,118			£18,118
Leicestershire Police					£2,963			£2,963
Leicestershire Fire					£910			£910
Total Gross Cost	£0	£0	£0	£0	£25,438	£0	£0	£25,438

Spend in year	£9,347	£22,917	£10,168	£14,769	£13,112	£27,268	£4,287	£101,868
---------------	--------	---------	---------	---------	---------	---------	--------	----------

2016/17

Discretionary Fund Allocation	BLA	CHA	HAR	HIN	MEL	NWL	OAD	Total
Billing Authority			£2,043	£1,055		£3,643		£6,741
County Council			£10,676	£7,370		£17,597		£35,643
Leicestershire Police			£1,746	£1,205		£2,878		£5,829
Leicestershire Fire			£535	£370		£882		£1,787
Total Gross Cost	£0	£0	£15,000	£10,000	£0	£25,000	£0	£50,000

Spend in year	£9,029	£22,619	£11,615	£18,957	£11,194	£23,563	£1,962	£98,938
---------------	--------	---------	---------	---------	---------	---------	--------	---------

This page is intentionally left blank

Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service** for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service** may have an adverse impact on a particular community or group of people. It will ultimately ensure that, as an Authority, we do not discriminate and we are able to promote equality, diversity and human rights.

Please refer to the EHRIA [guidance](#) before completing this form. If you need any further information about undertaking and completing the assessment, contact your [Departmental Equalities Group](#) or equality@leics.gov.uk

***Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

Key Details	
Name of policy being assessed:	County Council contributions to Council Tax administration and discretionary discount fund schemes operated by billing authorities for the localisation of council tax schemes.
Department and section:	Corporate Resources
Name of lead officer/ job title and others completing this assessment:	Jason Firth, Technical Accounting Team Manager
Contact telephone numbers:	57627
Name of officer/s responsible for implementing this policy:	Chris Tambini
Date EHRIA assessment started:	13/9/17
Date EHRIA assessment completed:	19/9/17

Section 1: Defining the policy

Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of the policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights as outlined in Leicestershire County Council's [Equality Strategy](#).

1	What is new or changed in the policy? <i>What has changed and why?</i> MTFS savings target to cease County Council contributions to billing authorities for council tax admin and discretionary discount funds in connection with the localisation of council tax schemes. The statutory responsibility for the collection and administration of Council tax is with the billing authorities.											
2	Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i> Savings target, CI2, within the approved 2017-21 MTFS.											
3	Who are the people/ groups (target groups) affected and what is the intended change or outcome for them? The target group for this policy is Billing Authorities in Leicestershire. Billing authorities have responsibility for council tax administration and collection. As a result of the proposals Billing Authorities would have reduced funds available for this function, including for the discretionary fund that provides short term financial help for successful claimants. The county council proposes to provide mitigation by continuing the admin scheme to end 31 March 2018 and the discretionary scheme to 31 March 2019 to allow Billing Authorities time to plan for the changes. The Council would consider demands for contributions in future years based on identified need. The discretionary discount funding contributes to a fund used by Billing Authorities to provide short term financial help to people in severe financial difficulties who are temporarily unable to pay their Council Tax. The proposals are not intended to lead to changes or different outcomes for this group. In this context it should also be noted that the County Council is providing additional funding to continue the Local Welfare Provision to support economic inclusion. The council also continues to provide support to the Leicestershire Citizens Advice Bureau.											
4	Will the policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? (Please tick and explain how)											
	<table border="1"> <thead> <tr> <th></th><th>Yes</th><th>No</th><th>How?</th></tr> </thead> <tbody> <tr> <td>Eliminate unlawful discrimination, harassment and victimisation</td><td></td><td>Y</td><td>No change</td></tr> <tr> <td>Advance equality</td><td></td><td>Y</td><td>No change</td></tr> </tbody> </table>		Yes	No	How?	Eliminate unlawful discrimination, harassment and victimisation		Y	No change	Advance equality		Y
	Yes	No	How?									
Eliminate unlawful discrimination, harassment and victimisation		Y	No change									
Advance equality		Y	No change									
<table border="1"> <tbody> <tr> <td>Eliminate unlawful discrimination, harassment and victimisation</td></tr> </tbody> </table>	Eliminate unlawful discrimination, harassment and victimisation		Y	No change								
Eliminate unlawful discrimination, harassment and victimisation												
<table border="1"> <tbody> <tr> <td>Advance equality</td></tr> </tbody> </table>	Advance equality		Y	No change								
Advance equality												

	of opportunity between different groups			
	Foster good relations between different groups		Y	No change

Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

Section 2: Equality and Human Rights Impact Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for a policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to Section 3 on Page 7 of this document.

Section 2

A: Research and Consultation

5.	Have the target groups been consulted about the following?	Yes	No*
	a) their current needs and aspirations and what is important to them;	Y	
	b) any potential impact of this change on them (positive and negative, intended and unintended);	Y	
	c) potential barriers they may face	Y	
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?	n/a	
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?		No
8.	*If you answered 'no' to the questions above, please use the space below to outline either what consultation you are planning to undertake or why you do not consider it to be necessary.		
	Billing authorities have responsibility for council tax administration and collection. Consultation with Billing Authorities identified that full withdrawal of the county council contribution to the discretionary discount funding may lead to negative impacts on disadvantaged families in financial difficulties. Revised proposals now however enable		

	Billing Authorities to continue offering the current level of support and there is therefore no need to consult with (representatives of) people most likely to require access to the council tax discount scheme. Billing Authorities would be responsible for consulting and assessing the equalities and human rights impacts on any changes they may want to make to the scheme in future.
--	--

Section 2

B: Monitoring Impact

9.	Are there systems set up to:	Yes	No
	a) monitor impact (positive and negative, intended and unintended) for different groups;	Y	
	b) enable open feedback and suggestions from different communities	Y	

Note: If no to Question 9, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.

Section 2

C: Potential Impact

10.

Use the table below to specify if any individuals or community groups who identify with any of the '[protected characteristics](#)' may **potentially** be affected by the policy and describe any positive and negative impacts, including any barriers.

	Yes	No	Comments
Age		X	As indicated above, we believe there is no need for the policy to lead to changes in access to discretionary financial support for residents. However, should changes indirectly lead to such changes, this is not likely to impact disproportionately on any particular group. Exceptions are indicated below.
Disability	X		Changes to access to financial support are more likely to impact on disabled people who are financially dependent on benefits
Gender Reassignment		X	
Marriage and Civil Partnership		X	
Pregnancy and Maternity		X	

	Race		X	
	Religion or Belief		X	
	Sex		X	
	Sexual Orientation		X	
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	X		Changes to access to financial support are more likely to impact on deprived or disadvantaged communities, individuals and families.
	Community Cohesion		X	
11.	Are the human rights of individuals <i>potentially</i> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick) Explain why you consider that any particular article in the Human Rights Act may apply to the policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB: include positive and negative impacts as well as barriers in benefiting from the above proposal]			
		Yes	No	Comments
	Part 1: The Convention- Rights and Freedoms			
	Article 2: Right to life		X	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way		X	
	Article 4: Right not to be subjected to slavery/ forced labour		X	
	Article 5: Right to liberty and security		X	
	Article 6: Right to a fair trial		X	
	Article 7: No punishment without law		X	

	Article 8: Right to respect for private and family life		X	
	Article 9: Right to freedom of thought, conscience and religion		X	
	Article 10: Right to freedom of expression		X	
	Article 11: Right to freedom of assembly and association		X	
	Article 12: Right to marry		X	
	Article 14: Right not to be discriminated against		X	
	Part 2: The First Protocol			
	Article 1: Protection of property/ peaceful enjoyment		X	
	Article 2: Right to education		X	
	Article 3: Right to free elections		X	
Section 2				
D: Decision				
13.	Is there evidence or any other reason to suggest that:	Yes	No	Unknown
	a) the policy could have a different affect or adverse impact on any section of the community;		x	
	b) any section of the community may face barriers in benefiting from the proposal		x	
13.	Based on the answers to the questions above, what is the likely impact of the policy			
	No Impact ☐	Positive Impact ☐	Neutral Impact ☒	Negative Impact or Impact Unknown ☐
Note: If the decision is 'Negative Impact' or 'Impact Not Known', an EHRIA Report is required.				
14.	Is an EHRIA report required?	Yes ☐		No ☒

Section 2: Completion of EHRIA Screening

Upon completion of the screening section of this assessment, you should have identified whether an EHRIA Report is required for further investigation of the impacts of this policy.

Option 1: If you identified that an EHRIA Report *is required*, continue to Section 3 on Page 7 of this document.

Option 2: If there are no equality, diversity or human rights impacts identified and an EHRIA report *is not required*, continue to Section 4 on Page 14 of this document.

Section 3: Equality and Human Rights Impact Assessment (EHRIA) Report

Section 3: Equality and Human Rights Impact Assessment Report

This part of the assessment will help you to think **thoroughly** about the impact of the policy and to critically examine whether it is **likely** to have a positive or negative impact on different groups within our diverse communities. It should also identify any barriers that may adversely affect under-represented communities or groups that may be disadvantaged by the way in which we carry out our business.

Using the information gathered either within the EHRIA Screening or independently of this process, this EHRIA Report should be used to consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights as outlined in Leicestershire County Council's Equality Strategy.

Section 3

A: Research and Consultation

When considering the target groups, it is important to think about whether new data needs to be collected or whether there is any existing research that can be utilised.

- | | |
|-----|---|
| 15. | <p>Based on the gaps identified either in the EHRIA Screening or independently of this process, how have you now explored the following and what does this information/ data tell you about each of the diverse groups?</p> <ul style="list-style-type: none"> a) current needs and aspirations and what is important to individuals and community groups (including human rights); b) likely impacts (positive and negative, intended and unintended) to |
|-----|---|

	individuals and community groups (including human rights); c) likely barriers that individuals and community groups may face (including human rights)
16.	Is any further research, data collection or evidence required to fill any gaps in your understanding of the potential or known affects of the policy on target groups?
When considering who is affected by this proposed policy, it is important to think about consulting with and involving a range of service users, staff or other stakeholders who may be affected as part of the proposal.	
17.	Based on the gaps identified either in the EHRIA Screening or independently of this process, how have you further consulted with those affected on the likely impact and what does this consultation tell you about each of the diverse groups?

18.	Is any further consultation required to fill any gaps in your understanding of the potential or known effects of the policy on target groups?

Section 3**B: Recognised Impact**

19.	Based on any evidence and findings, use the table below to specify if any individuals or community groups who identify with any 'protected characteristics' are likely to be affected by this policy. Describe any positive and negative impacts, including what barriers these individuals or groups may face.	
		Comments
		Age
		Disability
		Gender Reassignment
		Marriage and Civil Partnership
		Pregnancy and Maternity
		Race
		Religion or Belief

	Sex	
	Sexual Orientation	
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	
	Community Cohesion	

20.	Based on any evidence and findings, use the table below to specify if any particular Articles in the Human Rights Act are likely to apply to the policy. Are the human rights of any individuals or community groups affected by this proposal? Is there an impact on human rights for any of the protected characteristics?	
		Comments
	Part 1: The Convention- Rights and Freedoms	
	Article 2: Right to life	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way	
	Article 4: Right not to be subjected to slavery/ forced labour	
	Article 5: Right to liberty and security	
	Article 6: Right to a fair trial	
	Article 7: No punishment without law	
	Article 8: Right to respect for private and family life	
	Article 9: Right to freedom of thought, conscience and religion	

	Article 10: Right to freedom of expression	
	Article 11: Right to freedom of assembly and association	
	Article 12: Right to marry	
	Article 14: Right not to be discriminated against	
	Part 2: The First Protocol	
	Article 1: Protection of property/ peaceful enjoyment	
	Article 2: Right to education	
	Article 3: Right to free elections	

Section 3**C: Mitigating and Assessing the Impact**

Taking into account the research, data, consultation and information you have reviewed and/ or carried out as part of this EHRIA, it is now essential to assess the impact of the policy.

- | | |
|------------|--|
| 21. | If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons. |
|------------|--|

NB:

- i) If you have identified adverse impact or discrimination that is **illegal**, you are required to take action to remedy this immediately.
- ii) If you have identified adverse impact or discrimination that is **justifiable or legitimate**, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

- | | |
|------------|---|
| 22. | <p>Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.</p> <ul style="list-style-type: none"> a) include any relevant research and consultation findings which highlight the best way in which to minimise negative impact or discrimination b) consider what barriers you can remove, whether reasonable adjustments may be necessary and how any unmet needs that you have identified can be addressed c) if you are not addressing any negative impacts (including human rights) or potential barriers identified for a particular group, please explain why |
|------------|---|

Section 3**D: Making a decision**

23.	Summarise your findings and give an overview as to whether the policy will meet Leicestershire County Council's responsibilities in relation to equality, diversity, community cohesion and human rights.

Section 3**E: Monitoring, evaluation & review of the policy**

24.	Are there processes in place to review the findings of this EHRIA and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?
25.	How will the recommendations of this assessment be built into wider planning and review processes? <i>e.g. policy reviews, annual plans and use of performance management systems</i>

Section 3:
F: Equality and human rights improvement plan

Please list all the equality objectives, actions and targets that result from the Equality and Human Rights Impact Assessment (EHRIA) (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Objective	Action	Target	Officer Responsible	By when

Section 4: Sign off and scrutiny

Upon completion, the Lead Officer completing this assessment is required to sign the document in the section below.

It is required that this Equality and Human Rights Impact Assessment (EHRIA) is scrutinised by your Departmental Equalities Group and signed off by the Chair of the Group.

Once scrutiny and sign off has taken place, a depersonalised version of this EHRIA should be published on Leicestershire County Council's website. Please send a copy of this form to the Digital Services Team via web@leics.gov.uk for publishing.

Section 4

A: Sign Off and Scrutiny

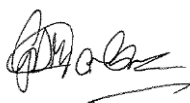
Confirm, as appropriate, which elements of the EHRIA have been completed and are required for sign off and scrutiny.

Equality and Human Rights Assessment Screening ☒ Y

Equality and Human Rights Assessment Report ☐

1st Authorised Signature (EHRIA Lead Officer): ...Jason Firth.....

Date: ...28/9/17



2nd Authorised Signature (DEG Chair):

Date: 28/9/17

This page is intentionally left blank



CABINET – 10th OCTOBER 2017

**DEVELOPER CONTRIBUTIONS TOWARDS COUNTY COUNCIL
SERVICES - UPDATE**

REPORT OF THE CHIEF EXECUTIVE

PART A

Purpose of the Report

1. The purpose of this report is to update the Cabinet on the work undertaken to address concerns that the Council's reasonable expectations of receiving Developer Contributions via S106 planning agreements are being met to meet demands placed on services created by development across the County, following the previous report to the Cabinet in November 2016.

Recommendation

2. It is recommended that the present update be noted and that progress on Developer Contributions continue to be monitored.

Reasons for Recommendation

3. It is important that the County Council does what it can to meet the demands on its services in increasingly difficult financial circumstances. Ensuring that developers make appropriate contributions to mitigate the consequences of their developments via Developer Contributions is essential if communities are not disadvantaged and the County Council is not put under excessive financial demands which it will not be able to meet.
4. Local planning authorities should do all they can to ensure developments are sustainable and meet the reasonable obligations requested of them.

Timetable for Decisions (including Scrutiny)

5. This is an ongoing issue which needs to be continually monitored as part of the usual planning and development process.

Policy Framework and Previous Decisions

6. The Leicestershire Planning Obligations Policy adopted on 3rd December 2014, sets out how the County Council will approach Section 106 obligations and

includes a protocol between the County Council and the local planning authorities on working arrangements.

Resource Implications

7. Developer contribution requests are co-ordinated through the Chief Executive's Department and the Highway Authority consultee responses are delegated to the Director of Environment and Transport. The consequences outlined in this report are to be contained within existing budgets.
8. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

None.

Officers to Contact

Mr. Lonek Wojtulewicz (Tel. 0116 305 7040)
Head of Planning, Historic and Natural Environment
Email: lonek.wojtulewicz@leics.gov.uk

PART B

Background

9. On 17th June 2016, the Cabinet resolved:
 - (a) That local planning authorities be reminded of:
 - i. the County Council's continued support for sustainable coordinated growth across the county and its desire to play its part in delivering a strong economy, quality environment and well supported communities;
 - ii. the importance of the County Council's role in the planning process both as highway authority and service provider;
 - iii. the need to support, through section 106 contributions, the delivery of County Council services required as a consequence of proposed developments so as to ensure that proposed developments are sustainable and local communities are not disadvantaged;
 - iv. the need to collaborate with the County Council where developments are unlikely to meet the County Council's section 106 or highway requirements.
 - (b) That in the interests of greater awareness and transparency, the County Council will:
 - (i) report back to Cabinet on planning decisions that do not reflect the County Council's section 106 requirements;
 - (ii) notify its members of County Council requests for section 106 contributions that fall within their division;
 - (iii) report back to Cabinet on any significant planning decisions which as far as officers are aware that do not reflect the advice of the Highway Authority.
10. In November 2016 the Cabinet received an update on progress regarding planning decisions and Developer Contribution funding requests made by the County Council.

Current Progress

11. Since the last report to the Cabinet in November 2016 the County Council has entered into 58 Section 106 planning agreements totalling over £15 million in value. For the financial year 2016/17 the total value of agreements amounted to just over £80 million, and so far in this financial year the value of agreements is approximately £5 million. Receipt of contributions from operational agreements and developments in the last financial year (2016/17) was £12 million, and in the current period it is approximately £4 million.
12. The County Council continues to respond to developer contribution consultations from District Councils in a timely manner to meet their deadlines. Since November 2016, the Council has responded to over 160 requests specifically on Section 106 and service requirements.

13. In terms of planning appeals, since the last update in November 2016, 16 decisions have been issued by the Planning Inspectorate in cases where the County Council presented evidence on the need for contributions for services. Whilst just under half of the planning appeals were dismissed, in nearly all cases the Inspector deemed that the requests from the Council for contributions were accepted as being compliant with the regulations¹.
14. As members will be aware, there will always be a tension between developers, the planning authority and infrastructure providers such as the County Council when requesting and negotiating developer contributions. In the majority of cases the County Council has been able to demonstrate and justify the need for the contributions that it seeks. However, there are occasions where developers claim viability issues which may affect the amount of contributions they may be able, or say they can afford to pay.
15. Elsewhere on the agenda for this meeting the Cabinet will be considering its response to the Government's consultation "*Planning for the right home in the right place*" in which it highlights the complexity and uncertainty that viability assessments bring to the planning process which can result in fewer contributions for infrastructure being secured. The range and complexity of variables in assessing viability are such that the process may be viewed as not being transparent and therefore viewed with suspicion.
16. Recently there have been a few examples of viability claims being accepted by District Councils which are likely to lead to a reduction in the contributions received by the County Council. Two proposals in the Hinckley and Bosworth district relating to 100% affordable housing schemes (i.e. the proposed development on land adjacent to 121 Station Road, Bagworth for the erection of 10 houses and 4 flats, and the development on the Dunlop Ltd. site, Station Road, Bagworth for the erection of 61 dwellings), have reduced the potential contributions to the Authority by approximately £250,000. The funds were requested mostly for education purposes. The assessment of viability is a matter for the District/Borough Councils as the local planning authority although the County Council provides full information about its contribution requirements. As is often the case, the County Council has not been party to the viability assessments.
17. It should be noted that District Councils are also sometimes affected by viability claims. An example of this is the viability assessment of the Lower Bardon Grange site in North West Leicestershire which is currently being considered and which might result in a reduction in the number of affordable houses being proposed on the site (a district council responsibility), rather than the funds required by the Authority to support housing and transport infrastructure in the area.
18. With regard to other reasons for not accepting County Council requests, Hinckley and Bosworth Borough Council did not accept a request for library and

¹ Community Infrastructure Regulations 2010 and subsequent amendments

civic amenity requirements on a proposal in Earl Shilton (the development of 27 dwellings at Heath Lane) although the contributions were very modest.

19. There have been some minor issues with a few developers disputing payments relating to house types and indexation, but these are being resolved.

Equality and Human Rights Implications

20. There are no equality and human rights implications directly arising from this report.

Background Papers

Report to the Cabinet on 17th June 2016 – Developer Contributions towards County Council Services

<http://politics.leics.gov.uk/documents/s119778/final%20Cabinet%20Report%2020160617%20s106.pdf>

Report to the Cabinet on 23rd November 2016 – Development Contributions towards County Council Services

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4607&Ver=4>

This page is intentionally left blank



CABINET – 10th OCTOBER 2017

**PLANNING FOR THE RIGHT HOMES IN THE RIGHT PLACES –
CONSULTATION RESPONSE**

REPORT OF THE CHIEF EXECUTIVE

PART A

Purpose of the Report

1. The purpose of this report is to seek the Cabinet's approval of the County Council's response to the Department for Communities and Local Government's 'Planning for the right homes in the right places' consultation.

Recommendations

2. It is recommended that:
 - a) The summary response to the Government Consultation 'Planning for the right homes in the right places' as set out in paragraphs 18 to 46 of the report be approved;
 - b) That the Chief Executive, following consultation with the Leader of the Council, be authorised to make any minor amendments to the proposed response arising from further detailed consideration of the consultation paper prior to its submission to the Government by the 9th November 2017 deadline.

Reasons for Recommendations

3. To respond to the Government Consultation regarding a number of proposals to reform the planning system which are aimed at increasing the supply of new homes and local authority capacity to manage growth.
4. The County Council is working with Local Planning Authorities (LPAs) across Leicester and Leicestershire to develop a Strategic Growth Plan (SGP) which will guide housing and infrastructure requirements across the agreed Housing Market Area. This response has been written to ensure that the robust and collaborative work already undertaken is not undermined, but benefits from any changes to a revised National Planning Policy Framework (NPPF).

Timetable for Decisions (including Scrutiny)

5. The response to the Consultation is due by 9th November 2017.
6. No future decisions are scheduled pending any national policy changes following this consultation.

Policy Framework and Previous Decisions

7. The County Council is one of ten partners working together to develop a SGP for Leicester and Leicestershire which aims to plan for future housing and economic growth requirements up to 2050. Other partners are the seven district councils of Leicestershire, Leicester City Council and the Leicester and Leicestershire Enterprise Partnership (LLEP). The Strategic Growth Statement which formed the first part of a three-stage process to prepare the SGP was approved by the Cabinet for consultation in June 2016.
8. In March 2016 the Cabinet approved a Joint Statement of Co-operation relating to Objectively Assessed Housing Need. The Statement confirms the commitment of partner organisations to collaborative working across Leicester and Leicestershire and accompanies the publication of the Housing and Economic Development Needs Analysis (HEDNA); a key piece of evidence which is informing the preparation of the SGP.
9. In June 2017 the Cabinet approved five priority outcomes for inclusion in its Strategic Plan and Single Outcomes Framework. These include the Council's commitment to 'Affordable and Quality Homes'.

Resource Implications

10. There are no direct resource implications arising from this report.

Circulation under the Local Issues Alert Procedure

11. None.

Officers to Contact

Tom Purnell, Assistant Chief Executive
 Tel: 0116 305 7019
 Email: tom.purnell@leics.gov.uk

Sharon Wiggins, Strategic Planning Manager
 Tel: 0116 305 8234
 Email: sharon.wiggins@leics.gov.uk

PART B

Background

12. In February 2017 the White Paper: *Fixing our Broken Housing Market* set out the Government's aspiration to create a more efficient housing market and to increase the pace of housing development to meet existing and future housing needs. It set out four main areas for action:

- a) planning for the right homes in the right places - to make sure that enough land is released, that the best possible use is made of that land, and that local communities have more control over where development goes and what it looks like;
- b) building homes faster - where communities have planned for new homes and ensuring those plans are delivered to the timescales expected;
- c) diversifying the market - to address the lack of innovation and competition in the home-building market; and
- d) helping people now - tackling the impacts of the housing shortage on ordinary households and communities.

13. The Government is now consulting on further measures in relation to (a) above.

14. In consultation with the Lead Members for economic development and transport, officers submitted in May 2017 the following responses to the White Paper (note: only those relevant to this consultation have been included):

- a) Welcomed the Paper's proposal to ensure that local planning authorities have the ability to produce joint strategic plans and allow spatial development strategies to allocate strategic sites.
- b) Stressed that developers are unable to, or find it extremely difficult to, fund infrastructure 'up front' and this issue continues to be a significant barrier to sites moving forward. Both public and private sectors are experiencing issues with short term funding horizons when planning for long term housing and service provision.
- c) Highlighted that the increase in planning fees by 20% to address the resource implications of increased planning applications will not benefit statutory consultees (such as Highway Authorities, and Flood Risk Authorities).
- d) Requested further information on how other statutory local plans such as minerals and waste would fit with any proposed new arrangements.

Planning for the right homes in the right places consultation

15. The Government's latest proposals, outlined in the 'Planning for the right homes in the right places' consultation, aim to:

- create a planning system that is clear and transparent, so that communities fully understand the scale of the housing challenge in the local area;

- give local communities greater control so they can make informed decisions about where homes should be built, thereby helping tackle the lack of affordable housing and supporting those wanting the security of owning their own homes;
- help ensure local areas can work together where housing needs cannot be met locally and how the right resources can be put into local planning authorities to ensure plans can be delivered.

16. Specific proposals being consulted on include:

- a standard method for calculating local authorities' housing need;
- how neighbourhood planning groups can have greater certainty on the level of housing need to plan for;
- a statement of common ground to improve how local authorities work together to meet housing and other needs across boundaries;
- making the use of viability assessments simpler, quicker and more transparent;
- increased planning application fees in those areas where local planning authorities are delivering the homes their communities need.

17. Subject to the outcome of this consultation, and the responses received to the Housing White Paper, the Government intends to publish a draft revised NPPF in Spring 2018.

County Council Response

18. The section below outlines a summary of the proposals for each chapter of the consultation document and a summary of the Council's proposed response to the Government.

A. Proposed approach to calculating the local housing need

Summary of proposal

19. To address concerns that the existing approach to identifying local housing need is too complex, lengthy and expensive, the Government is proposing a standard method for calculating housing need. The formula aims to be realistic, based on publicly available data and is based on the principle that high house prices indicate a relative imbalance between supply and demand of new homes.

20. The proposed calculation for housing need will be based on Local Planning Authority (LPA) areas. It will consider a demographic baseline based on the annual average household growth over a 10 year period, along with market signals, e.g. comparisons of median house prices to median earnings.

21. For local authorities that have adopted their local plan in the last five years, a cap of 40 per cent of the annual requirement figure currently set out in their local plan is proposed.
22. In terms of transitioning to the new arrangement, any plans that have not been adopted or submitted for examination on or before 31st March 2018 will be required to use the new standardised method.

Summary of response

23. Leicestershire County Council, Leicester City Council and the district councils have prepared an objective assessment of housing need across the housing market area via the Housing Economic Development Needs Analysis (HEDNA). Whilst estimated figures utilising the proposed government formula are not substantially different to those identified within the HEDNA, the Council would not wish to see the introduction of a new methodology that could undermine and delay the robust work done over the past two to three years. This work is contributing to the preparation of a bold and ambitious SGP which will establish an agreed strategic planning framework up to 2050, and is expected to be approved for consultation purposes later this year.
24. Whilst the proposed formula provides a good, and nationally consistent, starting point for deciding future levels of housing provision it is important that the final scale and distribution of housing provision is considered and agreed by partners working at the level of the Housing Market Area (HMA). There also needs to be greater scope to reflect other 'local factors' such as significant growth in local employment levels, land availability, transport planning and minerals and waste which can be better assessed through collaborative working at a HMA level.

B. Statement of Common Ground

Summary of proposal

25. The Government proposes to implement a statement of common ground policy to ensure effective cross boundary working where planning issues need to be addressed by more than one planning authority. It is proposed that statements should be agreed at HMA level. County councils would be a required signatory to strategic matters in the statement of common ground which relate to its areas of responsibility, e.g. transport infrastructure, minerals and waste.
26. It is proposed that six months after publication of the policy in a revised NPPF the Statement will include: geographical area; cross boundary matters being addressed; governance arrangements. After twelve months it should also include: process for agreeing distribution; a record of agreement on key strategic matters; any other issues.

Summary of response

27. Partners across Leicester and Leicestershire have been making good progress in collaborative working and in March 2017 all nine local authorities approved a 'Joint Statement of Cooperation'. This followed the publication of the HEDNA which identified objectively assessed housing needs across the HMA. The Statement demonstrates commitment from all partners to provide for their Objectively Assessed Housing Needs and, if they are unable to be accommodated within the local authority area within which they arise, that a collaborative approach is taken to resolve the provision of unmet need.
28. The Council supports the contents of the statement of common ground at the six month and twelve month milestones, following the publication of the revised NPPF.
29. The Statement focuses on collaboration amongst local partners within the HMA. Successful delivery of sufficient homes in sustainable communities also, however, requires Government, and Government agencies, to support the work of local partners including through the provision of adequate funding for strategic infrastructure which will be essential to enable large scale housing provision. Consideration should, therefore, be given to how the Government will support local collaborative working, either through being a signatory itself to the Statement, or through some other mechanism.
30. Notwithstanding the above it is worth noting that the current 'duty to co-operate' requirements do not constitute a 'duty to agree' and therefore cannot guarantee that local planning authorities will approve cross-boundary HMA-level strategic plans which tackle difficult challenges of long term housing provision, and that where that happens the objective to plan for 'the right homes in the right places' will be undermined. Whilst we are making good progress on this work in Leicester and Leicestershire there is always the possibility that one or more LPA does not sign up to the final plan and years of work planning strategically for the future is put at risk or significantly delayed. The consultation paper does not address this risk.

C. Planning for a mix of housing needs

Summary of proposal

31. The Government is seeking responses on how to streamline the process for identifying the housing need for individual groups and the evidence that could be used to plan for these needs. Groups identified, but not limited to, include older and disabled people, families with children, affordable housing, self-build and custom-build development, student accommodation, travellers who have ceased to travel, and private rented and build to rent housing.
32. The Government is also seeking views on whether the current definition of older people which '*reflects a range of people at different ages with different needs from retirement age to the very frail and elderly*', in the NPPF is still fit for purpose.

Summary of response

33. The Council recognises the importance of ensuring that the housing needs for all residents are met, and is keen to work closely with planning authorities and the Government to address this within the NPPF and subsequent local plans.
34. The Council agrees with the current definition of older people within the NPPF and considers it to be still fit for purpose.

D. Neighbourhood PlanningSummary of proposal

35. The Government is proposing a formula based approach, apportioning housing need figures in local authority areas to neighbourhoods by percentage of population (as a starting point).

Summary of response

36. No response to be made.

E. Proposed approach to Viability AssessmentSummary of proposal

37. It is proposed that LPAs should set out the types and thresholds for affordable housing contributions required, the infrastructure needed to deliver the Local Plan, and expectations for how these will be funded and the contributions developers will be expected to make.
38. The Government is considering whether changes to planning guidance could be made to improve the way that plans are tested for viability to ensure they are deliverable, and where policy requirements have been tested for viability that this should not be repeated at planning application stage. Wider engagement with infrastructure providers, including housing associations, is also to be encouraged so they can better inform the plan-making and viability assessment process.

Summary of response

39. LPAs should set out the types and thresholds for affordable housing and the infrastructure needed to deliver their Local Plans, expectations for how this will be funded and contributions developers will be expected to make. However, there needs to be significantly more work and focus on infrastructure development than there currently is. The new proposals will inevitably place greater burdens on the statutory consultees, and therefore funding would need to be made available to allow infrastructure providers (such as highway authorities, education authorities and utility providers), to be fully engaged in identifying and costing appropriate infrastructure needs, ensuring that figures included by LPA's are robust and deliverable and are not challenged later in the process.

40. In reviewing guidance on testing plans and policies for viability, transparency in the process is important. Most grants and other funds that can be applied for (including the Housing Infrastructure Fund Marginal Viability Bids) are done so on the basis that a site isn't viable, either through the funding profile or overall profit. Under the current system a plan with a viability assessment setting out that a site (and therefore the plan) isn't viable could be found unsound. Also, if at the application stage a site is considered unviable it may not get granted planning permission. There is clearly a tension here that needs to be addressed in any revised NPPF guidance, or a recognition that unviable sites may need to be brought forward with an acceptance of the need for outside funding.
41. Streamlining of the planning process has made it increasingly difficult to complete viability assessments at the outline stage. This is resulting in more delays at reserved matters, as permissions may not be deliverable and warrant greater consideration.
42. In preparing guidance on a standard approach to monitor and report planning obligations, the reporting of developer contributions should refer to key information only, i.e. the type and amount of contribution and the date paid. Consideration needs to be given to ensuring there is sufficient transparency whilst minimising the resources required to maintain and publish records.
43. To help county councils improve monitoring of contributions and better publicise infrastructure and local services secured through new development, Section 106 planning agreements should include clauses requiring the applicant/developer to provide written formal notice 28 days prior to the commencement of development and similarly at the stages of development which trigger the payment of contributions during the phases of that development. If this was put on a more formal footing it would also assist in helping local authorities to secure and deploy the funds in a timelier manner.
44. The reform of the Community Infrastructure Levy regulations, particularly the limits on pooling contributions, should assist Councils and developers to realise new development and its associated infrastructure.

F. Planning fees

Summary of proposal

45. The Housing White Paper suggested that an increase of a further 20 per cent on the current fee level could be applied to those authorities who are delivering the homes their communities need.

Summary of response

46. In two tier planning areas, county councils are not directly delivering new homes through planning permissions. However, they have an important role in providing the infrastructure of waste management, highways, and the construction materials to support new home building. County councils are having

difficulty resourcing their service and the Government should recognise that additional fee income for this service is also required to ensure housing delivery. Criteria to apply additional fee income for county planning could be based on having adopted minerals and waste plans within the last 5 years and by tonnage of construction mineral released by new planning permissions and capacity of new waste facilities permitted.

Background Papers

Housing White Paper - *Fixing our Broken Housing Market* (February 2017), DCLG:
<https://www.gov.uk/government/publications/fixing-our-broken-housing-market>

Planning for the right homes in the right places: consultation proposals (September 2017), DCLG:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/644955/Planning_for_Homes_consultation_document.pdf

Strategic Growth Statement (August 2016), Leicester and Leicestershire:
http://www.lstrategicgrowthplan.org.uk/wp-content/documents/pdf_document/Strategic-Growth-Plan-12a.pdf

Equality and Human Rights Implications

47. There are no equality and human rights implications directly arising from this report.

Partnership Working

48. The Council is working with the City Council and district councils to develop a Leicester and Leicestershire SGP. This consultation recognises the importance of this collaborative working to ensure that the right numbers of homes that meet local need are delivered across Leicester and Leicestershire.

49. Council resources are already under pressure and the proposed response emphasises to Government the importance of its role in ensuring that all planning functions which support the building of homes are sufficiently resourced, including those of upper tier authorities, such as highways, minerals and waste.

This page is intentionally left blank



CABINET - 10 OCTOBER 2017

**DELEGATION OF ADULT SOCIAL CARE FUNCTIONS TO BLABY
DISTRICT COUNCIL (LIGHTBULB PROGRAMME) - URGENT
ACTION BY THE CHIEF EXECUTIVE**

REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES

PART A

Purpose of the Report

1. The purpose of this report is to advise the Cabinet of urgent action taken by the Chief Executive, following consultation with the Leader of the Council, to delegate the Adult Social Care (ASC) functions to be undertaken under the Lightbulb Programme pathway to Blaby District Council.

Recommendation

2. It is recommended that the Cabinet notes the urgent action taken by the Chief Executive under delegated powers, following consultation with the Leader of the Council, to delegate the Adult Social Care functions to be undertaken under the Lightbulb Programme pathway to Blaby District Council as detailed in paragraph 19 of this report.

Reasons for Recommendation

3. The delegation of those ASC functions detailed in paragraph 19 of this report is a requirement under the legal agreement necessary to enable the delivery of a streamlined housing support pathway under the Lightbulb Programme being hosted by Blaby District Council.
4. Urgent action was taken by the Chief Executive on 12 September 2017 to delegate these ASC functions to Blaby District Council to enable the Lightbulb Programme to be rolled out to all Leicestershire districts by 2 October 2017.

Timetable for Decisions (including Scrutiny)

5. The Lightbulb Programme is planned for wider roll out to all districts on 2 October 2017.

Policy Framework and Previous Decisions

6. On 23 November 2016, the Cabinet agreed the Lightbulb Business Case for transforming practical housing support, which included an integrated model of housing support for the Leicestershire Equipment, Adaptations and Assistive Technology Strategy and Delivery Plan.
7. The Lightbulb Programme sits alongside a range of other initiatives as part of Leicestershire's developing Unified Prevention Offer, ensuring a co-ordinated approach to preventative services both across the County and different stakeholder organisations, including district councils and local Clinical Commissioning Groups.
8. The Programme's integrated approach to housing support directly aligns with the vision outlined in Leicestershire's Adult Social Care Strategy - 'to make the best use of available resources to keep people in Leicestershire independent'. The Lightbulb Programme's service model will help ensure people get the right level and type of support at the right time to help prevent, delay or reduce the need for ongoing support and maximise their independence.
9. The Lightbulb Programme will make a significant contribution to achieving the aims set out in the Adult Social Care Older Persons Accommodation Strategy, will support delivery of the Early Help and Prevention Review, and represents an opportunity to work in partnership alongside district councils to achieve service transformation in line with the Council's objectives.

Resource Implications

10. The Council has agreed that the funding to support the Lightbulb Programme will be proportionate to the current ASC spend on housing related services. Therefore there are no resource implications arising from this report.
11. The County Council's Occupational Therapy staff are aligned to the Lightbulb Programme.
12. The Director of Law and Governance has been consulted in the preparation of this report.

Circulation under the Local Issues Alert Procedure

None

Officers to Contact

Jon Wilson, Director of Adults and Communities
 Adults and Communities Department
 Telephone: 0116 305 7454
 Email: jon.wilson@leics.gov.uk

Heather Pick, Assistant Director - Care Pathway East
Adults and Communities Department
Telephone: 0116 305 7456
Email: heather.pick@leics.gov.uk

PART B

Background

13. The Lightbulb Programme is hosted by Blaby District Council on behalf of the County Council and all district councils in Leicestershire. The roll out has been successfully piloted in Blaby and is planned for wider roll out across all districts from 2 October 2017. This will see the introduction of the new end to end pathway for housing support which includes the ASC responsibilities currently undertaken by the County Council for assessment and support for housing related functions in line with the Care Act 2014.
14. The new integrated model for housing support will deliver savings to the health and care economy by maximising the part that housing support can play in keeping people independent in their homes; preventing or reducing care home placements or demand on other social care services, avoiding unnecessary hospital admissions/readmissions or GP visits, and facilitating hospital discharge.
15. Benefits for service users are envisaged as improving the customer journey, making services easier to access and navigate and ensuring the right solution is available at the right time with the right outcome.
16. The new housing support pathway will provide efficient, cost effective service delivery, particularly in relation to the delivery of Disabled Facilities Grants (DFGs).

Proposals

17. As part of the Lightbulb agreement ASC contracts and services from the Community Assessment Team (Red Cross) and Housing Improvement Agency (Papworth) have been decommissioned and those functions will now be undertaken by the Lightbulb staff employed by Blaby District Council as trusted assessors.
18. The Occupational Therapy Service within ASC has been aligned with the new pathway for housing support under the Lightbulb Programme and this will provide professional assessment and support for complex DFG requests in each locality and assist with training and mentoring of staff in the Lightbulb Programme to undertake the delegated ASC functions detailed below.
19. The ASC delegated functions that will be undertaken by Blaby District Council are described as:
 - a) carrying out assessments under sections 9 and 10 of the Care Act 2014 for minor adaptations;
 - b) prescribing any community equipment as defined in Regulations 2 and 4 of the Preventing Needs for Care and Support Regulations 2014;

- c) providing information and advice on care and support available in the community that can support the person in meeting eligible needs in accordance with section 4 of the Care Act 2014;
- d) providing a range of or otherwise identify services, facilities and resources to prevent delay or reduce the needs of adults in accordance with section 2 of the Care Act 2014.

Consultation

- 20. Further consultation is not required for delegation of ASC functions.
- 21. Consultation on the Lightbulb Programme has been undertaken as outlined in the Cabinet report on the 23 November 2016.
- 22. Customer feedback and insight has been gathered as part of the pilot testing with very positive outcomes reported.

Background Papers

- Report to Cabinet on 23 November 2016 – Transforming and Integrating Practical Housing Support in Leicestershire - <http://politics.leics.gov.uk/ieListDocuments.aspx?MId=4607>
- Report to Cabinet: 10 March 2017 – Accommodation Strategy for Working Age Adults 2017-2022 - <http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4859>

Equality and Human Rights Implications

- 23. There are no equality or human rights implications arising from this report.

This page is intentionally left blank



CABINET – 10 OCTOBER 2017

**DRAFT LEICESTER, LEICESTERSHIRE AND RUTLAND CARERS
STRATEGY 2018–2021**

**JOINT REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES,
THE DIRECTOR OF CHILDREN AND FAMILY SERVICES AND THE
DIRECTOR OF PUBLIC HEALTH**

PART A

Purpose of the Report

- 1 The purpose of this report is to seek the Cabinet's approval to consult on the draft Leicester, Leicestershire and Rutland (LLR) Carers Strategy 2018–2021. The Strategy sets out the draft strategic priorities relating to unpaid carers of all ages, and is intended as a joint Strategy including all local authorities and Clinical Commissioning Groups (CCGs) across LLR. The report also highlights key improvements made to the carers support offer in Leicestershire.

Recommendations

- 2 It is recommended that:
 - a) The draft LLR Carers Strategy 2018–2021 (attached as Appendix A to this report) be approved for consultation;
 - b) A further report be submitted to the Cabinet in March 2018 regarding the outcome of the consultation and presenting the final LLR Carers Strategy 2018-2021 for approval;
 - c) That the Director of Adults and Communities be authorised to take such action as he considers appropriate in response to the engagement responses received to improve the Council's response to adult carers whilst further consultation on the overarching Strategy is completed.

Reasons for Recommendations

- 3 The Directors of Adults and Communities, Children and Family Services and Public Health require the Cabinet's permission to undertake a formal joint consultation alongside Leicester City Council, Rutland County Council, Leicester City CCG, West Leicestershire CCG and East Leicestershire and Rutland CCG on the priorities and actions identified for supporting unpaid carers.

- 4 Significant carer and stakeholder engagement has been undertaken during the summer of 2017, and the draft Strategy has been co-produced alongside carers. Amendments may be required to the draft Strategy after formal consultation responses are received.
- 5 Through the engagement undertaken during the summer of 2017, three key areas for improvement to support adult carers have been identified which can be implemented without impact on the progression of the Strategy:
 - helping carers to navigate the pathway to support;
 - simplification of the assessment process;
 - increase in respite provision.

Timetable for Decisions (including Scrutiny)

- 6 The draft Strategy will be considered through relevant partner governance arrangements during October and early November 2017.
- 7 A six week public consultation is intended to be undertaken from November 2017. A report will be presented to the Adults and Communities Overview and Scrutiny Committee on 14 November 2017 as part of the consultation process. In addition the Chairman and Spokespersons of the Children and Families and Health Overview and Scrutiny Committees will be invited to attend the meeting for that item.
- 8 The consultation outcomes, the final joint Carers Strategy and an implementation plan for Leicestershire will be reported to the Cabinet in spring 2018.

Policy Framework and Previous Decisions

- 9 The relevant policy framework includes:
 - The Care Act 2014;
 - The Children and Families Act 2014;
 - Better Care Together Five Year Strategic Plan 2014-2019;
 - The Sustainability and Transformation Plan (STP);
 - The Leicestershire Adult Social Care Strategy 2016-2021;
 - Children and Family Services Commissioning Strategy 2016–2020;
 - Leicestershire County Council Provisional Medium Term Financial Strategy (MTFS) 2016/17-2019/20;
 - Leicestershire Communities Strategy 2014.
- 10 In April 2015, the first phase of the Care Act 2014 was implemented. The Act replaces most previous laws regarding adult carers and includes reforms of health and social care, prioritising people's wellbeing, needs and goals.
- 11 It gives local authorities a responsibility to assess a carer's needs for support and, where the carer appears to have such needs, to consider the impact being a carer has on their overall wellbeing.
- 12 The Children and Families Act 2014 gives young carers more rights to ask for support. A young carer's needs assessment must include an assessment of

whether it is appropriate for the young carer to provide, or continue to provide, care for the person in question, in the light of the young carer's needs for support, other needs and wishes.

Resource Implications

- 13 Within the Adults and Communities Department funding for specific adult carers services include voluntary sector support, access to one off and regular personal budgets and respite provision. The total spend for 2016/17 was £902,000 although it must be highlighted that some carers support may also be delivered within the personal budget of the cared for person, therefore this does not represent carer support costs in its totality.
- 14 In April 2017, further funding (£200,000 from 2018/2019 – 2019/2020) through the Improved Better Care Fund (IBCF) was identified to support an improved service offer for adult carers (as highlighted in the improvements to the Leicestershire carer offer) which has been informed by the engagement undertaken during the summer.
- 15 Children and Family Services commission a voluntary sector provider to undertake carers assessments and provide support to young carers across Leicestershire.
- 16 Although there are no specific resource implications relating to the overarching Strategy, the outcome of the engagement undertaken, the intended consultation, and the resulting implementation plan will establish commissioning plans for Leicestershire and ensure that Council resources are used to maximum effect in supporting unpaid carers.
- 17 The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

- 18 This report has been circulated to all Members of the County Council via the Members' News in Brief.

Officers to Contact

Jon Wilson, Director of Adults and Communities
 Adults and Communities Department
 Telephone: 0116 305 7454
 Email: jon.wilson@leics.gov.uk

Sandy McMillan, Assistant Director (Strategy and Commissioning)
 Adults and Communities Department
 Telephone: 0116 305 7320
 Email: sandy.mcmillan@leics.gov.uk

PART B

Background

The Law relating to Adult Carers

- 19 The Care Act 2014 introduced new responsibilities for local authorities from April 2015. The Act requires local authorities and health partners to work in partnership and integrate services, where possible, in order to provide seamless support, avoid duplication and achieve best value for money. It has acknowledged carers and the critical contribution they make by putting carers on a par with those for whom they care.

The Law relating to Child Carers

- 20 The Children and Families Act 2014 gives young carers more rights to ask for support. Councils must check what help any young carer needs as soon as they identify they might need help, or if the young carer asks them to. Local authorities carrying out a young carer's needs assessment must consider the extent to which the young carer is participating in or wishes to participate in education, training, recreation or employment. The Act also says that councils must assess whether a parent carer within their area has needs for support and, if so, what those needs are.

The National Carers Strategy

- 21 The Government published its National Carers Strategy in 2008 which set out the vision that by 2018, carers will be universally recognised and valued as being fundamental to strong families and stable communities. In 2010, the Coalition Government's Policy 'Recognised, Valued and Supported: next steps for the Carers Strategy' was published to ensure delivery of this vision. In October 2014 the second National Carers Action Plan was published, identifying actions to be taken over two years (2014–2016) to meet the aims of the Strategy and Policy.
- 22 The development of a new national strategy was announced in 2015, led by the Department of Health, but with a cross-government remit. As part of its development, the Department of Health asked carers, and organisations who work with carers, to input into a 'call for evidence' which closed on 31 July 2016. No date is yet set for the publication of the new strategy.

Sustainability and Transformation Plans

- 23 In 2014 'NHS England's Commitment to Carers' was released highlighting how the NHS can play a role in improving the quality of life for carers and the people for whom they care.
- 24 In 2015, NHS England produced a national plan called the 'Five Year Forward View' which explains the challenges facing the health service in England, and what's needed to overcome them and to provide a service that meets the needs of people by 2021. It then created 44 health areas, or 'footprints', across England, of which LLR is one, and these along with local authorities, were asked to create a

STP plan that demonstrated how they would deliver the NHS Five Year Forward View in their area.

The Leicester, Leicestershire and Rutland Carers Strategy

- 25 The current local LLR Carers Strategy across health and social care was put in place in 2012 and a refreshed action plan for Leicestershire was developed in 2015, pending development of the new national strategy. Achievements have included carer awareness raising, particularly in relation to GP practices and in educational settings, the implementation of carers assessments and personal budgets (for adult carers), access to advocacy for carers, and services to provide quality advice, information and support.
- 26 A number of fundamental changes across health and social care have been implemented in the last few years, including the Care Act 2014, the Children and Families Act 2014 and the release of the NHS Commitment to Carers in 2014.
- 27 In light of the changing landscape for social care, both nationally and locally, it is imperative that unpaid carers across Leicestershire who provide an estimated £1.2billion worth of support a year, are supported to continue in their caring role and to maintain their own health and wellbeing and that a new joint carers strategy is introduced to support this.

The Local Picture

- 28 As identified in the recently updated Joint Strategic Needs Assessment, the population of Leicestershire is growing – between 2012 and 2037 (25 years) it has been projected that the total population of Leicestershire will grow by 15% to over 750,000. However, this growth is not uniform across the age groups. It is expected that there will be an increase of 190% in people aged 85 years and over and an increase of 56% in people aged 65-84 years.
- 29 There will be a greater number of older people with complex care needs who will require input from all parts of the health and social care system. This will need to be supported by people providing unpaid care through informal caring arrangements. The number of carers in LLR is predicted to rise by 29% between 2015 and 2030 and across Leicestershire the number of carers over 65 are set to increase by 41% between 2017-2035.
- 30 There are around 70,000 carers in Leicestershire, 90% of whom are from a white ethnic background and 6% from an Asian/Asian British ethnic background. 57% of Leicestershire carers are female and 39% are aged between 50-64.
- 31 Census data from 2011 also shows there are over 3,500 young carers in Leicestershire, nearly 800 of whom are under 15 years of age.

Local Strategic Responses

- 32 The Better Care Together (BCT) Five Year Strategic Plan establishes the future shape of health and social care services across LLR. The Plan addresses demand issues in the system as the population is ageing and living longer with more complex, long term needs. At a time when major financial challenges are

being faced, the NHS and social care services need to be of a good quality, while being sustainable.

- 33 The local STP sets out the actions that need to be taken across the health and care system in LLR over the next five years in order to improve health outcomes for patients and ensure services are safe, of a high quality and within the financial resources available. The Plan builds on the vision of the existing BCT programme to “Support you through every stage of life, helping children and parents so they have the very best start in life, helping you stay well in mind and body, and caring for the most vulnerable and frail and when life comes to an end.”
- 34 The STP programme has established clear governance arrangements to oversee and assure delivery of the actions identified and this includes a partnership Carers Delivery Group which is responsible for developing a strategic partnership approach to carer support.
- 35 The proposed joint Health and Social Care Carers Strategy for LLR will help the Council to work together with partners to provide more integrated carer support in line with the ambitions set out in the STP.

Carer Support in Leicestershire

- 36 Children and Family Services currently commission a voluntary sector provider to deliver young carers services including advocacy, service co-ordination, group and inclusion work.
- 37 Throughout 2016/17 work was undertaken to raise the profile of young carers across Leicestershire, the aim being to build carer friendly communities, promote the issues young carers face, support recognition of the signs of young caring, and strengthen the shared responsibility between services and the resources available to them.
- 38 ‘No Wrong Doors’ is a template developed jointly by Association of Directors of Children’s Services (ADCS) and Association of Directors of Adult Social Services (ADASS) for a local Memorandum of Understanding between statutory directors of Children and Adult Social Services. It aims to help promote such services working together and enhanced partnership working with health and third sector partners. Children and Adult Social Services committed through this memorandum to work together locally, adopting a whole system, whole Council, whole family approach to providing support for young carers and their families.
- 39 Since the implementation of the Care Act 2014, the Adults and Communities Department redesigned carer support to enable carers to access both one off and regular personal budgets, alongside voluntary sector provision of advice, information and carer support groups, and to provide respite so that carers could get a break from caring.
- 40 The Adult Social Care Outcomes Framework (ASCOF) measures how well care and support services achieve the outcomes that matter most to people. A number of measures relating to adult carers are derived from a biannual survey.

- 41 In October 2016, surveys were sent to a selection of 917 adult carers and 421 responses were received. In summary, little has changed in the experiences of carers in Leicestershire since 2014-15. The majority surveyed in Leicestershire said they looked after themselves and felt safe. Overall, the majority were satisfied with their experience of Social Services, and half were satisfied with how the County Council considered their needs. However, the social aspects of carers' lives appear to be less positive, with only a minority reporting they were able to spend time as they wanted and have enough social contact with others. Furthermore, only a minority of carers felt they had enough encouragement and support.
- 42 It is intended that the Strategy will enable the Council to not only jointly deliver the vision for carers across LLR ensuring alignment with the STP priorities, but also to improve the carers offer in Leicestershire, in line with the aims of the Leicestershire Adult Social Care Strategy and the Children and Families Commissioning Strategy 2016-20.

Carer Engagement

- 43 The draft Strategy has been developed using analysis of survey and performance data, and updates from the National Carers Policy Network, but with a clear focus on local carer views and experiences expressed through the significant engagement undertaken during the summer of 2017.
- 44 In order to attain a richer insight into the experiences of local carers, a range of engagement approaches were adopted including specific events to develop the strategy and visiting a variety of forums and groups. Engagement was planned to enable carers of all ages the opportunity to identify what can help them in their caring role.
- 45 Liaison with colleagues in the Chief Executive's Department leading on the Communities Strategy engagement undertaken over the same period supported broader involvement; ensure effective alignment of engagement activity and sharing of relevant findings.
- 46 Engagement was undertaken with staff and carers employed by the County Council, and findings from a Healthwatch review of the carer support process conducted in 2016 were also considered.
- 47 Over 300 carers were involved in the engagement activity and these included young carers, new carers, long term carers, older carers and parent carers.
- 48 Key themes identified from this engagement activity included: access to appropriate information and advice; access to good quality services for both carers and the cared for to allow carers to have breaks; and increasing the understanding in society of the role of a carer and its impact.

Improvements to the Leicestershire Carer offer

- 49 In relation to the Leicestershire carer support offer, engagement with carers has enabled the Adults and Communities Department to identify key actions necessary to improve the local support offer. These are:

- Dedicated adult carer support workers to enable access to appropriate support and to help carers navigate through the care system;
- Simplification of the assessment process;
- Increased access to respite provision;
- Enhanced training for staff to increase identification, recognition and involvement of carers as partners in care planning;
- Focus on the transition from children's to adults' services using the whole family approach to ensure a smooth handover;
- Work with employers and carers (including young carers) to support them into further/higher education or employment.

50 Work will be undertaken during the consultation period to secure carer involvement in the implementation and further development of the actions identified. However, whilst the consultation is taking place, authority is sought to allow the Director of Adults and Communities to respond to internal issues identified through the engagement exercise and commence service improvement to ensure the experience of carers contacting the authority is enhanced as quickly as possible.

The new draft LLR Carers Strategy

51 The vision developed as a result of the above engagement is for unpaid carers of all ages to be identified early, feel valued, respected and supported.

52 Intelligence from the engagement process enabled the identification of eight key priorities for carers:

- | | |
|--|--|
| • Carer Identification; | • Carers are valued and involved; |
| • Carers Are Informed; | • Carer Friendly Communities; |
| • Carers can access the right support at the right time; | • Carers and the impact of Technology Products and the living space; |
| • Carers have a life alongside caring; | • Supporting young Carers. |

53 A supporting high level partnership delivery plan is contained within the draft Strategy. A final more detailed implementation plan will be developed during the consultation period and contain further actions specifically relating to the Leicestershire offer that will be reported to the Cabinet in March 2018.

54 Implementation of the final Strategy will be led by the Carers Delivery Group (a subgroup of the Sustainability and Transformation Partnership's Home First Programme Board) which has a broad range of stakeholder representatives including health and social care representatives, and representatives from Voluntary sector organisations and Healthwatch.

Consultation

55 A formal consultation would assure the partnership that the draft Strategy fairly reflects priorities from a carer perspective and support the development of a more detailed implementation plan for Leicestershire.

- 56 Subject to approval from all partners, it is intended that the consultation will be undertaken over the winter period, for a minimum of six weeks beginning in late November/early December 2017.
- 57 The consultation will seek the views of the general public, carers, service users, stakeholders and partners through an online questionnaire and targeted consultation with carers, particularly those currently accessing support from the Council.
- 58 Staff will be actively encouraged to participate through the online survey.
- 59 Outcomes of the consultation will determine the final version of the Carers' Strategy for the coming three years; establish future implementation plans across the partnership and specific actions for Leicestershire.
- 60 The outcome of the consultation will help to further shape the Strategy, inform the approach to future support for adult and child carers, and guide future commissioning decisions.

Background Papers

Report to Cabinet: 8 May 2012: Draft Carers Strategy 2012 – 2015 'Supporting the Health and Wellbeing of Leicestershire Carers'

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=3391&Ver=4>

Report to Cabinet: 5 February 2016 – Adult Social Care Strategy 2016 – 2020

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4599&Ver=4>

Report to Cabinet: 13 December 2016 – NHS Sustainability and Transformation Plan

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4608&Ver=4>

List of Appendices

Appendix A - Leicester, Leicestershire and Rutland Carers Strategy 2018 – 2021

Appendix B - Equalities and Human Rights Impact screening assessment

Equalities and Human Rights Implications

- 61 An initial screening assessment for the equalities and human rights impact has been undertaken and reviewed by the Departmental Equality Group. The screening assessment indicates that the Carers Strategy once implemented may have a positive impact on a number of protected characteristics (attached as Appendix B). The outcome of the proposed consultation will assist in identifying any further equalities and human rights impacts and these will be reported to the Cabinet in March 2018.

This page is intentionally left blank

JOINT CARERS STRATEGY 2018 – 2021

Recognising, Valuing and Supporting Carers in Leicester, Leicestershire and Rutland



Contents

1. Our Local Vision for Carers.....	3
2. Who is the Strategy for?	4
3. Impact of caring	5
4. Relevant policy and legislation	8
5. Profile of carers in LLR.....	9
6. Current carer support	11
7. What LLR Carers say.....	12
8. Key priorities and associated actions.....	15
Priority 1. Carers are identified early and recognised	16
Priority 2. Carers are valued and involved.....	16
Priority 3. Carers Are Informed.....	17
Priority 4. Carer Friendly Communities.....	17
Priority 5. Carers have a life alongside caring	18
Priority 6. Carers and the impact of Technology Products and the living space	19
Priority 7. Carers can access the right support at the right time.....	20
Priority 8. Supporting young Carers.....	21
9. Monitoring progress	22
10. Conclusion.....	22
Appendix 1 – Adult Social Care Outcomes Framework	23
Appendix 2: Effect on carers Health	24
Appendix 3: Carers ethnicity breakdown and Young carers statistics.....	25
Appendix 4: Poppi data.....	26

1. Our Local Vision for Carers

This Carers Strategy has been developed in partnership with carers across Leicester, Leicestershire and Rutland (LLR) and with the support of a number of local voluntary sector organisations, Healthwatch and local health providers. The organisations signed up to this strategy have committed to work together to deliver our local vision for carers:

‘Unpaid carers across Leicester City, Leicestershire and Rutland will be identified early, feel valued, respected and supported.

We will achieve this by working together across the many statutory and voluntary sector organisations in Leicester, Leicestershire & Rutland that come into contact with carers. These organisations will raise awareness of carers, involve carers in decision making processes and promote the benefits of early help across the area. Communities will be encouraged to support carers through awareness raising within existing community groups.

Carers will be supported effectively; they will receive accurate and relevant information, and staff will be well trained and knowledgeable about support that may prevent carers from reaching crisis. We will be clear about how carers can navigate the health and social care system and what support they can expect.

Carers will have the option to access relevant and suitable support at all points of contact, and where needed, will receive an appropriate assessment. The carers’ experience will be considered during the assessment and review processes. Carers will be enabled to care safely, maintain their own physical and mental health and well-being and have a life outside of caring.’

The strategy recognises that, working alongside partners, much can be achieved in terms of better supporting carers through increased awareness, greater appreciation of the role, and simplification of systems and processes. Although funding in relation to carers is not directly addressed within this strategy, partners have committed to deliver change for the benefit of unpaid carers across Leicester, Leicestershire and Rutland.

2. Who is the Strategy for?

This strategy is aimed towards all unpaid carers who are caring for someone that lives in Leicester, Leicestershire and Rutland (LLR) including but not limited to:

- Working Carers
- Multiple Carers
- Older Carers
- Young Carers
- Parent/ Family Carers
- Sandwich carers (those with caring responsibilities for different generations, such as children and parents)

It seeks to understand and respond to the issues related to caring that have been highlighted locally and inform carers how the partners signed up to this Strategy will work together to ensure the role of carers is recognised, valued and supported.

The Strategy also aims to highlight to a broad range of organisations, local communities and individuals the prevalence of caring, the significant impact it can have on carers lives, and what we can all do to support carers more effectively.

Who is a carer?

A carer is anyone who cares, unpaid, for a friend or family member who due to illness, disability, substance misuse or a mental health need cannot cope without their support.

A young carer is someone under 18 who cares, unpaid, for a friend or family member who due to illness, disability, substance misuse or a mental health need or an addiction cannot cope without their support.

Carers are sometimes referred to as unpaid carers, or family carers.

It is recognised that individuals often do not relate to the term 'carer' and see the caring responsibilities they carry out as part of another relationship or role i.e. as a wife, daughter, friend etc. However for the purpose of this strategy all those providing unpaid additional support to individuals who could not cope without their support will be referred to as Carers.

3. Impact of caring

Over six and a half million people in the UK are carers.¹ Looking after a person that you care about is something that many of us want to do. Caring can be very rewarding, helping a person develop or re-learn skills, or simply helping to make sure your loved one is as well supported as they can be.

“When the person we care for really struggles to do things works really hard and is then able to do something it can make us feel really happy.” Local Carer

Across LLR carers contribute around £2 billion worth of support every year² which has a significant positive impact on demand experienced across the health and social care sector. However carers can be affected physically by caring through the night, repeatedly lifting, poor diet and lack of sleep. Stress, tiredness and mental ill-health are common issues for carers. In addition, carers can often be juggling and adapting to many changes in circumstances such as, in the condition of the cared for person or the impact of a new diagnosis.

Carers often lead on arranging care provision for the person they care for, which can include communicating with a range of departments and services. Challenges that carers face include knowing which service or department to contact, which can be especially difficult when the individual they care for is transitioning through a change in service/ organisational boundaries. It is widely recognised that carer identification is an issue as carers either do not identify themselves as carers or have a reluctance to identify due to stigma, potential bullying or pressure from the cared for person not to disclose.

The home environment can have an influence on carer stress and their ability to continue in their role. The key issues that have been recognised nationally have included: Where to go for help, Housing lettings policies involving carers, Inheritance issues for carers living in rented property, equipment, adaptations, repairs and improvements, housing support and technology to help carers and families stay in the home, options for moving home, funding and affordability.³

“We have grab rails and a slope put in has made life so much easier” Local Carer

Older Carers

- The 2011 Census (UK Census, 2011) revealed that there are over 1.8m carers aged 60 and over in England⁴.

¹ Carers UK Policy Briefing | August 2015 | Facts about carers

² VALUING CARERS 2015 The rising value of carers' support

³ Carers and housing: addressing their needs

⁴ Carers Trust Retirement on Hold Supporting Older Carers

- Current data trends suggest that by 2035 there will be an increase of over 30% in the number of carers aged between 60-79, a 50% rise for carers aged 80-84 and carers over 85 will increase by 100%.⁵ (Appendix 5) Older adult carers may experience health issues themselves, and in some cases experience loss of strength and mobility, and tire more quickly.

Working Carers

- **3 million people in the UK juggle paid work with unpaid caring responsibilities**⁶. Caring can affect the type of work which carers are able to take on, aiming to find local, flexible work which can fit around caring.
- Research⁷ has indicated that over 2.3 million people have given up work at some point to care for loved ones and nearly 3 million have reduced working hours.

“We need flexibility and understanding in the workforce” Local Carer

Parent/ Family Carers

- One in three parents report that their child outliving them and not being able to care for themselves, or oversee their professional care, are their biggest concerns.⁸
- (78%) of those providing care to a child with a disability said they have suffered mental ill health such as stress or depression as a result of caring.⁹
- Over 1,500 parents with disabled children took part in a 2014 online survey for Scope. Two thirds (69%) of respondents had problems accessing the local services for their children, with eight in ten parents admitting to feeling frustrated (80%), stressed (78%) or exhausted (70%) as a result.¹⁰

“I constantly worry about the future” – Local Parent Carer

Multiple/Sandwich Carers

- Most carers (76%) care for one person, although 18% care for two, 4% for three and 2% care for four or more people¹¹. Sandwich carers find themselves caring for both younger and older generations.
- Carers with multiple caring roles report feeling exhausted and sometimes guilty that they have insufficient time to devote to their children or other close relatives in need of support.

⁵ www.poppi.org.uk version 10.0

⁶ EFC Briefing | Jan 2015 | The business case for supporting working carers

⁷ Carers UK and YouGov (2013) as part of Caring & Family Finances Inquiry UK Report (2014) Carers UK

⁸ “Who will care after I’m gone?” An insight into the pressures facing parents of people with learning disabilities Fitzroy transforming lives

⁹ CUK- State of Caring 2017

¹⁰ <https://www.scope.org.uk/media/press-releases/sept-2014/parents-disabled-children-battle-support>

¹¹ CUK- State of Caring 2017

Young Carers

- Data from the 2011 Census, reveals that **166,363 children in England are caring for their parents, siblings and family members**, an increase of 20% since 2001.
- A quarter of young carers in the UK said they were bullied at school because of their caring role (Carers Trust, 2013).
- One in 12 young carers is caring for more than 15 hours per week. Around one in 20 misses school because of their caring responsibilities.¹²
- Young adult carers aged between 16 and 18 years are twice as likely not to be in education, employment, or training (NEET)¹³

“They might be scared to admit it in case they get bullied. Social workers and schools should help them understand they are a young carer.” Local Young Carer

Top worries about becoming a carer are being able to cope financially e.g. afford the care services or equipment and home adaptations required (46%) and coping with the stress of caring (43%).¹⁴ Although finances are cited as a concern many carers do not claim benefits that they are entitled to, £1.1 billion of Carer’s Allowance goes unclaimed every year in the UK¹⁵.

The 2016 national GP patient survey found that 3 in 5 carers have a long term health condition, this compares with half of non-carers. This pattern is even more pronounced for younger adults providing care – 40% of carers aged 18-24 have a long term health condition compared with 29% of non-carers in the same age group.¹⁶ Carers report ‘feeling tired’ and experiencing ‘disturbed sleep’ as a result of their caring role, only 10% of carers have no effect on health as a result of their caring role (Appendix 2).

“Feeling that we can’t rest because we are on call to look after the person we care for all of the time can make us tired and unhappy.” Local Carer

When a person becomes a carer they give up many of the opportunities that non-carers take for granted. Carers’ can find their caring role limits the opportunities they have for a life outside their caring role. It is important we recognise the impact of caring in order to support carers to allow them to maintain caring relationships, and enjoy good mental and physical health.

¹² Hidden from view: The experiences of young carers in England

¹³ Supporting Young Carers in School: An Introduction for Primary and Secondary School Staff

¹⁴ Research summary for Carers Week 2017

¹⁵ Need to know | Transitions in and out of caring: the information challenge

¹⁶ CUK- State of Caring 2017

4. Relevant policy and legislation

Although much has been achieved in relation to the previous Leicester, Leicestershire and Rutland Strategy (2012 – 2015), there have been significant changes in government policy, including the creation of Clinical Commissioning Groups, the Care Act 2014 and the Children and Families act 2014. Whilst the new National Strategy is expected soon, a new local strategy is necessary to reflect on these changes and to ensure new local priorities can be identified and addressed that are fit for now and the future.

Care Act 2014

The Care Act 2014 came into effect from April 2015 and replaced most previous law regarding carers and people being cared for. Under the Care Act, local authorities have new functions. The Act gives local authorities a responsibility to assess a carer's needs for support, where the carer appears to have such needs. Local authorities must consider the impact of the caring role on the health and wellbeing of carers. If the impact is significant then the eligibility criteria are likely to be met. Local authorities should work with other partners, like the NHS, to think about what types of service local people may need now and in the future.

The Care Act 2014 also places a duty on local authorities to conduct transition assessments for children, children's carers and young carers where there is a likely need for care and support after the child in question turns 18. The assessment should also support the young people and their families to plan for the future, by providing them with information about what they can expect.

The Children and Families Act 2014

The Act gives young carers more rights to ask for help. Councils must check what help any young carer needs as soon as they know they might need help, or if the young carer asks them to. In the past, young carers always had to ask first if they wanted their council to check what help they needed. Local authorities, carrying out a young carer's needs assessment must consider the extent to which the young carer is participating in or wishes to participate in education, training or recreation or employment.

The Act also says that councils must assess whether a parent carer within their area has needs for support and, if so, what those needs are. This check is called a 'Parent Carer's Needs Assessment'. In the past, parents always had to ask first if they wanted their council to check what help they needed to look after a disabled child.

NHS England's Commitment for Carers

The Department of Health set out in its mandate to NHS England 'that the NHS becomes dramatically better at involving carers as well as patients in its care'. In May 2014 they published NHS England's Commitment for Carers, based on consultation with carers. Based on the emerging themes NHS England has developed 37 commitments around eight priorities, which include raising the profile of carers, education, training and information, person centred well co-ordinated care and partnership working.

Care Act 2014 - <http://www.legislation.gov.uk/ukpga/2014/23/contents>

The Children and Families Act 2014 - <http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

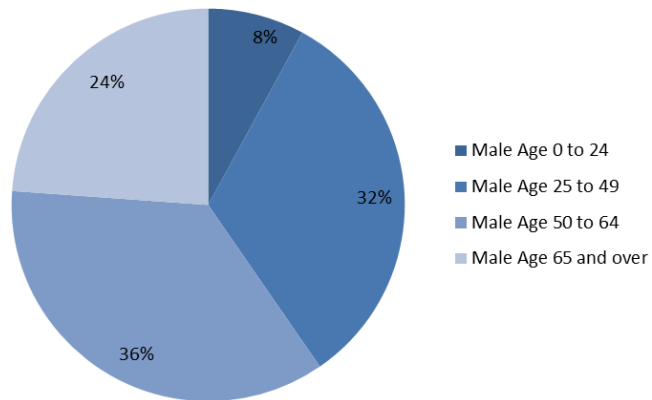
<https://www.england.nhs.uk/wp-content/uploads/2014/05/commitment-to-carers-may14.pdf>

<https://www.england.nhs.uk/wp-content/uploads/2014/05/comm-carers.pdf>

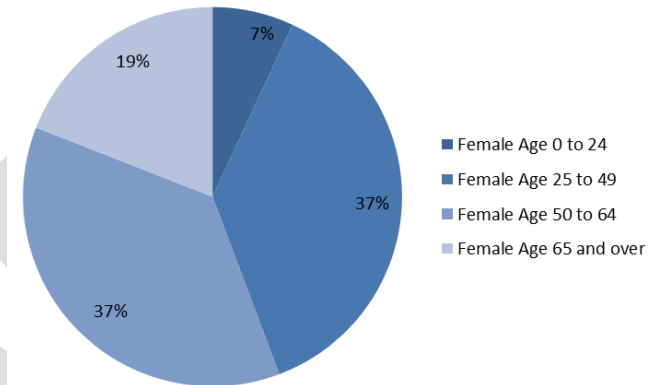
5. Profile of carers in LLR

Census data tells us that there are over 105,000 carers across Leicester Leicestershire and Rutland. Nearly 2000 of the 105,000 (2%) LLR carers are aged between 0-15 years, and worryingly 203 of these young carers provide 50 or more hours of unpaid care per week (Appendix 3). Overall, 67% of carers provide care for 1-19hrs a week. 57% of LLR carers are female, the highest provision of care for both sexes is provided by those aged 25-64.

Male LLR Carers

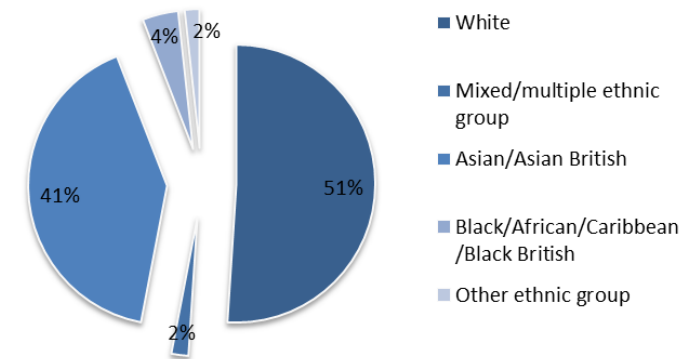


Female LLR Carers



Across Leicestershire over 90% of carers are from a white ethnic background and in Rutland it is 99%, however in Leicester City this figure is just over 50% with the remaining majority of carers coming from an Asian/Asian British background.

Carers Ethnicity Leicester



A further source to help us understand the local carer population is the number of people in the area claiming carers' allowance.

	Carers in receipt of Carer's Allowance	Total value of Carer's Allowance received (p/a) (£)	Total estimated number eligible	Total estimated value of benefit eligibility (p/a) (£)	Total estimated number of carers missing out	Total estimated value of unclaimed benefit (p/a) (£)
Leicester	4,750	14,758,250	7,308	22,705,000	2,558	7,946,750
Leicestershire	4,990	15,503,930	7,677	23,852,200	2,687	8,348,270
Rutland	180	559,260	277	860,400	97	301,140

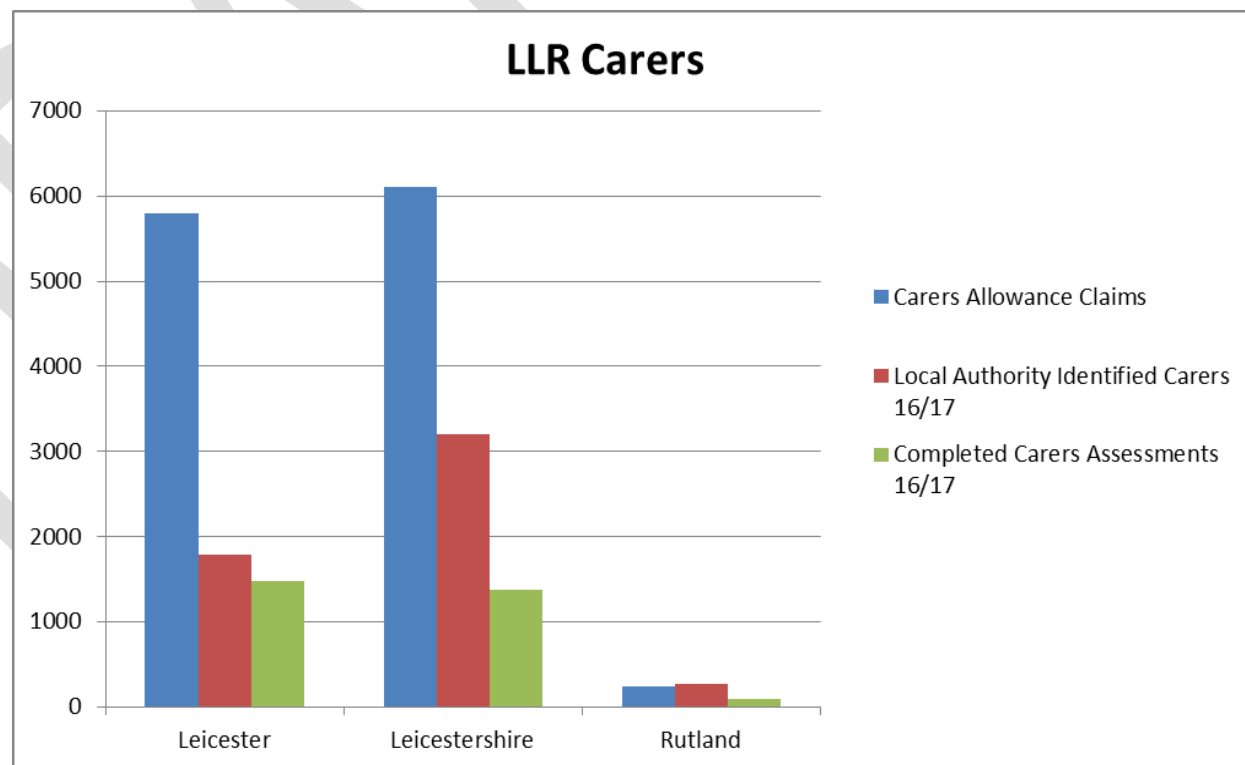
Source: Carers UK (2013)

There are a variety of reasons people do not claim carers allowance – not identifying as a carer can be an issue alongside not having appropriate information or advice regarding the claim process and general benefit entitlements.

Local figures are in line with national claim rates with an average of 35% of carers missing out on claiming carers' allowance.

Although a higher proportion of carers are identified on Leicestershire systems, a smaller proportion are accessing carers assessments in comparison to Leicester City.

When compared to the number of carers receiving carers allowance locally it is clear that a high proportion are not known to their Local Authority.



The Adult Social Care Outcomes Framework (ASCOF) uses data from a number of national sources including the Survey of Adult Carers in England (SACE) to measure how well care and support services achieve the outcomes that matter most to people. These measures are used by Leicester, Leicestershire and Rutland to monitor performance across the LLR.

As illustrated in Appendix 1, responses are varied across Leicester, Leicestershire and Rutland. Overall satisfaction with social services is high in Rutland in addition to the high proportion who feel they have been included and consulted in discussions about the person they care for. All areas have seen a small increase in the proportion who find it easy to find information about services, however less than a third of carers across LLR felt they had as much social contact as they would like. Results are static for Leicester and Leicestershire however this is a significant reduction for Rutland who reported 46% in 2014/15. Leicester City and Rutland have improved the proportion of carers who have been included or consulted about the person they care for however Leicestershire have a clear drop. This highlights opportunities to learn from local best practice, but also evidences a need to improve local carer experience as a whole.

Every two years local authorities conduct a postal survey of unpaid carers, The Survey of Adult Carers in England (SACE). The survey asks questions about quality of life and the impact that the services they receive have on their quality of life. In October 2016 surveys were sent to a selection of 1812 carers, 771 responses were received. Responses from these surveys feed into the ASCOF scores.

6. Current carer support

A number of carer support services are commissioned across LLR including support groups, support to complete a carers assessment form and websites full of useful information and advice for carers including information on local services. Through an assessment process carers may also receive a personal budget, and councils can provide respite to give carers a break from caring (including breaks for parent carers).

In addition to the services common across LLR Leicestershire County Council also commissions online forums where carers can meet other local carers and a telephone befriending service specifically for carers. Rutland County Council has dedicated adult social care carer's workers who specifically carry out carers assessments, and funds fortnightly carers support and drop in sessions for carers and parent carers.

LLR Clinical Commissioning Groups have implemented carers charters and promote carer support throughout services and in partnership with local authorities. There are a number of hospital social work teams aiming to bridge the gap between health and social care services to provide a fluid service. Rutland operates a fully integrated service where therapists and health professionals are also able to carry out carers assessments.

Across LLR with the contracted provider for young carers there have been a range of approaches including but not limited to awareness raising talks and presentations, media work; stands and stalls at events. This provider undertakes young carers statutory assessments and is implementing a family based support plan, to include as required: service co-ordination, one to one support, advocacy, support with education, employment and training, grants, inclusion work, access to holidays, ID card, signposting and referral to other agencies, under 12's group work, decorating and garden challenges.

Throughout 2016/17 work was undertaken to raise the profile of young carers across Leicestershire the aim of this work was to build carer friendly communities, promote the issues young carers face, support recognition of the signs of young caring, and strengthen the shared responsibility between services and the resources available to support young carers.

The education system was targeted from primary level right up to university and each educational establishment visited was asked to have a 'named' member of staff (to be known as 'Young Carers Champion') who proactively promotes the young carers agenda, thus increasing the likelihood of young carers being identified. This has created a network of Young Carer Champions.

7. What LLR Carers say

The challenges a carer faces will be dependent on numerous factors and are individual to that carer. In order to attain a richer insight into the experiences of local carers, a range of engagement approaches were adopted in addition to analysis of survey and performance data already available.

Events were held over the summer of 2017 to ensure carer experiences and views were captured from a diverse range of carers within different caring roles and at varying stages of their caring journey. Fifteen workshops and focus groups were conducted. Numerous questionnaires and an online survey also ensured carers were given the opportunity to have their voice heard.

Through these events and further focus groups, workshops and questionnaires, over 300 carers have shared their views and experiences based around issues that we know are important to carers, such as recognition, identification, health and wellbeing, having a life outside of caring and supportive communities.

The carers were from a range of backgrounds: including parent carers, carers of different ethnic origins, young carers, older carers and working carers. Contributions were received through numerous partners, including, Leicestershire District Councils, Healthwatch, and from a number of local voluntary sector organisations. Outcomes were captured, coded and themed, in order for the most common experiences, concerns and potential solutions to be drawn from the variety of sources. In brief, key areas highlighted include:

Access to appropriate information and advice: carers lacked clarity in relation to where to look for information, not having access to digital information and provision of information not only for the carer but information that supports the cared for individual .

"Getting correct information that is up to date can be an issue"

"Making clear the support that is available, so that a person with a disability knows they can cope without a carer"

"Temples/faith groups /clubs help with social isolation"

Access to good quality services for both carers and the cared for: Carers want good quality services for both themselves and the cared for person. Before they are happy to access any type of service for themselves they need to know the cared for person is being appropriately supported.

"Need better quality support services for carers and family"

"Need some joint services for carers and cared for so we can get out together"

Increasing understanding in society of what a carer is: There is a need to increase early identification of carers but also to ensure that once identified people understand the issues they face and value the contribution they make.

"Carers don't recognise being a carer as a separate role"

"Being listened to as a family carer as someone who knows some of the problems the person has and recognising how the caring impacts on us as carers."

"Need to educate people on what a carer is"

The carers engagement work provided a real insight into the things that are important to carers locally, and their views on things that needed to be improved. It was clear that carers needed support, breaks from caring, and the opportunity to take care of themselves more, but it was also clear that small changes organisations can easily make could have a big impact on valuing carers.

"We need to feel valued and respected as people who provide help. This means that we have a lot of knowledge that is important about the person we care for and how they need help."

"Carers who are willing and able to care for their vulnerable family or friends need to be considered as co-partners in the delivery of care and support". Healthwatch Leicestershire Carers Lead

In addition to the engagement activity, a focussed research activity has been undertaken specifically considering issues faced by 30 women carers between the ages of 45-65 (the group that provides the highest amount of unpaid care) findings from the research were in line with the findings from engagement activity undertaken.

Alongside wishing for more help in their caring role, family background and values, culture and religion played a part as to why these women were caring. Asian and Asian British participants of the study described cultural and moral expectations from local communities that they provided the care required themselves and reported they would feel ashamed if they paid someone else to do it¹⁷.

The research confirmed that those in caring roles who work will reduce or compress their working hours to accommodate their caring duties, some participants reported staying longer than they would have liked to have done in their existing roles because of their working pattern and ability to manage their caring alongside employment.

However there were examples where the caring role had prompted what they termed as positive changes in their working lives, including limiting the number of hours worked per week but at the same time progressing their career development.

“... I’ve spoken to people in the past who are carers who are wanting to go back to work and they don’t see that they have any skills...
“hang on a minute, you run a house, you liaise over 4 kids and after school clubs and you do this, that and the other. You know you’ve got huge organisational skills.... it’s having that wherewithal to think ‘well actually what I did now converts to x, y and z’. ...Because there is a huge skill set in caring,
-Research participant

Recommendations from the research paper include that organisations and carer services manage diversity and not equality – personalising support and opportunities as although they may be perceived to be in similar situations what support is needed may be different for individuals. Organisations should have clear and concise policies to support working carers that are not open to interpretation. They should, offer guidance and coaching to managers and opportunities for carers and that women are encouraged to discuss personal development in their careers, should they wish to, utilising skills developed while caring. Additionally, carers should be supported in the development of further skills required for caring.

¹⁷ Oldridge L (forthcoming), Care(e)rs: An examination of the care and career experiences of mid-life women who combine formal employment and informal caring of a dependent adult, To be submitted as a PhD Thesis 2017, De Montfort University, UK

8. Key priorities and associated actions

Partners across LLR have drawn together national guidance, local data, the key themes from the engagement activity undertaken, and considered the local carers offer to determine key areas of development and improvement during the lifetime of this strategy. They are illustrated as key priorities, and for each priority high level partnership actions have been determined.

More detailed action plans incorporating individual organisational actions will be developed during the consultation phase of this strategy.

LLR's commitment to support a carer's journey

1	2	3	4	5	6	7	8
Carer Identification	Carers are valued and involved	Carers Are Informed	Carer Friendly Communities	Carers have a life alongside caring	Carers and the impact of Technology Products and the living space	Carers can access the right support at the right time	Supporting young Carers

Partnership response

Raising staff awareness across partner organisations Proactive communications to the wider public	Recognition of carers at all parts of the pathway Involvement of carers in service changes and new initiatives	Awareness raising and targeted training for frontline staff. Improving access to Information and Advice	Embedding carer awareness Support the development of local initiatives	Promoting carers within our organisations and other employers Support carers through flexible policies Benefits advice Flexible and responsive carer respite	Involving carers in housing related assessments, understanding carers perspectives Simplifying processes and ensuring information is consistent	More effective partnership working Supporting carers to develop skills Support offer that is flexible and appropriate to needs	Focus on whole family Awareness raising and early identification Transitioning to adult services
--	---	--	---	---	--	--	--

Priority 1. Carers are identified early and recognised - Building awareness of caring and its diversity	
What we found	What we will do
Carer identification was a key theme. Services that work with carers reported a difficulty in getting carers to recognise themselves as carers. Carers described not accessing support until they reached crisis point as they had not recognised themselves as carers before that point.	• The partnership will increase awareness of unpaid carers to the general public. Promoting identification of carers through pharmacies, housing representatives and other frontline workers. • LLR Clinical Commissioning Groups will include information on carers and increase carer awareness in practice staff inductions. They will aim to increase the number of carers identified on GP practice registers.
How will we know if it's worked?	
• Increase in identified carers – GP registers, council systems, carers recorded to be accessing other commissioned services • Increase in carers referred to carer support services • Increase in the uptake of carers assessments	
Priority 2. Carers are valued and involved - Caring today and in the future	
What we found	What we will do
Carers do not feel supported, valued or empowered in their caring role, often not being kept informed, or not seen as a key partner in care.	• The partnership will work to develop a joined up approach to carer involvement across the health and social care pathway, with an initial focus on preventing admissions and supporting discharges from hospital. • We will ensure carer perspectives are recognised in future commissioning activity across LLR • We will share training tools that support carer awareness and involvement
How will we know if it has worked	
• Increased satisfaction level from carers within the next carers survey • Increase in carers known/ receiving assessment by local authorities	

Priority 3. Carers Are Informed - Carers receive easily accessible, appropriate information, advice and signposting	
What we found	What we will do
There was recognition through engagement that information about carer issues was difficult to find and carers needed to actively seek out support and information rather than it being offered.	• We will strive to develop an integrated, partnership approach to information and advice across organisations, teams and resources. • All Partners will raise awareness of the local carers offer
How will we know if it has worked	
• Increase in the proportion of carers who find it easy to find information about services • Increase in carers identified and assessed • Increase in access to carer support groups	
Priority 4. Carer Friendly Communities	
What we found	What we will do
Feedback included carers wanting services and support available “in smaller pockets within localities as access to services is often difficult due to the obscure shape of the localities”. Other feedback from carers included “help should be offered rather than having to ask for it” Those in minority or geographically isolated groups need support too.	• The partnership will work with local communities’ to aid early identification of carers and promotion of carer awareness. They will specifically target communities and groups that don’t traditionally identify themselves as carers or who may struggle to access support. This will include working alongside broader partners, such as district councils, educational services, parish councils and across the voluntary sector. A key theme will be planning for the future and preventing crisis. • The partnership will encourage/ support growth of new carer support groups in localities and hard to reach communities.
How will we know if this has worked	
• Local community groups being accessed • Increase in carers identified and assessed, and increase in carer quality of life	

Priority 5. Carers have a life alongside caring – Health, employment and financial wellbeing	
What we found	What we will do
Carers feel their caring role is not valued at work and flexibility was a key factor in the ability to continue to work Carers cite financial worries as one of their biggest concerns. Carers highlighted that they often neglect their own health and wellbeing Carers also felt respite was essential to enable them to continue within their caring role.	• The partnership will work with local employers to raise awareness of carers in employment – cascading supporting policies and procedures • Partners will improve support to the carers we employ through flexible policies • Partners will ensure there is flexible and responsive respite provision to enable carers to have a break, including short breaks to families with a child with Special Educational Needs and Disability. • The partnership will work to ensure that carers are encouraged to take up screening invitations, NHS Healthchecks and flu vaccinations, where relevant.
How will we know if it has worked?	
• Employee carers groups will grow and information will be regularly shared to support carers at work • More carers feel they have as much social contact as they want • Increase in carer quality of life	

Priority 6. Carers and the impact of Technology Products and the living space

What we found	What we will do
The home environment plays a key part in enabling a carer to undertake their caring role. A carers perspective should be considered throughout relevant assessment processes. Although most workers would consult carers and some positive feedback was received the approach was not consistent. It was also found across LLR local authorities do not hold enough information on carers and their tenure status. Some Leicestershire carers found equipment often took a long time to be acquired due to the longevity and inconsistency in processes followed, having a real impact on their ability to care..	• The partnership will work to ensure carers are recognised, considered and where possible involved in housing, equipment or adaptations processes. • All organisations will support carer awareness within housing departments. LLR aim to gather more information on carers and tenure status to better determine the effects of housing on the caring role
How will we know if it has worked	
• Carer involvement during the initial assessment • Guidance across all districts giving the same advice • More information and better understanding of the relationship between carers and housing tenure status	

Case Study

A Leicestershire based carer required a stair lift for her mother and made the initial call to Leicestershire County Council in September 2011 requesting an assessment. An Occupational Therapist visited the cared for in January 2012 to carry out an assessment and in February 2012 made a referral to the locality housing team and the stair lift was fitted in May 2012. This meant that the family waited eight months for a stair lift. When this case was scrutinised it was found the delays were caused by the amount of time the referral took to be transferred to the district council.

Priority 7. Carers can access the right support at the right time - Services and Systems that work for carers	
What we found	What we will do
Carers wanted to receive support that recognised their individual circumstances, and sometimes needed support to navigate through the system. Throughout all engagement work carers felt access to services was challenging due to lack of integration (with the exception of many carers based in Rutland) and felt the services they received were often disjointed due to interdepartmental transfers or change in funding streams. Some carers felt confused about which organisation is responsible for what, and felt health and social care should work better together.	• The LLR partnership will consider carers in the development of integration projects and work to join up/ align commissioning practices to avoid duplication/ lack of alignment. • The partnership will work to ensure that carers are encouraged to take up screening invitations, NHS Healthchecks and flu vaccinations, where relevant. • LLR- training for use of equipment for changes in housing – direct one to one training through OT in Rutland and Leicestershire
How will we know if it has worked	
• Improvements in carer quality of life and satisfaction with social services.	

Priority 8. Supporting young Carers	
What we found	What we will do
Young carers identified the need for services to be more integrated. This is particularly significant at the point of transition from children's to adult services. Young Carers often miss education due to their caring responsibilities this can impact on them when it comes to employment. Young carers identified the need to be 'young people' rather than in the carer role all the time, leading to the need for 'time off' or respite time.	• The partnership will work together to maximise the identification of young carers by working with schools to raise awareness across the area. • We will focus on the transition from children's to adults' services using the whole family approach to ensure a smooth handover, and work with employers and young carers to support them into further/higher education or employment.
How will we know it has worked	
• Evaluation of the assessments showing improved outcomes and a reduction in needs • Improved school attendance and higher achievement academically leading to greater potential to access employment • Clear identification of young carers in education settings leading to an increase in referrals for assessments and/or group work support • Group work outcomes will show positive impact reducing the need for support services involvement with families	

9. Monitoring progress

As part of the Sustainability and Transformation Plan (STP) governance structure, the Carers Delivery Group have led on the development of this strategy and recognise the impact that positive carer support can have across all workstreams. The group will work alongside partners to ensure the carers perspective is considered and responded to.

During the consultation phase more detailed action plans will be developed to further capture both partnership and ensure all key activities, timescales and measures of impact are in place. These action plans will be overseen by the Carers Delivery Group which will report progress to the Home First Programme Board.

In order to ensure the involvement of carers in overseeing delivery of the strategy, a carers reference group will be created which will track progress against key milestones.

10. Conclusion

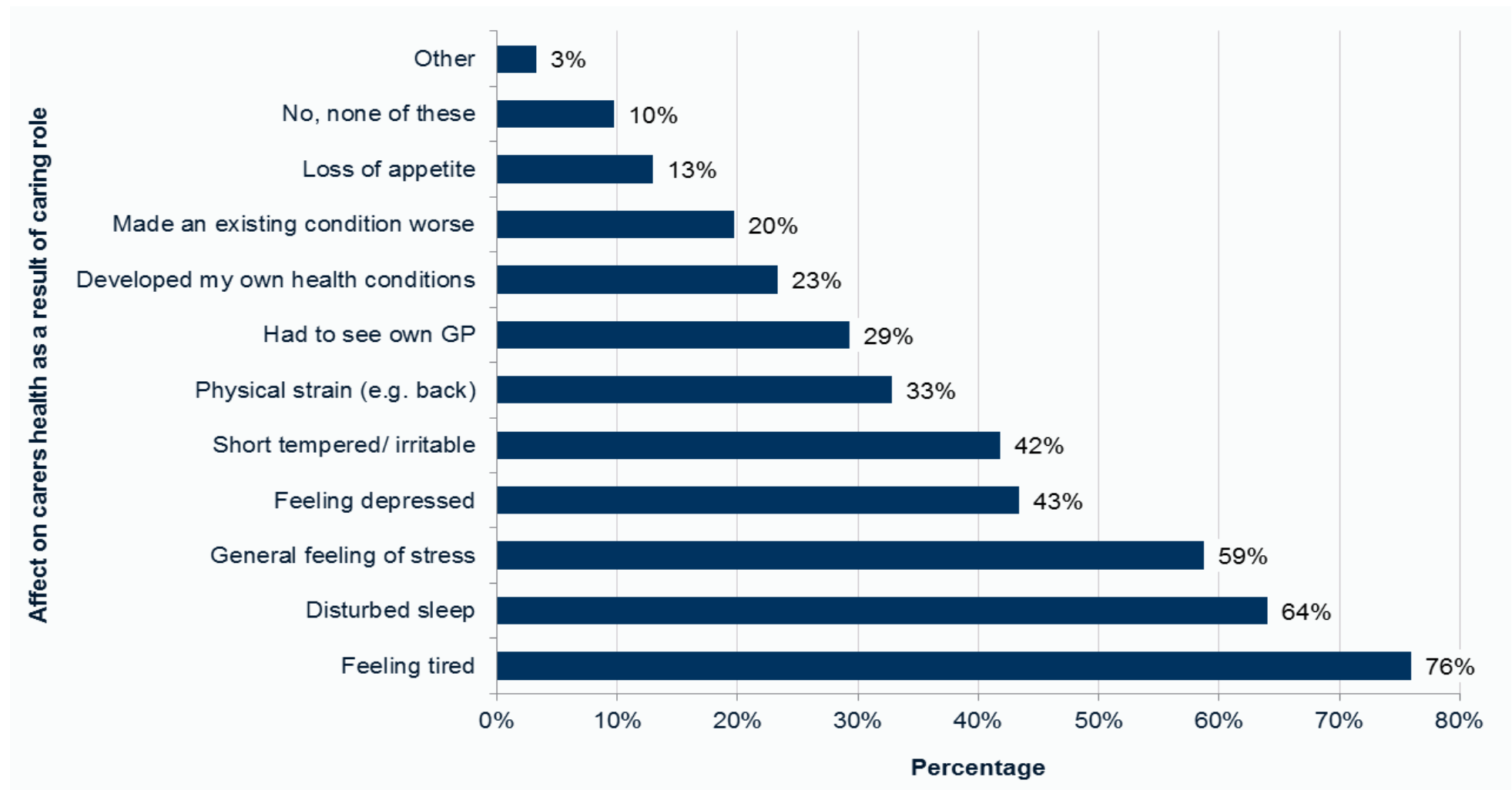
Whilst recognising the significant contribution that carers make across the health and social care economy, it is clear from our review of evidence and through significant engagement undertaken, that more can be done to recognise, value and support carers across Leicester, Leicestershire and Rutland.

This strategy recognises that improvements in carer support will not only contribute to improved health and wellbeing for those with caring responsibilities, but will also help the local health and social care economy rise to the challenges of a changing local population.

Appendix 1 – Adult Social Care Outcomes Framework

	Measure		2012-13	2014-15	2016-17
1D	Carer reported Quality of Life	NATIONAL	8.1	7.9	
		LCC	7.9	7.4	7.5
		CITY	7.1	7.2	7.2
		RUTLAND	9.0	8.4	7.9
1I (2)	% of carers who felt they had as much social contact as they would like	NATIONAL	N/A	38.5 %	
		LCC	N/A	32.5%	31.4%
		CITY	N/A	31.9%	31.0%
		RUTLAND	N/A	46%	31.1%
3B	Overall satisfaction of carers with social services	NATIONAL	42.7	41.2 %	
		LCC	43.3%	41.2%	31.2%
		CITY	37.9	37.7%	43.5%
		RUTLAND	62.4	55.8%	62.1%
3C	The proportion of carers who report that they have been included or consulted in discussions about the person they care for	NATIONAL	72.9	72.3 %	
		LCC	75.6%	72.5%	68.5%
		CITY	63.5	68.5%	70.7%
		RUTLAND	92.6	76.7%	84.6%
3D (2)	The proportion of carers who find it easy to find information about services	NATIONAL	71.4	65.5 %	
		LCC	65.5%	58.4%	63.5%
		CITY	52.5	55.5%	57.3%
		RUTLAND	78.0	76.8	79.5%

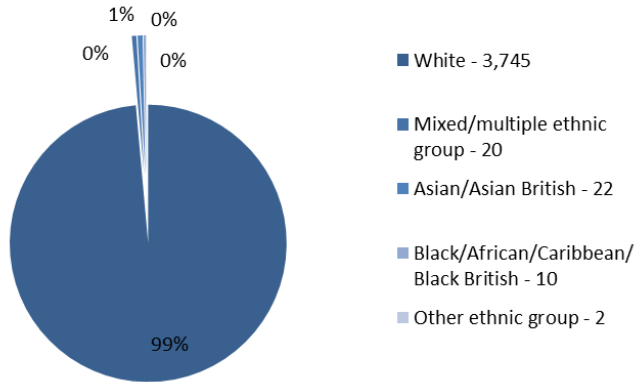
Appendix 2: Effect on carers Health



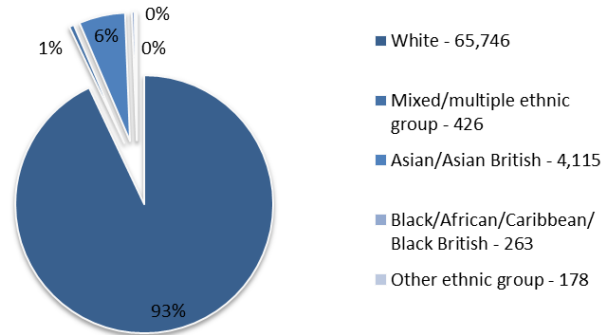
Source: SACE, NHS Digital

Appendix 3: Carers ethnicity breakdown and Young carers statistics

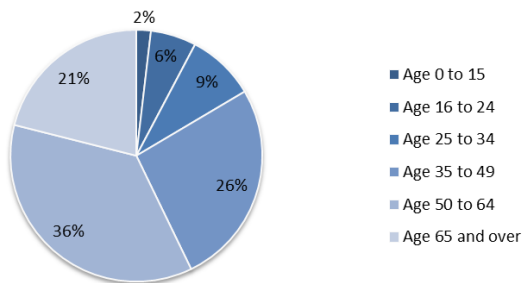
Carers Ethnicity Rutland



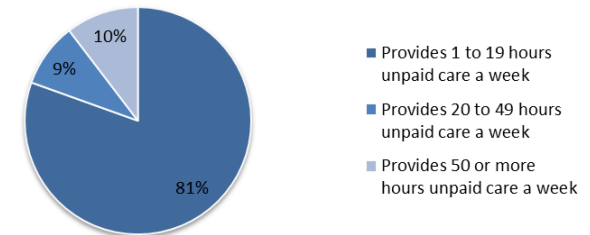
Carers Ethnicity Leicestershire



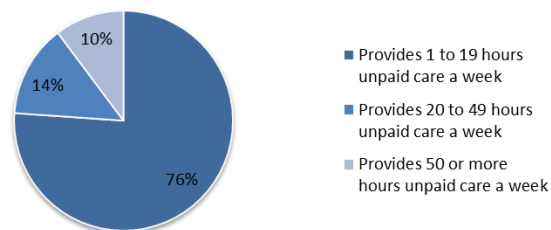
Age of LLR Carers



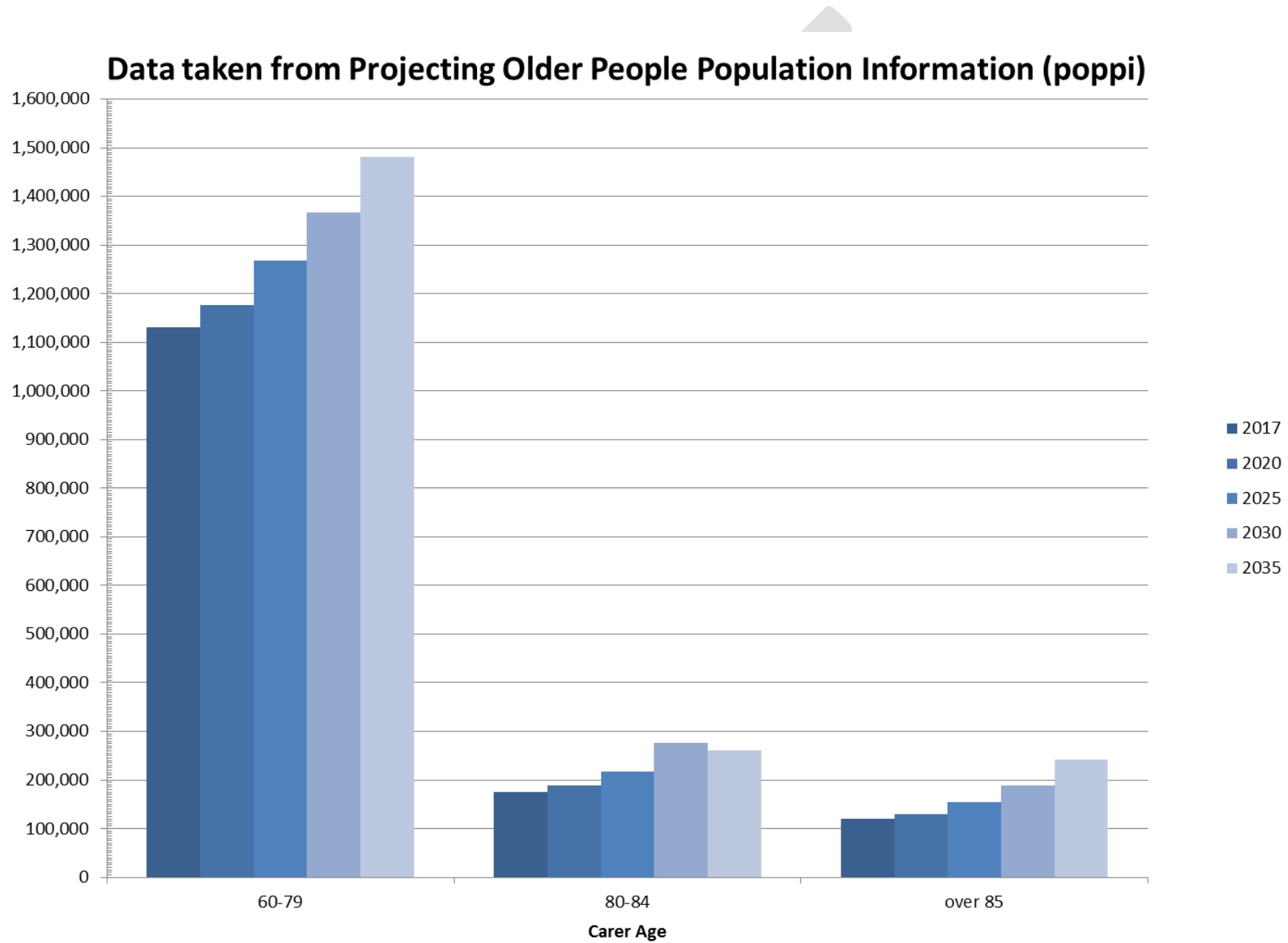
LLR Young Carers Age 0 to 15



LLR Young Carers Age 16 to 24



Appendix 4: Poppi data



APPENDIX B

Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service** for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service** may have an adverse impact on a particular community or group of people. It will ultimately ensure that as an Authority we do not discriminate and we are able to promote equality, diversity and human rights.

Before completing this form please refer to the EHRIA [guidance](#), for further information about undertaking and completing the assessment. For further advice and guidance, please contact your [Departmental Equalities Group](#) or equality@leics.gov.uk

***Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

Key Details	
Name of policy being assessed:	Leicester, Leicestershire and Rutland (LLR) Carers Strategy 2018-2021
Department and section:	Adults and Communities – Commissioning & Quality
Name of lead officer/ job title and others completing this assessment:	Nicki Jarvis & Chetna Keshav - Carers Officer Amanda Price – Commissioning Business Manager
Contact telephone numbers:	0116 305 9382 or 0116 305 3982
Name of officer/s responsible for implementing this policy:	Nicki Jarvis & Chetna Keshav - Carers Officers
Date EHRIA assessment started:	07.08.2017
Date EHRIA assessment completed:	

Section 1: Defining the policy

Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of this policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in Leicestershire County Council's Equality Strategy.

1	What is new or changed in this policy? <i>What has changed and why?</i> A new LLR Carers strategy is required as the current strategy ran 2012-2015 with an interim strategy in place since this time. In light of delays to the development of the New National Strategy it has been decided locally to develop a joint strategy alongside Leicester, Leicester and Rutland, across Health and Social Care, which recognises the changing local landscape and the increasing need to effectively support carers. The strategy will be developed to ensure that Care Act requirements are adhered to and meet the requirements of any new national strategy or national guidance where available A draft strategy has been developed alongside unpaid carers with the intention to conduct a formal consultation during the winter of 2017/18. The consultation will further inform this EHRIA which will be reported back to the DEG, and finally to the cabinet early next year, with a view to ensuring a new strategy and associated action plan is in place from April 2018.
2	Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i> In relation to Leicestershire County Council the strategy will relate to a number of other policies and strategies held including: the Adult Social Care Strategy, the Older Persons and Working Age Adults Accommodation strategies, and the Adult Social Care Workforce strategy. The development of the strategy has also been aligned with the refresh of Leicestershire County Council's Communities Strategy. As part of the overarching Sustainability and Transformation Plan governance, the Carers Strategy is expected to relate to a significant number of emerging plans across LLR. In particular the emerging Mental Health, and Dementia Strategies and the Home First Programme will need to ensure alignment with the outcomes of the final Carers Strategy. Partner Organisations who will be signing up to this strategy are: Leicester City Council Rutland County Council Leicester city, West Leicestershire and East Leicestershire and Rutland CCG's. The final strategy is expected to inform specific commissioning decisions relating to carers, not only for Leicestershire but across partner organisations.
3	Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?

	The target group are unpaid carers across LLR and the intention is to develop a new strategy for all age carers across Leicester, Leicestershire and Rutland with the aim of improving carer wellbeing and ensuring information, advice and support is tailored to needs across a broad spectrum of carers. This includes young carers, parent carers, older carers, long term carers and those new in their caring role. Unpaid carers contribute significantly to the health and social care economy and carer wellbeing can be significantly negatively impacted. It is therefore necessary to ensure carers are identified, recognised and supported to continue in their caring role.			
4	Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? (Please tick and explain how)			
		Yes	No	How?
	Eliminate unlawful discrimination, harassment and victimisation	X		Raise awareness of carers issues and impact of caring – ensure fair access to support
	Advance equality of opportunity between different groups	x		Through increased awareness of unpaid carers and services available
	Foster good relations between different groups	x		Through integrated working with Health partners and other local authorities, across a broad spectrum of communities.

Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

Section 2: Equality and Human Rights Impact Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for this policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to [Section 3](#) on Page 7 of this document.

Section 2

A: Research and Consultation

5.	Have the target groups been consulted about the following?	Yes	No*
		x	

	important to them;		
	b) any potential impact of this change on them (positive and negative, intended and unintended);	x	
	c) potential barriers they may face	x	
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?	x	
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?	x	
8.	*If you answered 'no' to the question above, please use the space below to outline what consultation you are planning to undertake, or why you do not consider it to be necessary.		

Section 2

B: Monitoring Impact

9.	Are there systems set up to:	Yes	No
	a) monitor impact (positive and negative, intended and unintended) for different groups;	x	
	b) enable open feedback and suggestions from different communities	x	

Note: If no to Question 8, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.

Section 2

C: Potential Impact

10.	Use the table below to specify if any individuals or community groups who identify with any of the ' protected characteristics ' may <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.			
		Yes	No	Comments
	Age	X		This a broad all age strategy and the actions within it will aim to have a positive impact on all carers. It is recognised however that, due to the locally ageing population profile in Leicestershire and Rutland, there will be a

				growing number of older carers requiring advice, information and support. Therefore actions developed as a result of the final strategy will recognise that carer support will need to be accessible for carers within this age group. In addition, it has been highlighted that the identification of young carers is an issue across LLR. Actions will ensure there are specific efforts to identify young carers and provide age appropriate support.
	Disability	X		Unpaid carers play a significant role in supporting those with disabilities and supporting carers well can lead to improved outcomes, including preventing crisis. It must also be recognised that, particularly in line with the rising older population, a number of carers may also have disabilities. The strategy will therefore recognise the importance of ensuring carers own health and wellbeing is considered and supported.
	Gender Reassignment	X		Ongoing engagement with carers has recognised that there may be specific groups who are less likely to be willing to access support. Further work will be required to understand specifically the issues relating to gender reassignment, but the strategy and resulting action plan will aim to increase the accessibility of information, advice and support for all groups with protected characteristics.
	Marriage and Civil Partnership	X		As per the Care Act, it is crucial to establish whether an individual is both able and willing to undertake caring responsibilities. Engagement has highlighted that carers

				can often experience a blurring of their status as a partner/ wife/ husband when undertaking a caring role. The strategy will aim to ensure that the potential for assumptions to be made regarding willingness to care are minimised.
	Pregnancy and Maternity	X		An increasing number of carers are likely to have dual caring responsibilities. For example a carer may have a young child with disabilities, but also have caring responsibility for their parents. In addition further information is required relating to young carers. Therefore the potential impact for this protected characteristic will be further explored during the consultation period.
	Race	X		LLR as a whole has a varied demographic profile in relation to race. It is critical that regardless of race all carers are effectively identified and supported to access the support they need. The strategy will aim to ensure that support for carers is inclusive and accessible for all. Further engagement and consultation will determine any potential access/ support issues in relation to race.
	Religion or Belief	X		Engagement activity has highlighted that there may be a greater reluctance to access support for individuals from particular religions or with particular beliefs. Further evidence will be collated during the consultation phase, but the strategy will aim to ensure active identification and promotion of support where there may be a greater reluctance to access that support. The

				strategy will also ensure that the way in which support is promoted is inclusive.
	Sex	X		As evidenced within census data and local social care data, a higher proportion of carers are female. Due to the potential negative impacts that caring can have, including wellbeing, health and financial impacts, the greater impact on females will be recognised and responded to within the strategy.
	Sexual Orientation	X		Further exploration of the specific impact of caring relating to sexual orientation is required. However the Strategy will aim to ensure that carer wellbeing and support is inclusive and accessible for all, and promotion is targeted where there is a deemed underrepresentation in terms of access to support.
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	x		It has been identified through early engagement that carers find it difficult to access services in rural communities. Carers are reported to often neglect their own health and wellbeing, and often highlight financial worries and problems in accessing/ maintaining employment. All of the above impacts will be considered and reflected in the priorities within the strategy.
	Community Cohesion	x		A specific element of the draft strategy is to consider the impact that local communities can play in supporting carers. Engagement to date has already highlighted the value of local support. Therefore specific actions will be developed that are likely, in turn, to have a positive impact on community cohesion.
11.				

Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick) Explain why you consider that any particular article in the Human Rights Act may apply to your policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]			
	Yes	No	Comments
Part 1: The Convention- Rights and Freedoms			
Article 2: Right to life	x		Local engagement, supported by national research has highlighted that caring can have a significant impact on opportunities for carers to lead a fulfilling life. A key aim of the strategy will be to support carers to have a life outside of caring, and to support their own health and wellbeing. It will also ensure assumptions are not made about ability or willingness to care.
Article 3: Right not to be tortured or treated in an inhuman or degrading way	x		The strategy recognises the significant pressure often associated with caring responsibilities and aims to improve carer wellbeing through access to support and relevant services, minimising the potential for carers to be relied upon inappropriately.
Article 4: Right not to be subjected to slavery/ forced labour	X		The strategy ensures carers understand that caring is a choice and help is available if they need it. This is especially relevant where the role of young carers is considered.
Article 5: Right to liberty and security		X	
Article 6: Right to a fair trial		X	
Article 7: No punishment without law		X	
Article 8: Right to respect for private and family life	x		Engagement with carers has highlighted the difficulty of maintaining a life outside of caring and the blurring of

				identify (e.g. wife v carer). The Carers strategy will aim to ensure that carers are enabled to maintain other relationships aside from their caring role and where assessments are undertaken, will aim to only ask questions which are relevant to their caring role.
	Article 9: Right to freedom of thought, conscience and religion	x		Through access to tailored and flexible carer support within the local community setting.
	Article 10: Right to freedom of expression	X		Survey results, reinforced through engagement, has highlighted that carers often do not feel listened to, or involved in discussions about the care of the individual they support. The strategy will ensure carer awareness is increased and front line professionals provide opportunities for carers to express their views.
	Article 11: Right to freedom of assembly and association		X	
	Article 12: Right to marry		X	
	Article 14: Right not to be discriminated against	x		Engagement specifically with working carers has highlighted difficulties in securing and maintaining employment, whilst undertaking caring responsibilities, particularly where dual caring responsibilities are prevalent. Supporting carers ability to work through supporting local employers and raising awareness of carer needs and care friendly resources
	Part 2: The First Protocol			
	Article 1: Protection of property/ peaceful enjoyment		X	
	Article 2: Right to education	X		The young carers aspect of the strategy will aim to support young carers in education
	Article 3: Right to free elections		X	
Section 2				

D: Decision				
12.	Is there evidence or any other reason to suggest that:	Yes	No	Unknown
	a) this policy could have a different affect or adverse impact on any section of the community;		X	
	b) any section of the community may face barriers in benefiting from the proposal		X	
13.	Based on the answers to the questions above, what is the likely impact of this policy			
	No Impact ☐	Positive Impact ☒	Neutral Impact ☐	Negative Impact or Impact Unknown ☐
Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.				
14.	Is an EHRIA report required?	Yes ☐	No ☒	

Section 2: Completion of EHRIA Screening

Upon completion of the screening section of this assessment, you should have identified whether an EHRIA Report is required for further investigation of the impacts of this policy.

Option 1: If you identified that an EHRIA Report is required, continue to [Section 3](#) on Page 7 of this document to complete.

Option 2: If there are no equality, diversity or human rights impacts identified and an EHRIA report is not required, continue to [Section 4](#) on Page 14 of this document to complete.

Section 3: Equality and Human Rights Impact Assessment (EHRIA) Report

Section 3: Equality and Human Rights Impact Assessment Report

This part of the assessment will help you to think thoroughly about the impact of this policy and to critically examine whether it is likely to have a positive or negative impact on different groups within our diverse community. It is also to identify any barriers that may detrimentally affect under-represented communities or groups, who may be disadvantaged by the way in which we carry out our business.

Using the information gathered either within the EHRIA Screening or independently of this process, this EHRIA Report should be used to consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights as outlined in Leicestershire County Council's Equality Strategy.

Section 3

A: Research and Consultation

When considering the target groups it is important to think about whether new data needs to be collected or whether there is any existing research that can be utilised.

- | | |
|-----|---|
| 15. | <p>Based on the gaps identified either in the EHRIA Screening or independently of this process, <u>how</u> have you now explored the following and <u>what</u> does this information/data tell you about each of the diverse groups?</p> <ul style="list-style-type: none"> a) current needs and aspirations and what is important to individuals and community groups (including human rights); b) likely impacts (positive and negative, intended and unintended) to individuals and community groups (including human rights); c) likely barriers that individuals and community groups may face (including human rights) |
|-----|---|

16.	Is any further research, data collection or evidence required to fill any gaps in your understanding of the potential or known affects of the policy on target groups?
When considering who is affected by this proposed policy, it is important to think about consulting with and involving a range of service users, staff or other stakeholders who may be affected as part of the proposal.	
17.	Based on the gaps identified either in the EHRIA Screening or independently of this process, <u>how</u> have you further consulted with those affected on the likely impact and <u>what</u> does this consultation tell you about each of the diverse groups?
18.	Is any further consultation required to fill any gaps in your understanding of the potential or known effects of the policy on target groups?

Section 3**B: Recognised Impact**

19.	Based on any evidence and findings, use the table below to specify if any individuals or community groups who identify with any 'protected characteristics' are <u>likely</u> be affected by this policy. Describe any positive and negative impacts, including what barriers these individuals or groups may face.	
	Comments	
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities		
Community Cohesion		

20.	Based on any evidence and findings, use the table below to specify if any particular Articles in the Human Rights Act are <u>likely</u> apply to your policy. Are the human rights of any individuals or community groups affected by this proposal? Is there an impact on human rights for any of the protected characteristics?	
		Comments
	Part 1: The Convention- Rights and Freedoms	
	Article 2: Right to life	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way	
	Article 4: Right not to be subjected to slavery/ forced labour	
	Article 5: Right to liberty and security	
	Article 6: Right to a fair trial	
	Article 7: No punishment without law	
	Article 8: Right to respect for private and family life	
	Article 9: Right to freedom of thought, conscience and religion	
	Article 10: Right to freedom of expression	
	Article 11: Right to freedom of assembly and association	
	Article 12: Right to marry	
	Article 14: Right not to be discriminated against	
	Part 2: The First Protocol	
	Article 1: Protection of property/ peaceful enjoyment	
	Article 2: Right to education	
	Article 3: Right to free elections	

Section 3**C: Mitigating and Assessing the Impact**

Taking into account the research, data, consultation and information you have reviewed and/or carried out as part of this EHRIA, it is now essential to assess the impact of the policy.

- 21.** If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons.

N.B.

i) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.

ii) If you have identified adverse impact or discrimination that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

- 22.** Where there are potential barriers, negative impacts identified and/or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.
- a) include any relevant research and consultations findings which highlight the best way in which to minimise negative impact or discrimination
 - b) consider what barriers you can remove, whether reasonable adjustments may be necessary, and how any unmet needs that you have identified can be addressed
 - c) if you are not addressing any negative impacts (including human rights) or potential barriers identified for a particular group, please explain why

Section 3**D: Making a decision**

- | | |
|------------|---|
| 23. | Summarise your findings and give an overview as to whether the policy will meet Leicestershire County Council's responsibilities in relation to equality, diversity, community cohesion and human rights. |
|------------|---|

Section 3**E: Monitoring, evaluation & review of your policy**

- | | |
|------------|---|
| 24. | Are there processes in place to review the findings of this EHRIA and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact? |
| 25. | How will the recommendations of this assessment be built into wider planning and review processes?
<i>e.g. policy reviews, annual plans and use of performance management systems</i> |

Section 3:
F: Equality and human rights improvement plan

Please list all the equality objectives, actions and targets that result from the Equality and Human Rights Impact Assessment (EHRIA) (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Objective	Action	Target	Officer Responsible	By when

Section 4: Sign off and scrutiny

Upon completion, the Lead Officer completing this assessment is required to sign the document in the section below.

It is required that this Equality and Human Rights Impact Assessment (EHRIA) is scrutinised by your [Departmental Equalities Group](#) and signed off by the Chair of the Group.

Once scrutiny and sign off has taken place, a depersonalised version of this EHRIA should be published on Leicestershire County Council's website. Please send a copy of this form to louisa.jordan@leics.gov.uk, Members Secretariat, in the Chief Executive's department for publishing.

Section 4

A: Sign Off and Scrutiny

Confirm, as appropriate, which elements of the EHRIA have been completed and are required for sign off and scrutiny.

Equality and Human Rights Assessment Screening ☒

Equality and Human Rights Assessment Report ☐

1st Authorised Signature (EHRIA Lead Officer):

Date:

2nd Authorised Signature (DEG Chair):

Date:



CABINET – 10 OCTOBER 2017

**DELIVERY OF LEICESTER AND LEICESTERSHIRE'S RAIL STRATEGY
(INCLUDING HS2)**

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

PART A

Purpose of the Report

1. The purpose of this report is to seek the Cabinet's approval of the Council's proposed response to the East Midlands Rail Franchise consultation, to advise of the impact of the DfT announcement to cancel electrification of the Midland Mainline north of Kettering on the delivery of the priorities set out in the Leicester and Leicestershire Rail Strategy, and to re-affirm the Council's position, in light of this announcement, on the now confirmed route for HS2 Phase 2b, as set out in Appendix A.

Recommendation

2. It is recommended that:
 - a) The proposed County Council response to the Government's East Midlands Rail Franchise consultation as set out in Appendix B to this report be approved;
 - b) The Government announcement to cancel the proposed electrification of the Midland Mainline north of Kettering and to instead introduce bi-mode inter-city trains by 2022 be noted with regret, together with the effect this will have on the future delivery of priorities identified in the Leicester and Leicestershire Rail Strategy;
 - c) The Director of Environment and Transport be authorised to:
 - (i) Undertake work, as necessary, to make the case to the Department for Transport (DfT) to reverse its decision to cancel electrification of the Midland Main Line north of Kettering;
 - (ii) Enter into discussions with the DfT and other bodies, as necessary, to seek clarification and assurances in respect to concerns about future rail services on the Midland Mainline, as set out in paragraph 39 of this report;
 - d) The Council continue its support, in principle, for the now confirmed route of HS2 subject to the caveats previously agreed and set out in Appendix C, and those

issues now identified in paragraph 49 of this report;

- e) The Director of Environment and Transport explore opportunities through the HS2 Phase 2b hybrid Bill or other means to achieve the objectives and benefits of the Leicester and Leicestershire Rail Strategy with regards to HS2;
- f) That the Council's support for HS2 be reviewed following the introduction of the HS2 Phase 2b hybrid Bill (to be introduced to Parliament in 2019) and the response to the reassurances sought on Midland Mainline performance in accordance with (c)(ii) above, and that a further report be brought back to the Cabinet as appropriate;

Reason for Recommendations

- 3. The Government has set out its proposals to improve train services on the East Midlands rail network under the new East Midlands rail franchise and is seeking feedback on those proposals.
- 4. Confirmation of the Authority's position on the eastern leg of HS2 and MML electrification will enable officers to engage with the DfT to seek outcomes that are for the benefit of Leicester and Leicestershire residents and businesses and which will ensure that the priorities identified in the Leicester and Leicestershire Rail Strategy can be met. This will enable the Authority to respond appropriately to correspondence and enquiries regarding rail.

Timetable for Decisions (including Scrutiny)

- 5. The Government consultation on the East Midlands rail franchise will end on 11 October 2017. Due to the timetable of meetings and the timescale for responses to the consultation it has not been possible for a report to be presented to the Environment and Transport Overview and Scrutiny Committee. However, a copy of this report has been circulated to the Chairman and Group spokesmen of the Committee to enable them to submit their comments to the Cabinet for its consideration.

Policy Framework and Previous Decisions

- 6. On 1 March 2016 the Cabinet considered the outcomes of joint work undertaken by Leicestershire County Council, Leicester City Council and the Leicester and Leicestershire Enterprise Partnership (LLEP) to develop a draft Rail Strategy for Leicester and Leicestershire (including HS2) and approved an engagement exercise on the draft Strategy. The Cabinet also resolved to revise the Authority's position on HS2 running through the County to one of support in principle, subject to certain caveats set out in the Cabinet report.
- 7. On 10 February 2017 the Cabinet approved the Leicester and Leicestershire Rail Strategy and the Authority's position on HS2 was reconfirmed.
- 8. At its meeting on the 27 September, the County Council unanimously passed a notice of motion which expressed the Authority's regret that the SoST had cancelled the electrification of the Midland Mainline. It noted that the business case

for MML electrification remained strong and was essential for HS2 integration and the delivery of classic compatible services connecting Leicestershire with the Northern Powerhouse cities and it believed it was in the interests of Leicestershire that the Government reinstates its commitment to full electrification of the Midland Mainline to maximise the benefits this will bring to jobs, economic growth and future prosperity.

Resource Implications

9. The majority of actions required to implement the Rail Strategy as well as address matters regarding MML electrification require the County and City Councils to act in a facilitating and lobbying role, rather than as direct funder or promoter of schemes. Officers will continue to make use of specialist rail consultancy support to ensure that any lobbying is as effective as possible. This support is being jointly funded by the County Council, Leicester City Council and the LLEP.
10. It is likely that there will continue to be significant resource implications to the County Council as a result of recent rail announcements detailed in part B below. These costs will include providing input to future work to develop HS2 proposals, including seeking appropriate mitigation, input into the Parliamentary process and dealing with the associated highway infrastructure changes and construction implications. Although HS2 Ltd has provided a draft Memorandum of Understanding which will reimburse certain aspects of officer time, this precludes some activities such as technical approvals. Officers will continue to liaise with HS2 Ltd to seek to recover as many of the associated costs as possible.
11. At this time, the costs of lobbying for items to be included in the HS2 Phase 2b Parliamentary Bill are unknown. These will be detailed in future reports to Cabinet should such an approach be considered.
12. The Director of Corporate Resources and the County Solicitor have been consulted on the contents of this report.

Circulation under the Local Issues Alert Procedure

A copy of this report will be circulated to all members under the Local Issues Alert Procedure.

Officers to Contact

Ann Carruthers – Interim Director
Environment and Transport
Tel: (0116) 305 7000
Email: ann.carruthers@leics.gov.uk

Ian Vears – Interim Assistant Director
Environment and Transport
Tel: (0116) 305 7966
Email: ian.vears@leics.gov.uk

PART B

Background

Leicester and Leicestershire Rail Strategy (L&LRS)

13. The Leicester and Leicestershire Rail Strategy (L&LRS) includes the following five core priorities:
 - a) To maximise the benefit of the Midland Mainline services;
 - b) To achieve the best result from the implementation of HS2 Phase 2;
 - c) To improve radically direct fast connectivity to key regional and national destinations;
 - d) To ensure that rail access and economic development are planned together;
 - e) To support modal shift from cars and lorries to sustainable transport.
14. A summary of the recent rail related announcements are set out below along with details of their impact on these priorities.

HS2 – Phase 2b route (Eastern leg) announcement

15. On 17 July 2017 the Secretary of State (SoST) announced the confirmed route for HS2 Phase 2b, including the route through Leicestershire. This was informed by previous consultation exercises conducted by HS2 Ltd, to which the County Council had submitted a response. As outlined below, revisions have been made to the route through the County (and elsewhere along Phase 2b) since the original route was published in 2013 and revised in 2016. The announcement of the confirmed route safeguards the line and station locations for planning purposes and puts in place a statutory compensation regime for any properties directly affected.
16. Appendices A1, A2 and A3 attached to this report show the confirmed route through Leicestershire, along with the 2013 and 2016 proposed routes for comparison purposes.
17. **Measham area:** The SoST has confirmed a modified version of the 2013 route, (i.e. it runs to the west of Measham), but this has been moved approximately 80m to the east and closely follows the A42, a section of which would need to be realigned near Measham.
18. **East Midlands Airport area:** The SoST has confirmed the 2016 proposal to move the route away from East Midlands Airport. It will follow the eastern side of the A42 before passing east of the runway, to the east of the M1 and to the west and north of Kegworth.
19. It is important to emphasise that with this announcement, the route of HS2 Phase 2b is now confirmed as final. HS2 Ltd will next undertake more detailed development of the route for Phase 2b, ahead of the submission in 2019 (as per the current timetable) of the HS2 Phase 2b hybrid Bill as is required to enable its construction. Royal Assent of the Bill is targeted for 2022, with construction starting in 2023/24 and the line opening in 2033.
20. Whilst the parliamentary process is underway it will be possible to submit evidence to Parliament and lobby for inclusion of items in the Bill. However, anyone seeking

substantive changes to the routeing will need to make a clear and compelling evidenced-based case for this to be considered, given the recourses that by then HS2 Ltd will have expended on developing the project and the likely implications that such changes could have on the timetable for delivery.

DfT Electrification Cancellation Announcement

21. On 20 July the SoST announced that electrification of the MML north of Kettering would be cancelled, and that a new fleet of bi-mode inter-city trains would be ordered instead, coming into operation by 2022. The Government undertook no consultations prior to this decision.
22. Network Rail's Enhancement Delivery Plan (2014-19) contained a number of packages of work to improve capacity and journey times on the MML. Electrification was expected to deliver some, but not all, of the journey time's benefits through the faster acceleration available from this traction, whereas the capacity improvements were a separate but associated part of the upgrade.
23. However, on 20 July the DfT also published its High Level Output Statement (HLOS). This is a statutory document, and is intended to set out the Government's requirements from the industry (in particular Network Rail) for the period 2019-2024. The statement does not commit to infrastructure enhancements and this raises concerns about the level of investment in the MML beyond 2019.
24. Works that are still planned to be undertaken by Network Rail up to 2019 include:
 - Electrification between Bedford and Corby.
 - Capacity works at Kettering and Corby, remodelling of Derby station and platform lengthening at a number of stations including Market Harborough.
 - Line speed improvements in Market Harborough, at Leicester South Junction, Derby station and at points between Derby and Sheffield.
25. The DfT now consider that journey times will be improved by a combination of the following factors:
 - The service pattern proposal as part of the new franchise consultation (see below).
 - The line speed works i.e. Market Harborough.
 - The superior acceleration of the bi-mode trains under electric power between London and Kettering.

DfT Consultation on the East Midlands Rail Franchise

26. The current East Midlands rail franchise, operated by East Midlands Trains (EMT), comes to an end in 2019. The DfT are currently undertaking a public consultation exercise, running to 11 October 2017, which sets out proposals to improve the train services on the East Midlands rail network under the new franchise. The new franchise is currently expected to run until at least 2026.
27. The purpose of this consultation is to explain the planned process and timescales for awarding the rail franchise, provide information about the current services and the Government's aims for the new franchise, and to seek views to ensure this delivers the best possible railway for passengers, communities and business. The

proposals set out in the consultation document include:

- Reduced journey times on peak-time intercity long distance services by up to 20 minutes.
- Introduction of higher capacity trains on dedicated commuter services
- Changes to stopping patterns and introduction of electric trains up to Corby – which could see the loss of direct services between Oakham and Melton Mowbray.
- Increasing the total number of seats for passengers.
- Rearranging/redesigning/adapting train interiors.
- Offering journeys that meet customer needs.
- Improving airport connectivity.
- Improving the service offering on the Liverpool – Norwich route.
- Optimising the routes covered by the East Midlands franchise – transferring the Birmingham to Stansted Airport services from Cross Country to the East Midlands franchise.
- Proposed diversion of Birmingham – Stansted services to Norwich.
- Improving facilities and access at stations.
- Improving and simplifying fares and ticketing.
- Providing improved information and performance.
- Bringing the operation of the track and train on the railway closer together – operator forming an integrated operating team with Network Rail.

28. It is important to note that significant areas of the county (e.g. south-west Leicestershire) are reliant on other rail service operators. The Cross Country Franchise, which in Leicestershire serves Melton Mowbray, Narborough and Hinckley (amongst other stations), providing connectivity to destinations such as Nuneaton, Birmingham and Stansted Airport. This franchise is due to be re-let in 2019 and the Authority will be consulted in 2018 on the new service. However, there are opportunities to seek improved east-west connectivity, as highlighted in this report.

East Midlands Trains Timetables – proposed 2018 timetable changes

29. It should be noted that EMT and the DfT are expected shortly to announce timetable changes for the MML for the period May to December 2018. These changes will have to take account of the impact of the new Thameslink timetable which will see more trains on the MML south of Bedford. The Authority will submit its response to EMT regarding the new timetable, once the detail of these changes are known. The response will be based on securing benefits under the priorities of the L&LRS. Should further information arise following the publication of this report before the Cabinet meets on 10 October, an update will be provided to members at the meeting.

Implications for the Leicester and Leicestershire Rail Strategy Priorities from recent announcements

Priority A) To maximise the benefit of the Midland Main Line services

HS2 Phase 2b

30. The route as confirmed has no material implications for HS2's importance to

maximising the benefit of MML services. The capacity released by HS2 between Sheffield and the East Midlands Interchange (see paragraph 45) will provide the opportunity for new services to be designed to address Leicestershire's rail connectivity weaknesses, particularly to major cities and centres of economic activity. These opportunities exist, regardless of whether the MML is electrified, albeit electrification would help to maximise them.

31. Without HS2 it is unlikely that future demand for travel between Leicestershire and London on the existing network can be satisfied.

Electrification

32. The DfT has advised that the benefits of electrification can be achieved more quickly, with less disruption, by a new fleet of bi-mode trains that can operate both on electric and diesel power.
33. Crucially, the extent to which journey time improvements can be achieved will depend on the ability of these trains to accelerate quickly in diesel mode. However, there is uncertainty within the rail industry on the performance of the new bi-mode trains proposed, particularly under diesel power. It is understood that the current fleet of bi-mode trains are limited to a maximum speed of 100mph which is below the line speed of many sections of the MML and some 25mph slower than that of the current fleet of High Speed Trains (HSTs). Journey times could therefore be adversely affected by inferior acceleration of bi-mode trains when operating in diesel mode.
34. Performance under diesel power is a significant issue on the MML because a higher proportion of journeys will need to be run in diesel mode (London-Sheffield will have 72 miles electric and 93 miles diesel). Thus, whilst bi-mode trains might be suitable to plug a gap between the withdrawal from service of the current fleet of (diesel-powered) HSTs in the early 2020s, and the originally intended electrification of the MML north of Kettering "post 2023", they should not be viewed as an acceptable, 'permanent' alternative to electrification.
35. The risk to journey times is further compounded by concerns that there may be difficulties in aligning MML inter-city services with intended enhancements to the Thameslink service south of Bedford without slowing the MML services down. It is also being questioned whether there is sufficient electrical capacity south of Bedford to serve future rail service demands.
36. The other longer term implication of the cancellation of electrification through Leicestershire is that it could make classic compatible services onto HS2 services at Toton more difficult to achieve. As set out in the L&LRS, there are significant economic benefits (for Leicester and Leicestershire, Midlands Engine and the United Kingdom more widely) to be gained from improving rail connectivity between Leicester and Leicestershire and cities and other centres of economic activity around the country. This could be released through a classic compatible link between MML and HS2.
37. It is unlikely that an order for bi-mode classic compatible trains for use on HS2 would be viable, or that the business case for classic compatible services would necessarily, if taken as an isolated project, support electrification between Kettering and Leicester and (at the least) Toton. If current bi-mode trains are limited to

100mph under diesel power, to run on HS2 trains will need to be capable of 200mph. Thus, whilst in terms of journey times there are still benefits to be realised through the delivery of indirect services (i.e. interchange at Toton), overall it is considered that the case for electrification of the MML should continue to be made.

38. A further issue of concern is that currently bi-mode trains will not be introduced on the MML until 2022. However, the current fleet of HSTs are not compliant with accessibility standards (e.g. for wheel chair users). Unless they are refurbished to become compliant they will, by law, need to be withdrawn from service by 1 January 2020, i.e. some 2 years prior to (accessibility compliant) bi-mode trains being introduced.
39. It is proposed that urgent clarification and assurances be sought by the Director of Environment and Transport from the DfT in respect of:
 - a. The performance of the newly proposed bi-mode trains and that journey times on the MML will not be adversely affected by inferior acceleration of such trains, particularly when operating in diesel mode over substantial lengths of the MML;
 - b. Track capacity and electrical power supplies south of Bedford, and that neither represent an issue that will result in a compromise in the overall level of and performance (journey times) of inter-city services on the MML;
 - c. That bi-mode trains would be capable of running on HS2 utilising a classic compatible link between Midland Mainline and HS2;
 - d. How legal accessibility requirements will be met post 1 January 2020.

Priority B) To achieve the best result from implementation of HS2 Phase 2

40. The DfT state that by moving the 2013 alignment at Measham to the east and adopting a longer viaduct over the River Mease, demolition of a major manufacturing business and large local employer can be avoided.
41. HS2 Ltd has advised that the modified 2013 route has no impact on journey times; keeping the route more within the A42 transport corridor has benefits including avoiding the “islanding” of Measham, Appleby Magna and Appleby Parva, and being further away from villages of Austrey to the south and Packington to the north with a reduction for those communities in the associated noise and visual impact.
42. In terms of the number of properties affected, Table 1 below sets out a comparison of the routes as previously published. Overall the number of properties affected by the route as now confirmed represents an increase on *all* previously published route proposals.

	Route Published 2013	Route Published 2016	Route Published 2017	Difference (2013 – 2017)
Buffer	No. of Properties	No. of Properties	No. of Properties	No. of Properties
50m	27	23	34	7
120m	123	62	174	51
300m	733	760	886	153

Table 1

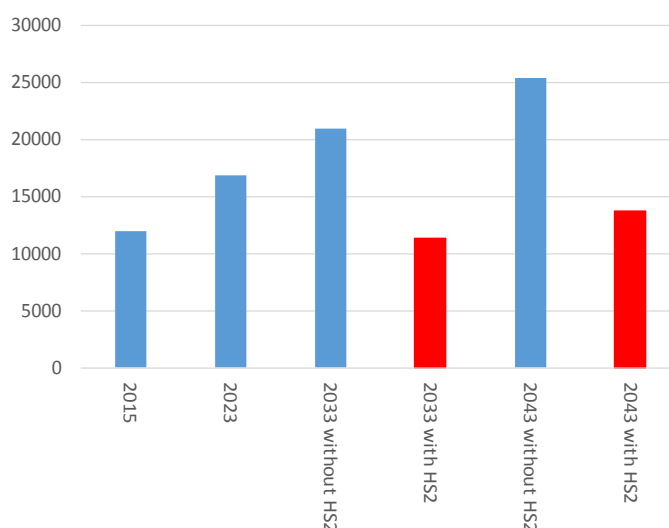
43. The confirmed route also:

- Avoids the Plastic Omnium building (affected by the 2013 consultation route).
- Affects a number of small business units on The Westminster Industrial Estate, which includes a number of starter units.
- Significantly impacts on the Ashby Canal restoration to the east of Measham. This would make the restoration of the route into Measham unviable, as it has a significant and detrimental impact on the Wharf Development to the extent it sterilises the development site. This will have a knock on effect of discouraging future potential investors in this redevelopment area. Officers are currently working with HS2 Ltd to seek a resolution to this matter, which may involve a compensation claim.
- Will require some additional cut and cover tunnel to accommodate the Kegworth bypass (to be delivered as part of the East Midlands Gateway Strategic Rail Freight Interchange Site).
- Impacts on properties on the north side of Kegworth and passes through land that has been identified for housing development on the west side of the village.
- May involve land take of County Council land – this will be subject to negotiation and be governed by the rules and regulations that deal with compulsory purchase as amended by the HS2 Phase 2b hybrid Bill.

44. Despite the above, there are benefits that HS2 Phase 2b will still deliver, in particular:

45. **HS2 will release capacity at the north of the MML.** Growth in demand from Leicestershire will still mean that the current level of service to London is likely to be needed. Network Rail and HS2 have forecast that 46% of passengers on MML services from stations north of Leicester will transfer to HS2 services from Sheffield, Chesterfield and the East Midlands Interchange, freeing capacity for passengers from Loughborough, Leicester and Market Harborough. This is shown on the following graph extracted from the L&LRS. Without HS2, the MML will not be able to cater for foreseeable future demand between Leicestershire and London.

Average passengers per day leaving Leicester on London services



Assumptions:
 Growth to 2023: 40%
 Growth to 2043: 108%
 Extrapolated growth to 2033:
 74% (NR forecasts assume
 straight line growth)
 Abstraction to HS2: 46%

46. **New routeing/journey options:** HS2 creates opportunities to redesign existing services on the classic rail network, using the capacity released by long distance services using HS2. The Eastern arm of HS2 also creates the opportunity to redesign the Cross-Country network, which could enable improved services to stations in south-west (e.g. Hinckley) and north-east Leicestershire and better connections to destinations such as Nuneaton and Birmingham.
47. HS2 will provide some major connectivity benefits for Leicestershire via accessing the HS2 network at East Midlands Interchange or Birmingham Interchange. However, this connectivity would be greatly enhanced through classic compatible services. Leicester and Loughborough benefit principally from the improved journey time and connectivity available northbound on HS2. In addition, the north of the County benefits from the ability to park at the East Midlands Interchange for a 52 minute journey to London. The areas around Coalville and Ashby benefit from the ability to use the A42/M42 to access both stations, thereby significantly improving connectivity in all directions available via the HS2 network: North East, North West and London. The South West of the County (such as Hinckley) can access Birmingham Interchange via the M69/M6 for HS2 services to London and North West.
48. The benefits of HS2 for Leicester and Leicestershire therefore remain significant, both in terms of the utility of the new railway for residents and businesses, and for the potential knock-on benefits of capacity and new services on the existing network. Despite the negative impacts, on balance, it is recommended that the Authority continue its support 'in principle' for the now confirmed HS2 route through the County to the East Midlands Interchange at Toton but subject to the caveats previously agreed by the Cabinet on 10th February 2017 and detailed in Appendix C.
49. In light of the recent announcements affecting the MML outlined above, to ensure that the economic benefits for both Leicester and Leicestershire and the country are realised in practice, it is recommended that the Council's support should also now be subject to the satisfactory outcome of discussions with the DfT in respect of:
- the case for electrification of the MML north of Kettering as far as at least Toton and an ongoing programme of capacity enhancement, to deliver continuing improvement to journey times and additional services in support of Leicester and Leicestershire's economic growth objectives; and
 - a classic compatible link between the MML and the HS2 station at Toton
50. It may also be necessary to lobby for inclusion of appropriate measures to mitigate the impacts of HS2 on Leicestershire residents and businesses and this will be considered as HS2 Ltd.'s more detailed development proposals are set out.

Priority C) To improve direct fast rail connectivity to key regional and national destinations

51. Aside from the comments on Priority A, the cancellation of electrification does not impact on the key targets for improved connectivity, as there are no electrified routes to any of the key regional and national destinations off the MML. New services to these destinations will need to be diesel (excepting classic compatible

services).

52. The release of capacity on the MML resulting from HS2 is an opportunity to design new direct services through Leicester, both on the MML and Cross-Country networks.

East Midlands Rail Franchise Consultation Response

53. The consultation consists of 30 detailed questions. The County Council's detailed response, which is in partnership with Leicester City Council and the Leicester and Leicestershire Enterprise Partnership (LLEP), is set out in Appendix B. This focuses on delivery of the L&LRS priorities. The key points of the Council's proposed response are set out below:

A) To maximise the benefit from the Midland Main Line services

- Support for changing stopping patterns on the Midland Mainline as it will allow an increase in faster trains between Leicestershire and London, and crucially more capacity on those trains.
- Seeking assurance on journey times given the cancellation of electrification, introduction of bi-mode trains and the Thameslink timetable.

B) To achieve the best results from the implementation of HS2 Phase 2

- Request operator engagement with the County Council, Leicester City Council, LLEP, DfT, HS2 Ltd and Network Rail in supporting the delivery of the L&LRS.
- Active engagement from operator in pressing for, and making the case for, electrification.
- Operator working collaboratively in long term railway and economic planning.
- Active engagement from new operator in planning to maximise the value of HS2 to Leicestershire.

C) To improve radically direct fast connectivity to key regional and national destinations

- Not supporting withdrawal of direct London services from Melton Mowbray.
- Request direct services to Manchester, Leeds and Coventry.
- Not supporting the diversion of Birmingham-Stansfeld services to Norwich.
- Supporting the transfer of Cross Country services through Leicester to the East Midlands franchise, and the linking up of Birmingham-Leicester and Leicester-Lincoln. This would open up opportunities to seek improved services to settlements in the north-east and south-west of Leicestershire.
- Continue to work with neighbouring authorities to seek opportunities to improve services and stations on the Poacher Line, which serves Bottesford.

D) To ensure that rail access and economic development are planned together

- Request operator engagement with the County Council, Leicester City Council, LLEP, DfT, HS2 Ltd and Network Rail in supporting the delivery of the L&LRS.

- Active engagement from operator in pressing for, and making the case for, electrification.
- Operator proactive in helping to maximise the benefits to the local economy of the new trains and remaining MML projects.
- Operator supporting the development of “Le Nuckle” (Coventry to Leicester upgrade) project.
- Operator working collaboratively in long term railway and economic planning.
- Active engagement from new operator in planning to maximise the value of HS2 to Leicestershire.

E) To support modal shift from cars and lorries to sustainable transport

- Improving all aspects of the door to door journey.
- Provision of accessible information (train times, fares and tickets).
- Improved station facilities – sufficient secure cycle parking facilities.

54. East Midlands Councils (EMC) is working as a partner with the DfT on the franchise competition process, with the objective of ensuring that future rail services better meet the needs of businesses and communities across the East Midlands. Leicestershire County Council officers have been working closely with EMC to ensure that the regional consultation response is in line with the priorities set out in the L&LRS. Whilst officers will seek to agree a unified position with EMC on the response to the consultation, it is possible that there may be areas where it would be appropriate for the County Council to have a differing response to a particular issue, in order to deliver the L&LRS priorities.

Overall conclusions

55. There are a number of complex interactions between the recent government rail announcements that have a bearing on the successful delivery of the L&LRS priorities. Notwithstanding some of the uncertainties and challenges that the announcements presents, as set out in this report, it is proposed that there is more to be gained by continuing to take, in cooperation with other local and regional bodies as necessary, a proactive approach (engaging with DfT, Network Rail, HS2 Ltd, etc) to making the case to secure rail investment rather than to take an in principle position of ‘opposition’ to the recent announcements.
56. On balance it is proposed that the County Council should broadly support proposals in the East Midlands Rail Franchise consultation and continue with its support in principle for HS2 Phase 2b running through Leicestershire. Next steps would be then for officers to engage with the DfT to seek urgent clarification and assurances from the SoST regarding the key issues highlighted in this report. Additionally, through these discussions with the DfT and others, the case for MML electrification north of Kettering to at least Toton and for direct classic compatible rail services operating over the MML and HS2 lines (and by implication the classic compatible link between the MML and HS2) will continue to be made.
57. The Authority would also seek to lobby for items to be included in the HS2 Phase 2 Bill; the costs to the Authority of this are unknown at this time but could, potentially, be considerable.

58. Officers will also continue to engage with HS2 Ltd through the more detailed design process for Phase 2b, to seek to ensure that the impacts of the project on Leicestershire residents and businesses are minimised so far as is reasonably possible; dependent on the outcomes of the design process, it may be necessary to seek for the inclusion of appropriate mitigation measures in the HS2 Phase 2b Bill. It is important to stress that it is unlikely at this stage that route changes could be achieved, the focus is likely to be on mitigation. Anyone who might wish to lobby for a substantive change to the route would need to make a clear and compelling evidenced-based case to Parliament, given the resources that HS2 Ltd will have expended on developing the project and the likely implications that such changes could have on the timetable for the delivery of Phase 2b.
59. Officers will continue to explore other opportunities to improve rail services and stations across Leicestershire, such as through future franchise consultations.

Background Papers

- 10 February 2017 - Cabinet – Development of a Rail strategy (including HS2) for Leicester and Leicestershire
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4858&Ver=4>
- 9 June 2016 - Environment and Transport Overview and Scrutiny Committee – Draft Rail Strategy for Leicester and Leicestershire
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=1044&MId=4482&Ver=4>
- 1 March 2016 – Cabinet - Development of a rail strategy for Leicester and Leicestershire:
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4600&Ver=4>

Appendices

Appendix A: HS2 Phase 2b Route Maps

Appendix B: Leicestershire County Council consultation response to the East Midlands Rail Franchise

Appendix C: Extract from 10 February 2017 Cabinet report – paragraph 36

Relevant Impact Assessments

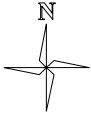
Equality and Human Rights Implications

60. The proposals contained in the L& LRS are aimed at facilitating strategic growth to meet the social and economic needs of the residents of Leicester and Leicestershire.
61. No detailed assessment has been done at this early stage, but as and when any rail schemes are taken forward the County Council will seek to work with rail industry bodies and HS2 Ltd (and any other relevant bodies) to ensure that any necessary Equality and Human Rights Impact Assessments are completed.

Environmental Impact

62. None arising from this report. As and when any rail schemes are taken forward the County Council will seek to work with Network Rail, HS2 Ltd (and any other relevant bodies) to ensure that any necessary Environmental Impact Assessments are completed.

HS2 Phase 2B - Centreline History



Ref: NDI/GEN109/103/D

Scale: Not to Scale

Date: 21 September 2017

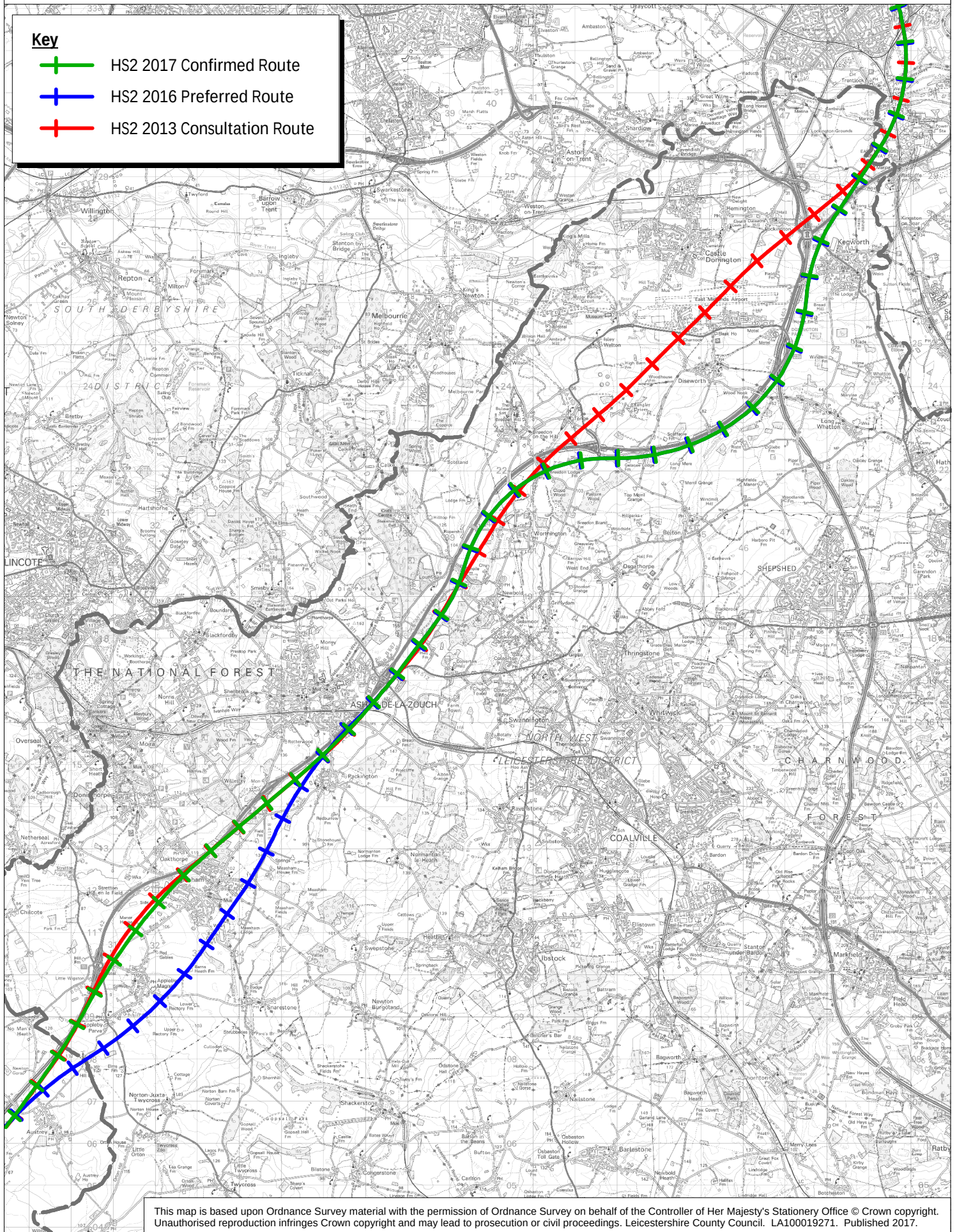
Network Data & Intelligence, Environment & Transport
Leicestershire County Council, County Hall
Glenfield, LE3 8RJ
ndi@leics.gov.uk



**Leicestershire
County Council**

Key

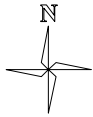
- + HS2 2017 Confirmed Route
- + HS2 2016 Preferred Route
- + HS2 2013 Consultation Route



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Leicestershire County Council. LA100019271. Published 2017.

This page is intentionally left blank

HS2 Phase 2B - Centreline History (Measham Area)



Ref: NDI/GEN109/104/C

Scale: Not to Scale

Date: 21 September 2017

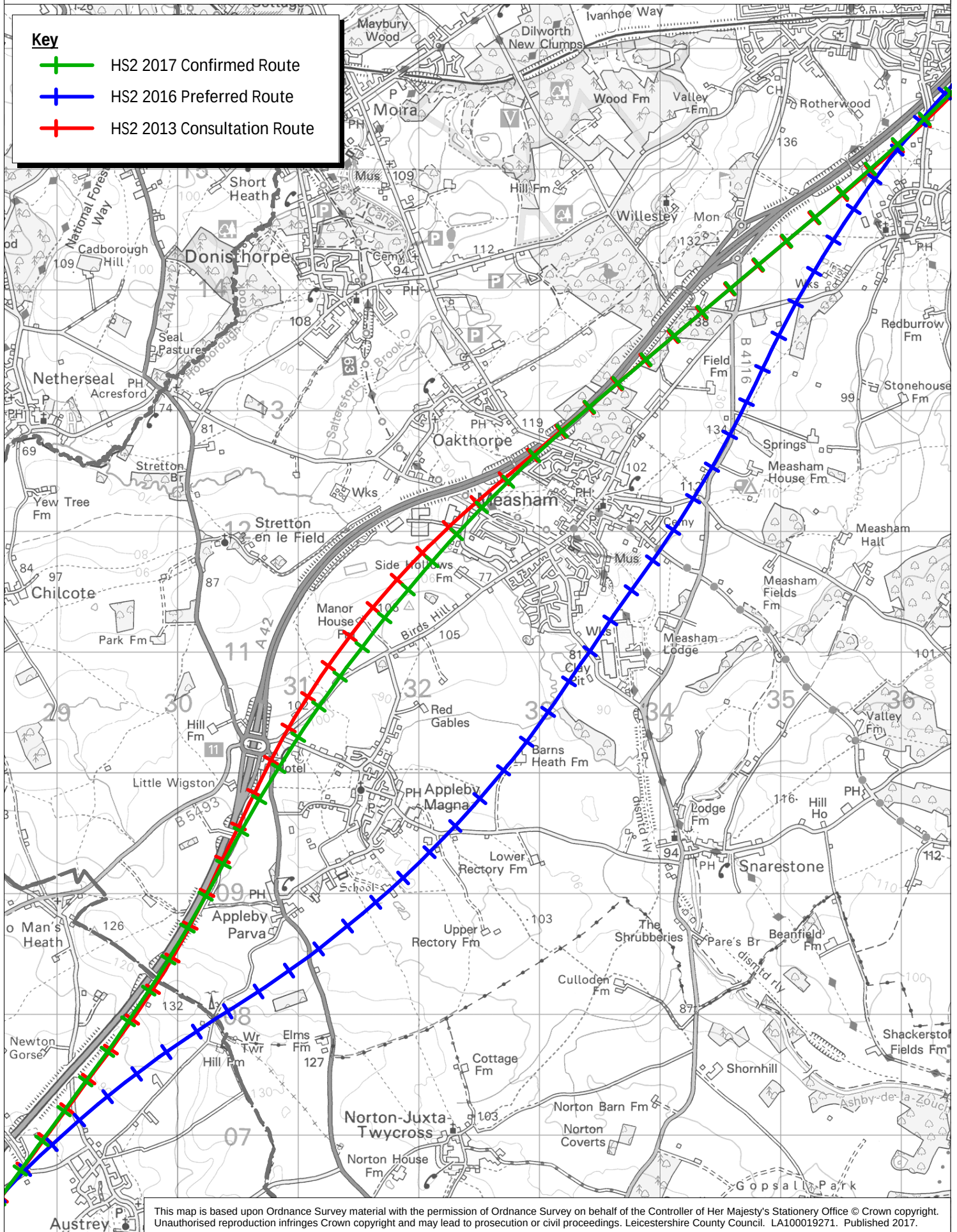
Network Data & Intelligence, Environment & Transport
Leicestershire County Council, County Hall
Glenfield, LE3 8RJ
ndi@leics.gov.uk



**Leicestershire
County Council**

Key

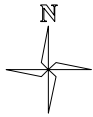
- + HS2 2017 Confirmed Route
- + HS2 2016 Preferred Route
- + HS2 2013 Consultation Route



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Leicestershire County Council. LA100019271. Published 2017.

This page is intentionally left blank

HS2 Phase 2B - Centreline History (Kegworth Area)



Ref: NDI/GEN109/105/C

Scale: Not to Scale

Date: 21 September 2017

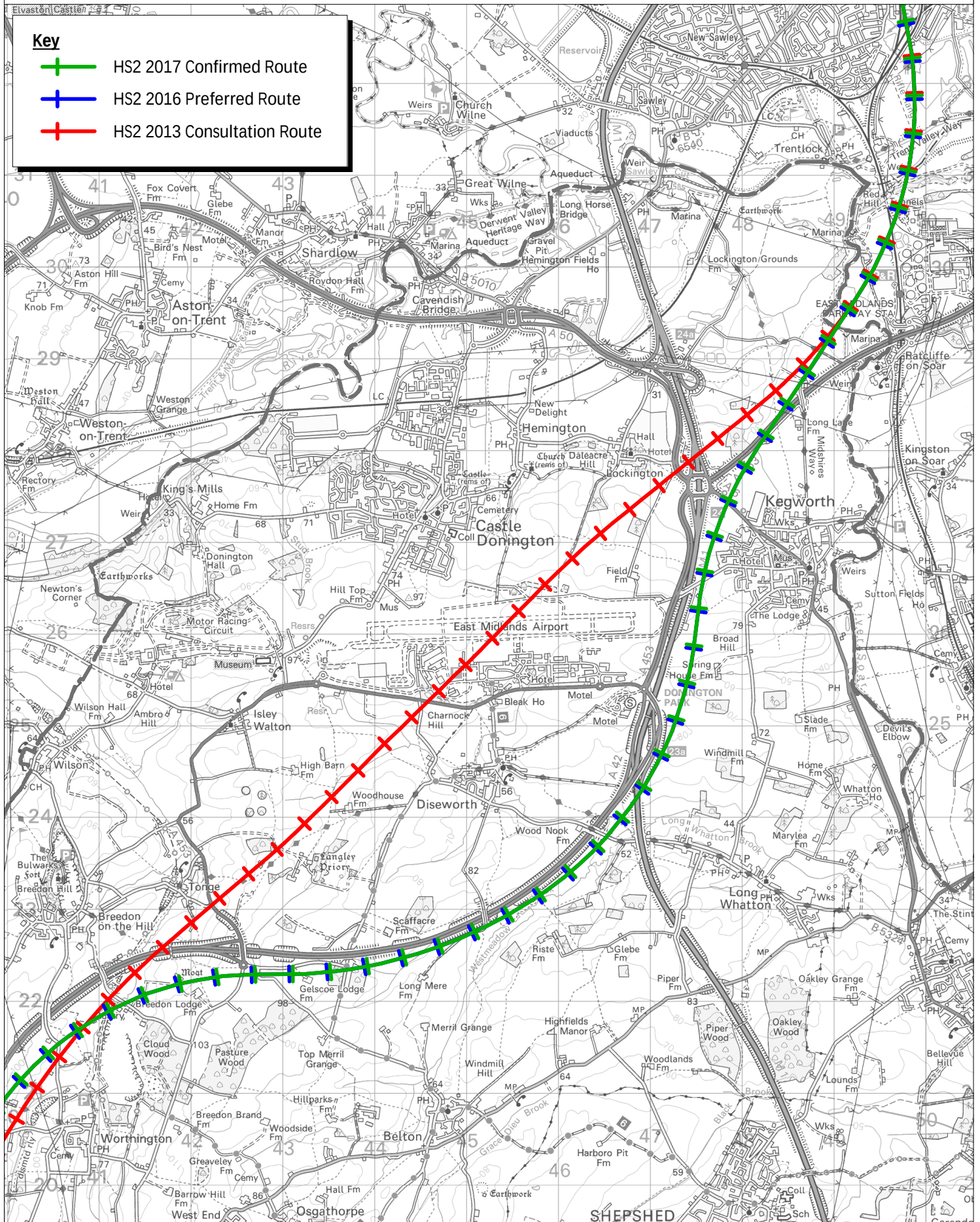
Network Data & Intelligence, Environment & Transport
Leicestershire County Council, County Hall
Glenfield, LE3 8RJ
ndi@leics.gov.uk



**Leicestershire
County Council**

Key

- +— HS2 2017 Confirmed Route
- +— HS2 2016 Preferred Route
- +— HS2 2013 Consultation Route



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Leicestershire County Council. LA100019271. Published 2017.

This page is intentionally left blank

APPENDIX B

East Midlands Rail Franchise Consultation Response
Leicestershire County Council, Leicester City Council and
Leicester and Leicestershire Enterprise Partnership

This consultation response is made on behalf of Leicestershire County Council, Leicester City Council and the Leicester and Leicestershire Enterprise Partnership (LLEP). Within the response the above organisations will be referred to as “the partnership”.

Question 1. How do you think closer co-operation between staff in Network Rail and the operator of the next East Midlands franchise can be achieved?

Railways operate as an integrated system, and therefore we believe that a better result for passengers and for cost efficiency can be achieved by close, integrated working between train operators and Network Rail. A formal alliance structure may be the best way to achieve this, and could cover joint operations control, a joint performance improvement plan, joint planning of engineering access to the railway, and timetable planning. The key will be for the franchise operator and Network Rail to sign up to a shared set of objectives, including acceptance by both parties that their own short-term interests might occasionally have to be sacrificed to the long-term benefit of the railway, its passengers and wider economic benefits.

In addition, the partnership want to see the operator and Network Rail working together to address the lack of incentives in the current industry structure to develop and improve stations. This arises because Network Rail is only funded to maintain these assets at their Control Period 3 level (i.e. 2004), and because the train operator only has a short franchise. Therefore, the partnership would wish to see an alliance process for Network Rail and the operator to work together, with other stakeholders (such as Local Authorities and LEPs) to develop a vision for stations in the franchise, to create long term improvement plans for stations to achieve that vision, and to assemble funding and project teams for delivery. The station vision should include recognition that stations are community assets, with a role to play as the gateway to the communities they serve as well as the gateway to the railway.

Question 2. How can the operator of the next East Midlands franchise engage with community rail partnerships or heritage railways to support the local economy to stimulate demand for rail services in the region?

There are two Community Rail Partnerships (CRPs) in the area: the Derwent Valley Line CRP, covering Derby – Matlock, and the Grantham – Skegness CRP (The Poacher Line), which also covers Nottingham – Grantham. The Poacher Line includes the station at Bottesford which lies within Leicestershire. The next franchisee and the CRP's could have a valuable input to any changes proposed to service patterns on their respective lines, and with regard to improvements to stations. The new franchisee should build on the relationships with the CRPs already

established by its predecessors over a number of years. The franchisee should also encourage station adoption where appropriate in order to create local “ownership” of smaller stations which inevitably only receive attention from the franchisee proportionate to their size.

There are also two heritage railways; the Great Central Railway (GCR), which runs from a terminal in north Leicester to Loughborough Central, and the Great Central Railway (Nottingham) which operates over part of the Loughborough – Ruddington branch. Although they are separate organisations, there are ambitious plans, supported in principle by the partnership, to link them by means of a new bridge over the Midland Main Line near Loughborough station, and also to construct a new station at the north end of the GCR to provide improved passenger interchange between the national network and the preserved railway. Freight traffic still passes over part of the GCR (Nottingham) between East Leake and the national network at Loughborough. There will undoubtedly be scope for joint marketing, including through ticket arrangements, supporting these railways as Leicestershire tourism destinations.

Question 3. Do you think that the operator of the train service, stations and support services should take the following into consideration when they run the franchise?

- **The environment**
- **Equality**
- **Communities in the areas that they operate**

If so, how should they do this?

These issues should be taken into consideration in the operation of the franchise. In line with the partnership’s sustainability objectives, we expect that the successful franchisee will set out clearly how it will minimise its impact on the environment and promote equality and sustainability. Measures could include the following:

- Minimising waste and pollution through appropriate procurement, maintenance, operation and cleaning policies
 - Reduce carbon emissions from the workforce, through its business activities and by marketing the railway as a good alternative to car use
 - Improving outdoor spaces around station environments, either by use of underused/redundant station buildings or landscaping initiatives which could be run in conjunction with local communities
 - Specifying rolling stock that minimises or eliminates emissions and other adverse effects on the environment
 - Adopting policies for recycling waste and scrap material
 - Providing, as far as physically possible, access and other facilities at stations in full compliance with disability discrimination legislation. There are a number of stations in the county, such as Sileby and Barrow-on-Soar, where provision of disabled access must be regarded as a priority.
 - Following employment policies that offer equal opportunities to all groups and sectors of society
 - An apprenticeship programme to support local skills development
-

- Consulting with local communities and organisations regarding facilities at stations, including support for groups who may wish to maintain or look after their local station.
- Full consultation with local residents and the implementation of mitigation measures wherever possible when work is planned at unsocial hours, or otherwise disrupts the local community.

Question 4. Do you agree with our proposed approach, which could reduce journey times on long distance services and increase the likelihood of getting a seat?

The partnership understand that the proposed approach is to have two service groups on the Midland Main Line: a 2 train per hour electric “commuting” service between Corby and London, and a 4 train per hour long-distance “inter-city” service as now, but with fewer stops at stations south of Kettering. This would enable the speeding up of inter-city services in the peaks (by making fewer station calls), and potentially of 1 train per hour in the off-peak. Intermediate journeys (e.g. Leicester to Bedford) would be made by changing at Kettering.

In principle, the proposed change to stopping patterns to improve journey times and provide more seating capacity between Leicestershire and London is supported. However, we need to see this in a wider context. There are two issues.

Firstly, the partnership is disappointed that electrification of the railway between Kettering and Sheffield and Nottingham has been cancelled. The partnership strongly believes that this is the right long-term solution for improved services, lower environmental impact and more efficient operation. It would also support the introduction of classic compatible services from Leicester (and further south) to the North via HS2, for which we and East Midlands Councils have been pressing.

Secondly, the partnership is seeking urgent assurance that journey times for fast trains on the Midland Main Line are not under threat. Significant investment has been made, and continues to be made in line speeds (including the project at Market Harborough), and the route now has many stretches with line speeds of 110 and 125 mph. It remains a key ask for non-stop journeys between Leicester and London in under 60 minutes. We are concerned that:

- The line south of Bedford may be limited to 100 mph for electric traction because of power supply issues.
 - The Bi-mode trains most likely to be used on the route (the Hitachi Class 8xx series) are known not to be able to achieve over 100mph in diesel mode.
 - These Bi-mode trains are also known to have poorer acceleration in diesel mode than the current Class 222 Meridian sets, and may be no better than the older High Speed Trains (HST).
 - The partnership understand that Network Rail has been having some difficulty in timetabling inter-city services alongside the proposed new Thameslink timetable without the insertion of significant amounts of pathing time in the schedules of the former.
-

- The partnership believe these issues mean that it will not be possible to deliver improved journey times under the revised project scope, and, indeed, that there is a high risk that journey times will be increased compared to the current timetable. The partnership's support for the project is firmly based on delivery of the projected improvements, and we are closely following concerns regarding the ability of the Hitachi bi-mode trains being introduced on the Great Western to achieve even existing journey times on the non-electrified sections.

The partnership is therefore seeking assurance that bidders will be asked to achieve 60 minute journey times on most non-stop Leicester-London services and that end to end journey times (e.g. Sheffield-London) are not under threat. We are also seeking comfort from the DfT regarding the issues raised above.

Question 5. What are your suggestions about how to mitigate the potential loss of some direct services between Oakham, Melton Mowbray and London?

At present, there are two daily direct services from Melton Mowbray and Oakham to London, and one from London.

Melton Mowbray	dep	06:00	17:14	London St. Pancras	dep	18:00
Oakham	dep	06:12	17:27	Oakham	arr	19:36
London St Pancras	arr	07:48	19:48	Melton Mowbray	arr	19:48

The partnership understand that the rolling stock to be procured for the Corby-London service will be electric only, and that therefore these services may be withdrawn north of Corby.

However, the potential loss of peak time direct trains is a serious matter. The Melton Local Plan from 2011 to 2036 advocates, through policy SS2, "the development of at least 6125 homes and some 51 hectares of employment land between 2011 and 2036". The success of such developments is crucially dependent on transport links. For this reason we would urge the DfT to specify at least one peak direct train each way between Melton Mowbray and London (this could potentially be routed either via Corby or via Leicester).

Currently, most of the hourly services between Melton Mowbray and Leicester connect with a fast service to London at Leicester, with an end to end journey time of 1hr 30min. It is important that these connections are maintained to ensure that the current service between Melton Mowbray and London is secured and developed.

Question 6. What are the particular services, routes and times of day when you think additional seats for passengers are most needed?

The problems currently experienced by regular passengers travelling to and from stations north of Bedford on the Midland Main Line, particularly in the evening peak, are well described in the consultation document, and the mitigation measures proposed will go a long way towards easing them. The most important point is the

segregation of passengers from St Pancras in the evening peak between commuter services to Corby and long-distance services running fast. This will provide passengers to Leicestershire stations with a much greater chance of a seat and a more comfortable journey, and is supported.

The Birmingham – Peterborough services are also subject to periods of high demand, both to the east and west of Leicester. The current rolling stock consists mainly of 3-car Class 170 diesel units, with some services rostered only for 2-car sets. Overcrowding can occur at times of high demand, and there is little spare capacity to accommodate growth. Additional seating capacity can be provided by longer trains, additional services or a combination of both. On this route longer trains are required, appropriate for the many journeys of over 2 hours that take place on them. As growth continues, however, more services will be required both west and east of Leicester (see question 10).

Question 7. Which on-board facilities, in order of preference (these are listed in the response form) are most important to you?

- **On short distance journeys (up to 60 minutes)**

CCTV
Wheelchair space
Cycle storage
Free Wi-Fi
Power sockets
USB Sockets
Pushchair space

- **On long distance journeys (over 60 minutes)**

CCTV
Wheelchair space
Luggage space
Pushchair Space
Catering
Free Wi-Fi
Power Sockets
USB sockets
Baby changing facilities
Cycle storage
Table seating
Seat back tables
First Class areas

Question 8. What other on-board facilities should be:

- **Introduced**

Flexible seating to allow more space for luggage on trains to London, coastal and airport services, and for pushchairs on local trains. However, the partnership would discourage the use of “standing” seats.

Flexible space design so that when wheelchair users are on board, or when cycles or large luggage items are being carried, this space can be used for seating, particularly on commuter/local services. However, it must be clear that wheelchair users take priority over others for the use of flexible space.

- **Improved**

More thought needs to be given to the design of rail vehicle interiors, which, on some builds of modern rolling stock, is widely regarded as inferior to the older stock it has displaced.

The ratio of “face to face” compared to “unidirectional” (or “airline style”) seating on rolling stock intended for long-distance services should be re-examined. While unidirectional seating provides more capacity, and can be justified as the majority provision in suburban stock, on longer distance journeys there are more likely to be groups travelling together, and more people, even if they are alone, who wish to work during the journey and who need additional table space. It is evident from observation that the seats with tables regularly get occupied first.

The distribution of seats in relation to windows could be improved. While there are always likely to be seats that do not completely align with windows, more attention could be given to minimising the number of seats with restricted views.

East Midlands Councils have undertaken research on priorities for train interiors. The key points from this work include:

- Overhead storage can be too small for some cases and back packs, which then take up space which should be used for larger items
- Access to power points and Wi-Fi is important
- Wi-Fi access should be free, without significant time restrictions
- Catering is of average quality but offered at premium prices. Quality and innovation is needed without pushing up costs excessively
- Better environmental controls are needed; air conditioning and heating which can be adjusted by the on-board team during journeys
- On-train facilities must be kept clean and in good working order

However, in considering interior design, due recognition must also be given to the fact that long-distance services to and from Leicester, both to London and to other urban centres, are, and will remain, essentially “intercity” type operations. High-density, suburban type rolling stock is not suitable or acceptable for these journeys, which require comfortable seating with adequate legroom, seats distributed with due regard to the position of windows and adequate space for the safe storage of luggage to reduce the incidence of bags on seats.

Question 9. How could your local train services be changed to better meet your current and future needs?

- **At peak and/or off-peak periods**

This is discussed in more detail in other parts of the document.

- **During the early mornings, late evenings or at weekends**

The partnership would wish the following specific points to be addressed:

Leicester-Derby. The first train to Derby on weekdays leaves at 0712 – an unusually late time for a service between two cities so close together. On Sundays the first departure for Derby and Sheffield leaves at 1020. Earlier services between Leicester and Derby are desirable.

East Midlands Parkway. Passenger flights arrive and depart from East Midlands Airport for around 20 hours out of every 24, with a “quiet” period between approximately 0130 and 0530. In common with most airports, the flight pattern at EMA features a high number of departures between 0600 and 0900, which may require passengers to arrive as early as 0400 for check in and security procedures. There is a steady pattern of arrivals during the evening, as late as 0130-0200. Passengers with hold luggage frequently will not leave the airport until at least 45 minutes after the arrival time. The service at this station generally is not conducive to engaging access to the Airport by rail. This is discussed further in Question 14.

Loughborough. Although passengers travelling between Loughborough and London generally have 2 trains per hour, in reality the 2 trains are spaced such that there is really only one opportunity per hour to travel as the 2 trains arrive at or depart from St Pancras 3 minutes apart. A better spacing of trains at this station should be considered.

Sundays. Sunday travel is growing, and during the middle of the day and afternoon it can be busier than weekdays. However, railway services on many lines have not kept pace with changing travel behaviours. On some routes, however, the weekday off-peak service has been instituted after midday on Sundays, and the partnership would urge bidders to consider this approach.

- **At Christmas and New Year periods**

The question of Christmas period, and particularly Boxing Day, services should be considered carefully. Boxing Day shopping is now common, and yet there are few railway lines operating.

- **During the Summer Period**

It is recognised that the economics of railway operation no longer support the availability of spare rolling stock to run additional summer holiday services, or to strengthen timetabled services. Nevertheless, opportunities for doing so, perhaps through the spot-hire of stock from private companies, should be considered if there appears to be an economic case for doing so.

- **For students travelling to local schools**

Should be considered where local demand exists.

- **To special events**

The key events for the County are:

- Download Music Festival, typically held in June at Donington Park
- Race events at Donington Park
- Sporting events in Leicester – football, rugby, cricket and horse racing throughout the year.

There are also a number of cycling events which attract high numbers of people travelling by bike, and flexible passenger accommodation would be useful at these times.

- **On journeys where interchange is poor**

East Midlands Airport lies in Leicestershire and accessibility to and from there by rail is therefore important. East Midlands is the main airport for businesses in the region, followed by Birmingham Airport, and it is worth noting that considerable expansion and increased employment is planned at East Midlands Airport over the next few years, including the new Roxhill Freight Terminal.

Although East Midlands Airport is close to East Midlands Parkway station on the Midland Main Line, access to and from the airport at this location is perceived to be poor, with no more than an hourly taxi link that fails to provide a convenient interchange with the somewhat irregular train service. Recent studies have shown that significant improvements could be secured by recasting the train service into a more regular and frequent pattern, and improving the road links to the standards at other similar airport interchange points. The partnership ask that the bidder looks specifically at measures to maximise the potential of East Midlands Parkway as an access to East Midlands Airport, as well as improving links to other airports important to the East Midlands economy such as Birmingham and Luton.

Question 10. What additional train services would you wish to see provided in the next franchise?

Leicester and Leicestershire have poor rail connectivity to key regional economic hubs, impairing their competitiveness and the rate of economic development. The Leicester and Leicestershire Rail Strategy (L&LRS) identifies as a key priority the need to improve radically fast connectivity to key regional and national centres. As part of the work underpinning the L&LRS, the partnership tested the Gross Value Added uplift that could be achieved by addressing some of these weaknesses.

The advent of a new East Midlands franchise, with associated commitments to train services and a rolling stock strategy, presents a key opportunity to address some of these weaknesses.

The partnerships ask therefore from bidders for the East Midlands franchise is as follows.

An hourly service between Leicester and Manchester. This was forecast to stimulate an uplift in Leicester and Leicestershire's economy of £9.1 pa GVA. There are various ways this service proposal could be delivered, and careful analysis by bidders will be required to assess pathing and routing options through the East Midlands, Hope Valley and into Manchester. For example, the Hope Valley line is being resignalled, creating more capacity on this route, and there are a number of different routes available between New Mills and Manchester Piccadilly, and between Leicester and Chesterfield. The best journey time would be achieved by routing this service via Dore South curve, but other scenarios could include extension of a London-Sheffield train to Manchester, or diversion of the Liverpool-Norwich train as suggested in question 15.

An hourly service between Leicester and Coventry. Delivery of this is dependent on the completion of the Le Nuckle infrastructure project at Nuneaton, which is being actively pursued by Leicestershire and Warwickshire Local Authorities, LLEP and Coventry and Warwickshire LEP, in collaboration with Midlands Connect. The role of the franchisee will be to support this development and commit to engage actively in plans to introduce the associated operation. The partnership recommends that the franchise bid includes a priced option for the operation of a regular interval Leicester – Coventry service. The service could be extended north to Nottingham. The most recent business case for this project forecast a BCT of over 3:1.

The potential of this route to deliver a regular service between the East Midlands and the Thames Valley, opening up an entirely new market for rail travel, should also be explored.

Regular links to Leeds and the North. This was forecast to stimulate an uplift in Leicester and Leicestershire's economy of £6.4 pa GVA. This could be achieved by extending some of the existing London, Leicester, Derby, Sheffield services to Leeds, subject to the availability of paths north of Sheffield, and the capacity of Leeds station. Another approach would be a "code-share" with Northern Railway to enable the extension of their Leeds-Nottingham service to Leicester.

Reduced East-West Journey Times, both between Birmingham and Leicester, and east of Leicester to Cambridge. This could be achieved through service enhancement or through new rolling stock with better acceleration. Enhancing local rail connectivity to destinations in the West Midlands would also benefit residents and businesses in the South West of the County by providing improved access to longer distance services on the West Coast Main Line and the HS2 western leg.

Our expectation is that there would be a minimum of 3 trains per hour to key destinations from Leicester with an average journey speed of 60mph, to equal car travelling times. Train services should be starting from Leicester at or before 06:00 and run until at least 22:00, or longer if the market demands. Airport services need to be timed appropriately for the needs of passengers and staff, bearing in mind that many morning services require check-in between 05:00 – 07:00.

The County Council will continue to work with neighbouring authorities to seek opportunities to improve services and stations on the Poacher Line, which serves Bottesford. Active engagement from the new operator will be expected in developing these opportunities further.

Question 11. Do you support the proposal to reopen the line between Shirebrook and Ollerton to passenger trains? If so, what sources of investment could be identified to fund this proposal?

While this route lies outside Leicestershire, the partnership supports Nottinghamshire's position on reopening the line to passenger services.

Question 12. Do you think that the current number of services on the Midland Main Line to and from Luton Airport Parkway is adequate?

The partnership consider that a strategic objective for the new East Midlands Rail Franchise is to support the continued drive for economic growth across Leicestershire by improving connectivity already identified as poor. Improved connectivity to airports, including Birmingham, East Midlands, Luton and Stansted, forms a key element in this strategy. However, the economic stimulus provided by fast journey times between Leicestershire and London outweighs the benefits of stopping more long- distance services at Luton Airport Parkway.

Question 13. Would you like additional fast trains each hour to call at Luton Airport Parkway if this meant that, as a trade-off:

- **Some services are withdrawn from other stations, such as Luton?**
- **Journey times to other stations may increase?**
- **Freight capacity and/or frequency is reduced?**

Maintaining most Leicester – London journey times at under 60 minutes start to stop is our priority. While improved connectivity to airports, including Luton, is also important, this should not be at the expense of extended Leicester – London journey times, nor to the detriment of journeys to and from other locations along the Midland Main Line. In this context, the improved connection opportunities available at Kettering and/or other stations as a result of the enhanced outer suburban services to Corby should not be overlooked.

As a general principle, the partnership are keen to see that journey time targets are met through improvements in rolling stock and infrastructure investment, rather than by removing station stops.

The partnership do not see why additional stops at Luton Airport Parkway should, by themselves, result in a reduction in freight capacity or frequency, as no additional train paths would be required by this proposal.

Question 14. How could the train service be better at meeting the needs of passengers travelling to and from the airports within the East Midlands franchise?

Although East Midlands Airport is close to East Midlands Parkway station on the Midland Main Line, access to and from the airport at this location is poor, with an hourly taxi link between 05:20 (06:00 Saturdays and Sundays) and 19:00 daily, seating only 6 people. Combined rail/taxi fares are not available.

The rail timetable currently features all arrivals and departures to both north and south within an 18-minute window in each hour. Despite this, the taxi service fails to provide a convenient interchange in either direction, and actually contrives to miss some departures by a few minutes. The role of this station as an airport station – one of the reasons it was built – is not being fulfilled.

Improvements are needed to the train calling pattern, service hours, interchange and passenger information. This becomes even more important as the employment on and around the airport site increases.

On timetabling, for example, significant improvements could be secured by recasting the train service into a more regular and frequent pattern, and improving links by road to the standards at other similar airport interchange points. The current southbound timetable from East Midlands Parkway, including the timings of the taxi link, is shown below:

			TAXIBUS		TAXIBUS
Sheffield	xx:49				
Derby	xx:21				
Lincoln				xx:36	
Nottingham		xx:32		xx:36	
East Midlands Airport (dep)			xx:30		
East Midlands Parkway (arr)	xx:34	xx:42	xx:45	xx:49	
East Midlands Parkway (dep)	xx:35	xx:43		xx:50	xx:00
East Midlands Airport (arr)					xx:20
Loughborough	xx:42			xx:58	
Leicester	xx:52	01:59		xx:23	
London St. Pancras	xx:59	03:14			

Five trains per hour pass through East Midlands Parkway; two London – Sheffield, two London – Nottingham and one Leicester – Lincoln. The partnership suggest swapping the EMP stop between the two Sheffield services in order to give a more even spread of departures, as shown below.

Alternative timetable:

Sheffield	xx:29		
Derby	xx:00		

Lincoln			xx:36
Nottingham		xx:32	xx:36
East Midlands Parkway	xx:14	xx:43	xx:50
Loughborough			xx:58
Leicester	xx:30	xx:59	xx:23
London St. Pancras	xx:37	xx:14	

The partnership would also wish bidders to be encouraged to develop a more integrated service, working with the airport, to provide better and more frequent interchange, through-ticketing and joined-up passenger information.

The importance of Stansted and Birmingham Airports to the region are also recognised, and we would support proposals to improve links to these strategic hubs, particularly reduced through journey times to Stansted.

Question 15. What ideas do you have for improving the current service on the Liverpool – Norwich route?

The Liverpool – Manchester – Sheffield – Nottingham – Peterborough – Norwich route was developed over a period of time from the combination of several local services, and has remained substantially unchanged for several years. The time might, therefore, be right for a review of the relative value of this through service against a recast service pattern.

One of the key priorities in the L&LRS is for a regular Leicester – Manchester service as noted in question 10. One way this could be achieved would be to divert Liverpool – Norwich services from Nottingham to Leicester, with the eastern leg replaced by a connecting Nottingham – Norwich service. While this would not meet our aspiration to minimise overall journey times by running via Dore South curve (reversals at both Nottingham and Sheffield would be required), it could be seen as an interim stage if an additional path on the Midland Main Line through Chesterfield cannot be found, and would also give an opportunity to improve links to East Midlands Airport via East Midlands Parkway station.

A feature of cross-country routes such as Liverpool – Norwich is that there tend to be relatively few through journeys over the whole length of the route, most demand being over shorter sectors with a high turnover of passengers at principal intermediate points. If this is the case at Nottingham, and convenient connections to and from the east are maintained for through passengers, it is possible that the value of completely new links to and from Leicester would outweigh the value of the existing through services to and from East Anglia. In this context, the GVA value of £9.1million per annum for a direct service between Leicester and Manchester should be noted.

Even if such changes do not prove to be viable, improved rolling stock should be considered for the route. The existing class 158 diesel units, while certainly not the worst stock, are considered increasingly inappropriate for what is, and will remain, essentially a long-distance intercity-type operation, and, particularly when operated in 2-car formation, frequently inadequate in capacity terms.

Question 16. Would you support changing the destinations served by the existing Birmingham – Stansted Airport service, such as serving Norwich instead of Stansted Airport?

The partnership commissioned an extension of the GVA model used for the Leicester and Leicestershire Rail Strategy in order to assess the economic impact of the proposed change. This was because, intuitively, direct services to Cambridge and Stansted seemed to be more important to the partnership's economy than to Norwich.

The GVA results show that the swap of destinations in East Anglia to give a Liverpool-Stansted and Birmingham-Leicester-Norwich would have **a negative impact on Leicestershire's economy of £794K pa GVA.**

Looking at the impact of the proposed change across the whole of the services groups and for all economies excluding Liverpool and Manchester shows that the changes would result in **a negative impact of £2,339K pa GVA.** This higher figure is driven by the importance of Birmingham's economy and its links to the technology and university centres of Cambridge.

If the economies of Liverpool and Manchester are included the overall effect of the proposal is broadly neutral, despite the relatively large distances between these places and East Anglia.

Therefore, the partnership do not support the proposal because of the negative impact of the suggested change on Leicestershire's economy. Our view is strengthened by analysis described above that shows that the overall impact on the economies of the East and West Midlands taken as a whole (the area covered by Midlands Connect) would be also be negative.

Question 17. Are you in favour of these route changes?

- **Liverpool – Norwich**
- **Birmingham – Nottingham**
- **Birmingham – Leicester/ Stansted**

The partnership's views on the future of the Liverpool – Norwich service are described under question 15 above, and our position on the Birmingham – Stansted service is stated under question 16.

Through services between Birmingham and Nottingham via Leicester were withdrawn in 2004. Restoration would provide new and potentially valuable through journey opportunities between the West Midlands and East Midlands Airport, Nottingham and Lincoln. Such a link could be achieved, perhaps without additional rolling stock, by linking the current local Birmingham-Leicester and the Leicester-Lincoln services. This would, however, also require alterations to the franchise boundaries to bring the through service under one operator, as Birmingham – Leicester is currently operated by Cross Country and Leicester – Lincoln by East Midlands Trains.

A more radical suggestion would be to re-route the existing Cross-Country Cardiff – Nottingham service to run via Leicester instead of via Derby as now. This would provide a second fast Birmingham – Leicester service, increasing the frequency on this section to 3 trains per hour to cater for growth, in accordance with our aspirations, and providing an entirely new through service between South Wales and the East Midlands. Alternatively, the hourly “local” Birmingham – Nottingham service, also currently operated by Cross Country, could be diverted via Leicester.

Wilnecote, Tamworth and Burton-on-Trent would of course have a less frequent service, and it would not be easy to replace the diverted trains at these locations. However, some advantage in terms of timetable reliability, or additional capacity for new services, might be gained by releasing a train path on the already heavily subscribed Birmingham – Derby route. The move would reduce frequency between Derby and Nottingham to 2 trains per hour, but the third train could be restored by extending the Crewe – Derby service to Nottingham.

Question 18. Would you like to see any other routes transferred to or from the East Midlands franchise? If so, which routes?

The partnership believes the Birmingham - Leicester - Stansted Airport service should transfer to the East Midlands franchise from Cross Country. This would enable better integration with the Liverpool-Norwich service, support bidders in developing a regional rolling stock solution, and enable development of the service focussed on cross-regional travel.

As noted above, combination of the Birmingham – Leicester and Leicester – Lincoln services would require both to be operated by one Train Operating Company (TOC), either Cross Country or East Midlands Trains.

A diverted Cardiff – Leicester – Nottingham service would more logically continue to operate under the Cross-Country banner, given that EMT would have no interest in operating south and west of Birmingham. However, if the service were to be provided by diversion of the Birmingham – Nottingham “local” train, a case might be made for transfer to East Midlands to unify operations between Birmingham and Leicester under a single TOC.

Question 19. Do you support increasing frequency of train services in Lincolnshire despite the impact this may have on level crossing users?

This is a matter for Local Authorities in Lincolnshire.

Question 20. How can we improve all aspects of your door-to-door journey experience?

The “door-to-door journey experience” is dependent upon a very wide range of factors, including:

- Straightforward and easy access to information about train times, routes, fares and ticket restrictions.
 - Accessible information regarding travel to and from the railway station at both ends of the journey by whatever mode is chosen
-

- Ticket sales through a wide variety of outlets, including those remote from railway stations such as websites and remote retail outlets.
- Availability of through ticketing via multiple modes where appropriate
- Information at stations regarding platforming, train running, train formation and the position of reserved and/or unreserved coaches.
- On-train information about stopping points, timekeeping and availability of catering and other services.
- Information regarding onward journeys at the destination station, such as platforming and running of connecting trains, directions to taxi ranks, bus and tram stops, car pick up points and walking routes to major destinations.
- Safety and security both on and off train.
- Station facilities i.e. sufficient secure cycle parking provision at all stations
- On-train comfort and facilities, including availability of seats.
- Delivery of the timetable, i.e. timekeeping and reliability.

Many of these issues are discussed elsewhere in this response.

The partnership believes that for most passengers, reliability is the most important element of service delivery, and where it is poor it adversely affects all other satisfaction sources. Performance data should be measured at all stations, not just at the end of routes. The key point is passenger lateness, not whether a train arrives at destination on time.

Operator performance reporting is an important element of governance as we believe that train operators do respond to reputational issues, and this can drive management behaviour.

When disruption does occur, however, the criteria and procedure for claiming compensation should be easy to understand and simple to implement. We acknowledge that much has been achieved by the rail industry in recent times, particularly through the widespread adoption of “Pay Delay” schemes, but consider that more can be done.

Whatever systems the franchisee eventually adopts, compensation should be in the form of real financial refunds and the use of travel vouchers as compensation should be abandoned.

Question 21. What more could be done to improve access to, and provide facilities at stations, including for those with disabilities or additional needs?

The partnership have categorised our stations in the following way:

Hub station (Leicester)

The highest volume of passengers is handled here and many of them will interchange with other services running from this station. Travellers from outside the county will also interchange here, and due to the numbers of passengers per day, the facilities provided should be of a high standard. The partnership consider that Leicester station is the County’s economic gateway, and expect that the successful franchisee would be an active partner in the development and eventual

implementation of our ambition for a long-term Masterplan for Leicester station and the surrounding area.

Town centre stations (Market Harborough, Loughborough)

Reasonably high volumes of passengers are expected, and some of these will interchange with other services. These stations must provide essential facilities for those passengers awaiting other trains.

The “Access for All” project to improve facilities at Market Harborough has already been subject to delay and Network Rail should be pressed to complete it as soon as possible.

Local stations (Bottesford, Barrow-on-Soar, Hinckley, Melton Mowbray, Narborough, Sileby, South Wigston, Syston)

These serve smaller numbers of passengers, many of whom are commuters, or making leisure trips to other towns and cities inside and outside the county. A local station’s main function is to allow passengers to make their planned trip safely and with minimal waiting time.

See appendix A for our comments on individual stations.

Stations, no less than trains, are central to the passenger experience. They form a vital link in the end-to-end journey, facilitate connections between the railway and other modes of transport, provide economic gateways into the city centre and connect the railway with the surrounding community and the local environment.

The partnership support the development Travel Plans to encourage the use of rail services and public transport generally, and urge that Station Travel Plans are developed jointly with local authorities, who have a shared responsibility for access to the railways via local road and bus networks. The partnership would also support other station improvements to improve accessibility to, and the environment at, local stations, but consider that provision of retail facilities as an end in itself is a lesser priority than travel-related facilities. The partnership would not support proposals to develop retail facilities at stations at the expense of improved facilities more directly related to travel.

Railway stations should be designed to be accessible by all modes of transport, and adequate facilities to at least minimum statutory requirements must be provided for people with physical disabilities or who have limited mobility.

- **Bus** –The provision of improved bus timetable and interchange information, and directions to local bus stops and destinations, would provide significant improvements at more affordable cost. For example, Leicester station currently has no obviously visible onward travel bus information on display, despite a number of major routes directly serving the station.
 - There must also be active efforts to promote options like Plus Bus and multi-modal ticketing from the franchisees own ticket platforms in order to enable more integrated “door-to-door” travel options to and from our larger towns, notably Coalville, Ashby and Shepshed, which are not rail
-

connected. Specific proposals by bidders to address these issues in partnership with local bus companies and local authorities would be welcomed.

- **Cycling and walking** – safety and security are vital, with well-lit and signposted routes for both modes of travel. Secure cycle parking is also a priority at all stations.
 - **Car parking** – Must be managed to promote it as an option for rail users, but where fees are paid, these should be no higher than nearby town or city centre parking. Ideally, parking at small and remote stations should be free. Car parks must be safe and secure with appropriate lighting and CCTV cover.
 - **Waiting facilities.** Waiting areas should be provided at all stations, to a level appropriate to the size and importance of each station. The partnership has no particular problem with “bus shelter” style facilities at small, unstaffed stations, but they must provide adequate protection from the weather and include seating.
 - **Information.** All stations should have information displays providing timetable, platform and real time train running information, as well as local information regarding local bus stops, directions to taxi ranks and pick-up points, and walking and cycling routes to local centres or destinations.
 - **Security.** Stations should be staffed wherever viable, but where this is not possible, CCTV monitored at a central location should be provided, together with a reliable and visible means of summoning assistance. Where provided, staff need to be visible at times of disruption to advise and direct passengers, and continuously during the evening and at night as it helps to reassure passengers about safety.
 - **Lighting.** Stations should be appropriately lit, with lighting designed to eliminate shaded areas. Wherever possible, isolated and secluded areas in stations should be illuminated, but where this is not possible such areas should be monitored by CCTV.
 - **Access.** Step free access to statutory disabled standards should be provided wherever possible, including at the platform / train interface.
 - **Disability protection.** The needs of disabled passengers or those with limited mobility should be considered at all stages. For example, ticket machines should be sited where there is adequate room to manoeuvre a wheelchair and be operable from a seated as well as standing position. Platform edges should be marked by tactile strips. Train running information should be provided by aural as well as visual means.
-

In addition, the partnership want to see the operator and Network Rail working together to address the lack of incentives in the current industry structure to develop and improve stations, as discussed in question 1. We want to see Network Rail and the operator work together, with other stakeholders (such as Local Authorities and LEPs) to develop a vision for stations in the franchise, to create long term improvement plans for stations to achieve that vision, and to assemble funding and project teams for delivery. The station vision should include recognition that stations are community assets, with a role to play as the gateway to the communities they serve as well as the gateway to the railway.

Question 22. How could the next franchise operator make better use of stations for community and commercial purposes?

The partnership would also encourage the development of Community Rail Groups, as they help to integrate railways into the community and promote local ownership. The successful franchisee should provide ongoing funding for developing relationships with a wide variety of groups.

Other measures include encouraging community use of spare/redundant railway buildings, either for local small businesses, such as shops and pubs, or other community initiatives, including local meeting spaces, and arts or health initiatives. The franchisee might consider making some funding where a commercial case can be made, such as through profit sharing or accounting of costs avoided in repairs and maintenance. The benefits to the TOC are that vandalism and fabric decline to empty buildings can be reduced and safety and security on and around the station is increased.

Question 23. What could be done to improve the way tickets are sold and provided?

and

Question 24. What changes to the fares structure would be of benefit to you?

Our priorities for fares and ticketing are:

- A simple fare structure which is easy for customers to understand
 - An appropriate range of ticket options to give affordable and value for money travel
 - Modest price upgrades for first-class travel, especially when spare capacity is available at off-peak times
 - Freely accessible and easily understood communication of ticket options, pricing and availability, including online information which matches that available in stations
 - A wider range of ticketing offers such as family/group travel
 - Tickets to be available through a wide range of retail channels, including ticket offices/machines, and online/smart ticketing
-

There are also some options which the prospective franchisees should consider as part of the tendering process. These are:

- “Short week” tickets for those who travel less than five days a week
- Discounted tickets for students, trainees and apprentices, or those attending job interviews

The partnership expect smart ticketing to be provided in collaboration with Midlands Connect and to be comparable with smart ticketing options provided by other TOCs and travel providers. Smart ticketing should also be account based to enable easy refunds to be credited to passengers where required.

Station barriers should be capable of recognising all types of tickets, such as ITSO smart media, mobile and paper tickets, QR codes etc.

Where more than one operator offers competing services on the same or alternative routes (for example between London and Birmingham New Street) lower fares may be offered at the expense of ticket inter-availability between the operators. While this results in some disadvantage to passengers in terms of service frequency and choice, we recognise that it is an inevitable result of competition and does have the advantage of encouraging a wider range of discounted fares.

There is a perception locally that fares to and from Leicester are more expensive than fares to and from other centres of a similar size or distance from London. The analysis below supports this view. The partnership would wish to see bidders address this imbalance.

Journey to London from	Miles	Open Single	Approx. rate per mile	Off Peak Single	Approx. rate per Mile
LEICESTER	99	£83.50	£0.84	£59.50	£0.60
Rugby	82	£67.50	£0.82	£42.00	£0.51
Coventry	94	£77.00	£0.82	£48.30	£0.51
Nuneaton	97	£67.50	£0.69	£42.00	£0.43
Norwich	115	£65.40	£0.57	£52.10	£0.45
Birmingham	110	£88.00	£0.80	£52.10	£0.47
Grantham	105	£65.00	£0.62	£50.40	£0.48
Bath	107	£95.00	£0.89	£44.70	£0.42
Bournemouth	108	£55.30	£0.51	£51.70	£0.48
Nottingham	123	£86.00	£0.70	£61.00	£0.50
Manchester	183	£169.00	£0.92	£82.90	£0.45

Note. The figures in this table represent a broad indication of comparative fares for journeys to London of a similar distance to that from Leicester, or from cities of similar size and importance, verified by the National Rail website.

Question 25. What additional information would be useful to you when planning or making your journey, such as seat availability, journey times and connections? How would you like it to be communicated to you?

The partnership have noted that Virgin West and East Coast have introduced platform indicators showing train formations, with the position of each lettered coach, the proportion of reserved seating in each coach and the availability and position of unreserved coaches. Provided the information is clear, and easily understood by

passengers who may not be familiar with rail travel, this should help to make boarding more efficient, particularly at peak times.

Information about the number of coaches on an approaching train, as currently practised by a number of operators such as London Midland, can be useful in encouraging passengers to distribute themselves along platforms before boarding trains. This is particularly important where trains are formed of a number of units with no intercommunication between them.

Fully pre-booked ticketing is not supported, as it would result in the elimination of one of the great strengths of rail travel, the ability to “turn up and go”. There should always be a proportion of unreserved seating on all trains. Also the policy of allowing seat reservation whilst a train is en route (as per Cross Country Trains) is not supported, as it is unfair to walk on passengers who may already be in the seat that is to be reserved.

On-train displays should be clear and bold in indicating reserved and unreserved seating to avoid as far as possible conflict where passengers are occupying other customers seats, and to ensure the most efficient use of available seating. Measures include a review of seat reservation policy and practice to reduce the impact of “no show” passengers on seat availability, for example by programming reservation displays to revert to “Available” shortly after departure from the station at which the seat is reserved, rather than showing “Reserved” throughout the journey. Several TOCs use displays such as “Available until [station]” or “Reserved from [station]” to make more efficient use of spare seating, and this practice should be more widely adopted.

Other marketing policies might also be usefully reviewed, such as the proportion of first- to standard-class accommodation, particularly in shorter train formations such as the 4-car “Meridians” currently used by EMT, and the availability and cost of first class upgrades on off-peak services.

Onward connectivity announcements and written information needs improvement, including rail connection and access to other public transport modes.

Question 26. How could staff be more effective in providing the service and assistance that passengers need in a modern railway network?

Staff need to be visible at times of disruption to advise and direct passengers. Staff visibility is particularly important for evening services as it helps to reassure passengers about safety.

There appears to be a wide consensus that the overall quality of front-line rail staff has improved significantly since privatisation, and this trend should be encouraged to continue. Staff need to be properly informed particularly during periods of disruption, and knowledgeable enough about rail systems and travel to be able to offer well informed advice on their own initiative.

The operator should consider the means by which information is disseminated to on-train and station staff during disruption, perhaps using some form of social media to

hand held devices which can also be used to interrogate central staff regarding alternative travel arrangements or other issues of concern to passengers.

Question 27. How would you prefer the next operator to engage with your organisation?

The partnership expect the new franchisee to be an innovative and forward-thinking company that engages fully with the County Council, City Council, Leicester and Leicestershire Local Enterprise Partnership, the Department for Transport, HS2 Limited and Network Rail in long-term integrated economic and transport planning, including developments that go way beyond the end of the franchise. Railway planning obviously is a long-term activity, and the existing operator is a key participant in this, including in the delivery of the L&LRS.

The key areas in which we anticipate an active engagement are:

- Continuing to press for, and make the case for, full electrification of the Midland Main Line through to Nottingham and Sheffield as originally proposed, to deliver improved journey times and additional capacity.
- Maximising the benefits to Leicester's economy, including reduced journey times, of the new trains and other Midland Main Line projects
- Supporting the development of Le Nuckle project to reintroduce direct services between Leicester and Coventry
- Working with us on developing plans for the Leicester Masterplan project, which will aim to transform land-use and public amenity around the station area, and enhance the station itself
- Planning to maximise the value of HS2, while ensuring that the existing rail network continues to fulfil its vital role in the economic and social life of the region by providing new and improved services consistent with these long term aims.

Whilst the opening of HS2 Phase 2b through Leicestershire to Leeds is not planned until 2033, the process of determining the impact of this on the existing railway has already begun, and will be well-advanced during the term of the East Midlands franchise. For Leicestershire, maximising the value of HS2 achieving the best result means:

- A restructuring of the service on the Midland Main Line after HS2 opens which improves connectivity not only for Leicester and Leicestershire, but brings wider benefits for the East Midlands and the UK as a whole. One of the principal benefits of HS2 is the opportunity it creates to redesign existing services on the classic network using the capacity released by long distance services using HS2.
-

- Securing through “classic compatible” direct services from Leicester to destinations in the north via HS2. The journey time reductions available are substantial (up to an hour on many station pairings). If services are provided through Leicester from key economic development areas in the South Midlands, the proposition is substantially strengthened, especially if an alliance with other LEPs and Local Authorities can be achieved, including with Transport for the North, creating a “string of pearls”. Midlands Connect is active in developing a business case for this.

Question 28. What would make you feel safer and more secure on your journey in relation to:

- **Trains?**
- **Routes?**
- **Stations?**
- **Other?**

Please see answers to other Questions above

Question 29. How do you think more investment might be put into the railways to match money already coming from government through Network Rail?

Investment is needed in the railway to tackle existing capacity bottlenecks and barriers to connectivity (such as between Leicester and Coventry), provide electrification, new trains to replace the aging fleet.

Involving communities in the railway secures funds in kind and builds considerable goodwill. Funding sources beyond the rail industry for the right schemes include:

- Local Enterprise Partnerships
- Planning Section 106 obligations
- Business Improvement Districts
- Major employers/businesses
- Airports

Examples of investment across the East Midlands are station improvements, access to station improvements, public realm, station car and cycle parking, bus service provision. As described in question 27, the partnership are looking for a forward-thinking operator of the franchise who will work with all parties to progress long term investment in partnership. Funding assembly from sources such as the above is a key part of how we envisage such partnerships working.

The partnership is disappointed that the Government has chosen to withdraw funding from the Midland Mainline by not progressing electrification. This is the sort of scheme, integrated into the existing railway, impacting on existing operations, and of large magnitude, which it is difficult to fund from sources other than Government and Network Rail.

Question 30. Are there any other ideas that you think it is important for us to consider that have not already been discussed in the consultation?

Branding

Ideally, we would wish to see long-term branding developed, as this would:

- Promote the bond between the railway and the local community
- Help to reduce cost wastage associated with periodic rebranding
- Recognise the locality of the East Midlands and its place in the country

The partnership feel that branding should reflect the difference between local, regional express and London services, and should play a role in actively promoting and marketing the region.

Branding should cover:

- Stations
- Rolling stock
- Web/electronic/mobile/hard copy information
- Marketing and ticketing
- Company assets
- Customer-facing staff presentation

Where a local service covers one specific route, the branding could reflect this, e.g. the Ivanhoe Line

It would also be appropriate for the branding to work with other public transport modes, as long as this is on a no-profit basis for other operators. Once established, the brand should then pass on to future franchisees, as long as it is clear who the responsible operator is.

Appendix – Leicester and Leicestershire Station Survey

A survey of all of Leicestershire's stations was undertaken at the end of April 2017. The stations were all visited on a weekday outside peak hours and a number of factors were examined. Not all of the stations in Leicestershire run services operated by East Midlands Trains, although they are the operating company with current responsibility for the stations.

The factors examined were:

- Facilities
- Safety and security
- Car parking
- Intermodal exchange
- Signposting and information
- Other

A headline summary of our findings for each station is below.

HINCKLEY

The station is on the Cross-Country Birmingham to Peterborough Line between Leicester and Birmingham New Street and is about 4 miles east of Nuneaton.



Facilities: Manned for at least part of the day. Toilet with key, no catering or retail. Buildings well maintained and there is a modern footbridge and new waiting shelter on platform 2. Wi-Fi available for passengers and a cycle rack on platform 1. The station is fully accessible.

Safety and security: No visible CCTV on platforms. Station is well lit and there is a help point.

Car parking: Reasonable amount of space, but passengers choosing to park for long period at the Tesco's next door to the station is likely to cause issues. Adequate lighting and CCTV.

Cycle parking: 16 storage spaces covered by CCTV

Intermodal exchange: Onward travel information available and a small taxi office outside the station.

Signposting: Adequate, with some onward travel information available.

Other: Some areas of the station buildings are in use by other local businesses, which helps use redundant space. The station area would benefit from some cosmetic landscaping.

NARBOROUGH

The station serves the villages of Narborough and Littlethorpe in Leicestershire. It is on the Birmingham to Peterborough Line about 5 miles (8km) southwest of Leicester.

Facilities: Manned station, with waiting room and small open shelter on platform opposite ticket office. WiFi available for passengers, but no toilet or retail. Platforms are step free, but passengers are required to walk across the level crossing to reach the ticket office.

Safety and security: Manned stations are helpful for passenger perception of safety, and there is visible CCTV on platforms and in the car park.

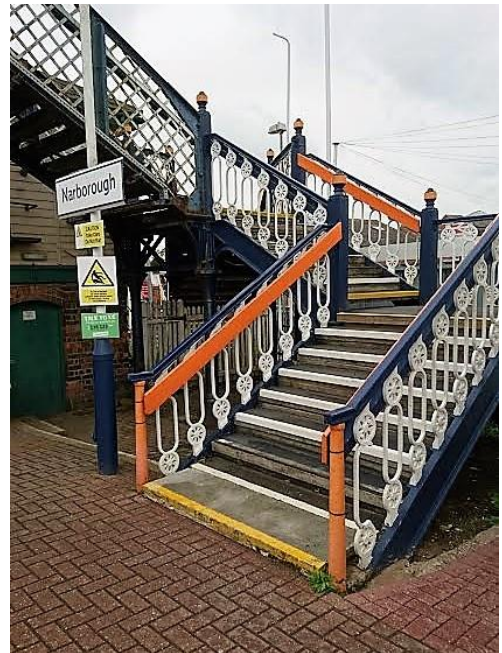
Car parking: Reasonable number of pay and display spaces

Cycle parking: 20 covered storage spaces covered by CCTV

Intermodal exchange: Some onward travel information outside the station

Signposting: Fair

Other: The station buildings and footbridge are in need of some restoration. Picket fences outside are in poor condition, and the area would benefit from landscaping. There is a level crossing outside the station, and a young woman with a pushchair was witnessed attempting to beat the barriers at the time of visiting.



SOUTH WIGSTON

This station serves the suburb of South Wigston, Leicester. It is on the Birmingham to Peterborough line about 3km south of Leicester.



Facilities: Unmanned, so little shelter for passengers other than on platforms. There did not appear to be a ticket machine anywhere!

Safety and Security: CCTV on platforms, but these are split from each other by the railway's layout and feel "remote".

Car parking: There is a car park run by Oadby and Wigston District Council signposted from the station, but it is not adjacent so there could be access issues for the less abled.

Cycle parking: No provision

Intermodal exchange: Some signage to nearby

buses at the station.

Signposting: Could be improved. No indication that the car park was for station customers.

Other: The station needs some general tidying and landscaping, particularly around the platforms.

LEICESTER

The county's principal station was originally opened in 1840 by the Midland Counties Railway, and rebuilt in 1894 and 1978. The frontage of the building is Grade II listed.



Facilities: This is a principal railway station and has facilities commensurate with this, including catering, retail, cashpoints and toilets in platform and station concourse (although concourse toilets were all out of order on the day visited). The station is manned throughout its opening hours. WiFi is

available for passenger use, and there is ample space for the large number of travellers who pass through daily. The station is fully accessible.

Safety and security: CCTV in all principal passenger areas and station staff in evidence. British Transport Police have a regular presence there.

Car parking: There is a large station car park and other municipal car parks nearby, but car park was very full at the time of visiting.

Cycle parking: A Cycle Hub is located underneath the station. It is sheltered and secure, with 222 spaces. There are also mixed type stands. Outdoor covered spaces in main car park. Stands at the station front.

Intermodal exchange: There is a taxi rank/drop off area at the front of the station, and cycle racks available. Numerous bus services pass through the city centre. However, there is little onward bus travel information available at the front of the station.

Signposting: Good, with ample signage from ring road inwards.

Other: The station is in need of some cosmetic improvement to match the listed areas; the fibre glass roof over the platforms is very stained and needs to be replaced or deep cleaned. Some of the 1970s areas need refreshing.

SYSTON

The station is on the Midland Mainline from Leicester to Loughborough and is 167km from London St Pancras. Express trains do not stop here as the platform is on the bidirectional Leicester to Syston slow line.

Facilities: There is a single platform, and a small shelter for passengers. The station is unmanned. No catering or other facilities are provided. There is a ticket machine and swipe card device at the entry.

Safety and security: There is CCTV and a help point for passengers.

Car parking: This is situated near Tesco's and other shops, and there was ample space at the time of visiting.

Cycle parking: 3 cycle racks providing 14 spaces, covered by CCTV.

Intermodal exchange: There was no evidence of cycle racks in the shoppers' car park, and very little information about exchange with bus services.

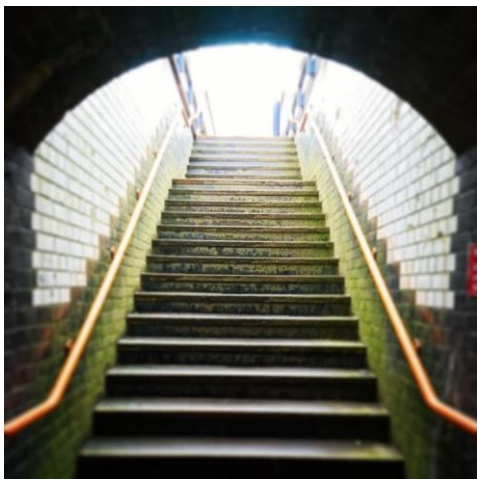
Signposting: Could be improved.

Other: The station is in generally good order and there is a community project in place to maintain the garden.



SILEBY

The station is located on the Midland Mainline 10.5km north of Leicester towards Loughborough.



Facilities: The station is unmanned, but there is a ticket machine on platform 1 and a swipe card point. There are no catering facilities or toilets. The station is not accessible as passengers must climb steps to the platforms and there is no alternative route.

Safety and security: The station is well lit and there is CCTV on the platforms. There is also a help point for passengers' use.

Car parking: There is a free car park but this is some streets away.

Cycle parking: No provision

Intermodal exchange: There is information on forward bus travel at the station entrance.

Signposting: There are no warning signs that the station is not accessible for the less abled.

Other: The access issues need to be addressed urgently. The station would also benefit from some landscaping work.

BARROW UPON SOAR

The station serves the large village of Barrow upon Soar in Leicestershire, and is located on the Midland Mainline between Loughborough and Leicester.

Facilities: The station is unmanned and is of modern construction with open metal platform shelters. There is no disabled access.

Safety and security: The station is well lit and there is CCTV on the platforms. A help point is available for passengers' use.

Car parking: There is no car park.

Cycle parking: 12 storage spaces available covered by CCTV

Intermodal exchange: There is information for onward bus travel, but the lack of car parking (and cycle racks) is a significant issue.

Signposting: There is no indication outside that there is no disabled access.

Other: The station is tidy, but generally drab and unprepossessing, and open shelters are not helpful in bad weather. These would benefit from being replaced, and some landscaping work is needed.



LOUGHBOROUGH

The station is a Grade II listed building which serves the town of Loughborough. It is situated on the Midland Mainline, 20.1km north of Leicester. The station lies to the north-east of the town centre. Train services run from here to London St Pancras.



Facilities: This is a medium-sized town station which is well equipped. There are catering facilities; a shop and toilets, recently installed (2012) ticket barriers and swipe card readers. The station is manned with a large ticket office, and there is a new footbridge with lifts to enable accessibility to both platforms.

Safety and security: The station is well lit and there are CCTV cameras on both platforms. Staffing on the station also help to create a sense of security for passengers.

Car parking: There is a fairly large car park, but it was full at the time of visiting. There is some spare land to the left of the station building, but it is unknown whether this could be used for car park expansion. It may not be possible to add decking as most of the surrounding buildings are low-level.

Cycle parking: 200 storage spaces available. Secure and covered.

Intermodal exchange: There is onward bus travel information and a taxi rank outside the station.

Signposting: Good.

Other: The station is in generally good order but the glass roof would benefit from restoration and/or deep cleaning.

MELTON MOWBRAY

The station serves the town of Melton Mowbray and most of the services are operated by Cross Country as part of the Birmingham to Stansted Airport route. It was refurbished in 2011, including improved disabled access to the barrow crossing.

Facilities: The station has a ticket office which is staffed part time, and help points for times where there are no staff present. There are toilets on platform 1 and vending machines for customers' use.

Safety and security: The station platforms are well lit and there is CCTV.

Car parking: There is a large car park alongside the station, a drop-off area outside.

Cycle parking: 32 storage spaces covered by CCTV

Intermodal exchange: There is information on bus travel outside the station, and opportunity to use cycles or taxis to reach the railway. There is also a bay for a local bus service.

Signposting: Good.

Other: Although the "barrow crossing" has been improved fairly recently, this is still not best practice for the less physically able to cross the line and a better solution for access should be considered.

BOTTESFORD

The station is located on the Nottingham – Grantham line about 15 miles (24Km) east of Nottingham, conveniently located on the north-eastern edge of the village of Bottesford. Services are operated by East Midlands Trains at two hourly intervals to Nottingham and to Skegness via Grantham, where connections are available to East Coast Main Line services towards London, York and the North-East. Despite the relatively infrequent timetable, the station is considered one of the more heavily used on the route, with significant numbers of regular daily commuters to and from Nottingham.

Facilities: The station is continuously unstaffed, and is not provided with ticket issuing equipment, all fare collection being undertaken on-train. A customer help

point is provided on Platform 1 (towards Nottingham) but not on Platform 2 (towards Grantham). There is a shelter on each platform, but no toilets or enclosed waiting rooms. Level access is available from the station forecourt to Platform 1, with access to Platform 2 by means of a footbridge. There is also a barrow crossing, but this may now be disused



Safety and Security: The platforms and pedestrian approaches are quite well lit, but there is no CCTV.

Car Parking: 13 free car parking spaces are provided in the station forecourt, but no designated disabled spaces or pick up / set down facilities for customers with mobility impairments.

Cycle parking: 4 storage spaces. Covered by CCTV

Intermodal Interchange: The nearest bus stops are in the centre of the village, between 6 and 10 minutes' walk from the station. A telephone number for a local taxi firm is displayed on the station.

Signposting: A standard totem sign is erected at the station entrance.

Other: There is considerable scope for improved facilities at Bottesford, particularly disabled access to and between the platforms, passenger information systems and personal security measures.

Appendix C

Extract from 10 February 2017 Cabinet report - paragraph 36

This support in principle should be contingent on similar caveats to those expressed in the March 2016 Cabinet report, i.e.:

- That the adverse impacts of the HS2 route through Leicestershire previously highlighted and those that will be highlighted in our detailed response to the current consultation are minimised;
- That the HS2 proposals provide the necessary rail connectivity and track/station capacity to allow for the operation of direct, 'classic compatible' rail services from Leicestershire stations, via Toton to/from destinations in Northern England;
- The prompt delivery of improvements to the Midland Main Line (MML) railway to achieve sub-60 minute journey time to London, including:
 - to improve line-speed (including track straightening at Market Harborough);
 - to improve line capacity; and
 - to complete electrification through Leicestershire at the earliest possible opportunity;
- That there is no diminution of rail services to London on the MML post opening of HS2, in terms of journey time, frequency of services and general standard of rolling stock.

This page is intentionally left blank