



Meeting: **Cabinet**

Date/Time: **Tuesday, 12 December 2017 at 2.00 pm**

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

Contact: **Ms. J. Bailey (Tel. 0116 305 6225)**

Email: **jenny.bailey@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

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AGENDA

<u>Item</u>	<u>Report by</u>	
1. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.		
2. Minutes of the meeting held on 24 November 2017.		(Pages 3 - 14)
3. Declarations of interest in respect of items on the agenda.		
4. Medium Term Financial Strategy 2018/19 to 2021/22 - Proposals for Consultation.	Director of Corporate Resources	(Pages 15 - 16)
5. Melton Mowbray Distributor Road Proposals.	Director of Environment and Transport	(Pages 17 - 98)



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| <p>6. Market Harborough Transport Strategy.</p> <p><i>(The appendices for this report have been circulated separately and can be viewed on the County Council's website at - http://ow.ly/AX5y30gWzf2 A copy can be obtained by contacting the committee officer).</i></p> | <p>Director of Environment and Transport</p> | <p>(Pages 99 - 108)</p> |
| <p>7. Progress with Implementation of the Working Age Adult Accommodation Strategy 2017-2022 'A Place to Live - My Home'.</p> | <p>Director of Adults and Communities and Director of Corporate Resources</p> | <p>(Pages 109 - 116)</p> |
| <p>8. Working Together to Build Great Communities - Leicestershire Communities Strategy 2017-21.</p> | <p>Chief Executive</p> | <p>(Pages 117 - 164)</p> |
| <p>9. Regulation Of Investigatory Powers Act 2000 (RIPA) - Review Of Policy Statement.</p> | <p>Director of Law and Governance</p> | <p>(Pages 165 - 174)</p> |
| <p>10. Recommended Change to Treasury Management Policy.</p> | <p>Director of Corporate Resources</p> | <p>(Pages 175 - 180)</p> |
| <p>11. Items referred from Overview and Scrutiny.</p> | | |
| <p>12. Any other items which the Chairman has decided to take as urgent.</p> | | |



Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Friday, 24 November 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. J. B. Rhodes CC
Mr. R. J. Shepherd CC

Apologies

Mr. E. F. White CC

In attendance

Mr. D. Jennings CC, Mr. D. Slater CC, Dr. T. Eynon CC, Mr. S. J. Galton CC, Mr. P. C. Osborne CC and Mrs. D. Taylor CC.

55. Minutes of the previous meeting.

The minutes of the meeting held on 10 October were taken as read, confirmed and signed.

56. Urgent items.

There were no urgent items for consideration.

57. 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.

Mr. B. Pain CC declared a personal interest in agenda item 10 (Harborough Local Plan 2011 to 2031 Proposed Submission Consultation Response) as a Harborough District Council member.

58. Removal (Closure) of Residential Facilities at Maplewell Hall Special School.

The Cabinet considered a report of the Director of Children and Family Services which detailed the results of the first stage of the consultation on the proposed removal of the residential facilities at the Maplewell Hall Special School with effect from September 2018 and sought approval to publish a Statutory Proposal and Notice as the next step in the process. A copy of the report, marked '4', is filed with these minutes.

The Cabinet noted comments from the local member, Mrs Taylor CC, Mr Osborne CC and Mr Welsh CC along with representations from several members of the public. Copies of each are filed with these minutes.

With the agreement of the Leader, Mrs Taylor CC and Mr Osborne CC addressed the Cabinet.

The Chairman invited Mrs Taylor CC to speak.

In addressing the Cabinet, Mrs Taylor stated that whilst she understood the County Council had limited budgets and was required to make difficult decisions, it was important for the Authority to support vulnerable children to become independent, as this would reduce demand in later life for Adult Social Care services.

Mrs Taylor CC expressed concern about the lack of detail in the report concerning the additional transport and other costs that would be incurred as a result of the potential closure of the residential facilities and how much of the £293,000 of Council funding allocated to the school was spent on the overnight provision as opposed to its after school activities.

Mrs Taylor CC felt that there had been limited discussion between the County Council and the School about the residential provision and stressed that more work was needed to explore whether the facility could be maintained, possibly with reduced funding.

Mrs Taylor CC highlighted that the school had been rated 'outstanding' by OFSTED in September 2016 and she believed the removal of the residential facility would have a negative effect on those children who currently had access to the provision.

Mrs Taylor CC did not support the proposals to close the residential facility at Maplewell Hall School.

The Chairman invited Mr Osborne CC to speak

Mr Osborne CC stated that as an ex-Chairman and Governor of Maplewell Hall School he disagreed with the proposed closure of the residential facility. He highlighted that the County Council had received considerable response to the consultation and an unprecedented number had signed a petition against the proposals. He added that the County Council should be supporting these children and urged the Cabinet to withdraw its proposal to close the facility.

In presenting the report the Director of Children and Family Services highlighted that the County Council's High Needs Block (HNB) was facing a significant overspend in the current financial year despite additional funding having already been allocated following a £2 million overspend in the previous year. He explained that it was important that the Authority fairly allocated HNB funding based on assessed need as identified in student's Education, Health and Care Plans (EHCP).

The Director confirmed that all children at Maplewell Hall School have a EHCP, but no plans have identified the need for residential educational provision.

In response to concerns about the additional transport costs arising from a potential closure of the overnight provision, the Director confirmed that such additional costs would be minimal, based on the expectation that new arrangements would have to be funded for 69 children who currently have used the residential facility.

Mr Ould CC said that the proposal to close the residential provision at Maplewell Hall School was not an easy decision to make but the Council was required to make tough choices in order to address its increasing overspend within the HNB budget. He added that he was confident that the school, like many other special schools in the County, would still be able to continue to promote its student's advancement and personal achievement through its after school activities.

Mr Ould CC reminded members that the Cabinet was not being asked to take a decision to close the school's residential facility at this point, but to begin a formal consultation period on the proposed closure. He added that the County Council would debate the issue at its meeting in December.

Mr Rhodes CC said that the benefit of the residential provision at Maplewell Hall School was not in question, however the Authority had to think very carefully how it allocated its dwindling resources in a time of reduced budgets and in a budget area which is overspent.

RESOLVED:

- a) That the online and written responses received to the first stage of consultation including an e-petition and a paper petition with a total of 11,592 signatures, 31% from Leicestershire, 18% from Leicester and 51% from outside, be noted;
- b) That approval be given to proceed with the proposal to remove (close) the residential facilities at Maplewell Hall School with effect from September 2018;
- c) That it be noted that the removal of the residential provision, if progressed, is not expected to have an adverse impact on the afterschool activities provided by Maplewell Hall School and that, subject to the outcome of further audit work, officers will work with the school to ensure the continuance of the afterschool activities;
- d) That the publication of a Statutory Notice in early January 2018 supported by a statutory proposal as the next step to progress the removal (closure) of the residential provision be approved, and it be noted that this will be followed by a four-week 'representation period', during which further comment on the proposals can be made;
- e) That the use of the Council's High Needs Block budget and the increasing pressures on it be noted;
- f) That a further report be submitted to the Cabinet on 9th March 2018, after the representation period, to enable a final decision to be taken on the implementation or otherwise, of the closure of the residential facilities;
- g) That in light of the petition having over 10,000 signatures, the decision of the Cabinet be reported to the Council on 6th December to enable the Council to debate the issue.

(KEY DECISION)

REASONS FOR DECISION

1. There had been a significant response to the consultation. The over-riding majority of the reasons put forward by respondents to keep the residential facilities open were not considered to relate directly to an educational need. For example, many referred to use of the facilities as respite care provision.
2. The removal of the residential funding would not have an adverse impact on the afterschool activities that precede overnight stays for pupils, as these are operated separately by the school.
3. There are no pupils placed at Maplewell Hall who are assessed as having a need for educational residential provision stated in their Education Health and Care Plans (EHCP).
4. No other school in the County catering for pupils with special educational needs including those educating children with profound and multiple difficulties has been provided with funding which is being used for a residential element.
5. The Council's High Needs Block (HNB) budget is provided solely for the purpose of providing education for pupils with special educational needs and disabilities (SEND). Therefore this budget should not be used to fund children's social care needs including respite care or short breaks.
6. There is significant pressure on the HNB budget. The closure of the residential facilities would allow savings to be made and funding to be directed to other areas of increased demand and greater priority as appropriate, recognising the range of pupils with SEND across the County.
7. The closure of the residential facilities in September 2018 will allow for appropriate support to be put in place (where assessed to be required) for families/pupils affected by the change.
8. The publication of the Statutory Notice is in keeping with Council's legal obligations as set out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.
9. The Council's Constitution provides that petitions with over 10,000 signatures are debated by full Council. The decision on the removal of the residential facility is a matter for the Council's Executive - the Cabinet - which must take the final decision.

59. Revised Leicestershire Youth Justice Plan 2016 - 2019.

The Cabinet considered a report of the Director of Children and Family Services which presented the revised Leicestershire Youth Justice Strategic Plan for 2016-2019 for approval. A copy of the report, marked '5', is filed with these minutes.

RESOLVED:

That the County Council be recommended to;

- a) Agree the updated Leicestershire Youth Justice Strategic Plan 2016 – 2019 as set out in the Appendix to the report;

- b) Authorise the Director of Children and Family Services to make minor amendments to the Youth Justice Strategic Plan 2016-2019 as are considered necessary to ensure it remains current and conforms to the requirements of the Youth Justice Board.

(KEY DECISION)

REASONS FOR DECISION:

The County Council has a statutory duty under Section 40 of the Crime and Disorder Act 1998 to produce an annual Youth Justice Plan. Following guidance issued by the Youth Justice Board (YJB) in 2015, subsequent plans will cover a three year period. Since that time the YJB have advised that the 3 year Youth Justice Plans need to be updated each year prior to re-submission to them.

Following its approval, the YJB requested that the Youth Offending Service (YOS) review the Plan after its first year of implementation and if necessary, update it to reflect changes in priorities and budget position.

60. Annual Delivery Report and Performance Compendium 2017.

The Cabinet considered a report of the Chief Executive concerning the Annual Delivery Report and Performance Compendium for 2017 which set out progress with implementing agreed plans and strategies, the Council's achievements over the last 12 months and comparative performance data. 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.

Mr. Rhodes CC said that the Council could be proud to have performed so well in the face of severe funding reductions.

RESOLVED:

- a) That the overall progress during 2016/17 in delivering on the Council's Strategic Priorities, securing transformation and mitigating the impact of national funding reductions, as set out in the draft Annual Delivery Report, be noted;
- b) That the current comparative funding and performance position and latest service data set out in the draft Performance Compendium be noted;
- c) That it be noted that the national funding system is:-
 - i. causing serious financial challenges for the Council, with major implications for the provision of services to the people of Leicestershire;
 - ii. placing increasing pressure on the delivery and quality of services which require enhanced performance monitoring, contract and risk management;

and that the Council continues to press its case for a fairer funding settlement;

- d) That the Chief Executive, following consultation with the Leader, be authorised to make any amendments to the draft Annual Delivery Report and draft Performance Compendium prior to its submission to the County Council on 6th December 2017 for approval and to produce a summary document for publication on the County Council's website.

REASONS FOR DECISION:

It is best practice in performance management, implicit in the LGA Sector-Led approach to local authority performance and part of the Council's Internal Governance Framework, to undertake a review of overall progress at the end of the year and to benchmark performance against comparable authorities. It is also good practice to produce an annual performance report and ensure that it is scrutinised, transparent, and made publicly available.

The Council is poorly funded in comparison with other local authorities and this will affect future delivery and performance levels.

The draft Report and Compendium may be modified to reflect comments made by the Cabinet and the Scrutiny Commission as well as to include any final national comparative data which becomes available prior to its consideration by full Council.

61. Leicestershire County Council's Strategic Plan 2018-2022.

The Cabinet considered a report of the Chief Executive which set out the results of the consultation on the County Council's revised Strategic Plan 2018 – 2022 and presented the amended Plan for submission to the County Council for approval in December 2017. A copy of the report, marked '7', 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 Strategic Plan would drive the Council's agenda and inform the Medium Term Financial Strategy (MTFS) to enable departments to focus on delivering the strategic priorities.

RESOLVED:

- a) That the outcome of consultation on the revised Strategic Plan be noted;
- b) That the draft Strategic Plan 2018 – 22 attached as Appendix A to the report be approved for submission to the County Council at its meeting on 6th December 2017.

(KEY DECISION)

REASON FOR DECISION:

To enable the revised Strategic Plan to be considered by the Council at its meeting on 6 December 2017. The Plan sets out an approach which will put outcomes for people first, support integration across the Council's services and make better use of the total resources available to the Council.

62. Leicester and Leicestershire Strategic Growth Plan Consultation Draft.

The Cabinet considered a report of the Chief Executive which sought approval for the commencement of a consultation exercise on the draft Strategic Growth Plan for Leicester and Leicestershire which had been developed by the County Council, Leicester City Council, the seven district councils and the Leicester and Leicestershire Enterprise Partnership. A copy of the report marked '8' is filed with these minutes.

The Cabinet noted comments from Mr Galton CC, a copy of which are filed with these minutes.

In presenting the report the Chief Executive explained that there had been some minor revisions made to the consultation draft Strategic Growth Plan following the publication of the Cabinet papers, including changes to several figures on Table 4 (page 211 of the Cabinet appendix pack) relating to 'Notional Housing Need and Supply 2031-50'. He added that the revised Plan would be published on the County Council's website following the meeting.

Mr Rushton CC welcomed the development of the Strategic Growth Plan which highlighted the good collaborative work being undertaken by the various authorities within Leicester and Leicestershire.

RESOLVED:

- a) That the collaborative work undertaken to develop the draft Strategic Growth Plan for Leicester and Leicestershire, including its endorsement by the Members' Advisory Group (MAG), be noted and welcomed;
- b) That the proposed consultation and engagement exercise on the draft Strategic Growth Plan and the timetable for that consultation as set out in the report be approved;
- c) That further reports be submitted to the Cabinet in 2018 advising on the Leicestershire County Council consultation response which will be forwarded to the MAG and seeking approval for the final version of the Strategic Growth Plan.

(KEY DECISION)

REASONS FOR DECISION:

To recognise the ongoing co-operation and collective work between the local authorities and the LLEP that has taken place over the past year to enable the preparation of the draft Strategic Growth Plan (and, prior to that, to produce the Strategic Growth Statement). This has included the Members' Advisory Group, comprised of representatives from each partner authority, which has commended the draft SGP for consultation.

To enable all residents and other stakeholders to comment on the proposals contained within the draft SGP, before the final document is submitted for approval.

63. Leicester and Leicestershire Authorities: Joint Statement of Co-operation.

The Cabinet considered a report of the Chief Executive seeking approval of a revised Joint Statement of Co-operation Relating to Objectively Assessed Need for Housing which confirmed the commitment of partner organisations (the seven district councils of Leicestershire, Leicester City Council, Leicestershire County Council, and the Leicester and Leicestershire Enterprise Partnership) to collaborative working. A copy of the report, marked '9', is filed with these minutes.

RESOLVED:

That the revised Joint Statement of Co-operation relating to Objectively Assessed Need for Housing (November 2017) as appended to the report, be approved.

REASON FOR DECISION:

To ensure that all partners demonstrate commitment to providing 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 resolving the provision of unmet housing need.

64. Harborough Local Plan 2011 to 2031 Proposed Submission 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 Harborough Local Plan 2011 to 2031 proposed submission prepared by the district council. A copy of the report marked '10' is filed with these minutes.

The Cabinet noted comments from local members Mr Galton CC, Dr Hill CC and Dr Bremner CC. Copies of each are filed with these minutes.

RESOLVED:

- a) That the detailed comments on the Harborough Local Plan Proposed Submission document as set out in the appendix to the report be submitted to Harborough District Council as the views of the County Council;
- b) That the key comments set out in paragraphs 22 to 42 of the report be specifically drawn to the attention of Harborough District 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.

65. Integrated Sexual Health Services - Outcome of Consultation and Re-Procurement.

The Cabinet considered a report of the Director of Public Health seeking approval for a new proposed model for integrated sexual health services to be commissioned across Leicester, Leicestershire and Rutland. A copy of the report, marked '11', is filed with these minutes.

Mrs Posnett CC said that the new arrangements would ensure all service users would be able to benefit from a modern and accessible service. She added that teenage pregnancy rates in the County had seen a recent decline and she was confident this would continue under the new model.

RESOLVED:

- a) That the outcome of the public consultation on the proposed new model for integrated sexual health services across Leicester, Leicestershire and Rutland be noted;
- b) That the final model for integrated sexual health services detailed in paragraph 28 of the report so far as it relates to Leicestershire, be approved;
- c) That the Director of Public Health following consultation with the Director of Law and Governance, be authorised to enter into any contractual arrangements necessary to bring into effect the provision of an integrated sexual health service across Leicestershire, Leicester and Rutland with effect from 1st January 2019.

(KEY DECISION)

REASONS FOR DECISION

Upper tier local authorities have a statutory responsibility to provide a comprehensive open access sexual health service. The current integrated service contract commissioned by the County Council and Leicester City and Rutland Councils ends on 31st December 2018.

The revised delivery model will offer a more consistent and targeted approach to meet the needs of each local authority population under one integrated service.

The continued joint procurement of services will enable the Council and its partners to achieve efficiency savings whilst continuing to co-ordinate services and improve outcomes and ensure high quality and sustainable service provision.

The consultation exercise showed good support for the new model and enabled concerns to be addressed.

66. Annual Report of the Director of Public Health - 'Leicestershire Health - New Insights Into Our Population'.

The Cabinet considered a report of the Director of Public Health concerning the publication of his Annual Report for 2017 which provided a broad overview of health in Leicestershire. A copy of the report, marked '12', is filed with these minutes.

RESOLVED:

- a) That the Director of Public Health's Annual Report 2017 be noted and its recommendations supported;
- b) That it be noted that the Annual Report will be submitted for consideration by County Council on 6th December 2017.

REASON FOR DECISION:

The Director of Public Health's (DPH) Annual Report is a statutory independent report on the health of the population of Leicestershire.

To enable the County Council to consider the Report, which will help inform future commissioning decisions.

67. Modern Slavery and Human Trafficking Statement

The Cabinet considered a report of the Director of Corporate Resources which sought the Cabinet's approval to publish a statement detailing the Council's approach to ensure modern slavery is not taking place in its business or supply chain. A copy of the report, marked '13', is filed with these minutes.

Mr Rhodes CC welcomed the statement which illustrated the Authorities commitment to preventing slavery and human trafficking and showed it had the necessary measures in place to ensure that it did not happen within organisations and the companies it contracted with.

RESOLVED:

- a) That the Modern Slavery and Human Trafficking Statement attached as an appendix to the report be approved;
- b) That it be noted that the Statement will be reviewed and updated at the end of each financial year and published on the Council's website.

REASON FOR DECISION:

The Modern Slavery Act 2015 places a requirement on commercial organisations (with a global turnover above £36m and which carries out business in any part of the UK) to prepare and publish an annual statement setting out the steps they have taken, during that financial year, to ensure that slavery and human trafficking are not taking place anywhere in their supply chains and in any part of their own business. Whilst the Council is excluded from this requirement as it is not a commercial organisation, ethically it is felt that in promoting the Council's stance on serious and organised crime such a statement should be published on a voluntary basis.

68. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

69. Exclusion of the press and public.

RESOLVED:

That under Section 100A of the Local Government Act 1972, the public be excluded for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraphs 3 and 10 of Part 1 of Schedule 12A of the Act specified below and that, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

- Purchase of a Share in a Teckal Waste Management Company

70. Purchase of a Share in a Teckal Waste Management Company.

The Cabinet considered an exempt report of the Director of Environment and Transport which sought the Cabinet's approval to purchase a share in the Coventry and Solihull Waste Disposal Company Limited (CSWDC) and enter into a new waste disposal arrangement with CSWDC. A copy of the report, marked '17', is filed with these minutes. The report was not for publication by virtue of paragraphs 3 and 10 of Schedule 12(A) of the Local Government Act 1972

RESOLVED:

- a) That the purchase of a single 'C' class share in the Coventry and Solihull Waste Disposal Company Limited (CSWDC) be approved, noting that such sale will need to be approved by the CSWDC Board Shareholders Panel and by the existing shareholders;
- b) That the Director of Environment and Transport be authorised:-
 - i. to make any and all decisions in respect of the County Council's shareholding in CSWDC; and
 - ii. to attend and participate in the CSWDC Shareholder Panel on behalf of the County Council or to appoint a nominee to attend and participate on the Director's behalf;
- c) That the award of a Service Level Agreement (SLA) to CSWDC on the terms set out in paragraphs 51 to 61 of the report be approved subject to any amendments made by the Director of Environment and Transport following consultation with the Director of Law and Governance;
- d) That the Director of Environment and Transport be authorised:-
 - i. subject to recommendation (a) above and following consultation with the Director of Law and Governance, to make the necessary arrangements to complete the share purchase and enable the County Council to become registered as a shareholder of CSWDC; and
 - ii. following consultation with the Director of Law and Governance, to agree the detailed terms of the SLA;
- e) The appointment of the Director of Environment and Transport to the CSWDC Remuneration Committee be approved.

(KEY DECISION)

REASON FOR DECISION:

As the County Council's Constitution does not allow the Cabinet to delegate authority to an individual elected Member, the Director of Environment and Transport or their nominee will be the representative on the Shareholders Panel and will have the power to take shareholder decisions on behalf of the County Council. It is intended that the relevant Cabinet Lead member or their nominee will attend.

The share purchase option would allow the existing 2017 Medium Term Financial Strategy (MTFS) saving (ET23 - Future Residual Waste Strategy) to be brought forward.

The purchase of a share in the CSWDC will offer the potential for the Council to further increase the diversion of waste from landfill, reduce costs, and generate more savings in the future.

The proposal aligns with the approach agreed by the Cabinet at its meeting on 13 December 2016 for managing residual waste including enabling the option of future joint working with appropriate partners.

The CSWDC Remuneration Committee comprises the Chair of the Board of Directors and a senior officer from each Shareholder.

2.00 - 3.30 pm
24 November 2017

CHAIRMAN

**CABINET – 12 DECEMBER 2017****MEDIUM TERM FINANCIAL STRATEGY 2018/19 TO 2021/22 -
PROPOSALS FOR CONSULTATION****REPORT OF THE DIRECTOR OF CORPORATE RESOURCES****Purpose of the Report**

1. The purpose of this report is to enable consideration to be given to the provisional Medium Term Financial Strategy for 2018/19 to 2021/22 (the MTFS) which incorporates the 2018/19 revenue budget and capital programme.
2. A supplementary report setting out the detailed proposals for the MTFS is currently being prepared and this will be circulated to members and published on the County Council's website as soon as it is available.

Recommendation

3. The Cabinet is asked to note this and the supplementary report and consider the Medium Term Financial Strategy for 2018/19 to 2021/22.

Reason for Recommendation

4. To enable the Medium Term Financial Strategy for 2018/19 to 2021/22 to be agreed for consultation and submission to the Scrutiny Commission and appropriate Overview and Scrutiny committees.

Timetable for Decisions (including Scrutiny)

5. Subject to agreement by the Cabinet, the MTFS will be considered by the Scrutiny Commission and the Overview and Scrutiny Committees during January, as follows -
Children and Families - Monday 15 January at 1:30pm
Adults and Communities - Tuesday 16 January at 2:00pm
Environment and Transport - Thursday 18 January at 2:00pm
Health - Monday 22 January at 2:00pm
Scrutiny Commission - Wednesday 24 January at 10:30am.
6. The Cabinet will then consider comments of the Scrutiny bodies and responses from the wider consultation process at its meeting on 9 February 2018.

7. The County Council will meet on 21 February 2018 to approve the final MTFS.

Policy Framework and Previous Decisions

8. Consideration of the relevant corporate policies and plans will be given in the supplementary report.

Circulation under the Local Issues Alert Procedure

9. None. A copy of the supplementary report will be circulated to all members of the County Council.

Officers to Contact

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Background Papers

10. None.

Equality and Human Rights Implications

11. None arising from this report.



CABINET – 12 DECEMBER 2017

MELTON MOWBRAY DISTRIBUTOR ROAD PROPOSALS

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

PART A

Purpose of Report

1. The purpose of this report is to advise the Cabinet of progress with the development of an outer distributor road for Melton Mowbray, referred to as the Melton Mowbray Distributor Road (MMDR). The MMDR comprises three parts; the northern, eastern, and southern sections, and it is the northern and eastern sections of the road that are the subject of the recommendations in this report.
2. The Cabinet is asked to note the outcome of the work undertaken to date on the MMDR and the response to the public consultation on the proposed northern and eastern route, to agree this route (subject to changes arising from further detailed design work and consultation), and to authorise officers to take a number of actions to progress the scheme including, notably, the submission of the Outline Business Case (OBC) to the Department for Transport (DfT) as part of a bid for Large Local Majors Funding. A summary of the OBC is attached to this report as Appendix A.

Recommendations

3. It is recommended that:
 - (a) The responses to the consultation and evidence from the further work undertaken to develop the Outline Business Case for the northern and eastern sections of the Melton Mowbray Distributor Road (MMDR) be noted;
 - (b) The Cabinet reaffirms its decision to prioritise and progress the development of the northern and eastern sections of the MMDR;
 - (c) The route for the northern and eastern sections of the MMDR, as illustrated on the plan at paragraph 75 to this report, be agreed for the purposes of further development and consultation subject to (d) and (e) below;
 - (d) Subject to agreement with Melton Borough Council before 22 December 2017 (the date for submission of the Outline Business Case to the Department for Transport) in the form of a Memorandum of Understanding regarding the future financing of the development and delivery of the northern and eastern MMDR, further funding be committed by the County Council in order to -

- (i) Submit a planning application for the scheme in summer 2018 (including detailed design, environmental work, consultation, and preparation of statutory orders),
- (ii) Complete all further work necessary to prepare the scheme for construction by spring 2020 (noting this is subject to DfT funding and full completion of all necessary processes),
- (iii) Provide, in negotiation with the DfT, an appropriate local contribution, including underwriting forward-funding contributions to be provided by developers and/or third parties as necessary,

- noting that there could be additional scheme costs following submission of the outline business case and the Memorandum of Understanding with Melton Borough Council will address how this will be financed;

- (e) Pursuant to the above, that the officers identified below be authorised, in consultation with the Director of Law and Governance and following consultation with the relevant Cabinet Lead Members, to
 - (i) Continue discussions with landowners and stakeholders, with a view to reaching voluntary agreement over the purchase and/or reservation of land for the northern and eastern sections of the MMDR where possible - *Director of Environment and Transport*;
 - (ii) Undertake to acquire by agreement necessary land (and) rights to facilitate delivery of the northern and eastern sections of the MMDR and make preparations in parallel for use of Compulsory Purchase Orders pursuant to the Highways Act 1980 and the Acquisition of Land Act 1981, taking all steps to include the preparation of Draft Order and Statement of Reasons - *Director of Environment and Transport and Director of Corporate Resources*;
 - (iii) Undertake further engagement and consultation arising from any changes or improvements to the recommended route that may arise from detailed design work and feedback - *Director of Environment and Transport*;
 - (iv) Agree the preferred route for planning and acquisition purposes - *Director of Environment and Transport*;
- (f) Subject to agreement with Melton Borough Council regarding future financing as set out above, the Chief Executive be authorised to approve and submit the Outline Business Case for the northern and eastern sections of the MMDR to the DfT as part of the bid for Large Local Majors Funding;
- (g) A further report be submitted to the Cabinet prior to submission of a planning application to include, amongst other things -
 - (i) Any alterations made to the recommended route as a result of detailed design work or further consultation;

- (ii) The detailed design and updated cost estimates for the scheme which will form the basis for the planning application;
- (iii) Requests for approval to make and implement any required Compulsory Purchase Orders and associated statutory orders.

Reason for Recommendations

4. The proposed route to the north and east of the town has been supported by the consultation responses and evidential work undertaken to date and it is considered to be the route that has the greatest chance of being awarded funding from the DfT Local Majors Fund.
5. The Council is working to an extremely tight timescale set by the DfT in order to be able to apply for Large Local Majors Funding, and further detailed work and consultation needs to take place before the OBC is submitted (on or prior to 22 December 2017) and planning permission sought (spring/summer 2018). This may include, for instance, alterations to the route and additional expenditure. It will not be feasible for reports to be submitted to the Cabinet to seek approval for this and the preparation of statutory orders, further engagement/consultation, and so on and it is therefore proposed that the relevant Chief Officers are authorised to progress such matters. Cabinet, Environment and Transport Overview and Scrutiny Committee, and local members will be kept informed of progress and any significant issues would be the subject of a formal report.
6. The MMDR is included in the Melton Mowbray Transport Strategy, which is being developed jointly by the County and Melton Borough Councils and supports the planned growth in Melton Borough Council's Local Plan. Development of the northern and eastern MMDR will require financing from the County Council's capital programme in advance of DfT funding being received and a funding agreement with MBC will mitigate the risk to the County Council.
7. The County Council must submit the OBC to the DfT by 22 December 2017 as part of its bid for Large Local Majors Funding, which is key to early provision of the MMDR.

Timetable for Decisions (including Scrutiny)

8. The Environment and Transport Overview and Scrutiny Committee will consider this report on 7 December and its comments will be reported to the Cabinet.
9. Officer representatives from Melton Borough Council and the County Council are meeting on 4 December to consider a financial agreement between the two Authorities with regard to the financing of the MMDR. The outcome of these discussions will be reported to the Cabinet.
10. Melton Borough Council's Policy Finance and Administration Committee will consider a report at its meeting on 7 December 2017, and this Cabinet report will also be circulated to members of that Committee prior to that meeting. The decision of MBC will be reported to the Cabinet.

11. The OBC needs to be submitted to the DfT by 22 December and it is expected that the DfT would advise the County Council on the outcome of the OBC process in late spring or early summer 2018.
12. It is intended that a further report would be submitted to the Cabinet in late spring or early summer 2018; in any case, prior to the submission of planning permission for the scheme.

Policy Framework and Previous Decisions

13. In March 2011 the County Council approved the third Leicestershire Local Transport Plan (LTP3). This contains six strategic transport goals, of which Goal 1 is to have a transport system that supports a prosperous economy and provides successfully for population growth. The LTP3 sets out the Council's approach to achieving this, namely to improve the management of the road network and continuing to address congestion issues.
14. In March 2014 the Cabinet approved the principles set out in the Leicester and Leicestershire Enterprise Partnership's (LLEP) Strategic Economic Plan, which prioritises support for the economy of Market Towns and rural Leicestershire.
15. The County Council's Enabling Growth Action Plan (approved in March 2015) supports the development of Market Towns for employment land as a priority and includes a specific action to work with Melton Borough Council to plan for the future growth of Melton Mowbray.
16. In September 2015 the Cabinet considered a report on the development of a Melton Mowbray Transport Strategy and agreed the principle of supporting the strategic growth of Melton Mowbray through transport investment.
17. In May 2016 the Cabinet agreed, inter alia, with the continued development of the Melton Mowbray Transport Strategy (MMTS) and authorised the Director of Environment and Transport to undertake the necessary consultations and negotiations to enable the definition of a preferred route for an outer relief road.
18. The Environment and Transport Interim Commissioning Strategy 2017/18 Refresh (approved in March 2017) included in its Action Plan the intention to:
 - develop a Melton Mowbray Transport Strategy (with Melton Borough Council) to an agreed stage by winter 2018/19; and
 - develop and deliver a Local Majors Business Case for a Melton Mowbray Distributor Road, as part of the Melton Mowbray Transport Strategy, by March 2019.
19. In March 2017 the Cabinet also agreed an indicative timetable for the MMDR business case. It authorised the Director to undertake further work to develop this and to identify a preferred route, including consultation to take place in summer/autumn 2017.

Resource Implications

20. The total cost of the northern and eastern MMDR scheme is around £74m including further development costs, of which £55m is expected to be met from DfT funding should the Large Local Majors Bid be successful.
21. In broad terms, the financial commitment from the County Council is in the region of £19m. Given the demands on the Authority's finances it is proposed that this is derived from a combination of developer funding and tax increment financing from the growth in business rates and new homes bonus received by the County Council and Melton Borough Council (MBC) as a direct result of investment in the new road.
22. As the road will need to be financed in advance of receipt of this funding it is proposed that it is temporarily financed via the County Council's capital programme. This does involve a risk that if the developer/tax increment funding does not fully materialise the County Council would need to cover the shortfall and this would affect other capital schemes and the revenue budget.
23. The proposals require up to £4m (included in the cost estimate for the scheme) to be spent before the outcome of the DfT bid is known. This will need to be fully funded by the County Council and will not be recouped if the bid is unsuccessful. It is intended that this will be funded from the Highways capital programme.
24. As with all major schemes there is a risk of cost overruns. Although the work completed to date seeks to estimate as accurately as possible the scheme cost, the funding agreement with MBC will also need to address this risk.
25. Further detail regarding the procurement processes and land acquisition is included in Part B of this report below (paragraphs 107 to 111).
26. The Director of Corporate Resources has been consulted on the content of this report.

Legal Implications

27. Wherever possible the acquisition of land and rights will be conducted by negotiation and agreement with landowners but it is likely that the Compulsory Purchase process pursuant to the Highways Act 1980 and the Acquisition of Land Act 1981 will be critical for procurement of the land and rights along the route.
28. The Director of Law and Governance has been consulted on the content of this report.

Circulation under Local Issues Alert Procedures

A copy of this report has been circulated to members representing the electoral divisions in the Melton area - Mr. J. T. Orson CC, Mr. A. E. Pearson CC, Mrs P. Posnett CC, and Mr. J. B. Rhodes CC.

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PART B

Background

Melton Local Plan

29. MBC's submission draft Local Plan includes provision for over 6,000 new dwellings and 51 hectares of employment land across the district up to 2036. The majority of this growth (around 4,000 dwellings and most of the employment land) will be concentrated in and around Melton Mowbray, as the main service centre. Most of the planned growth within the town will be located at new 'Sustainable Neighbourhoods' (SNs, commonly referred to elsewhere in the county as Sustainable Urban Extensions or SUEs) to the north and south of the town (1,500-1,700 and 1,700-2,000 dwellings respectively). Plans are available on the Melton Local Plan website, available via the following address:
<https://www.meltonplan.co.uk/>
30. Prior to the development of the Local Plan there were no proposals to develop major transport investment in Melton Mowbray but since 2014 the County Council, in its capacity as the Local Highway Authority (LHA) has engaged with MBC to:
- identify the transport implications of the emerging Local Plan; and
 - develop an appropriate mitigation strategy to deal with the growth proposed in the Plan.
31. This resulted in the 'Melton Mowbray Transport Strategy' (MMTS), more detail on which is given below. At a very early stage it became apparent that part of the MMTS would need to include some significant new highway capacity improvements, in order to tackle existing highway issues (necessary to support local plan growth) and provide for future demand.
32. MBC consulted on its Pre-Submission Draft Local Plan in Autumn 2016, following which a number of focussed changes were made, including the creation of a specific policy covering the MMTS and MMDR. This took into account progress with the OBC and introduced a requirement for developer contributions to enable the delivery of the MMDR through section 106 (s106) contributions and the Community Infrastructure Levy (CIL), when applicable.
33. In addition, the introduction of a 'Corridor of Interest/Investigation' for the MMDR in the Local Plan ensured this would be taken into account in future land-use discussions. This terminology reflected the fact that environmental surveys and preliminary design work was still taking place and a recommended route had not been identified.
34. MBC carried out further consultation on the Focussed Changes in July and August 2017 following which the Local Plan was formally approved and submitted for Examination in Public (EiP) on 4 October 2017, with the public hearings expected to commence in late January 2018.

Melton Mowbray Transport Strategy (MMTS)

35. Despite previous investment in highway improvements, there continue to be significant traffic problems in Melton Mowbray and, by virtue of this, insufficient residual highway capacity, which has constrained growth. MBC, the Local Planning Authority, has been advised by the County Council, as the LHA, to consider refusing a number of planning applications on the grounds of severe traffic residual impacts on residents.
36. As such, it was apparent from an early stage in the development of Melton's new Local Plan that significant measures would be required to unlock additional transport capacity in and around the town. The Local Plan needed to incorporate a coherent, justified and evidenced approach, linking the delivery of new homes, jobs and services to the provision of a package of supporting transport measures. Both Authorities recognised that the best way to identify and coordinate funding and delivery of the measures would be by developing a comprehensive MMTS.
37. As part of the MMTS, a series of studies have been commissioned jointly by the County Council and MBC. These provide evidence of the causes and severity of the traffic problems and the nature of transport measures required. The studies are ongoing and the key outcomes of the work completed to date are summarised here.

Evidence

Emergence of MMDR from the Transport Strategy

38. Initial work on the Transport Strategy showed that minor highway works, sustainable transport improvements, and other low-cost measures would not be sufficient to manage Melton's planned growth. It also demonstrated that significant additional highway capacity was needed. Attention was therefore focused on what form additional capacity should take and any wider opportunities arising from this to support the Local Plan.
39. The MMDR is not considered to be a standalone solution for the traffic problems in Melton Mowbray and it remains part of the overall Transport Strategy for the town. The ongoing development of the MMTS as a whole will be essential to ensure that the full benefits of providing the MMDR are realised.

Options assessment/sifting - Phase 1 'inner vs outer'

40. A first phase of assessment was carried out in early to mid-2015, to compare the potential benefits and constraints associated with a new outer relief road to the west of Melton Mowbray against the alternative of an inner relief road (also to the west of the town centre). Both options were designed to provide a new 'A606 to A606 link', avoiding the existing town centre ring road and based on the findings of the initial study work, which showed A606-to-A606 movements to be the main town centre through movement.

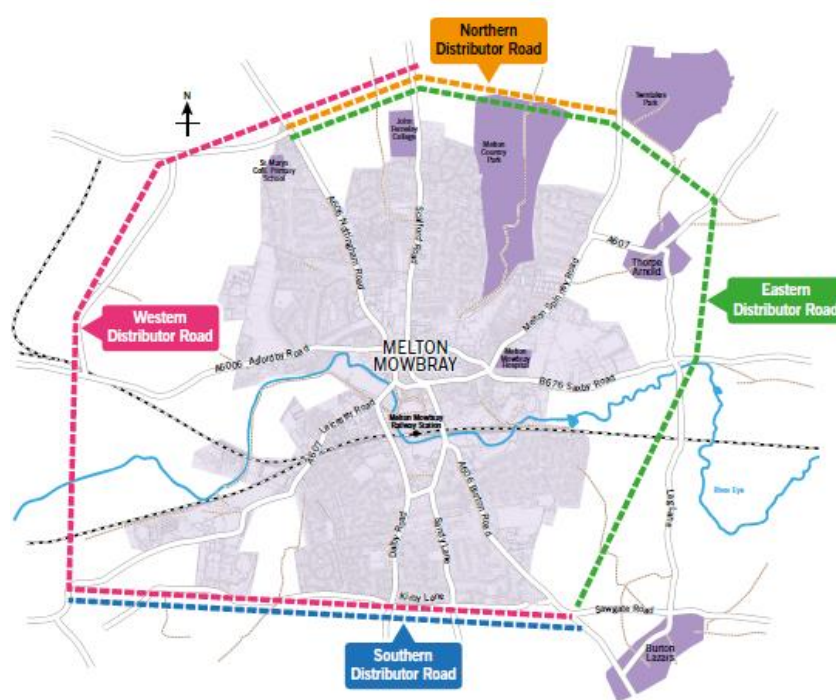
41. Crucially, the options tested were high-level, indicative concepts only and not based on detailed schemes of any form. The decision to test options to the west of the town, rather than the east, was a reflection of this; with the options drawn up from an initial desktop assessment of potential constraints, primarily on the premise of minimising the length of new road required.
42. The assessment was carried out using version 5 of the Leicester and Leicestershire Integrated Transport Model (LLITM), which is a computer-based programme used to predict the effect of changes to the road or transport network.
43. It was concluded that an outer distributor road of some form was the only option capable of delivering the necessary step change in highway capacity and traffic relief for Melton Mowbray, whilst also having substantially fewer obvious delivery constraints than an inner alternative route.
44. The outcome of this work was therefore the emergence of an outer relief road as the preferred option for providing significant additional highway capacity, as reflected by the September 2015 Cabinet resolution “That the County Council should work jointly with Melton Borough Council (MBC) to seek to develop a Melton Mowbray Transport Strategy, which would focus at this time on work to identify a preferred corridor for an outer relief road for the town”.
45. However, it is important to note that at this stage in September 2015 the Cabinet did not commit to pursuing a specific route or corridor (including either to the east or west of the town) for the outer relief road, even in the broadest sense. Indeed the Cabinet decided to commit further resources towards developing a preferred corridor and associated further phases of assessment.

Options assessment/sifting Phase 2 – Outer Distributor Road Options (including ‘east vs west’)

46. A second phase of assessment (again using LLITM version 5) commenced in late 2015 to consider four options for an outer relief/distributor road. This comprised all known options that were considered to be plausible, based on the evidence available at that point in time, including traffic routing through the town and future demand, specifically:
 - Two ‘comprehensive’ options providing a complete parallel route to the existing A606 through Melton Mowbray, to the eastern and western sides of the town respectively. The decision to assess ‘A606 to A606’ routes, rather than any other point-to-point alternatives, was based on the findings of the initial MMTS work which showed A606 to A606 to be the highest volume through-traffic corridor within the town. It therefore provided the greatest opportunity for significant traffic relief.
 - Two partial/lower-cost options around the northern (A606 Nottingham Road to Melton Spinney Road) and southern (A607 Leicester Road to A606 Burton Road) outskirts of the town respectively. The partial options were respective approximations for new link roads to be provided by developers, as part of the

new Northern and Southern Sustainable Neighbourhoods proposed through the draft Melton Local Plan.

47. The diagram below shows the options that were tested -



48. The assessment showed that whilst the partial/lower-cost options were critical to delivery of the SNs they did not on their own address a number of the key transport strategy objectives (in particular those relating to traffic congestion relief in the town centre) to anywhere near the same extent as the comprehensive options.

49. The evidence for the 'comprehensive' options showed that the eastern route performed significantly better than the western one with regard to:

- Performance against objectives
- User benefits
- Review by independent groups
- Costs
- Benefit Cost Ratio (BCR)
- Funding prospects (greatest chance of securing central government transport funding).

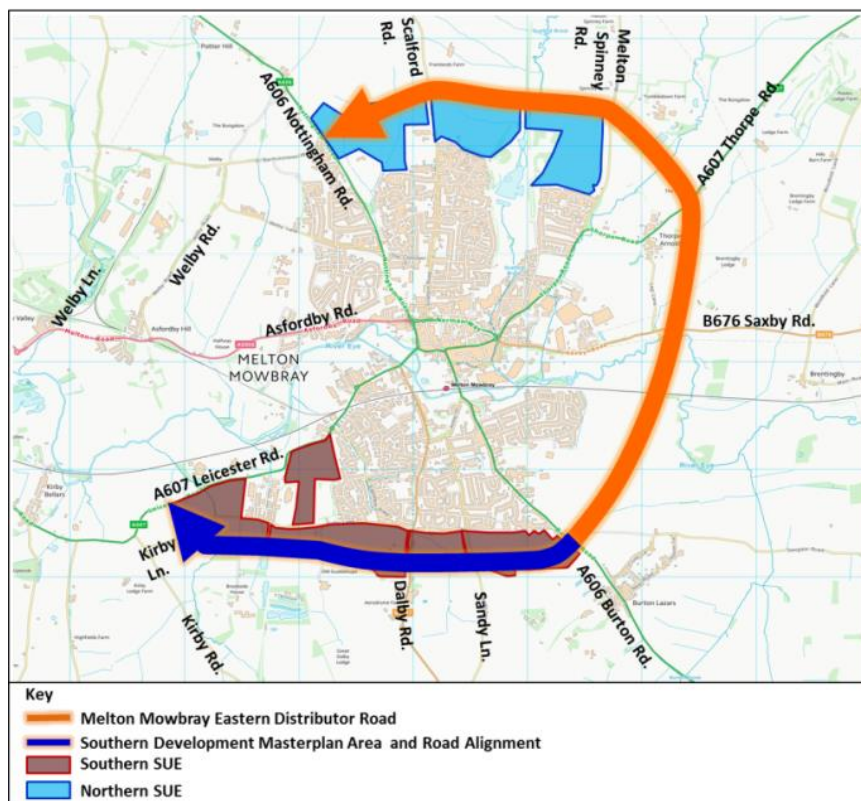
50. A summary of the key outputs used to reach this conclusion is given in the table below. The eastern (A606 to A606) route¹ was slightly shorter and cheaper than the equivalent western option, whilst projected to be more heavily used along its

¹ The "eastern route" referred to here was how the entire A606-to-A606 section of the MMDR was described within assessments undertaken at that time. For clarity, the "eastern route" comprises of the northern and eastern sections of the MMDR as referred to now and set out within paragraph 89.

entire length throughout the day. As a result this provided greater overall relief to the town centre.

	West	East
Construction Cost (estimated at that time)	£107. m	£83.m
Cost to Traffic Benefits Ratio (BCR)	0.6 – 1.0	1.1 – 1.9

51. It was also recognised that the separate southern link road (from the A607 Leicester Road to the A606 Burton Road), to be provided as part of the Melton South SN, would provide further benefits in relation to the MMTS, in terms of providing further traffic relief over and above the main eastern 'A606 to A606' route.
52. Therefore, at this point, the decision was made to create the overarching concept of an overall MMDR, comprising both the eastern (A606 to A606) and southern-only options as distinct sections (illustrated below); anticipating that eventual delivery of the eastern (A606 to A606) section would need to be predominantly publicly funded, whereas the southern section would be predominantly or wholly privately funded. More detail is given in Delivery and Funding (paragraphs 93 to 101).



Key: Orange line is the “predominantly publically funded” section
Blue line is the “predominantly privately funded” section

53. At around the same time, the Government announced, as part of the March 2016 Budget, that additional funding would be made available for Local Authorities to bid for through the DfT's new 'Large Local Major Transport Schemes Fund'. This Fund was designed precisely for schemes of the scale and nature of the MMDR and it was therefore decided that a bid should be prepared; initially for funding to develop an Outline Business Case (OBC) as the next key stage in the scheme development process.
54. In May 2016 the Cabinet authorised the submission of a MMDR Local Majors bid and agreed that the further development of an eastern (A606 to A606) distributor road should be prioritised to facilitate this, an approach supported by MBC.
55. The decision to submit a bid for the eastern (A606 to A606) distributor road only, rather than for the MMDR as a whole (i.e. including the southern distributor road), was in order to maximise the chances of success.
56. The decision to pursue development of the eastern (A606-to-A606) route at this point did not preclude reconsideration of a western route. Indeed, an entirely fresh options assessment, using the new 2014 LLITM and incorporating both the eastern and western route options was planned as part of the OBC development.

DfT Large Local Majors Bid (July 2016)

57. The Local Majors bid was submitted to the DfT in July 2016, requesting funding of up to £2.8m to prepare an OBC (to develop the eastern/A606-to-A606 route) by Autumn 2018 with a potential scheme construction start date of 2022.
58. In November 2016 the DfT announced that the bid was successful, with funding awarded to commence work on the OBC from March/April 2017. However, the DfT requested that the OBC should be prepared to substantially compressed timescales for submission by December 2017, and that delivery of the scheme be brought forward by several years to enable a potential construction start date of Spring 2020.
59. This acceleration requested by the DfT had significant resource implications for the scheme. The compressed timescale would mean that certain key activities needed to be brought forward substantially (such as early engagement with landowners and critical stakeholders) and other work, notably public consultation on the proposed route, to be altered significantly. However if this could be done, the Council would have the best possible chance of receiving DfT Local Majors construction funding.
60. As outlined below, the OBC work required a fresh reconsideration of the case for the eastern versus western options. However, given the much compressed timescales, it was considered that the development work for an eastern option had to be prioritised, notwithstanding the risk that this could ultimately prove to be abortive.
61. In March 2017, the Cabinet reviewed the situation and agreed to progress work to prepare the OBC, scheme designs required to support this and the associated engagement in accordance with DfT timescales.

Outline Business Case Preparation and Submission

62. The DfT requires much more detailed information about the overall costs and projected benefits of the scheme in order to decide on the award of construction funding. This information is provided in the OBC which, to comply with DfT requirements, needs to comprise the following key components (often referred to as ‘the five cases’):

- i. A ‘Strategic Case’ explaining how the scheme is supported by a robust case for change and fits with wider policy objectives.
- ii. An ‘Economic Case’ demonstrating that the scheme represents value for money.
- iii. A ‘Financial Case’ showing that the scheme is affordable
- iv. A ‘Commercial Case’ demonstrating that the scheme is commercially viable to deliver.
- v. A ‘Management Case’ showing that the scheme is achievable.

63. In order to develop the evidence required to support the five cases, three fundamental strands of work had to be undertaken, to:

- Reconfirm the ‘in principle’ need for an outer distributor road (regardless of any particular route).
- Revisit the case for an eastern versus western route for the outer distributor road.
- Develop a route for the outer distributor road to inform scheme cost and benefit analysis.

64. Subsequent paragraphs describe the outcomes of each of these strands of work which has taken place since March 2017.

‘In Principle’ Need for an Outer Distributor Road

65. A fresh options assessment exercise was carried out using the new LLITM (2014) model. The new modelling incorporated the latest land use and committed transport scheme delivery assumptions within Melton Mowbray. This effectively provided an independent check on the conclusions reached in 2016, taking into account additional more up-to-date information. The full results of the fresh options assessment are set out in the latest Options Assessment Report which is available on the County Council’s website, at - <http://ow.ly/X4Pa30gVpsV>

66. The findings corroborated the previous conclusion that significant new highway capacity was needed and as such that there continued to be an ‘in principle’ case for the scheme.

Eastern versus Western Options Assessment

67. The fresh options assessment involved re-testing the ‘comprehensive’ eastern and western options considered as part of the original work undertaken in 2016. This was an interim piece of work, undertaken in Spring 2017, designed to

compare once again the eastern and western options based on the latest information available.

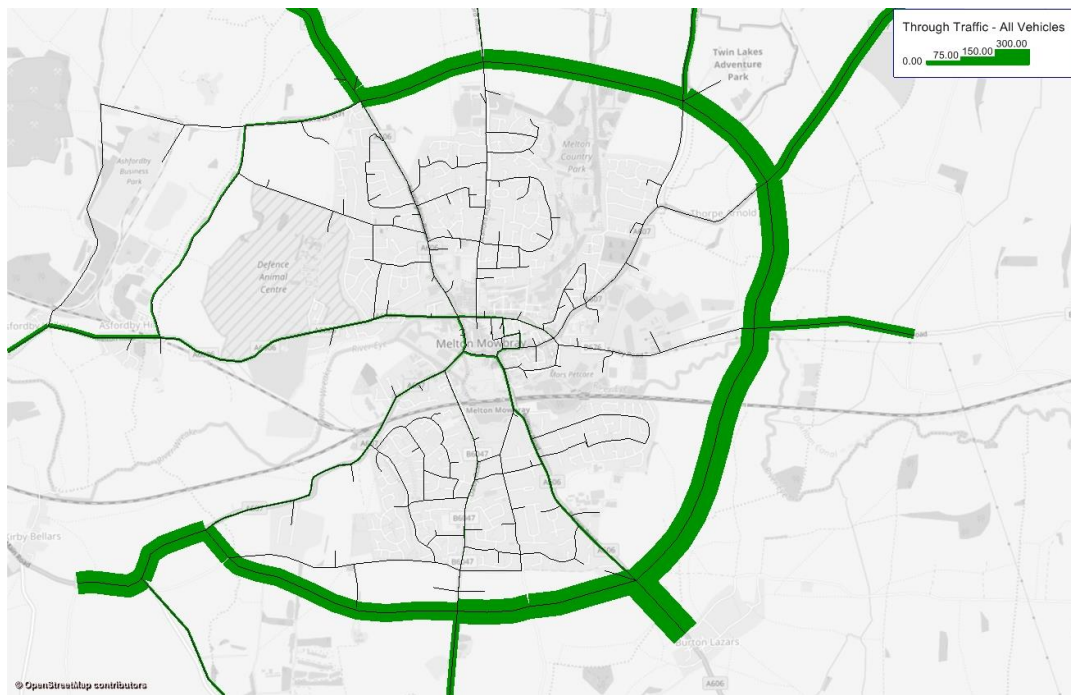
68. The findings closely matched those from the original options assessment work, demonstrating that an eastern route for the outer distributor road continues to represent the most appropriate scheme.

	West	East
Construction Cost (estimated at that time)	£97 m	£86.1m
Cost to Traffic Benefits Ratio (BCR)	0.7	1.3

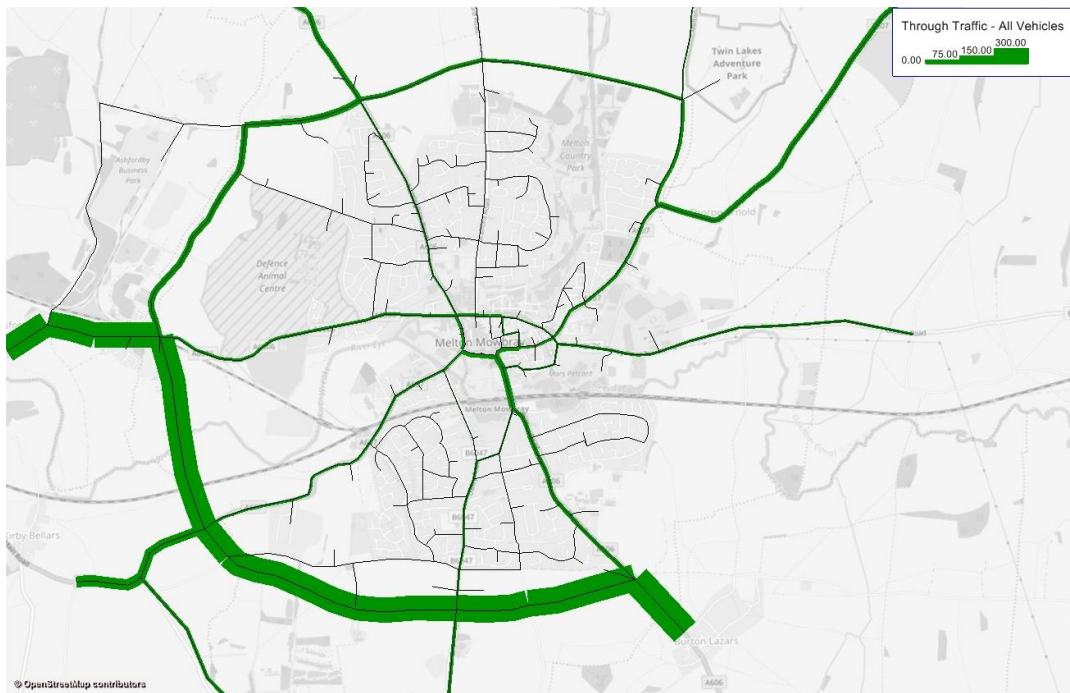
69. On the basis of this, further work has been undertaken to refine the costs and benefits of an eastern route, which in particular has resulted in the more robust (and lower) scheme cost estimates quoted in Part A (i.e. £74m in total). In turn, this has helped to increase the BCR with the latest indication being that this could be in excess of 2 (i.e. considered 'high value for money' based on the DfT's transport business case guidance).

70. The total level of transport benefits for local residents and through-traffic remains significantly higher for an 'A606 to A606' option to the east of the town than for a comparable option to the west of the town as illustrated in the diagrams below.

Eastern Option



Western Option



Develop a route for the Outer Distributor Road

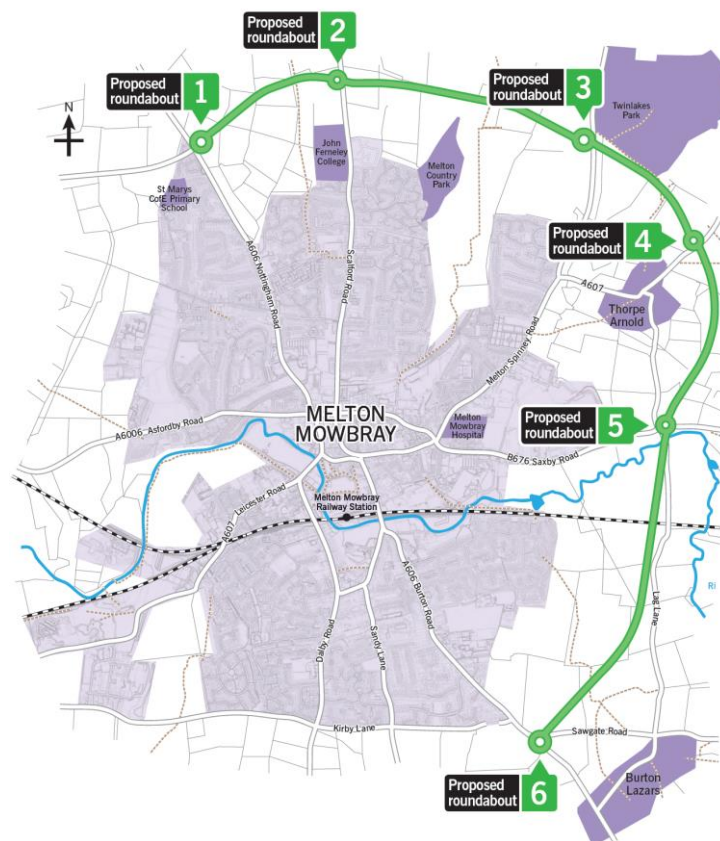
71. As part of the work to prepare the original (2016) bid, an initial route options assessment for an alignment to the east of Melton Mowbray was carried out, from which two potential routes were identified and initial 'concept designs' prepared for these routes. These are shown in the plan at paragraph 85.
72. In developing the OBC, between April and September of 2017 these initial concept designs were reviewed and preliminary design work developed. Environmental survey work and engagement with landowners and stakeholders were progressed to reach a point where a recommended route was identified.
73. Of the initial two potential routes, Option 2, furthest to the east, was discounted on the basis that it was longer, crossed more floodplain, and required more structures. In addition to this, it would pass through the Brentingby Flood Alleviation Scheme and the Environment Agency indicated that it would be unlikely to give approval.
74. Route development was informed by early, informal engagement with landowners/tenants including the Melton North SN developer consortium and critical stakeholder organisations such as the Environment Agency and Natural England, undertaken as part of the work to develop the recommended route. The substantive issues that arose which influenced or resulted in changes to the recommended route were taken through to the formal consultation exercise (detailed in the next section below), namely:
 - Land ownership along part of the eastern section of the route and resulting changes to minimise the impact for affected landowners.

- The location of power lines and pylons along the eastern section of the route and need to find a suitable location/solution to pass under the cables with sufficient clearance (i.e. in light of associated need for significant earthworks/structures in that area to cross the River Eye floodplain).
- The statutory designation of the River Eye as a Site of Special Scientific Interest, which imposes additional constraints on the route alignment.
- The need to provide a suitable alignment for the road within the Melton North SN area which maximises developable land opportunities within the North SN area in support of the Melton Local Plan objectives.

Further discussions with landowners and farmers were enabled through the agricultural survey work, conducted by AECOM on behalf of the County Council.

Formal Public Consultation

75. A six-week public consultation took place between 2 September and 15 October 2017, based on this recommended route for the northern and eastern sections of the distributor road -



76. The consultation comprised:

- An on-line consultation questionnaire (also available in paper format on request) on the County and Melton Borough Councils' websites.
- Public Exhibitions, which were attended by around 200 people.

- Presentation and questions at Shout4Residents and Melton North Action Group Meetings - over 100 attendees.
- A prime stand position at the entrance to the Melton Food Festival on 7 and 8 October (footfall of approximately 10,000 attendees).
- A meeting with the Friends of Melton Country Park, a not-for-profit group which seeks to maintain and improve the Park.
- Meetings with landowners and farmers.

77. To maximise publicity and encourage the public response the Council ensured:

- Coverage in Melton Times, Leicester Mercury, parish newsletters
- Radio and television coverage
- 800 brochures posted to those within 500 metres of the recommended route
- Flyers distributed to residents to the east of A606
- Social media alerts.

78. Full details of the consultation feedback is detailed in a separate report, which can be viewed on the County Council's website at <http://ow.ly/SxQi30gVpBV> The headline results and key issues are summarised below.

Headline Consultation Results

79. The principle opportunity for consultees to comment was through the consultation questionnaire. In total, 226 responses were received to this, online or by post, and demonstrated a good overall level of support. A summary of responses is outlined below.

80. ***Question 1: "To what extent do you agree, or disagree, with the recommended route for the Melton Mowbray distributor road?"***

Most respondents (51%) agreed with the recommended route for the distributor road, and 34% disagreed (the remaining 15% comprised 'neither agree nor disagree' or 'don't know' responses, or no response).

When asked to elaborate, the majority of comments were positive - of 68 respondents 71% were positive, 18% were negative, and 11% neutral.

With regard to other route options, 71 respondents commented, with 14 mentions of the need for a southern distributor road and 12 mentions of the benefits of a full bypass.

With regard to the recommended route, there were 72 responses, 12 of which referred to the scheme not dealing with Leicester Road traffic, and 9 that said the scheme would not solve the congestion problems in the town.

81. ***Question 2: "To what extent do you agree or disagree that we have taken the following factors sufficiently into account in identifying the recommended route for the distributor road?"***

The majority of consultees agreed that the following factors had been sufficiently taken into account with regard to:

- minimising the impact on the environment - 45%.
- minimising the impact on residents (including noise and air quality) - 46%.
- minimising congestion in the town - 56%.

Comments included that the route would not relieve Leicester Road traffic, it would create noise pollution (18 mentions), and it would have air quality impacts (17 mentions).

82. **Question 3: “To what extent do you agree, or disagree, with the locations and types of junctions we are proposing for the distributor road? We will use this information to help refine the designs in the planning application.”**

Issues surrounding Sawgate Lane/Lag Lane received the greatest number of mentions (32), with Non Motorised User (NMU) access being a main concern. The potential of antisocial behaviour/ fly tipping was also highlighted. However, a considerable number of responses (27) supported the proposed junction locations. Six respondents opposed the proposals.

83. **Question 4: “To what extent do you agree, or disagree, with our proposed methods and indicators for assessing the environmental impacts of the scheme?”**

38% agreed with the methods identified to assess the environmental impact of the scheme, 26% disagreed, and 36% felt unable to respond. The recommended route was not seen to have an appropriate mitigation plan (5 mentions) and the effects of the scheme on the wildlife corridor queried (4 mentions). Concern about the impact on Melton Country Park was also raised (7 mentions).

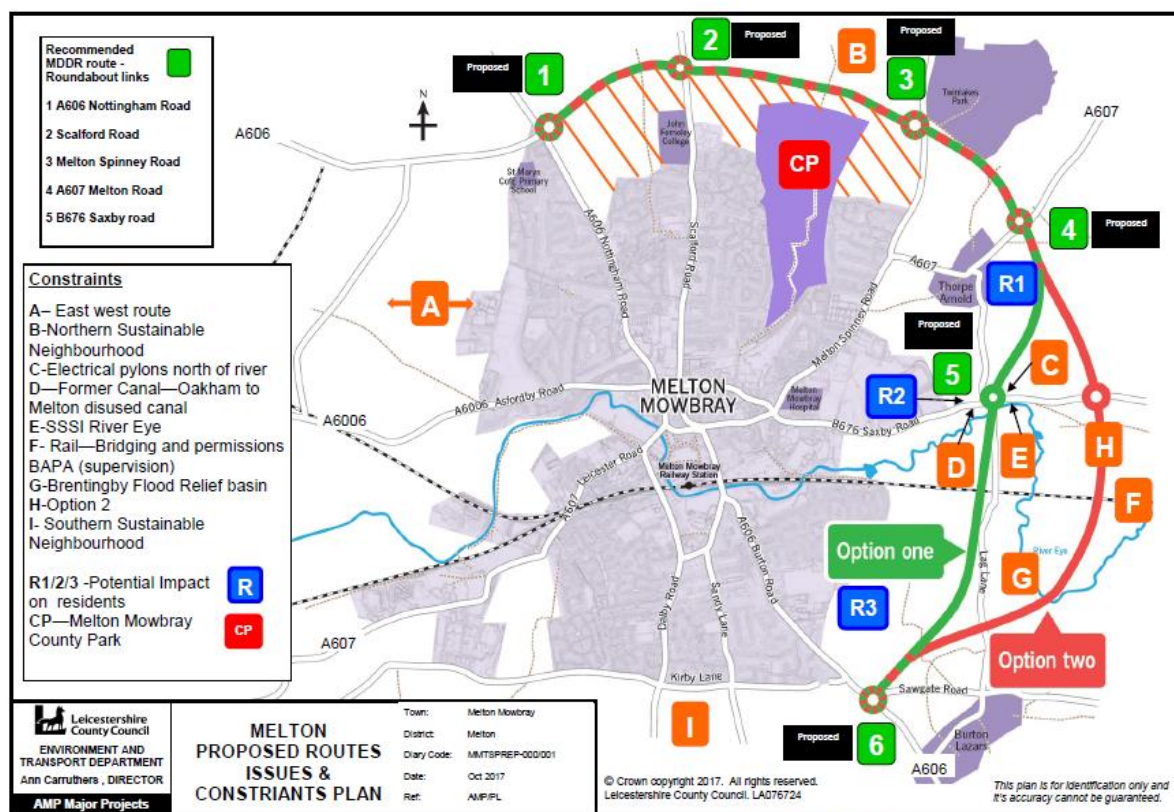
84. **Question 5 “To what extent do you agree, or disagree, with our proposed methods for mitigating any environmental impacts of the scheme?”**

34% of respondents agreed with the potential mitigation methods and 17% disagreed. 18 respondents thought that there was insufficient information to comment, and this is reflected in the figure of 49% of people who felt they were unable to evaluate positively or negatively on the proposal.

Further environmental survey and design work will take place during the next phase of work to give a fuller understanding of environmental impacts and in turn potential mitigation required. This would be included in any future consultation.

Summary of key issues raised through engagement and consultation

85. With reference to the ‘Proposed Routes Issues & Constraints Plan’ and summary table below, the key issues raised were:



\\Lcsp3\in\data\SHARED\Public\Melton Mowbray\MDDR_Outline Business Case\Issues and Constraints Plan V1.

Map Ref.	Issue	Constraints	Decision / further comment
A	<p>East/West route</p> <p>Some consultees expressed a preference for a western route over the recommended route.</p> <p>Respondents felt a full distributor road that encircled the whole town was the only sensible option.</p>	<ol style="list-style-type: none"> 1. Reviewed Option Appraisal reaffirmed significantly higher BCR of recommended route over western option. 2. West route longer route due to environmental and built constraints (0.5-1km) leading to worse BCR and greater scheme cost. 3. Presence of gas main adjacent to Welby Road from the A6006 up to St. Bartholemew's Way 4. MOD land between Welby Road and the existing built up area of Melton Mowbray. No indication the MOD is willing to sell. 5. Additional rail structure required to the west adds to 	<p>Continue to proceed based on a distributor road route to the east of the town as it provides the greatest overall benefits in comparison to one to the west.</p>

Map Ref.	Issue	Constraints	Decision / further comment
		<p>cost.</p> <p>6. A full route proposal would not be viable in cost terms and the addition of the western route would negatively affect the overall BCR.</p>	
B	<p>Northern Sustainable Neighbourhood</p> <p>Concerns raised by developers of the Northern SN about the impact of the recommended route on the ability to make best use of land to develop for housing.</p>	<ol style="list-style-type: none"> 1. Requirement for fill material across the whole route means that to maintain a balance cut material is required at various points where topography allows. 2. The forecast traffic flows for the MMDR mean that the only acceptable junction type for access would be a roundabout. This would negatively affect journey times along the route and therefore the BCR. 3. Additional access junctions of any type along the route would negatively affect the BCR. 	Continue discussion with developers to amend and improve the alignment of the recommend route in this area to seek to minimise impacts on developable land, bearing in mind the constraints.
D/G	<p>Option 2</p> <p>Through engagement with landowners and residents potentially affected by the proposal, a preference for Option 2 eastern route was expressed by a small number of residents over the recommended route.</p>	<ol style="list-style-type: none"> 1. Additional cost due to longer route. Estimated impact on BCR of £7-9m. 2. Less appealing route to road users due to additional length 3. Location of Environment Agency's (EA) Brentingby Flood Alleviation Scheme along route of Option 2. EA negativity towards this alignment option. 4. Additional structures involved leading to greater scheme. 5. Greater expanse of floodplain to cross. 	Proceed on the basis of the recommended route in this area, given the impacts of Option 2 on BCR and the flood alleviation scheme.

Map Ref.	Issue	Constraints	Decision / further comment
	Only 3 respondents to the questionnaire commented on Option 2. The Environment Agency stated <i>"From a flood risk perspective we are pleased that the proposed route avoids crossing our flood defence asset at Brentingby."</i>		
C/E/F/H	<p>Constraints around Saxby Road/River Eye</p> <p>River Eye SSSI – Discussions with statutory consultees regarding the crossing of the River Eye. Initial thoughts on diversion of the River received negative feedback from Natural England.</p> <p>Melton and Oakham Waterways Society would like consideration to be given to the restoration of the disused canal route.</p>	<ol style="list-style-type: none"> 1. The presence of two sets of powerlines, a disused canal and the meandering nature of the river are all significant constraints on the alignment of the road. 2. With regard to the disused canal route the above constraints are relevant. In addition to this the canal route is already impeded at various locations (e.g. industrial estate, railway) meaning that restoration seems impractical. 	<ol style="list-style-type: none"> 1. Continue discussions with Natural England, Environment Agency and Western Power over the alignment of the road at this point to achieve the optimum solution.

Map Ref.	Issue	Constraints	Decision / further comment
I	<p>Southern Sustainable Neighbourhood</p> <p>Why was southern section connecting A606 (Burton Road) to A607 (Leicester Road) not included in the scheme?</p>	<ol style="list-style-type: none"> 1. Developer lead section 2. Although the southern link will provide benefit, including this in the recommended route scheme would lower the overall BCR and reduce the chance of gaining funding. 	<p>Continue to work with Melton Borough Council and developers to secure the successful delivery of the southern link, and continue to explore other funding opportunities as necessary.</p>
CP	<p>Melton Country Park</p> <p>Impact of the alignment on Melton Country Park. Concerns raised through consultation with residents and Friends of Country Park.</p> <ul style="list-style-type: none"> • Effects on ability of wildlife to migrate north/south • Visual and noise impact including lights • Survey respondents expressed concerns regarding the proximity of the proposal to the Country Park 	<ol style="list-style-type: none"> 1. Northern Edge Development parcel and road constraint. 2. Performance of the route in fulfilling its function as a distributor road. 	<p>Met with Friends of Country Park to discuss possible mitigation.</p> <ul style="list-style-type: none"> • Wildlife corridor under the proposed Scalford Brook open-span bridge. • Possible landscaping mitigation. • No plans for lighting away from junctions. • Consideration of access arrangements north south including options for re-routing Jubilee Way. • Consider moving the alignment north

Map Ref.	Issue	Constraints	Decision / further comment
R ¹	Move the alignment east, away from Thorpe Arnold village	<ol style="list-style-type: none"> 1. See Options 1 and 2 above 2. To maintain a distributor road route that is an attractive option for through-traffic a balance has to be sought between impact on residents and the delays to journey times of an option that pushes the alignment further east. 	No change is envisaged to the recommended route in this area, but work to understand the noise and visual impact of the route and options for mitigation is already underway. This might include landscaping, low noise surfacing and noise barriers.
R ²	Move the alignment west at Saxby Road/ River Eye crossing away from single residential properties.	<ol style="list-style-type: none"> 1. Pushes alignment closer to residential estate to the east of Melton Mowbray and Thorpe Arnold – noise and visual impact on greater number of people. 2. Slightly longer route. 3. River and powerline constraints. 	<p>The original alignment produced through the initial concept design work has been moved west, potentially lessening the direct effect on individual properties and any noise and visual impacts.</p> <p>Work to understand the noise and visual impact of the route and options for mitigation is already underway. This might include landscaping, low noise surfacing and noise barriers.</p>
R ³	Impact on residential estate to east of Melton Mowbray. Move alignment east.	<ol style="list-style-type: none"> 1. See Options 1 and 2 above. 2. To maintain a distributor road route that is an attractive option for through traffic a balance has to be sought 	No change to the recommended route in this area, but work to understand the noise and visual

Map Ref.	Issue	Constraints	Decision / further comment
		between impact on residents and the delays to journey times of an option that pushes the alignment further east.	impact of the route and options for mitigation is already underway. This might include landscaping, low noise surfacing and noise barriers.

86. The outcomes of the formal consultations have not identified any reasons why the recommended route should not be used for the purposes of submitting the OBC and the other purposes as outlined in recommendation (e).

87. However, given the consultation responses it is clear that further refinement to the recommended route will need to be considered as part of the detailed design process. This will ultimately result in approval of a 'preferred route' for the scheme.

88. A 'preferred route' is what the County Council, as the Local Highway Authority, will use as a basis for statutory procedures, including a planning application and Compulsory Purchase Orders. As set out in recommendation (g), a further report will be submitted to Cabinet prior to submission of a planning application. The planning application process will itself provide a further opportunity for public consultation on the scheme.

The Recommended Route

89. The recommended route, informed by early informal engagement with key parties (paragraph 74 above) would create a 4.3 mile single carriageway which passes to the north and east of Melton Mowbray. The road would begin on the A606 Nottingham Road to the north of the town, crossing Scalford Road, Melton Spinney Road, the A607 Thorpe Road and B676 Saxby Road before re-joining the A606 Burton Road to the south of the town. Speed limits would be 40mph between the A606 Nottingham Road and Melton Spinney Road and 60mph between Melton Spinney Road and A606 Burton Road.

90. It is likely that further changes will be made to the recommended route, particularly in the vicinity of the proposed housing growth area between the A606 Nottingham Road and Melton Spinney Road and the B676 junction and River Eye crossing. These will be reflected in the scheme to be submitted for planning and statutory procedure processes and will be subject to further public consultation as necessary.

91. Given the very compressed timescales, it is intended that the detail of the preferred route will be discussed with relevant Cabinet Lead Members and a further report submitted to the Cabinet before submission of the planning

application and the making and implementation of any statutory orders and procedures.

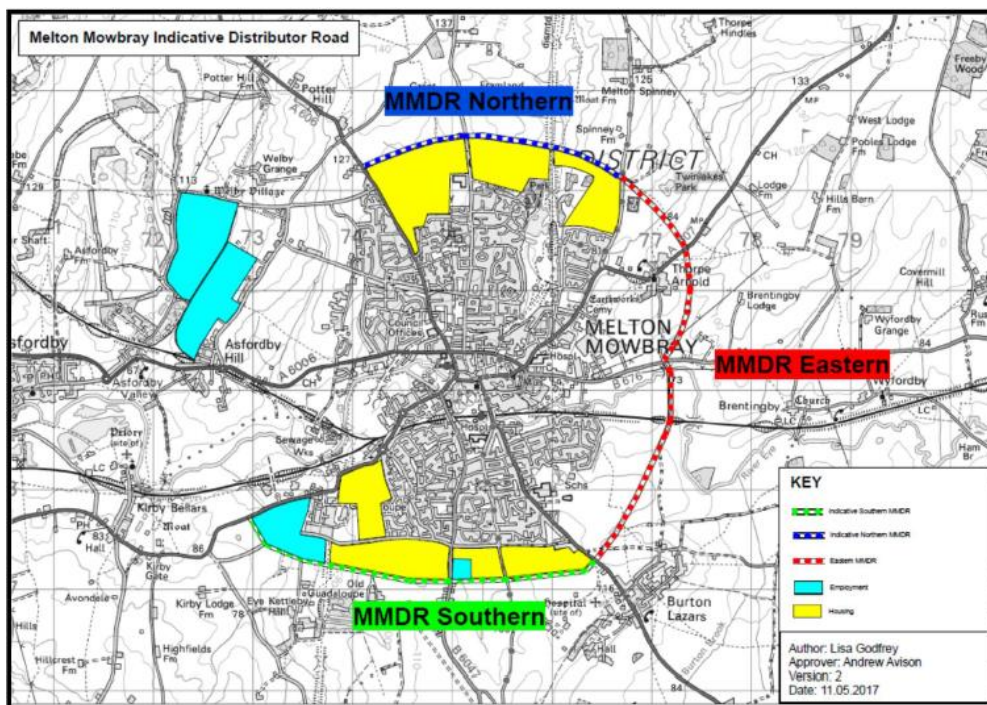
92. Based on the work to date it is considered that any changes subsequent to the submission of the OBC are unlikely to have a material effect on the scheme's overall costs and predicted benefits.

Delivery and funding

93. As touched upon previously, the MMTS includes the overarching concept of an overall MMDR comprising:

- A **northern** section from the A606 Nottingham Road to Melton Spinney Road.
- An **eastern** section from Melton Spinney Road to the A606 Burton Road.
- A **southern** section from the A606 Burton Road to the A607 Leicester Road.

94. Collectively the three sections of the MMDR effectively form an inverse 'C' shape around Melton Mowbray, as illustrated below.



95. The scheme for which DfT Local Majors funding is being sought (via the OBC) only includes the recommended route for the **northern** and **eastern** sections as this has a higher benefit/cost ratio (BCR) than the full MMDR and an overall delivery cost that is more in proportion with the total amount of funding available through the Local Majors fund.

96. As outlined in Part A of this report the total cost of the scheme is approximately £74m, including further development costs, of which circa £55m will be met from DfT funding (subject to a successful bid), meaning that in broad terms the financial commitment from the County Council will be in the region of £19m.

97. It is expected that, in the absence of Local Majors funding being awarded, the northern section of the MMDR would be delivered by developers of the Melton North SN over the Local Plan period, i.e. to 2036. It is also expected that contributions would be received from developments elsewhere in Melton Borough, including through Melton's proposed CIL towards eventual delivery of the eastern section of the MMDR, albeit not to the extent required to deliver this section in full, given the costs and complexity of infrastructure involved. Correspondingly, the receipt of Local Majors funding would have the dual effect of plugging the funding shortfall for the eastern section whilst simultaneously substantially accelerating delivery of the northern section of the MMDR.
98. Whilst the southern section does not form part of the OBC, it remains an important part of the MMTS and an important piece of infrastructure to support growth within Melton Mowbray. However, the most appropriate mechanism for securing and delivering the southern section is likely to be different to the rest of the MMDR: predominantly or wholly privately funded and delivered in conjunction with planning applications for the Melton South SN over the Local Plan period.
99. Thus the MMDR will effectively be delivered as two distinct schemes, as follows;
- A 'publicly led' scheme, comprising the northern and eastern sections of the MMDR - the subject of the recommendations in this report
 - A 'privately led' scheme, comprising the southern section of the MMDR.
100. Public funding avenues to accelerate delivery of the 'privately led' southern scheme will be pursued where appropriate.
101. As referenced in Part A of this report, £4m further funding is required to complete scheme design/preparatory work including discharging planning conditions, continuing with detailed design, dealing with land issues and stopping up orders, liaising with partner/stakeholder organisations, and project-managing the ongoing development of the scheme to 'shovel ready' stage.

Next Steps

102. Subject to the outcome of discussions between MBC and the County Council (on 4 December) regarding financing, and consideration by MBC's Policy Finance and Administration Committee on 7 December, the key future dates in the OBC process will be -
- Submission of the OBC to the DfT by 22 December 2017.
 - The expected announcement by DfT on the outcomes of the OBC process in late spring to early summer 2018.
103. If successful, the bid is expected to result in the award of further DfT funding towards scheme construction, which would commit the County Council and delivery partners to meeting the timescales, costs and match funding assumptions set out within the OBC.
104. As part of this commitment the County Council would be required to start preparing the scheme planning application and associated statutory orders

(including CPO and Traffic Orders) during winter 2017 and spring 2018 prior to the DfT's announcement on Local Majors funding. As such, this work would effectively be carried out 'at risk' that DfT funding would be awarded at the end of the process. However, even if this should be the case, the work would not be unproductive as it would help prepare the scheme for future bid opportunities, i.e. it is now considered more a question of 'when, not if' the scheme comes forward.

Design Work

105. Further environmental survey and design work will be progressed during the next phase of the scheme to give a fuller understanding of environmental impacts and potential mitigation required. This information would be presented during any future consultation.
106. To date, the scheme has undergone the outline design process. The next stage would be to progress detailed design and alignment - the final detailed route will only be confirmed via the planning application process.

Procurement

107. Professional services to progress design and environmental and planning work, would continue to be delivered in collaboration with the County Council, with AECOM (the consultants engaged to assist with the project) leading through the Professional Services Partnership 2 (PSP2), a framework contract available to members of the Midland Highways Alliance (MHA).
108. It is intended to deliver the construction phase through the MHA Medium Scheme Framework. The MHA Executive Board has now approved the MSF3 Business Case for the preparation of a replacement framework.
109. Applications from contractors will be considered and tenders invited early in 2018. When the new framework starts in summer 2018 it will no longer have a limit to the size of projects it can be used for. The contract will be one of the first to use the New Engineering Contract (NEC4).

Property

110. The northern and eastern sections of the MMDR will require the acquisition of third party land and the costs associated with this are accounted for in the latest scheme estimate.
111. All efforts will continue to be made to acquire land by negotiation. However, where necessary, preparations will be made for use of appropriate statutory processes as set out in recommendation (e).

Local Plan

112. The MMDR is a key strategic infrastructure project that supports delivery of Melton's Local Plan. The Local Plan's Examination in Public commences on 30

January 2018, following which the Inspector's Report is expected to be published in the Spring. The final Local Plan would then be adopted by Melton Borough Council in the summer of 2018.

113. In recognition of this and to support the project, Leicestershire County Council and Melton Borough Council will enter into an agreement to share the risks associated with forward funding the MMDR ahead of development.

Conclusion

114. The justification for the recommended MMDR route to the north and east of Melton Mowbray has been reinforced by the latest modelling work, and nothing that has arisen during further work on the scheme or the consultation has fundamentally altered this. Any changes made as a result of further detailed design work are considered unlikely to have a material effect on the predicted costs and benefits of the scheme.
115. The financial risk of delivering the scheme will, in part, be mitigated by a financial agreement (Memorandum of Understanding) between the County Council and Melton Borough Council. Whilst it is hoped that the Local Majors Fund will enable construction of the MMDR to commence in 2020, the preparatory work will ensure that the project is 'shovel ready' for any other opportunities that arise.
116. In the context of planned growth, the MMDR will have considerable benefits for Melton Mowbray and Melton Borough, and indeed for Leicestershire and the wider region. As well as addressing existing traffic delays and congestion in and around Melton Mowbray, the MMDR will support the planned expansion and economic growth in the town and borough. The new route will include paths for non-vehicle transport and will also reduce traffic congestion and the number of HGVs travelling through Melton Mowbray, thus greatly improving air quality and reducing noise and vibration.
117. The MMDR will improve access for people living in towns and villages in the wider area surrounding Melton Mowbray and will contribute towards improved travel across Leicestershire and the Midlands, making journeys easier and more reliable.
118. The MMDR will benefit local residents and will help attract new investment and business to the town and Melton Borough.

Background Papers

Cabinet 10 March 2017. 'Melton Mowbray Transport Strategy and Distributor Road – Development of a Business Case and Identification of a Preferred Route':
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4859&Ver=4>

Cabinet 10 March 2017. 'Environment and Transport Interim Commissioning Strategy 2017/18 Refresh':
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4859&Ver=4>

Cabinet 9 May 2016. 'Progress with the Development of a Melton Mowbray Transport Strategy':

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4602&Ver=4>

Cabinet 11 September 2015. 'Development of a Melton Mowbray Transport Strategy':

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4230&Ver=4>

Cabinet 16 March 2015. 'Enabling Growth Plan':

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4360&Ver=4>

Cabinet 5 March 2014. 'Strategic Economic Plan and City Deal':

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=3988&Ver=4>

County Council 23 March 2011. 'Final Draft Local Transport Plan (LTP3)Proposals':

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=3057&Ver=4>

Options Assessment Report

<http://ow.ly/X4Pa30gVpsV>

Consultation Report

<http://ow.ly/SxQi30gVpBV>

Appendices

Appendix A - Outline Business Case summary

Appendix B - (Part 1) Equality and Human Rights Impact Assessment Screening Report
(Part 2) Equality and Human Rights Impact Assessment Screening

Relevant Impact Assessments

Equality and Human Rights Implications

119. An Equality and Human Rights Impact Assessment Screening Report and County Council Equality and Human Rights Impact Assessment (EHRIA) Screening have been produced in order to understand the potential impacts, both negative and positive, on protected characteristic groups. Comments have been sought on both reports from Public Health and the Departmental Equalities Group.
120. The conclusion of this screening is that there are a number of potential impacts that could affect groups with protected characteristics across Melton Mowbray. In particular groups most likely be affected are younger people, older people, people with disabilities and low income/deprived groups. At this stage there is insufficient clear evidence as to the level or direction of these impacts in terms of equalities and therefore it is proposed that a full impact assessment is undertaken using findings from the EHRIA process, as well as undertaking consultation with relevant groups and organisations.

121. Once further evidence has been collected, mitigation measures will be suggested to minimise or avoid potential negative impacts, in addition to recommendations for advancing equality of opportunity for those with protected characteristics. A monitoring plan will also be developed to ensure that impacts are monitored throughout the design and development of the proposed scheme, as well as through construction and operation stages.

Environmental Impact

122. The project team has made substantial progress in understanding the impacts of the proposal on the environment. Consultants AECOM, are leading on the ecological survey work for the County Council, have conducted the preliminary work and, subject to approval of the preferred route, will be continuing with the detailed survey work necessary to meet planning requirements. A draft Preliminary Ecological Assessment study has been produced through desktop study and on site surveys.
123. Air quality, flooding and noise investigations are underway in order to understand the potential impacts on residents and the environment.
124. A major environmental consideration along the proposed route is the impact on the River Eye, a Site of Special Scientific Interest. The proposed route would have to cross the River Eye and, because of its designated status and the considerations required regarding flooding issues in the vicinity, the Environment Agency and Natural England have been engaged as statutory consultees.
125. In addition to this statutorily designated site there are also a number protected species, non-statutory wildlife sites and a range of habitats of interest. In any future scheme phases further work would be carried out to fully investigate the impacts on species and habitat and consider opportunities for mitigation.
126. AECOM has also been commissioned by the County Council to undertake a preliminary archaeological assessment of the proposed distributor road. A Written Scheme of Investigation (WSI) sets out the methodology required for an archaeological geophysical survey of the proposed route. The method set out within this WSI has been written in consultation with the Principal Planning Archaeologist for Leicestershire County Council.

Environmental mitigation

127. An Environmental Impact Assessment (EIA) is being conducted, which investigates the likely environmental impacts that the recommended route would have on the surrounding area. This EIA is in its initial stages but will continue to be updated as more information from the data gathering and surveys is received, this will help to refine the preferred route as the design progresses.
128. Once the EIA is completed it will form part of an Environmental Statement (ES), which will provide a detailed description of the existing area, identifying features

of environmental importance such as protected land or species. The ES will analyse any impacts that might occur during the construction and use of the road. The EIA will also describe any changes made in the design to avoid or reduce these impacts.

129. A particular area of sensitivity concerns the effect on Melton Mowbray Country Park. The recommended route passes at its nearest point approximately 110m to the north of the Country Park. Discussions have taken place with the Friends of Melton Country Park about potential mitigation of impacts.
130. In general, across the whole route, investigations will be made into any visual impacts the road has on the landscape and seek to reduce these by looking at the design, its location, height and the option to plant trees or shrubs or create areas of planted higher and lower ground. Structures, fencing and planting will be introduced to provide opportunities for species to cross the road and enhance or create replacement habitats where required and practicable. At the point where the route passes the Country Park the road would cross the Scafford Brook on an open-span bridge, which presents an opportunity to provide a green corridor for wildlife beneath the structure.
131. Construction and environmental plans will be produced that detail what will be carried out in order to mitigate any impacts identified before any construction work begins. All the work undertaken will form part of good construction practice guidelines.
132. Construction best practice will also be considered to control and reduce construction noise such as restricting the number of hours contractors can work during the construction of the road. Where monitoring identifies an issue, mitigation measures will be considered to reduce noise levels where required and appropriate. This may take the form of low noise surfacing or noise reduction barriers. Similarly, where air quality may be affected measures will be considered to reduce dust whilst the road is under construction.
133. With regard to impacts on communities, access routes will be offered for farmers as required and land will be restored to appropriate uses where applicable. A shared off-carriageway footway/cycleway along the whole MMDR route would be provided for NMUs. Where existing rights of way, footpaths or bridleways cross the route, appropriate crossing points will be provided to ensure they are not severed.
134. With regard to the water environment, opportunities to slow the flow of surface water off the roads into the surrounding environment will be considered through the use of sustainable drainage systems (SuDS), which will help prevent discharges of silt and pollutants into local watercourses.

Partnership Working and Associated Issues

135. The County Council is the promoter of the project and has sought the expertise and assistance from others to deliver the project. Melton Borough Council has been a partner in the development of the Melton Mowbray Transport Strategy

and is supportive of the principle of a distributor road to the north and east of the town. Indeed, a financial agreement intended to facilitate risk sharing with respect to the OBC is being developed to reflect this joint approach.

136. A Project Board was established in May 2017 with representatives from the County Council, Melton Borough Council and relevant consultants working on the scheme.
137. In order to meet the timescales suggested by the Department for Transport, consultants have been engaged to deliver many elements of the necessary design and environmental work and to pull together the Outline Business Case. This has however been conducted collaboratively with local authorities and successful engagement took place in April 2017 with a multi-disciplinary workshop.

Risk Assessment

138. At this time, there are the following apparent risks:

- (i) Failure to secure a suitable funding agreement with Melton Borough Council in order to enable submission of the Outline Business Case (OBC) and to continue with further development and eventual delivery of the distributor road scheme.
- (ii) Failure to realise levels of anticipated funding contributions from other sources, including from developers.
- (iii) Scheme costs increase as a result of further work undertaken to develop the scheme post submission of the OBC.
- (iv) Compressed development and delivery timescales resulting in possible abortive work and/or lack of 'contingency' time to offset any programme delays that might arise.

Melton Mowbray Outline Business Case (OBC)- Executive Summary:

Scheme Description & Overview

The Melton Mowbray Distributor Road (MMDR) scheme represents the best performing option from a comprehensive options assessment exercise, and consists of the construction of a single carriageway road, to the east of Melton Mowbray.

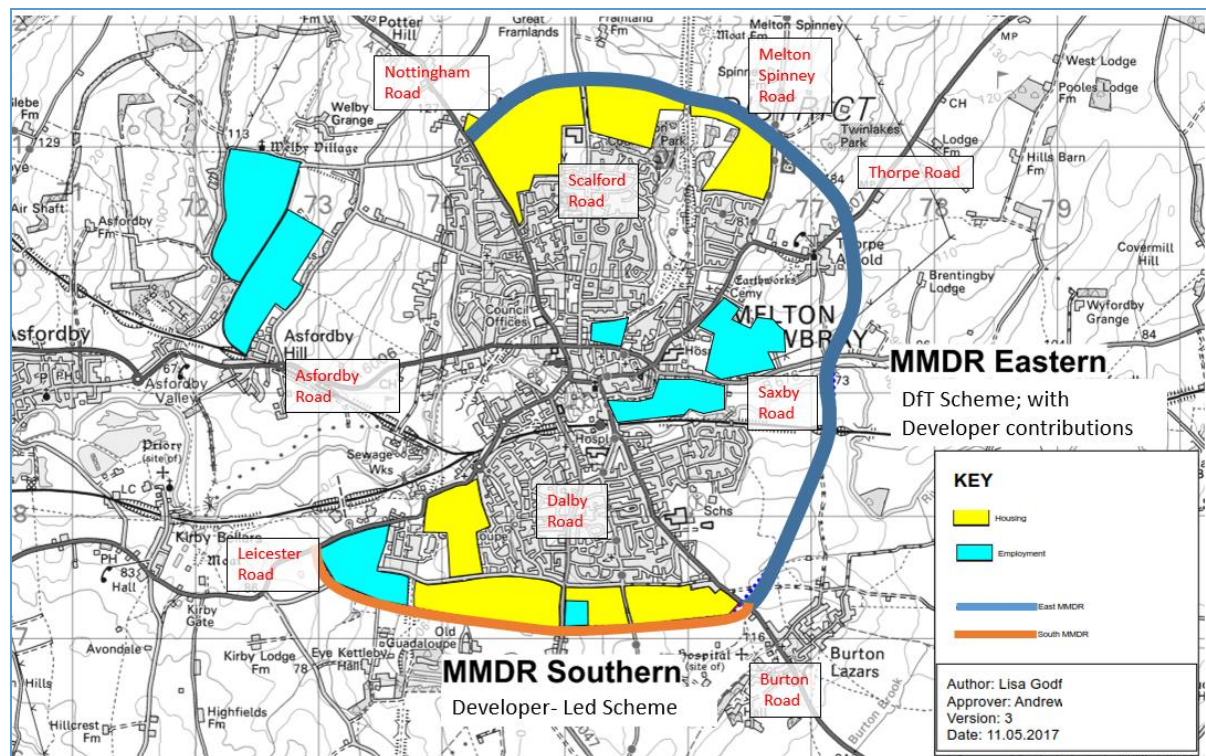
The 6.9km, single carriageway road, extends from the A606 Nottingham Road at the north-western edge of the town to the A606 Burton Road in the south, crossing Scaford Road, Melton Spinney Road, A607 Thorpe Road and B676 Saxby Road to Burton Road.

It will provide connection to a developer-led masterplan to the south of Melton Mowbray, which in turn connects to the A607 Leicester Road. The scheme will create new junctions with the radials on its route and provide crossings over the railway line and the River Eye.

Walking and cycling facilities are to be provided alongside the carriageway for the full extent of the route.

The location of the proposed scheme and of key adjoining roads is shown below. DfT funding is being sought for the part of the road shown in blue, that is, from Nottingham Road to Burton Road.

The Southern section, shown in orange, will be provided by the developers as part of the current planning application for 1,450 dwellings and associated employment to the south of Melton Mowbray.



Background

Congestion in the centre of Melton Mowbray has been a long standing issue recognised by both Leicestershire County Council and Melton Borough Council; this can be dated back to the late 1990's and early 2000's, and through successive Local Transport Plans.

However, the issue has become increasingly pronounced and is likely to be exacerbated further, both in terms of recent trends in traffic growth since the recession, and in light of the significant levels of growth planned for the town as part of the emerging Local Plan.

Historically, options considered over this period have generally been developed to tackle existing congestion issues, rather than simultaneously focusing on improving network conditions and accommodating and accelerating the high levels of housing and employment growth now proposed in the town.

Importantly, a significant number of dwellings (totalling more than 2,500) are currently part of active planning applications in the town - as part of the emerging Local Plan delivery of over 4,500 dwellings in Melton Mowbray.

It is both the current levels of congestion in Melton Mowbray, and the active nature of these applications that make the scheme a priority, and why it is needed now.

Importantly, this scheme is just one part of a wider transport strategy for the town which will include other measures to address localised traffic issues, public transport improvements, walking and cycling connectivity.

Strategic Case:

Existing Issues

As part of the process of developing the transport strategy for Melton Mowbray, detailed feasibility studies have been undertaken to evaluate the existing and future problems and issues prevailing within the town without any transport intervention - and to consider a range of potential transport measures as the emerging Local Plan has developed.

These documents have been used, together with the recently updated LLITM model (in 2017 to a 2014 base), to inform and evidence the current traffic-related problems and issues in Melton Mowbray.

These are as follows:

1) Highly Significant Levels of Congestion

Melton Mowbray experiences congestion at numerous points in the town centre and along key approach routes to the town centre. This is on almost all radials, and at a number of critical junctions.

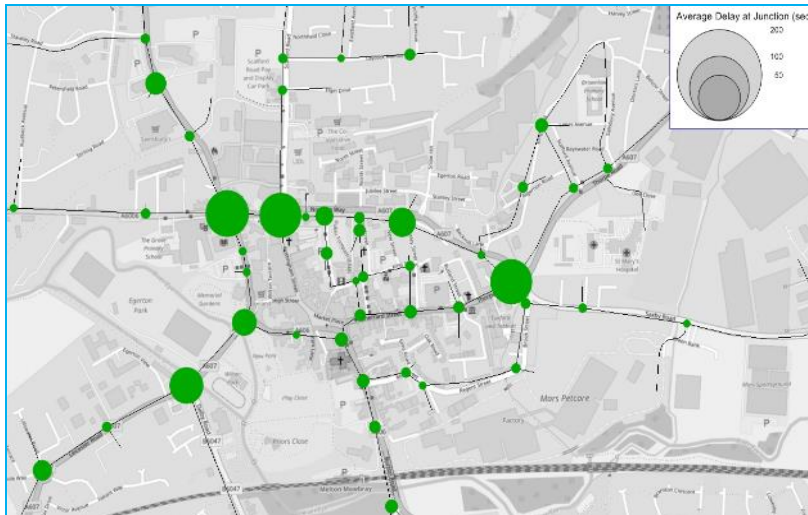
The extent of congestion is therefore right across the town, and covers all cross-town routes. This represents a key point in terms of the need for intervention. This congestion arises due to the extent of through traffic, intra-town traffic, and traffic with destinations in Melton Mowbray itself, alongside network capacity that is limited by the number (and historic scale) of cross town routes, as

well as geographical constraints from the river and rail line that funnel traffic to a limited number of key junctions.

On a delay per mile basis Melton Mowbray has one of the highest levels of delay in any area of Leicestershire, including the City of Leicester.

2) Town Centre Junction Delays

The volume of through traffic passing through Melton Mowbray town centre results not only in congestion on links but also significant delays at numerous junctions across the town centre, as shown below.



Market days present a particular problem whereby the strong visitor economy to Melton Mowbray interacts with current levels of local and through-traffic demands. This results in levels of traffic being particularly high on these days, with capacity limitations on the network leading to consistent delay problems even outside of traditional peak periods.

Importantly, many vehicles have to pass through several of these junctions to reach, or cross, the town centre, so the overall level of delay experienced as a route extends significantly beyond these levels.

For example, traffic crossing the town centre north-south or east-west would encounter three or four of main delay locations respectively, resulting in a typical (neutral day) delay of 4-5 minutes in total on this part of the journey.

To give these values some context, the centre of Melton Mowbray is little more than 500m across, and alongside the scale of delay, this also creates network resilience issues; with limited route choice, and no alternatives across the town centre that don't already experience delay themselves.

3) High Levels of Through Traffic

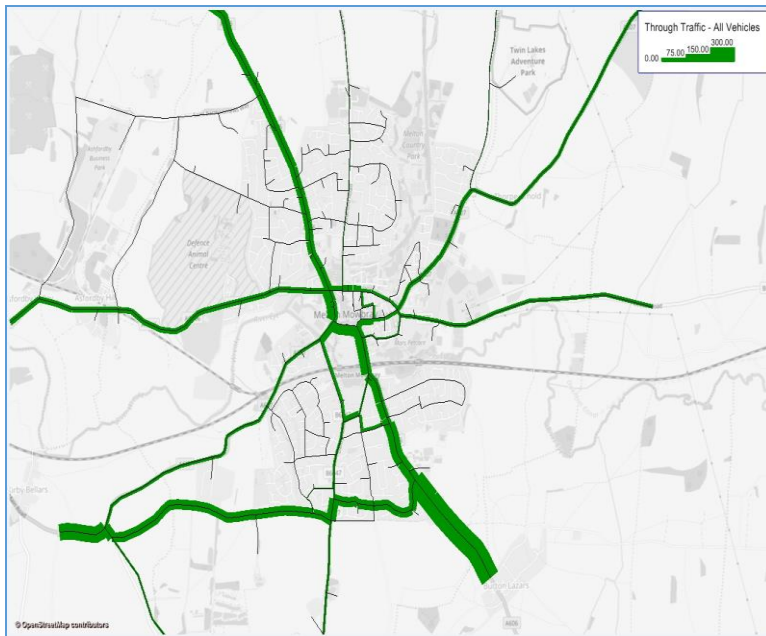
Analysis as part of the LLITM Model and the Transport Strategy Evidence Base notes that through traffic, via Melton Mowbray town centre, is one of the main contributors to heavy congestion during the peak periods.

Of all routes, the largest concentration of through traffic movement is along the A606 axis, constituting more than 40% of total traffic on that route. This is also the most congested on a delay/mile basis and is highly susceptible to variability given it is the only recognised northbound

route through the town. The percentage of through traffic in the east-west direction is also high, at over 30% on these routes.

Total through traffic volumes on all routes across the town currently peak at around 1,100 vehicles per hour (vph) across all-routes, with a daily estimate of around 12,400 vehicles, as shown below.

Through Traffic in the AM Peak in 2014 (All vehicles)



4) HGV Movements through the Town Centre

The centre of Melton Mowbray faces two traffic problems related to Heavy Goods Vehicle (HGV) and Light Goods Vehicle (LGV) movements.

First, the industrial area to the east of the town centre generates a significant number of HGV and LGV movements, many of which use the town centre to access or egress manufacturing premises (particularly for the industrial estate in the east of the town).

Secondly, there are a significant number of through traffic HGV and LGV movements, with non-Melton Mowbray destinations. Both types of HGV and LGV movement create problems in the town centre, including safety, noise and air quality problems.

There are approximately 2,200 HGVs currently entering the town per day of which 1,200 HGV's (55%) are through traffic. Moreover, HGV and LGV through traffic volumes are forecast to increase significantly and will be a major component of the overall projected growth in through traffic, especially given Melton Mowbray's growth as a designated Food Enterprise location.

5) Future traffic-related impacts in town centre and villages

LLITM modelling shows that in the future, traffic-related problems and issues are likely to extend beyond the town centre. This creates additional concerns in the context of traffic volumes, safety, and severance through some rural villages adjacent to Melton Mowbray itself- notably Asfordby, and Kirby Bellars.

As the traffic grows in the future, and as the developer-link road to the south is built out during the 2020's, forecasts suggest that without the scheme, there would be a significant rise in vehicle movements through adjacent local villages.

Impacts of Doing Nothing:

1) A Continuation of Current Transport Problems

Without the scheme, the problems and issues identified will continue and likely worsen. This means that roads will remain congested, with some of the highest levels of delay per mile in the County - impacting on both local residents, and those from a wider catchment seeking to make longer distance movements to/from Leicester, Nottingham, Loughborough, the M1 or A1.

Melton Mowbray will continue to have high levels of through traffic - through traffic that impacts on residents as a result of the routes that such traffic is forced to take, as well as additional rat-running, and further impacts on the attractiveness of the town to the visitor economy, curtailing the extent and attractiveness of the historic market town centre.

This is particularly the case given the proportion of traffic that is HGV and LGV – both as a percentage of overall traffic, and absolute volumes - with the corresponding noise, safety, severance and air quality problems also brought by these movements; alongside significant forecast growth of such movements in the future.

As a result of the current network configuration converging on several key junctions, and with the geographical constraints provided by the river and rail line, resilience of the network will remain poor with corresponding impacts on reliability. This will be exacerbated as Melton Mowbray continues to grow, with impacts over time also extending to adjacent villages as well as the town centre, if no improvements are delivered.

Considering the existing traffic conditions within the town, further improvements to public transport will also be difficult to bring into practice, alongside the further housing delivery and economic expansion of the town proposed in the emerging Local Plan.

2) Delivery of Housing, jobs and Economic Growth

As noted in the Leicester and Leicestershire Strategic Economic Plan, Melton Mowbray is a thriving market-town, with a strong housing market and industrial base, offering significant local employment opportunities. Unemployment is exceptionally low against UK averages, at only 1.3%.

The town is the main economic centre for the Borough of Melton, providing a base for the larger employers and functioning as the key retail, leisure and service destination for the residents of the Borough.

Despite previous investment in highway improvements, there continues to be significant traffic problems in the town and by virtue of this insufficient residual highway capacity to accommodate planned growth. In recent years this has become a constraint on the town's growth; with MBC, as the Local Planning Authority, having been advised by the County Council, as the Local Highway Authority, to consider refusing a number of planning applications on the grounds of severe traffic impacts.

As a result, doing nothing will lead to the above problems and issues slowing (and potentially actually curtailing) the significant levels of economic growth, job creation and housing delivery proposed as part of the emerging Local Plan; requiring over 4,000 dwellings and 6,000 jobs in total in Melton Mowbray.

Importantly, and demonstrative of Melton Mowbray's current vitality, over 2,500 dwellings associated with the emerging Local Plan total are already being actively put forward by developers through the planning process; and that makes the time for investment now.

Investment will also enhance the vitality of the town centre, with the removal of traffic providing opportunities for town centre regeneration and renewal of the urban fabric, as well as providing opportunities for walking/cycling and better bus travel times to ensure that the new housing growth has greater sustainable travel opportunities than those offered presently; and is particularly important given the level of growth in the town.

Alternative Options

The Melton Mowbray Distributor Road scheme has been developed as the best performing option to overcome existing traffic congestion and traffic-related problems. The scheme has been developed from an evidence and objective-led optioneering process, assessing a range of options across modes, and different scales and route(s) of highway intervention in coming to the final preferred scheme.

In 2015 and 2016, work undertaken on the Transport Strategy Evidence Base and the Melton Mowbray Options Appraisal Report (OAR) highlighted current levels of congestion, significant levels of through traffic and limited spare capacity for growth as critical issues facing the town.

The OAR tested a range of smaller-scale public transport, walking and cycling, demand management and inner bypass improvements in close proximity to the town centre.

This led to an assessment, against a range of criteria, of over 60 different potential interventions for the town across these modes to identify the better performing options. This assessment was derived from the evidence base, and used local Melton Mowbray transport stakeholder reference groups as part of the decision making process.

The results demonstrated that strategic highways interventions (of various kinds) performed as the highest ranking options, as the only category of options to provide benefits to both current and future residents, and to be able to ensure sufficient longer-term capacity to underpin the ambitious growth proposals in the emerging Local Plan - as a key part of the locally-derived objectives used in the OAR.

Testing of a wide range of more strategic highways options demonstrated that an Eastern Distributor Road was the preferred option for solving congestion problems in the town and for accelerating housing delivery and economic growth (this was shown through assessment of transport user benefits, costs, wider economic benefits and a range of locally-led objectives), as documented in the OAR.

As a result of this evidence, during the summer of 2016, Leicestershire County Council, Melton Borough Council and the Leicester and Leicestershire LEP submitted a bid to the DfT to seek funding towards the further development of the Distributor Road scheme.

The scheme presented in this OBC has been subject to further optioneering through 2017 as part of the OBC development process, using an updated transport model, and updated datasets, that shows the same comparative transport user benefits between the options, reinforcing the earlier evidence through further independent study.

In addition, within the identified corridor the scheme design has been optimised, taking account of costs, land ownership issues and environmental considerations, with a view to securing planning permission in the first half of 2018.

Key Benefits of the Preferred Scheme:

The scheme is consistent with Local, Sub-Regional and National policies, with a particular benefit of the scheme being accelerated housing delivery in support of the 4,500 dwellings in Melton Mowbray proposed as part of the Local Plan, that has recently been submitted for Examination in Public and expected to be adopted in Spring 2018, along with longer term support the investment will make to the aims and delivery objectives of the Strategic Growth Plan.

Melton is a vibrant, attractive and thriving market town, with a strong manufacturing base, significant visitor economy and as a national and international centre of food manufacturing activities. Unemployment in the town is exceptionally low and the scheme helps support delivery of a further 20ha of employment land for business expansion in Melton- as well as resolving current and future HGV issues in the town created by its manufacturing and agricultural base.

The OBC and associated Options Reports indicate that on both quantitative and qualitative bases, that an Eastern MMDR scheme represents the preferred solution.

The preferred scheme has:

- Double the level of user benefits of the next nearest option;
- The greatest benefit to the town centre and critical junctions as a result;
- Significant benefits for both through traffic and for HGV and LGV traffic;
- Support through Consultation results, with a majority of Melton residents having a defined preference for an Eastern Route over other alternatives;
- A lower cost than a similar route to the west, with consequential impacts on the Economic Case and ability of government to fund (and afford) the scheme;
- The ability to deliver the full extent of housing and employment growth proposed in the emerging Local Plan; unlike the Northern or Southern sections on their own;
- Scored more highly on almost all qualitative scheme objectives than alternative options, assessed from the perspective of three different transport groups; and
- The greatest opportunity to support walking, cycling public transport and urban realm improvements in the town as a result.

Economic Case:

The Economic Case aims to identify all of a scheme's impacts, and the resulting value for money, to fulfil HM Treasury's requirements for appraisal and to demonstrate value for money in the use of taxpayers' money.

The Economic Case has been driven by use of the latest version of the LLITM Model (2014 Base), supported by DfT and industry standard software usage.

The model and appraisal approach has been built in accordance with the Department for Transport's modelling and appraisal guidance (WebTAG), and has been independently assured in terms of its development and usage.

The economic appraisal has been tailored to reflect the needs of the MMDR Outline Business Case, and has specifically monetised: as part of the Benefit Cost Calculation:

- Transport User Benefits (including travel time and vehicle operating cost savings)

- Safety
- Noise
- Air Quality
- Greenhouse Gases
- Active Mode Travel Benefits
- Changes in delays during maintenance
- Delays during construction

These form the core Benefit Cost Ratio (BCR) for the scheme.

Additional valuations of other objectives has also been monetised as part of the Economic Case, and these are included in the scheme's adjusted BCR.

These benefits of the scheme include:

- Journey Time Reliability Benefits
- Wider Economic Impacts

In line with HM Treasury's appraisal requirements, the impacts considered are not limited to those directly impacting on the measured economy, nor to those which can be monetised. The economic, environmental, social and distributional impacts of a proposal are all examined, using qualitative, quantitative and monetised information in the Economic Case. These include impacts on:

- Landscape
- Townscape
- Water
- Biodiversity
- Historic Environment
- Security
- Severance

In assessing value for money, the impact of the scheme on all of these are consolidated to determine the extent to which a proposal's benefits outweigh its costs, and evidence for all of the above areas has been included within the OBC, and reported in an Appraisal Summary Table (AST) required by DfT.

Scheme Benefits

The Economic Case reports the sum of the above calculations. The total present value of scheme benefits is estimated at **£121m** (in DfT's 2010 values and prices).

This is calculated using the above approach for the scheme benefit calculations.

Scheme Costs for Economic Appraisal

Scheme costs used in the Economic Case are as per those in the Financial Case detailed in the next section, and built up from detailed construction, land, preparation and supervision costs associated with the scheme's design; supported by ECI involvement.

Risk allowances have been determined through a detailed Quantified Risk Analysis (QRA), and along with inflation to the year of forecast expenditure are both included in the appraisal.

In addition, and as per DfT requirements, a further 15% Optimism Bias has been applied to the risk adjusted capital costs of the scheme, with additional uplifts for structures.

Future costs of maintaining the new infrastructure have also been calculated, termed the capital costs of maintenance, and these have also been added to the costs used in the Economic Case.

These calculations lead to a present value of scheme cost (PVC) of **£58m** (in DfT's 2010 values and prices).

Benefit Cost Ratio (BCR)

The core Benefit Cost Ratio for the scheme has been calculated on the basis of the scheme benefits and scheme costs above.

This results in the outturn BCR for the scheme being >2.

A Value for Money Statement is included in the Economic Case, as required by DfT, and which confirms this is High Value for Money in the most likely, core scenario.

High/Low Traffic growth sensitivity tests have also been undertaken as per DfT requirements, with core transport benefits forecast to be 20% lower under the low traffic growth scenario, and 24% higher under the higher growth scenario requested by DfT.

All results are reported in the AST for the scheme, and include detailed distributional analysis as required by guidance.

Financial Case:

The Financial Case concentrates on the affordability of the proposal, its funding arrangements and technical accounting issues.

Scheme costs for the Financial Case have been built up from detailed construction, land, preparation and supervision costs associated with the scheme's design; supported by ECI involvement.

The base scheme costs are **£63m** in 2017 prices, and include land costs, preparation costs, construction costs and supervision costs.

The full OBC will include a more detailed breakdown of the base scheme costs into these spend areas, including an anticipated profile by year for each spend area.

To these base costs, risk allowances have been added (as determined through a detailed Quantified Risk Analysis), along with inflation to the year of forecast expenditure.

An independent surveyor's report verifying cost estimates has been submitted as part of the OBC.

The total local contribution towards the risk adjusted scheme cost is in excess of 20%, comprised of local and private sector contribution.

A signed letter from LCC's Section 151 Officer has been included in the Outline Business Case confirming the above.

Commercial Case:

The Commercial Case provides evidence on the commercial viability of a proposal and the procurement strategy that will be used to engage the market. It presents evidence on risk allocation and transfer, contract timescales and implementation timescale as well as details of the capability and skills of the LCC team delivering the project.

As part of the Commercial Case a series of procurement options have been identified and assessed by LCC.

The Preferred Option for procurement and Delivery is the Midlands Highways Alliance (MHA) Framework.

The benefits of this route for both LCC and ensuring taxpayer value have been made clear in the Commercial Case. These benefits are as follows:

- Obtain contractor experience and input to the construction programme to ensure the implementation programme is robust and achievable. Significant savings can be made by allowing the contractor input into the design process through the MHA route- with an ability to engage with the project framework contractor or contractors at an early stage.
- Allow mobilisation quickly and allows greatest time and opportunity for ECI to achieve lowest outturn cost.
- Obtain contractor input to risk management and appraisals, including mitigation measures, to capitalise at an early stage on opportunities to reduce construction risk and improve out-turn certainty. This thereby reduces risks to a level that is 'as low as reasonably practicable'
- Use of an NEC3 contract, with mature and well established risk allocation and transfer between parties; along with established tolerances to provide greater cost and programme certainty.
- The ability to measure performance through the Framework Community Board, including benchmark MSF projects against projects delivered through other routes
- Collaboration and shared learning. The FWCB hold meetings regularly, usually every two months.

A strategic aim and objective of the MHA is the sharing of risk and that risk is appropriately proportioned through the careful management of relationships within, and throughout the project.

The Commercial Case, using existing details from the MHA framework, describes how the Midlands Highway Authority procurement strategy will seek to place risk with the party best placed to manage or mitigate that risk, or manage the consequences should they transpire.

Early involvement with the contractor will include an assessment of the appropriate balance of risk.

Through to procurement and as part of scheme delivery, the contractor will produce a priced risk register. This will be reviewed as part of the process of target setting and decisions made on the mechanism for sharing risk between the contractor and LCC, ensuring that the proposed allocation provides the best value for money for the project.

The above approach builds on LCC experience with such delivery mechanisms on recently and successfully delivered schemes, with a clear understanding between contractor and authority of how they work and what their processes are. This is not just in terms of roles, but also agreed standards, mechanisms and clarity over risk and risk allocation and transfer through the design and construction phases.

Management Case:

The Management Case assesses whether the scheme is capable of being delivered successfully in line with the recognised best practice. It describes the processes that are being put in place to ensure that the project is effectively delivered.

The management case demonstrates that LCC has successfully procured and delivered a number of similar projects of varying sizes and complexity. The knowledge gained and the strategic procedures developed/adopted during the delivery of these schemes will be used for the delivery of the MMDR. Opportunities will be taken, wherever possible, to improve delivery processes by acting upon the lessons learnt from recent schemes.

Carillion Tarmac Partnership (CTP) were appointed through the Midlands Highways Alliance Medium Schemes Framework contract to work with Leicestershire County Council (LCC) and their designers, AECOM, to deliver an Early Contractor Involvement (ECI) service for the proposed Melton Mowbray Distributor Road (MMDR).

To ensure the successful delivery of the schemes within its jurisdiction LCC has established a governance structure which will also be applicable to the MMDR. LCC recognises that effective risk management is vital, and a continual process involving the identification and assessment of risks. A risk and opportunity register was developed May 2017, and will continue to be reviewed and updated on a monthly basis to consider risks associated with the preferred scheme, and to provide up-to-date input in line with the Project Governance.

The management processes will also make use of best practice Gateway approvals and independent assurance, to ensure effective scheme development, probity and assurance as the scheme progresses.

The Project Governance Structure for any scheme undertaken by LCC consists of a three tier structure as follows:

- The Programme Board – Provides governance at the overall programme level via a Programme Board and a Promoters Group.
- The Project Board – Provides governance at the component project level via specific Project Boards for each component project.
- Working Groups – Responsible for particular issues, topic areas or activities spanning two or more of the component projects via a series of Working Groups.

An outline Monitoring and Evaluation Plan and Benefits Realisation Plan has been prepared, that enables the benefits and dis-benefits from the project to be planned, tracked, managed, and realised (or mitigated). This Plan will be used to help demonstrate whether the scheme objectives identified in the Strategic Case are being achieved in terms of the desired “measures for success”. In addition, the management case also highlights the ongoing stakeholder management plans and the future communication strategy plans and programme.

The Management Case concludes that LCC has a track record of successfully procuring and delivering projects of varied size and complexity, and in relation to the MMDR scheme in particular has the adequate project management, governance and assurance systems in place, alongside resources required, to deliver the MMDR.

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Melton Mowbray Distributor Road

Equality and Human Rights Impact Assessment Screening Report

Melton Mowbray Distributor Road

Equality and Human Rights Impact Assessment Final Screening Report

November 2017

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The Project Manager is responsible for production of this document, based on the contributions made by his/her team existing at each Stage.

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SCHEDULE OF REVISIONS

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1D	08/06/2017	Internal Review
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F	17/07/2017	Final
2D	29/09/2017	Draft update including change of title and references from Equalities Impact Assessment (EqIA) to EHRIA (Equalities and Human Rights Impact Assessment). Also references to NMU surveys, public consultation and completion of EHRIA screening report.
F	17/11/2017	Final screening report taking into account comments from Rob Howard at LCC

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1 Introduction

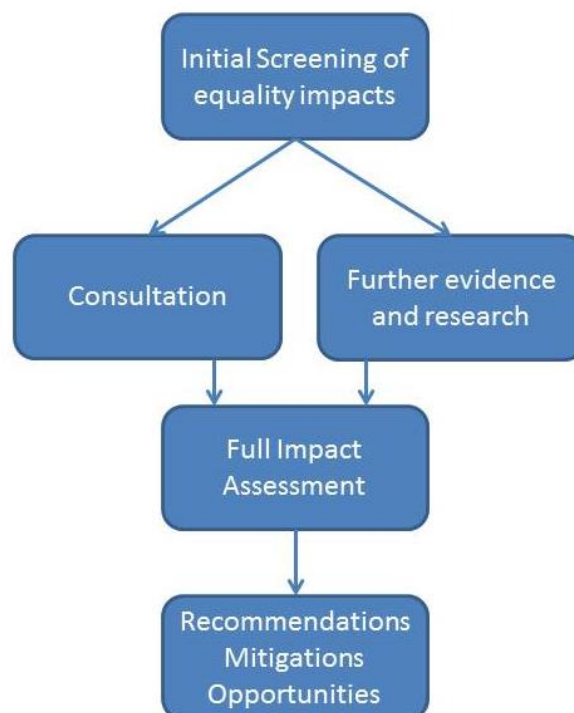
1.1 Background to the proposed scheme

- 1.1.1 The Melton Mowbray Distributor Road scheme (the 'proposed scheme') is a major highway scheme to the north and east of Melton Mowbray consisting of a new single carriageway road. It extends from the A606 Nottingham Road to the A606 Burton Road, crossing Scalford Road, Melton Spinney Road, A607 Thorpe Road and B676 Saxby Road.
- 1.1.2 The main objectives of the proposed scheme are to enable the delivery of housing and employment to the north and south of the Melton Mowbray and relieve traffic congestion in the town. The key economic benefits are to unlock up to 5,000 homes and 31 hectares (ha) of employment which could mean 22% growth for the local economy and an additional £102m on gross value added (GVA) per annum. The proposed scheme's wider benefits are to improve air quality, improve safety and provide a more pleasant town centre environment.

1.2 Purpose of the assessment

- 1.2.1 Leicestershire County Council (LCC) has a legal obligation in the exercise of its functions, to have due regard to fulfilling its duty under the Equality Act 2010 and the associated Public Sector Equality Duty (Section 149 of this Act). LCC is also required to ensure that it is acting in a way which is compatible with the Convention rights set out in the Human Rights Act 1998.
- 1.2.2 An Equality and Human Rights Impact Assessment (EHRIA) provides a methodical approach to assessing impacts of a new scheme on a particular community or group of people to ensure that duties under the Equality Act 2010 and Human Rights Act 1998 are being met. It is undertaken to identify any potential impacts (negative or positive) of a project, plan or policy and provides potential recommendations and mitigations to reduce barriers and detrimental effects of the scheme on affected groups.

Figure 1 – EHRIA Process



- 1.2.3 **Figure 1** shows the process required for an EHRIA. An initial screening of impacts for the proposed scheme was undertaken in June 2017 to support the scoping stage of the Environmental Impact Assessment process. This identified whether or not the potential impacts of the proposed scheme are likely to disproportionately or differentially affect groups with protected characteristics under the Equality Act 2010. The screening includes a review of local policy, baseline demographic data and an initial assessment of key impacts to determine the next steps for the assessment process.
- 1.2.4 This report provides an update to the June 2017 EHRIA screening report taking into account additional activities that have taken place in the development of the scheme. These include:
- Revisions to route options 1 and 2;
 - Public consultation and exhibition on the recommended route; and
 - Findings of preliminary surveys.
- 1.2.5 This screening also incorporates an assessment of the compatibility of the proposed scheme with the Human Rights Act 1998.

2 Summary of Relevant Policy

2.1 Equality Act 2010 and Public Sector Equality Duty

2.1.1 The Equality Act 2010 legally protects people from discrimination both in the workplace and in wider society. It replaces previous anti-discrimination laws which include the Sex Discrimination Act 1975, Race Relations Act 1976 and the Disability Discrimination Act 1995. The Act ensures that individuals with certain 'protected characteristics' are not indirectly or directly discriminated against. The protected characteristics include:

- **Age:** this refers to persons defined by either a particular age or a range of ages;
- **Disability:** a disabled person is defined as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities;
- **Gender reassignment:** this refers to people who are proposing to undergo, are undergoing, or have undergone a process for the purpose of reassigning their gender identity;
- **Marriage and civil partnership:** marriage can be between a man and a woman or between two people of the same sex. Same-sex couples can also have a civil partnership. Civil partners must not be treated less favourably than married couples;
- **Pregnancy and maternity:** pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth;
- **Race:** the Equality Act 2010 defines race as encompassing colour, nationality (including citizenship) and ethnic or national origins;
- **Religion or belief:** religion means any religion a person follows. Belief means any religious or philosophical belief, and includes those people who have no formal religion or belief;
- **Sex:** this refers to a man or to a woman or a group of people of the same sex, while gender refers to the wider social roles and relationships that structure men's and women's, boys' and girls' lives;
- **Sexual orientation:** a person's sexual orientation relates to their emotional, physical and/or sexual attraction and the expression of that attraction.
- **Socio-economic status:** a person's socio-economic status referring to combined economic and sociological measure of a person's work experience and economic and social position in relation to others, based on income, education, and occupation.

2.1.2 LCC also assesses additional equality and humans rights impacts associated with rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, and deprived or disadvantaged communities.

2.1.3 Under the Equality Act 2010 there is an obligation for a public authority to have regard to the Public Sector Equality Duty (the Duty), which is set out in section 149 of that Act. The Duty requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination (direct and indirect);
- Advance equality of opportunity; and
- Foster good relations between those with a protected characteristic and all others.

2.1.4 The Equality Act 2010 explains that the second aim (advancing equality of opportunity) involves, in particular, having due regard to the need to: remove or minimise disadvantages affecting people due to their protected characteristics; take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other

people; and encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

2.2 Human Rights Act 1998

- 2.2.1 Human rights are the basic rights and freedoms that belong to everyone and have evolved over many centuries. The Human Rights Act was introduced into UK Law in 1998 and includes basic rights listed under the European Convention on Human Rights.
- 2.2.1 Public authorities have an obligation to act in accordance with the Convention and Protocols within the Human Rights Act. LCC understands the importance of valuing human rights and is committed to ensuring that the human rights of individuals are maintained and respected. As a public authority LCC assess any human rights implications of new and significantly changed policies, procedures, functions and services and also consider opportunities to promote or protect any of the relevant human rights within the EHRIA process.

Leicestershire County Council - Equality and Diversity Strategy (2016 -2020)¹

- 2.2.2 LCC is committed to delivering equality of opportunity in employment and services by creating a culture, where regardless of background and experience, people feel valued and appreciated. It is also devoted to making sure that anyone who access services will be treated fairly and without discrimination while reassuring that discrimination on the grounds of any of the protected characteristics will not be tolerated.
- 2.2.3 Leicestershire Equality Policy Statement opposes all forms of unlawful and unfair discrimination and has mechanisms in place to combat all forms of discrimination, share good practice and develop procedures and policies with partners to fulfil the aim of this policy. The Council carries out EHRIAs, as a standard practice, to assess the impact the provision of services will have on different sections of the community.
- 2.2.4 LCC's vision for Leicestershire is to lead "by working with our communities for the benefit of everyone" includes a number of strategies that focus mainly on three key priorities: developing and supporting a diverse workforce, providing inclusive services and fostering inclusion and cohesiveness within the community.

Other relevant policy documents

- 2.2.5 Other relevant policies include:
- **Draft Melton Local Plan²**: sets out the strategic direction of the borough for the next 20 years. It shapes the actions and commitments on economic growth, infrastructure, homes, health and climate change that will contribute to the sustainable development of Melton Borough;
 - **Leicestershire Local Transport Plan 3 (LTP3)³**: sets out the vision, policies and strategies to deliver integrated transport infrastructure across the county. Priorities are to deliver economic and social outcomes that will enable people to reach a wide range of services and facilities providing opportunities to access training and jobs whilst underpinning sustainable, safe and healthy communities;
 - **Melton Local Plan (Issues and Options) Sustainability Appraisal Report Incorporating Equalities Impact Assessment⁴**;

¹ Leicestershire County Council (2017) Equality Strategy 2016-2020 [Online] Available: <https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2017/1/30/equality-strategy2016-2020.pdf>

² Melton Borough Council (2017) Pre Submission Draft Plan, Nov 2016 [Online], Available: https://docs.wixstatic.com/ugd/a14863_4a865bfde4f8498abaa80111f86ef0ac.pdf

³ Leicestershire County Council (2017) Leicestershire Local Transport Plan 3 [Online], Available: https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2017/1/9/Local_transport_plan.pdf

⁴ Melton Borough Council (2017) Sustainability Appraisal Report [Online], Available: https://docs.wixstatic.com/ugd/a14863_f1711603a6b54da99d97214eb75dccc7d.pdf

- **Leicester and Leicestershire Enterprise Partnership - Strategic Economic Plan (2014- 2020)⁵**; and
- **Leicestershire Market Towns Research Final Report⁶.**

⁵ Leicester and Leicestershire Enterprise Partnership (2017) Strategic Economic Plan [Online], Available: <https://www.llep.org.uk/key-documents/sep-full-document/>

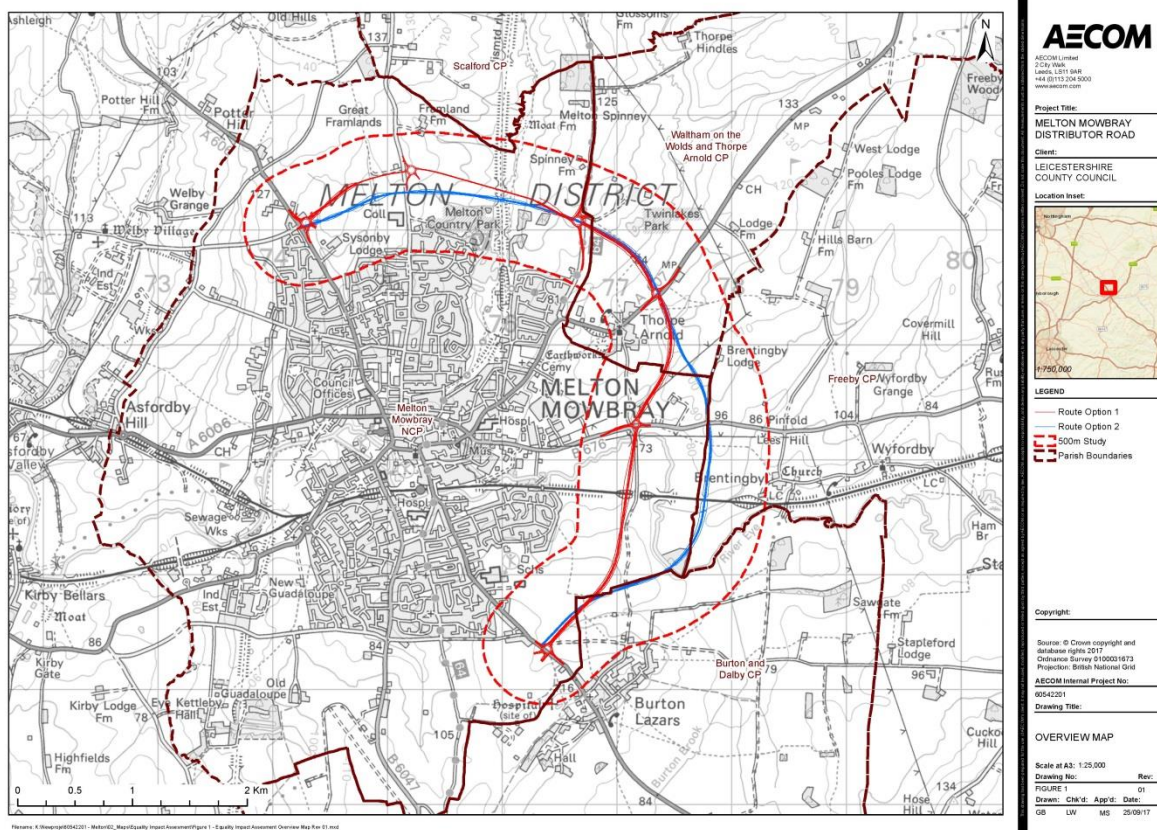
⁶ Leicestershire Market Towns Research- Final Report (2017) [Online] Available: <https://www.llep.org.uk/wp-content/uploads/2016/08/Market-Towns-Study-August-2016.pdf>

3 The Study Area

3.1 Introduction

- 3.1.1 Melton Borough is a local government district located in the north-east of Leicestershire. It is a predominantly rural area with a population of 50,376 (Census 2011).
- 3.1.2 Melton Mowbray is a market town and the borough's largest settlement. It has a population of 27,000 people (half of the borough's population) and plays a key economic and social function locally and regionally. The predominant role of Melton Mowbray is recognised within the Melton Draft Local Plan which highlights the need to assist in enhancing its infrastructure and service provision. The majority of the retail, leisure, services and employment activities take place in the town and 65% of the borough housing allocation will be delivered in sustainable extensions to the north and south of Melton Mowbray over the next 20 years.
- 3.1.3 The area of study chosen for this screening report comprises the entirety of Melton District (including Melton Mowbray Town Centre) and Waltham on the Wolds and Thorpe Arnold CP as this is the area where most of the proposed scheme's impacts are likely to be experienced. It is envisaged that impacts outside of this area are likely to be negligible. Figure 2 provides an overview of the route options, 500m study area and parish boundaries.

Figure 2 - Study Area



3.2 Baseline Socio-demographic Data

3.2.1 Table 1 provides an overview of the socio-demographic profile of the study area in relation to groups with protected characteristics and other groups associated with equalities issues.

Table 1 - Socio-demographic overview

Protected Characteristic	Study Area
Ethnicity and Nationality	<p>According to Census 2011, Melton Borough has a predominantly white population (97%), higher than the rates for Leicestershire and England and Wales. The remaining 3% are composed of ethnic minorities (Asian, Mixed, Black and Other ethnic backgrounds).</p> <p>The percentage of people that are UK nationals is 94% (of which 97% are from England and the other 3% are from Scotland, Wales and Northern Ireland). Of the remaining 6%, 4% come from the EU (of which 50% are Polish and the remaining 50% are from other nationalities). In comparison, the overall England and Wales population make up shows that UK nationals are 87% of the total, of which 92% are from England.</p> <p>In Melton Borough, 58% of National Insurance registrations issued to overseas adults (NINo⁷) entering the UK for the year to March 2017, come from EU⁸ countries. It is anticipated that the majority of these registrations are of Polish background, given the fact that it is the largest ethnic minority group established in the borough with nearly 600 residents.</p>
Gender	51% of the population is female and 49% of the population is male (Census 2011).
Age	<p>In terms of age, 30% of people are under 24 years old, 53% are between 25 to 64 years old and 18% are 65 years old and over. These figures are very similar to regional and national averages. However, according to the LCC Equality Strategy (2013-2016), the number of people over 65 has increased by 21% over the past ten years and those over 85 have increased by 39%. This is a trend that is likely to continue as a result of an ageing population and a higher life expectancy.</p> <p>Furthermore, 11% of the economic active population are retired (Census 2011)</p>
Economic Activity	According to 2011 Census, 50% of the Melton Mowbray population are in full or part-time employment or self-employed, 11% are retired, 2% are unemployed and another 2% are in full-time education. The retired population is 1% higher than the national estimates.
Disability, Health and Care	7% of the population reported having a disability that significantly affects their day-to-day activities. An additional 10% stated that their disability or health issue had a minor effect on their day-to-day activities. (Census 2011)
Married and Civil Partnership	Almost half of the population (49%) are married or in a registered same-sex civil partnership. This is two points higher than the national average (47%) but three points lower than Leicestershire (52%). On the other hand, 10% of the population are divorced and 8% widowed. Singles account for 30% of the population, while 3% are separated.

⁷ National Insurance Number Allocations <https://www.gov.uk/government/statistics/national-insurance-number-allocations-to-adult-overseas-nationals-to-march-2017>

⁸ EU8: Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia

Religion and Belief	In the 2011 Census, 68% of Melton Mowbray residents stated that they have a religion. This religious population was largely Christian (98%). The remaining 2% is made up of Hindus, Buddhist, Sikh and Jewish. 26% stated they had no religion.
Deprived and Disadvantaged Communities	<p>Melton Borough is among the 40% least deprived districts in England, being ranked 236 out of 354 nationally. Although the region has favourable scores, there are pockets of deprivation in and around Melton Mowbray ranking between 10% and 30% of the most deprived neighbourhoods in the country. These areas are mainly towards the north and south of the town centre boundary.</p> <p>Deprivation in these areas is mainly associated with the following domains:</p> <ul style="list-style-type: none"> • Income affecting both children and the elderly; • Education, training and skills; employment; and • Living environment. <p>Another key indicator from the Melton Local Plan Health Impact Assessment (July 2017) shows that the number of statutory homeless households (per 1,000 households) was significantly worse in Melton (4.2) than the national figure (2.4).</p>
Health Inequalities	The rural region of Melton Borough has a life expectancy of 81 and 83 years old for men and women, respectively. The national average is similar to the women's life expectancy. The gap in life expectancy in the most deprived areas is 6 years for men and 3 years for women. According to the Melton Local Plan Health Impact Assessment (2016), this finding is considered a "significant inequality" in life and healthy life expectancy across the borough ⁹ .
Rural Isolation	In the rural areas neighbouring Melton Mowbray, deprivation is widespread. This is commonly associated with barriers to housing and services, with many Super Output Areas ranking in the 10% most deprived nationally ¹⁰ .
Asylum Seekers/Refugees	The Government will take in an additional 20,000 Syrians over the next five years across the country. Of these MBC will house and support approximately 50 over the same period. These refugees will come from camps close to the Syrian border.

⁹ Melton Local Plan Health Impact Assessment July 2016, (2017) [online], Available: <http://www.melton.gov.uk/downloads/file/3326/mbcwp4>

¹⁰ <http://opendatacommunities.org/doc/geography/administration/nmd/E07000133>

4 Equality Issues

4.1 Equality Issues and priorities

- 4.1.1 The policy review and baseline data collection undertaken for this screening assessment have been used to define a set of key equality priorities. These will be used as a framework for which to assess potential equality impacts of the proposed scheme. The equality priorities are described in the following paragraphs.

Access to Housing

- 4.1.2 Melton has a high rate of homeless households with 4.2 per 1000 households homeless compared with the national figure of 2.4. To ensure that the housing stock meets the needs of different types of people today and in the future, new development needs to encompass the ability to support other services that are at risk such as schools and public transport, supply enough 'right type' of new housing to support first time buyers, young families and lower incomes to move into or continue to reside within the borough.

Transport and accessibility

- 4.1.3 Melton Mowbray experiences high volumes of traffic relative to its road network capacity and expected for a town of its size. The Local Transport Plan states that the town is 'partially severed' and adversely affecting local businesses and people to carry out daily activities and the attractiveness of the town to visitors. Traffic growth and congestion has led to rising carbon emissions having a negative impact on the environment, particularly in Melton Mowbray.

- 4.1.4 Melton Borough is primarily a rural area with dispersed villages. It has limited public transport services which has increased the need to rely on the use of privately own vehicles.

- 4.1.5 There is a need to overcome these issues, so that the adverse effects on the environment, the economy and communities do not become worse and levels of services can be maintained. For instance, to maintain journey time reliability, reduce congestion in the town centre and enhance the vitality and viability of Melton Mowbray.

Living environment, health and wellbeing

- 4.1.6 The Local Plan will result in the loss of open and green space. Therefore careful planning must be arranged to ensure the balance between urban areas and green spaces is met.
- 4.1.7 Measures to reduce traffic in the town centre could potentially impact the health and wellbeing of people living and using the city centre. The provision of well-connected paths to encourage the use of cycling and walking into town could contribute to increased health and wellbeing.
- 4.1.8 The borough has a predominantly ageing population; therefore the council has a pressing need to assess the need and demand for services to target this specific demographic group.

Community cohesion

- 4.1.9 The Melton Draft Local Plan sets out policies to promote social cohesion and support the development of community facilities, reduce poverty, crime and social deprivation and secure economic inclusion.
- 4.1.10 An examination of population trends in the Draft Local Plan shows that the percentage of residents aged between 15 and 44 years old in Melton Mowbray is lower than for Leicestershire and national percentages. Whilst younger people are migrating for opportunities elsewhere, older people are moving to the area to seek retirement homes.

Access to jobs, education and training

- 4.1.11 It is necessary to ensure the provision of employment and training opportunities in addition to support new business formation to diversify the economy.
- 4.1.12 The Melton Draft Plan identifies key strategic issues in this area. Employers are experiencing difficulties recruiting low skilled and low paid positions. In addition to this, most of the working

age population is in work and wages are not considered high enough to encourage people from other areas to travel to work in the borough.

4.2 Potential Equality Impacts

- 4.2.1 Table 2 lists the potential impacts of the proposed scheme under each of the key equality priority areas. An initial screening has been undertaken to identify whether each impact is likely to have a differential or disproportionate effect on each of the protected characteristic groups.
- 4.2.2 An assessment has been made as to whether the effect will be positive or negative which in turn provides a justification as to whether the impact and its effect on groups with protected characteristics should be scoped in or out of the full assessment.
- 4.2.3 Finally, the table provides details of further evidence for use in the full impact assessment to enable a clear final assessment of the equality impacts of the proposed scheme.

Table 2 – Potential Equality Impacts of Proposed Scheme

Potential impact of proposed scheme	Potential differential or disproportionate effects on groups with protected characteristics										Direction and type of Impact	Scoped in or Scoped Out	Further evidence required
	Age	Sex	Ethnicity	Religion	Disability	Sexual Orientation	Gender Reassignment	Pregnancy/ maternity	Socio-economic status	Marriage/ Civil Partnership			
Access to housing													
Enabling of residential development which will potentially create opportunities for affordable homes									x		Residual impact of the proposed scheme, providing potential positive impacts if affordable homes are developed as a result of the proposed scheme.	Melton Mowbray has a higher than national average rate of homeless households and also has a high level of deprivation in terms housing and services in more rural areas of the borough. Providing affordable housing advances equality of opportunity for people with lower incomes and therefore this issue is scoped in .	<ul style="list-style-type: none">Further information on types of housing to be provided where available, on proposed development sites. Details on percentage of affordable homes allocated on new sites.
Transport and Accessibility													
Changes in road safety for non-motorised users as a consequence of reduced traffic in the town centre and along key corridors	x				x				x		Potential positive impacts if reduction in accidents is predicted. Negative impacts if higher rate of accidents occur as a consequence of faster journey times.	Changes in road safety will have the most effect on vulnerable road users. This issue is scoped in to the full impact assessment for older and younger people, people with disabilities and people from deprived backgrounds.	<ul style="list-style-type: none">Traffic modelling outputsAccident appraisal
Improvements in accessibility for non-car drivers	x								x		Potential positive impacts if walking and cycling improvements are enabled in the town and included as part of the proposed scheme.	Improving accessibility advances equality of opportunity for non-car drivers. Non-car drivers are most likely to be younger people, older people and people from deprived or disadvantaged communities. This issue is scoped in to the full assessment for these groups.	<ul style="list-style-type: none">Traffic modelling outputs.Information on proposed town centre improvementsInformation on sustainable travel components of scheme.

Potential impact of proposed scheme	Potential differential or disproportionate effects on groups with protected characteristics										Direction and type of Impact	Scoped in or Scoped Out	Further evidence required
	Age	Sex	Ethnicity	Religion	Disability	Sexual Orientation	Gender Reassignment	Pregnancy/ maternity	Socio-economic status	Marriage/ Civil Partnership			
Living environment, health and wellbeing													
Loss of open space at Melton Country Park											Potential <u>negative</u> impacts due to loss of open space.	Open space contributes to health and wellbeing of residents and the proposed scheme could potentially result in loss or obstruction of space at Melton Country Park. No data has currently been identified to showing the demographic breakdown of users of the Park and as such further evidence is required to identify impacts on groups with protected. Therefore this issue will be <u>scoped in</u> as impacts are unknown.	<ul style="list-style-type: none">• Consultation with Melton Country Park• Potential equality and diversity surveys with users
Changes to existing public rights of way											This will be a direct impact of the scheme resulting in a potential <u>negative</u> impact for people using the current public rights of way network.	The scheme will involve some changes to existing public rights of way with potential diversions and loss of amenity during both construction and operation stages. Data was collected through preliminary NMU surveys in July 2017. These surveys found that there was not a disproportionate amount of users with protected characteristics and therefore is not considered to be an equality issue. Mitigation measures for the disruption to the public rights of way access are also being developed. Due to the above reasons this issue is now	

Potential impact of proposed scheme	Potential differential or disproportionate effects on groups with protected characteristics										Direction and type of Impact	Scoped in or Scoped Out	Further evidence required
	Age	Sex	Ethnicity	Religion	Disability	Sexual Orientation	Gender Reassignment	Pregnancy/ maternity	Socio-economic status	Marriage/ Civil Partnership			
Construction of proposed scheme	x										Negative impact for households within close proximity to scheme associated with visual amenity, dust, air pollution, noise and vibration.	scoped out of this assessment Construction may cause disruption for residents living in the area especially those who are most likely to be at home during the day such as older people. It is not yet known the extent to which construction will impact on households and therefore further data is required on construction impacts and demographic data on affected households. Scoped in.	<ul style="list-style-type: none"> Assessment of households likely to experience impact
Changes in air quality	x				x						Negative for households and relevant receptors within close proximity to the scheme. Positive for areas where traffic is expected to be reduced.	Evidence ¹¹ has shown that children are particularly vulnerable to poor air quality and as such any changes in air quality that could affect children need to be assessed. Older people and people with respiratory diseases are also more likely to be affected by air quality changes. This is has been scoped in to the full impact assessment.	<ul style="list-style-type: none"> Air quality modelling outputs Distributional impact appraisal
Changes in noise during Construction and	x										Negative for households and relevant receptors	Evidence ¹² has shown that children are particularly vulnerable to noise and as such	<ul style="list-style-type: none"> Noise assessment outputs Distributional impact

¹¹ Department for Transport TAG unit A4.2 Distributional Impact Appraisal January 2014

¹² Department for Transport TAG unit A4.2 Distributional Impact Appraisal January 2014

Potential impact of proposed scheme	Potential differential or disproportionate effects on groups with protected characteristics										Direction and type of Impact	Scoped in or Scoped Out	Further evidence required
	Age	Sex	Ethnicity	Religion	Disability	Sexual Orientation	Gender Reassignment	Pregnancy/ maternity	Socio-economic status	Marriage/ Civil Partnership			
Operation											within close proximity to the scheme. Positive for areas where traffic is expected to be reduced.	any changes in noise that could affect children need to be assessed. Specifically, noise has an effect on concentration levels and as such this impact has been scoped in to identify the impact on schools and children in the area.	appraisal
Community Cohesion													
Changes in levels of severance	x				x				x		Positive where traffic has been reduced. Potential negative impacts for households within close proximity to the proposed scheme.	Traffic can be key cause of community severance and as such any changes to traffic flow can result in reduced/increased severance and community cohesion. This issue is scoped in to the full assessment for younger people, older people, people with disabilities and people from deprived backgrounds.	<ul style="list-style-type: none"> Severance assessment results Traffic model outputs Equalities demographic analysis of affected communities
Access to jobs, education and training													
Scheme enables residential development which will potentially create opportunities for employment	x								x		Positive if proposed scheme enables employment opportunities aimed at people with protected characteristics.	The scheme could advance equality of opportunity to employment should it increase the number and type of jobs in the area. This issue is scoped in to the full assessment for younger people and people with lower incomes/unemployed.	<ul style="list-style-type: none"> Information on types of employment allocated for proposed development sites

4.3 Potential Human Rights Impacts

- 4.3.1 It is not considered that the proposed scheme will have any impact on human rights and freedoms under the Convention rights listed under schedule 1 of the Human Rights Act.
- 4.3.2 However, Protocol 1, Article 1 of the Human Rights Act (the First Protocol) is associated with the protection of property/peaceful enjoyment. This has three elements to it:
- a person has the right to the peaceful enjoyment of their property.
 - a public authority cannot take away what someone owns
 - a public authority cannot impose restrictions on a person's use of their property.
- 4.3.3 This is relevant where people or businesses can be deprived of their possessions or property. However, a public authority will not breach this right if a law says that it can interfere with, deprive, or restrict the use of a person's possessions, and it is necessary for it to do so in the public interest. As such it is important that LCC provide evidence to show that any land or property take or disruption to any person's peaceful enjoyment of their property is within the public interest and that the correct procedures for compulsory purchase orders are followed to ensure compatibility with Protocol 1 Article 1 of the Human Rights Act.

5 NEXT STEPS

- 5.1.1 This EHRIA screening has been undertaken to understand the scope of works required for the EHRIA for the proposed scheme. The screening has included a policy review identifying key equalities policies, legislation and issues in the area as well as providing an overview of the baseline demographics associated with groups with protected characteristics.
- 5.1.2 The conclusion of this screening is that there are a number of potential impacts that could affect groups with protected characteristics across Melton Mowbray. In particular groups most likely be affected are younger people, older people, people with disabilities and low income/deprived groups. At this stage there is not enough clear evidence as to the level or direction of these impacts in terms of equalities and therefore it is proposed that a full impact assessment is undertaken using findings from the EIA process, as well as undertaking consultation with relevant groups and organisations.
- 5.1.3 Public consultation took place during September and October 2017. A number of organisations representing groups with protected characteristics were contacted to inform them of the consultation process and encourage participation. Information on protected characteristics was also collected as part of the feedback form. This information can be used to identify views on the scheme from the perspective of those with protected characteristics and highlight any issues. As part of the EHRIA it will be necessary to undertake further consultation with organisations representing groups with protected characteristics on the issues identified within this screening report. A review of the proposed stakeholder list will be undertaken and recommendations for additional organisations will be made where necessary.
- 5.1.4 Further data is required on the overall impacts of the proposed scheme to understand the effects on groups with protected characteristics. Data sources for further evidence will include but are not limited to; traffic model outputs and information from the EIA such as air quality, noise and people and communities outputs. Findings from the Health Impact Assessment will also be used to assess the impacts of groups with protected characteristics using the following categories:
- Lifestyles
 - Community and Social Influences
 - Living environment conditions affecting health
 - Economic conditions affecting health
 - Access and quality of services.
- This will include an assessment of effects on mental health and wellbeing during both construction and operation stages.
- 5.1.5 Where data is unavailable and is deemed critical for the EHRIA then a recommendation will be made to LCC, as the applicant, to commission primary data research. This could include surveys with residents and businesses. The scope of any primary data research would be agreed in advance with LCC.
- 5.1.6 LCC must ensure that they are compatible with Protocol 1, Section 1 of the Human Rights Act and ensure that it is in the public interest to undertake compulsory purchases or to disrupt a person's peaceful enjoyment of their property as a result of the proposed scheme.
- 5.1.7 Once further evidence has been collected, mitigation measures will be suggested to minimise or avoid potential negative impacts, in addition to recommendations for advancing equality of opportunity for those with protected characteristics. A monitoring plan will also be developed to ensure that impacts are monitored throughout the design and development of the proposed scheme, as well as through construction and operation stages. The monitoring plan should also seek to review how the proposed benefits of the scheme will be realised by groups with protected characteristics once operational. It is recommended that an equalities working

group be set up to monitor impacts in line the monitoring plan. This group should be made up of representatives from Melton Borough Council, LCC and relevant stakeholders representing those with protected characteristics.

- 5.1.8 LCC undertakes EHRIA assessments on all of new proposed or significantly changed policies, practices, procedures, functions and services. An official form is provided in order for this to be recorded corporately which is then signed off by the equalities team and published on LCC's website. An EHRIA screening form has been completed for the proposed scheme and will be updated at different stages of development.

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APPENDIX B (2)

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:	Melton Mowbray Distributor Road (MMDR)
Department and section:	Asset and Major Programmes Environment and Transport
Name of lead officer/ job title and others completing this assessment:	Laura Walker (AECOM)
Contact telephone numbers:	07957 189218
Name of officer/s responsible for implementing this policy:	Andy Jackson Senior Engineer (Major Programmes)
Date EHRIA assessment started:	May 2017 Please read this report in conjunction with the ' Melton Mowbray Distributor Road Equality and Human Rights Impact Assessment: Screening Report ' (Nov 2017)
Date EHRIA assessment completed:	Ongoing

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	<p>What is new or changed in this policy? <i>What has changed and why?</i></p> <p>The Melton Mowbray Distributor Road scheme (the 'proposed scheme') is a major highway scheme to the north and east of Melton Mowbray consisting of a new single carriageway road. It extends from the A606 Nottingham Road to the A606 Burton Road, crossing Scalford Road, Melton Spinney Road, A607 Thorpe Road and B676 Saxby Road.</p> <p>The main objectives of the proposed scheme are to enable the delivery of housing and employment to the north and south of the Melton Mowbray and relieve traffic congestion in the town. The key economic benefits are to unlock up to 5,000 homes and 31 hectares (ha) of employment which could mean 22% growth for the local economy and an additional £102m on gross value added (GVA) per annum. The proposed scheme's wider benefits are to improve air quality, improve safety and provide a more pleasant town centre environment.</p>								
2	<p>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></p> <p>The proposed scheme will help to meet the objectives of the Melton Mowbray Draft Local Plan and will help to improve travel across the Midlands in line with the Midlands Connect strategy.</p>								
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>The proposed scheme aims to provide both local and regional benefits. The target people/groups of the scheme are the residents of Melton Mowbray, those living in the area surrounding the Borough and those travelling through Melton Mowbray.</p> <p>Residents of Melton Mowbray should experience the following changes:</p> <ul style="list-style-type: none"> - Less traffic travelling through the town and therefore reduced congestion and improvements to air quality, safety and visual amenity. - Increased access to housing and job opportunities as a consequence of the unlocking of land that the new road will enable. <p>The intended change for people driving through the town is a new road which will allow them to bypass Melton Mowbray town centre resulting in faster journey times and an improved driving experience.</p>								
4	<table border="1"> <tr> <th data-bbox="276 1736 571 1809">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)</th><th data-bbox="571 1809 687 1848">Yes</th><th data-bbox="687 1809 799 1848">No</th><th data-bbox="799 1809 1399 1848">How?</th></tr> <tr> <td data-bbox="276 1848 571 2058">Eliminate unlawful discrimination, harassment and victimisation</td><td data-bbox="571 1848 687 2058">✓</td><td data-bbox="687 1848 799 2058"></td><td data-bbox="799 1848 1399 2058">There is no evidence that the proposed scheme will result in unlawful discrimination, harassment or victimisation of any of the groups with protected characteristics.</td></tr> </table>	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	✓		There is no evidence that the proposed scheme will result in unlawful discrimination, harassment or victimisation of any of the groups with protected characteristics.
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	✓		There is no evidence that the proposed scheme will result in unlawful discrimination, harassment or victimisation of any of the groups with protected characteristics.						

Advance equality of opportunity between different groups	✓		The proposed scheme has potential to advance equality of opportunity through enabling access to new housing and employment opportunities. However it is important that the development of such opportunities are monitored closely before, during and post scheme delivery to ensure that the benefits are received across different groups including those with protected characteristics. A reduction in traffic through the town could provide benefits to those who live in more deprived areas or who do not have access to a car through enhancing opportunities walking and cycling, increasing road safety, improving air quality and reducing levels of noise from traffic.
Foster good relations between different groups	✓		The scheme could help to foster good relations between different groups by alleviating issues associated with congestion and promoting community cohesion.

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*
	a) their current needs and aspirations and what is important to them;		✓
	b) any potential impact of this change on them (positive and negative, intended and unintended);	✓	
	c) potential barriers they may face		✓
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?		✓
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?		✓

8.	<p>*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.</p>		
	<p>A six week public consultation has taken place from the 2 September to the 15th October 2017. This included public exhibitions in Melton Mowbray on the proposed scheme on the 15th and 16th September and Thorpe Arnold on the 2nd October as well as information at the Melton Mowbray Food Festival. A website has been created which provides information and allows residents, landowners and businesses to provide feedback on the proposed scheme. The following organisations associated with groups with protected characteristics were contacted to inform them of the consultation:</p> <ul style="list-style-type: none"> • Leicestershire LINK • LAMP • Action deafness • Older People Engagement Network • Age Concern • VISTA • VAL (Voluntary Action Leicestershire) • CLASP • Accessibility Forum • Mosaic <p>The consultation feedback form requests demographic information which will be useful for identifying issues and view of the scheme amongst those with protected characteristics. However, there has been no direct consultation on equality issues with the public or the above organisations and it is therefore recommended that specific consultation takes place with these groups on issues identified in the EHRIA screening report. It is suggested that a small working group is set up comprising relevant groups to monitor the development of the proposed scheme and its benefits throughout all stages of development and post opening. This should help to support LCC in advancing equality of opportunity.</p>		

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;		✓
	b) enable open feedback and suggestions from different communities	✓	

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	✓	Changes in road safety will have the most effect on vulnerable road users which include children, younger people and older people. This proposed scheme could

			<p>result in potential positive impacts if a reduction in accidents is predicted or a negative impact if higher rate of accidents due to higher traffic speeds.</p> <p>Improving accessibility advances equality of opportunity for non-car drivers. Non-car drivers are most likely to be children, younger people and older people. Potential positive impacts could be created if walking and cycling improvements are enabled in the town and included as part of the proposed scheme.</p> <p>Construction may cause disruption and potential negative impacts associated with visual amenity, dust, air pollution, noise and vibration for residents living in the area especially those who are most likely to be at home during the day such as older people. It is not yet known the extent to which construction will impact on households and therefore further data is required on construction impacts and demographic data on affected households.</p> <p>Evidence¹ shows that children are particularly vulnerable to poor air quality and noise compared to the population overall and as such any changes in air quality and noise that could affect children need to be assessed. Older people and people with respiratory diseases are also more likely to be affected by air quality changes. Overall there could be negative impacts for households and relevant receptors within close proximity to the scheme and positive impacts for areas where traffic is expected to be reduced.</p> <p>Traffic can be key cause of community severance and as such any changes to traffic flow can result in reduced/increased severance and community cohesion which can particularly affect younger and older people. This could create positive impacts where traffic has been reduced but potential negative impacts for households within close proximity to the proposed scheme. The scheme could advance equality of opportunity to employment should it increase the number and type of jobs in the area. This should provide positive impacts particularly for younger people if proposed scheme enables employment opportunities aimed at young residents.</p>
	Disability	✓	<p>Changes in road safety will have the most effect on vulnerable road users including people with disabilities. This could have potential positive impacts if a reduction in accidents is predicted or negative impacts could be experienced if higher rate of accidents occur as a consequence of increased traffic speeds.</p> <p>Traffic can be key cause of community severance and as such any changes to traffic flow can result in reduced/increased severance and community cohesion. The could have positive impacts for people with disabilities where traffic has been reduced or potential negative impacts for those living within close proximity to the proposed scheme.</p>
	Gender Reassignment		✓

¹ Department for Transport TAG unit A4.2 Distributional Impact Appraisal January 2014

	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	✓		<p>Melton Mowbray has a higher than national average rate of homeless households and also has a high level of deprivation in terms housing and services in more rural areas of the borough. Providing affordable housing advances equality of opportunity for people with lower incomes. Therefore potential positive impacts could be realised if affordable homes are developed as a result of the proposed scheme. The scheme could also result in the creation of jobs through growth of employment areas. This would result in potential positive impacts if these jobs were accessible to people from deprived or disadvantaged communities</p> <p>Changes in road safety will have the most effect on vulnerable road users which include people from deprived or disadvantaged communities. The proposed scheme could result in positive impacts if reduction in accidents is predicted or negative impacts if higher rate of accidents occur as a consequence of increased traffic speeds.</p> <p>Improving accessibility advances equality of opportunity for non-car drivers and potential positive impacts of the scheme could be achieved if walking and cycling improvements are enabled in the town.</p> <p>Traffic can be key cause of community severance and as such any changes to traffic flow can result in positive impacts where traffic is reduced and negative impacts when increased.</p>
	Community Cohesion	✓		Traffic can be key cause of community severance and as such any changes to traffic flow can result in reduced/increased severance and community cohesion.
11.	<p>Are the human rights of individuals potentially affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick)</p> <p>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</p>			

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			✓	
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		✓		The proposed scheme will involve depriving people and or businesses of land or property and potentially require CPO.
Article 2: Right to education			✓	
Article 3: Right to free elections			✓	
Section 2				
D: Decision				
12.	Is there evidence or any other reason to suggest that:	Yes		No
	a) this policy could have a different affect or adverse impact on any section of the community;			Unknown
				✓

	b) any section of the community may face barriers in benefiting from the proposal			✓
13.	Based on the answers to the questions above, what is the likely impact of this policy			
	No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input checked="" type="checkbox"/>
Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.				
14.	Is an EHRIA report required?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

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 9 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 16 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 – 12 DECEMBER 2017

MARKET HARBOROUGH TRANSPORT STUDY

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

PART A

Purpose of Report

1. The purpose of this report is to advise the Cabinet on the outcomes of an engagement and consultation exercise based on the Market Harborough Transport Study and to seek approval of the Transport Strategy for Market Harborough, which is attached to this report as Appendix D. The consultation document and a detailed summary of feedback are attached at Appendices A and B, and the updated Transport Study at Appendix C.

Recommendation

2. It is recommended that:
 - a) The feedback from the engagement and consultation exercise on the Market Harborough Transport Study be noted;
 - b) The revised recommendations of the Transport Study outlined in paragraphs 31 to 40 of the report be approved;
 - c) The Market Harborough Transport Strategy (Appendix D) be approved ;
 - d) That it be noted that as resources become available, the improvement schemes identified in the Market Harborough Transport Strategy will be developed further to ensure that advantage can be taken of any future funding opportunities.

Reason for Recommendation

3. The Market Harborough Transport Strategy will help to support the planned future growth of the town, and place the County Council in a strong position to secure public and private funding for the transport improvements necessary to support growth.

Timetable for Decisions (including Scrutiny)

4. This matter will be considered by the Environment and Transport Overview and Scrutiny Committee at its meeting on 7 December 2017, and its comments will be reported to the Cabinet.

Policy Framework and Previous Decisions

5. In March 2014, the Cabinet considered the Leicester and Leicestershire Enterprise Partnership's (LLEP) Strategic Economic Plan. This prioritises the economy of market towns and rural Leicestershire.
6. In March 2015, the Cabinet approved the Enabling Growth Action Plan which supported the development of market towns as a priority activity for the County Council and included specific actions to work with Harborough District Council to plan for the future growth of Market Harborough and to undertake a transport study.
7. In March 2015, the Cabinet approved the LTP3 Implementation Plan 2015/16 which included a commitment to:
 - a) continue to work with District Councils and other parties to plan for and support the future population and economic needs of Leicester and Leicestershire, including to support the development of new Local Plans (and other Development Plan documents), including for the district of Harborough, in accordance with districts' timetables; and
 - b) undertake a study of transport conditions in Market Harborough, with the intention of being able to identify potential options for addressing current and future transport issues.
8. In September 2016, the Cabinet agreed to consult on the key emerging findings and recommendations from the draft Transport Study developed for Market Harborough.

Resource Implications

9. To date, £390,000 has been spent on the development of the Transport Strategy, which includes an allocation of £310,000 from the County Council (from the Local Transport Plan capital budget) and an £80,000 contribution from Harborough District Council.
10. At present there is no further County Council funding identified for the delivery of the measures identified within the Strategy.
11. The County Council will seek opportunities to secure the necessary funding through the submission of bids to appropriate government funding pots and by working closely with Harborough District Council to secure developer contributions.
12. The Director of Corporate Resources has been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

Dr. P. Bremner CC

Dr. S. Hill CC

Officers to Contact

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PART B

Background

13. Market Harborough faces significant growth pressures with around 2,700 new dwellings proposed before 2031 (including a total of 1,500 dwellings in a Strategic Development Area (SDA) to the west of the town), in addition to 918 dwellings built over the last six years. It remains a pivotal centre of commerce within the Harborough district, a position that is vital to maintain and enhance.
14. Prior to 2015, no significant traffic study for Market Harborough had been carried out since the 1990's when the A6 bypass was completed and the bypass demonstration project was implemented in the town centre.
15. The Market Harborough Transport Study (the Study) identifies key transport issues and explores potential options to mitigate the impact of planned future growth in the town, supporting Harborough District Council's new Local Plan. It does not necessarily indicate whether any further growth of the town beyond that already planned would be acceptable in transport terms.
16. Similar exercises have been carried out in other county towns, notably Hinckley, providing an evidence base to support future funding bids and inform the content of future transportation programmes.
17. The recommendations of the Study included improvements to encourage walking and cycling, junction improvements to tackle congestion, and the possibility of more significant changes to traffic movement, including a south-eastern bypass; linking Northampton Road (A508) with Harborough Road (A6), increasing the height of the Rockingham Road rail bridge and the reclassification of Welland Park Road and Coventry Road.

Consultation

18. A consultation exercise based on the Study took place from 16 January to 24 March 2017 with the public and key stakeholders such as neighbouring local authorities, and relevant government agencies.
19. The consultation consisted of a web-based consultation and a public exhibition. Hard copies of the consultation documents were also available. The public exhibition, which took place in January 2017, was attended by more than 600 people. Following this, over 150 responses were received, predominantly via the online questionnaire.
20. In addition to public respondents, responses were received from the following organisations:
 - Market Harborough Civic Society
 - Welland Park Academy
 - Harborough District Council
 - AdamSmile Trust

- Highways England
- Northamptonshire County Council.

21. The key consultation findings and officer responses to the main comments and issues raised are summarised below and detailed in full in Appendix B.

General Feedback

22. The consultation invited feedback on the primary transport issues within Market Harborough. Overall, 73% of respondents agreed that the main transport issues had been identified. The key issues raised are referred to below in paragraphs 23 and 29.
23. The feedback predominately focused on the levels of congestion, the perceived inadequacies of the network to accommodate growth, the inappropriateness of traffic (HGVs) in the town centre, local pinch-points, and major infrastructure constraints such as the Rockingham Road rail bridge, areas which were central to the Study.
24. The consultation also invited feedback on a package of proposed transport recommendations, which were divided into three broad categories based on cost, complexity and potential impact on traffic;
- *Category 1:* improvements to the existing road network, with roads and traffic routing remaining broadly unaltered.
 - *Category 2:* improvements that result in changes to the way traffic would move around the town.
 - *Category 3:* introduction of a southern relief road in addition to Category 1 and 2 measures.
25. Opinion regarding the effectiveness of category 1 measures proposed in isolation, without category 2 or 3 measures, was split 50:50.
26. Opinion with regard to the effectiveness of category 2 solutions proposed in isolation was split 70:30, with the majority concurring with the effectiveness of those measures and recommendations to target the specific transportation issues.
27. Category 3 measures were supported, with public opinion 80:20 in support of the measures in addition to Category 1 and 2 measures.
28. The majority of respondents preferred a combination of all three categories rather than just one particular set of measures in isolation.
29. A number of additional issues and considerations were identified including concerns relating to air quality (AQ), local rat-running, the potential for pedestrianisation of the town centre, the provision of park-and-ride on the periphery of Market Harborough, the Kettering Road rail bridge, and the reintroduction of the right-turn at the A6/Kettering Road junction.

30. Additional investigatory work was carried out in respect of the possibility of creating more headroom at the Rockingham Road rail bridge and provision of a southern relief road. The findings of this work are set out below.

Rockingham Road Rail Bridge Structural Assessment

31. The Study gave consideration to increasing the clearance (height) of the 'low' rail bridge on Rockingham Road, as part of the Network Rail led project of localised rail improvements at Little Bowden and Market Harborough Railway Station.
32. A feasibility report identified that the mandatory standard headroom at the bridge could be achieved but at considerable cost (approximately £3m), difficulty, disruption and risk. The risks pose a significant level of financial uncertainty. As there is little prospect of the work receiving national funding it has not been included in the Transport Strategy.
33. It is important to stress that these findings will not hinder measures to redirect HGVs to more suitable routes to tackle congestion and reduce the volume of traffic through the town centre. The County Council will continue to explore potential solutions to tackling congestion in the town centre.
34. Should alternative funding sources become available in the future, such as developer contributions, bridge alteration may be considered. Moreover, should further opportunities present themselves to link this proposal with a wider project, the County Council would continue to pursue the alteration of the rail bridge.

Southern Relief Road (SRR) Preliminary Economic Appraisal

35. A broad-brush economic appraisal was commissioned to estimate the Benefit-Cost Ratio (BCR) of the SRR, to give an early indication of its viability. BCR is a key indicator used by Government to assess a transport project's value for money.
36. Early indications suggest the SRR would cost £35-45m. Based on current working assumptions this produces a BCR of 0.28, representing poor value for money. There is little prospect at present that it would attract government funding.
37. The SRR is included in the Transport Strategy as a potential long term aspiration. Should further growth take place in the town, developer contributions may provide a future source of funding, potentially improving the BCR and hence prospects of national funding.

Market Harborough Transport Strategy

38. The Study has been updated as a result of the consultation feedback and forms the basis for the Transport Strategy. The Strategy is based on the four key objectives of;
1. Encouraging walking, cycling and public transport use;
 2. Improving key junctions and general traffic flow around the town;
 3. Public realm enhancements; and
 4. Changes to the way that traffic is routed through and around the town.

39. All 18 recommendations shown below provide the foundation for the Transport Strategy. They have been refined to address the issues identified in the Study work and validated during the consultation and each was evaluated on the basis of key desired transport outcomes.

Capacity / Congestion Improvements	
R1	With the assistance of microsimulation traffic modelling undertake option appraisals for capacity improvements at the following key junctions: (i) A6 / B6047 (aka McDonalds Roundabout) (ii) The Square / St Mary's Road / Coventry Road (iii) Northampton Road / Springfield Street / Welland Park Road (iv) A4304 St Mary's Road / Kettering Road / Clarence Street (v) A4304 Rockingham Road / Gores Lane (vi) A6 / Harborough Road / Dingley Road / A4304 (vii) Sainsbury's store entrance / Springfield Street
R2	As part of the refinement of the analysis so far undertaken, the Authority will analyse the extent of the problem of blocking at local junctions which could be mitigated by the provision of yellow box markings.
Recommendations that result in changes to the network and traffic routing	
R3	With the assistance of microsimulation traffic modelling consider the upgrade of Welland Park Road to become the A4304, with a respective downgrading of Coventry Road. Determine the associated engineering, accommodation and complementary works to facilitate this work.
R4	Consider the principle of providing a relief road between the A508 and A6 to the south-east of the town as a long term aspiration.
Sustainable transport infrastructure / behaviour change initiatives	
R5	Extend and enhance the walking and cycling network.
R6	Make localised public transport infrastructure improvements.
R7	Identify a suite of tailored behaviour change initiatives to encourage modal shift in travel choice towards active and sustainable travel.
R8	Investigate walk/ cycle routes connecting Market Harborough and Lubenham, in combination with measures to improve the existing walking and cycling infrastructure.
R9	Analysis to determine the suitability of additional pedestrian crossings within the Town Centre.
R10	Enhancement of the supporting infrastructure to encompass the nearby rail and bus terminals thereby increasing the attractiveness of such assets for those on foot or cycle.

Safety Improvements	
R11	Continue to monitor Road Traffic Collisions (RTC) within the study area. If an RTC occurs within, or adjacent to, a proposed improvement scheme proportionate efforts should be made where appropriate to include complementary measures that could reduce further RTCs.
Traffic Management Improvements and Emergency Diversion Routes	
R12	Devise and implement a new strategy for traffic signing across the study area
R13	Review parking controls in the vicinity of the town centre and train station, with particular regard to the need/benefit of further permit parking zones.
R14	Sites with recorded speeds in excess of the Association of Chief Police Officers enforcement threshold should be reviewed with a view that, where viable and cost effective, measures will be developed to improve compliance with the stipulated speed limit.
R15	Identify opportunities to divert Highways England emergency diversion routes away from the town centre.
HGV controls	
R16	Identify undesirable routes for HGVs and impose suitable prohibitions. Whilst the promotion of a town wide environmental weight restriction would be preferable, two key routes are particularly vulnerable to exploitation by inappropriate HGV traffic and should be adopted as a minimum: (i) Ashley Road /Kettering Road between the A4304 and the A6 (ii) Bath Street/Western Avenue between the A508 and Farndon Road.
R17	Send updated map to 'sat-nav' contacts, advising of HGV controls following on from recommendation R16.
Highway Maintenance	
R18	In light of the size and scope of the study, incorporate / consider maintenance activities in relation to improvement proposals.

40. Two issues identified during the consultation will be included within future analysis-

- Where possible, specific consideration of Logan Street/Gardiner Street/Knoll Street, East Street, Nelson Street, Connaught Road, Kettering Road, Walcot Road car parking will be included as part of the traffic management improvements which seek to reduce traffic movements in the town centre; and
- The micro-simulation analysis will model/test the impact of removing traffic signals, restricting certain traffic movements and turning off sets of signals during off peak periods.

41. It should be noted that the Market Harborough Strategy does not commit the County Council to funding or delivering the measures included in the Strategy. Nevertheless, opportunities will continue to be taken forward where these will assist development work, securing of funding or scheme delivery.

Conclusion and Next Steps

42. Whilst there is currently no County Council funding source to deliver the desired improvements, the Strategy and the preparatory work that has gone into its development means that the County Council is in a good position to secure funding in the future.
43. On the basis of work already completed, £2m of developer funding has been secured and further such contributions may be forthcoming via planning applications currently being processed. Officers will continue to pursue funding opportunities from other sources, such as the National Productivity Investment Fund. This money will be used to implement the measures based on their necessity and priority.
44. The next steps will be to refine the options and recommendations in the Strategy. This will include using microsimulation traffic modelling which enables detailed lane-by-lane replication of the traffic network.
45. Any development of individual schemes within the Strategy would be the subject of further consultation and engagement, and reports to Members as appropriate.
46. The Strategy is a key supporting transport document for Harborough District Council's new Local Plan, which aims to deliver sustainable development, meet development needs and reflects local aspirations.

Relevant Impact Assessments

Equality and Human Rights Implications

47. The equalities and human rights implications are considered in the Equalities and Human Rights Impact Assessment provided as Appendix E. The recommendations set out in the Strategy have been assessed as providing an overall positive impact.

Environmental Impact

48. The emerging transport strategy for Market Harborough is aimed at encouraging sustainable travel. This will help to boost the local economy, reduce congestion and cut carbon emissions.

Background Papers

Third Local Transport Plan (LTP3) (2011-2026)

<http://www.leics.gov.uk/ltp3v1-3.pdf>

LTP3 Implementation Plan (2015-2016)

http://www.leics.gov.uk/ltp3_implementation_plan_2015-16_n0954-3.pdf

Appendices

Appendix A – Consultation Document

Appendix B – Consultation Feedback - Detailed summary of consultation feedback, officer responses and updated recommendations

Appendix C – Market Harborough Transport Study

Appendix D – Market Harborough Transport Strategy

Appendix E – Equalities and Human Rights Impact Assessment (EHRIA)

CABINET – 12 DECEMBER 2017**PROGRESS WITH IMPLEMENTATION OF THE LEICESTERSHIRE
ACCOMMODATION STRATEGY FOR WORKING AGE ADULTS 2017-
2022 'A PLACE TO LIVE, MY HOME'****JOINT REPORT OF THE DIRECTOR OF ADULTS AND
COMMUNITIES AND THE DIRECTOR OF CORPORATE RESOURCES****PART A****Purpose of the Report**

1. The purpose of this report is to outline progress on the implementation of the Leicestershire Accommodation Strategy for Working Age Adults 2017-2022 and to seek approval to change the use of two sites to supported accommodation as a result of secured NHS England capital funds for their conversion/reconfiguration.

Recommendations

2. It is recommended that:
 - a) Progress on the implementation of the Leicestershire Accommodation Strategy for Working Age Adults 2017-2022 be noted;
 - b) The change of use to the supported accommodation sites at Deveron Way, Hinckley and Loughborough Road, Mountsorrel be approved, to enable their conversion/reconfiguration, as detailed in paragraph 20 of this report, following the receipt of capital funding from NHS England.

Reasons for Recommendations

3. The Leicestershire Accommodation Strategy for Working Age Adults and the associated delivery plan provides the Council with agreed priorities in relation to supported accommodation for adults aged 18-64 over the next five years. Although the County Council is not a housing authority, the Strategy has been developed to fulfil statutory duties relating to the Care Act, meet efficiency targets and provide a basis for planning, partnership working and commissioning, in accordance with the overarching Adult Social Care Strategy to prevent, reduce, delay and meet a person's need for services.
4. In line with the aims of the Strategy, the change of use of the sites on Deveron Way, Hinckley and Loughborough Road, Mountsorrel will enable these properties to be converted/reconfigured so as to increase the accommodation options for individuals supported under a Transforming Care Plan. Funding from NHS England has been secured for these works.

Timetable for Decisions (including Scrutiny)

5. Subject to the Cabinet's approval to the change of use of the two sites, the remodelling work on Deveron Way, Hinckley will be completed by March 2018 and the conversion of the I-Care building on Loughborough Road, Mountsorrel is expected to begin in 2018/19.
6. It is intended that further reports will be submitted to the Cabinet, including more detailed potential capital investment options for the provision of more cost-effective care for working age adults as appropriate.

Policy Framework and Previous Decisions

7. The Care Act 2014 recognises the importance of accommodation in promoting an individual's wellbeing. It expects housing factors to be part of the assessment, with local authorities taking account of the suitability of a person's living accommodation to meet their long-term conditions and need for personal care and support. The Act identifies the requirements and the procedures where a local authority is responsible for meeting a person's care and support needs in relation to accommodation.
8. The development of the Strategy on supported accommodation for younger adults who are eligible for social care support as a result of a long-term disability, has been underpinned by the principles set out within the Adult Social Care Strategy: Promoting independence, Supporting Communities: Our Vision and Strategy for Adult Social Care 2016–2020, and it is an integral part of the emerging Whole Life Disability Strategy currently being developed.
9. The Cabinet approved the Strategy on 10 March 2017.

Resource Implications

10. A two-year fixed-term Lead Commissioner for Supported Accommodation has been appointed and commenced in November to deliver a programme of strategic commissioning and market shaping to secure appropriate supported accommodation. This post has been funded from reserves on an invest to save basis.
11. The Council's Medium Term Financial Strategy (MTFS) includes a programme to undertake the review of people with complex care needs who are currently accommodated in high cost placements and to identify alternative accommodation and care arrangements, which can promote their independence whilst reducing the cost of care to the Council by £750,000 per annum by 2021.
12. Capital funding totalling £750,000 has been secured from NHS England to support the remodelling of two existing County Council assets at Deveron Way, Hinckley and Loughborough Road, Mountsorrel.
13. The full extent of revenue savings and investments required for potential land and property acquisitions and development costs cannot be quantified at this

time. Full business cases will be developed as required. Further reports will be presented to the Cabinet as specific proposals are able to be put forward for approval.

14. The Director of Law and Governance has been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

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

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PART B

Background

16. The Strategy aims to guide, co-ordinate and facilitate the Adults and Communities Department's contribution to developing different types of supported accommodation for working age adults. It is not intended to be a 'housing strategy', but given the important role housing plays in an individual's health and wellbeing, the Strategy recognises the value of working in partnership with the housing sector along with health partners and the voluntary sector to develop preventative interventions and raise awareness about maintaining independence and planning for accommodation throughout life.
17. Work is continuing with district council housing and planning partners to identify potential locations and funding options, including attracting investment to provide supported accommodation in areas where required, and to ensure combined property assets are used effectively to develop accommodation to meet the needs of disabled people.
18. The Strategy makes reference to proposed changes to the way supported housing rents are calculated and funded from 2019. The Government intended to cap rent in line with Local Housing Allowance (LHA) but this presented a significant risk to the future affordability of supported housing. In October 2017, the Government dropped these plans and have instead proposed a new model for funding sheltered housing and extra care housing and it is currently undertaking a consultation exercise on these proposals, the results of which will be published in the New Year.

Strategy Update

19. A number of activities have been undertaken to progress implementation of the Strategy since March 2017 including:
 - a) Publication of a vision and understanding of future supported accommodation needs in Leicestershire, including an evidence base which can support funding applications and inform business plans;
 - b) Successful re-procurement of the new Supported Living Care Framework resulting in five providers across the County, shown below, to enhance the County Council's strategic relationships with supported living support providers and consolidate provision:

Areas	Lead Provider
Hinckley, Earl Shilton, Barwell	Aspirations Care Ltd
Harborough, Oadby, Wigston, Blaby, Lutterworth	Creative Support
Coalville, Ashby, Glenfield	Affinity Trust
Loughborough, Hathern	Royal Mencap
Melton, South Charnwood, Mountsorrel	Lifeways Community Care

- c) Strategic connections established between the County Council, Health Services, the five supported living support providers and registered housing providers and investors around current provision and future plans for supported accommodation;
- d) Success in securing capital funds to support new accommodation capacity across Leicestershire, as set out in paragraphs 20 and 21 below;
- e) Identification of potential developments and investment to support the delivery of additional supported accommodation across the County, as set out in paragraphs 22 and 23 below;
- f) Recruitment of a Lead Commissioner for Supported Accommodation to lead the implementation of strategies and plans relating to supported accommodation for older adults (aged 50+) and those of working age and deliver a programme of strategic commissioning and market shaping relating to securing appropriate supported accommodation;
- g) Progress to deliver more outcomes focussed, cost-effective, individual long term residential care through the implementation of the review of long term placements described in paragraphs 24-25 below.

Transforming Care Programme (TCP) - NHS England Capital Bids

20. During 2016/2017, the Adults and Communities Department took part in three external capital bid processes in order to secure funding from NHS England to increase accommodation options for individuals supported under the TCP. The Leicester, Leicestershire and Rutland TCP focused on making sure there is the right support for people to be discharged from inpatient hospital care at the right time, and also on helping people who are at risk of being admitted. Two applications were successful and capital funding totalling £750,000 has been secured to support the remodelling of two existing County Council assets as detailed below:
 - a) The conversion of the County Council's building on Deveron Way, Hinckley, into four long term self-contained accommodation units for individuals who have a learning disability or autism and whose behaviour is challenging. The remodelling work will be completed by March 2018, with a view to people being able to move in after that date. The site is currently designated as a nine bed 'short breaks' or respite stay provision. However, there is capacity within the County to compensate for the loss of these places, with provision for four short break places to remain elsewhere on the site in Hinckley.
 - b) The reconfiguration of the former I-Care building on Loughborough Road, Mountsorrel. This will serve as 'step-down' accommodation with capacity for two individuals from across the County, facilitating a more successful transition from a secure inpatient setting to community based living. Conversion of this property is expected to begin in 2018. The site is currently empty and not in use.

21. In order to progress these two projects, the Cabinet is asked to approve the change of use of both properties.

New Supported Accommodation Capacity - Secured and Potential

22. Work has been ongoing to identify potential sites/developments and investments to support delivery of additional supported accommodation in addition to the Transforming Care Programme. The Council is working closely with the new five supported living care providers with the aim to increase the availability of supported living accommodation across the County. The following are expected to become available in 2018:
- 14 additional units of accommodation in Loughborough;
 - A property for three individual's with complex needs to share, also in Loughborough;
 - 14 new units of accommodation in Hinckley.
23. Through promoting the Strategy with key district partners, a site has also been identified in South Leicestershire, which presents an opportunity to create 20 self-contained supported living flats. A request to the MTFS Capital Programme 2018-2022 has been submitted to cover the purchase and remodelling of the property, subject to a detailed business case. The outcome of that proposal is not yet known.

Review of long term placements programme – 2017-2021

24. The Adults and Communities Department, through the implementation of this review programme, which began during the summer, aims to reduce the number of working age adults in long term residential care, through supporting individuals to move into their own homes within a supported living or extra care setting. For those that remain in residential care, the programme will work to ensure the care provided is appropriate to meet individual needs and that the County Council pays a fair price for their care.
25. In November 2017, there were 424 individuals with a learning disability in residential care under the age of 65. This group accounts for spend of just over £23.8 million for the authority. Through the programme, placements will be jointly reviewed by social care and health colleagues. Over the longer term, work will focus on increasing the opportunity for those, to whom it may be appropriate, to move from residential care into supported living. The programme has a four year plan. The initial target is to move up to 30 people per year from all clients groups from residential care settings to supported living. This will greatly improve outcomes for people as individuals living in their communities will experience greater levels of choice, independence, autonomy and income. It is anticipated this will be achieved within the first two years, but success is heavily dependent on suitable accommodation being available.

Stakeholder Engagement

26. The Council's Adults and Communities Department, City Council colleagues and Health partners met in June 2017 to discuss the challenges and opportunities around sourcing new supported accommodation across Leicestershire. Social landlords and investment companies attended and as a result, strategic relationships were initiated with Leicestershire's new supported living providers with a view to increasing supply within the County. It is intended to repeat this exercise in early January 2018, to build relationships further once the new Supported Living Framework is embedded.
27. Engagement is also ongoing with individuals, families and carers via the Learning Disability Partnership Board and as part of the transition to the new Supported Living Framework.

Specific implications of the Strategy

28. The aim of the Strategy and the focus of the Adults and Communities Department is to support people to live independently in the community. This may have an impact on the current residential care market, specifically smaller learning disability homes. Referrals for these homes could therefore decrease over time, which may affect the sustainability of some of the residential organisations. This change has been communicated via the current Market Position Statement, Residential Provider Forums, the Placement Project, and also through the current individual reviews of day services provision in Residential Care. Alternative options, such as deregistration with the Care Quality Commission and conversion to supported living have been highlighted to providers as a possible solution.
29. Recent rationalisation of the Supported Living Framework has resulted in a significantly reduced number of suppliers working to geographical lots across the County. The new providers are responsible for delivering all supported living in their awarded lot, making services more cost-effective and streamlined, reducing the focus on competition and encouraging greater emphasis on collaborative working with each other and with the Council.

Areas for further development

30. Additional work with providers is to be undertaken to explore alternative operating models, for example, supported living, short breaks, step down accommodation services or transitional provision for young people leaving care/ Children and Family Services support.
31. The Council has a number of agreements (called nomination agreements) with housing organisations allowing it to nominate people to take on tenancies as they become available. A review of these current nominations and future arrangements is recommended in the Strategy. Without formal agreements it can make it difficult for the Council to secure appropriate accommodation for disabled young adults when necessary.

32. Work will continue with the contracted five supported living care providers to develop more accommodation options within each of the geographical locations across the County.
33. Work with the Property Services team will continue to assess current buildings owned by the Council, with a view to identifying potential opportunities to increase the supported accommodation capacity across the County through remodelling. Opportunities will also be realised via future capital bid programmes, both internal and outside of the Council.

Relevant Impact Assessments

Equality and Human Rights Implications

34. An Equality and Human Rights Impact Assessment has been undertaken around the Accommodation Strategy and can be found at:
<http://ow.ly/c7VB30gWIRu>
35. The EHRIA identified areas for improvement to ensure any inequality is proactively managed. The identified areas have informed an action plan that is monitored by the Adults and Communities Departmental Equalities Group. The actions are due for completion in March 2018 and tasks towards this target have commenced.

Background Papers

- Adult Social Care Strategy: Promoting independence, Supporting Communities; Our Vision and Strategy for adult social care 2016 – 2020
<http://ow.ly/nkls30gWIXB>
- 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&Ver=4>
- Funding for supported housing consultations
<https://www.gov.uk/government/consultations/funding-for-supported-housing-two-consultations>
- Leicester, Leicestershire and Rutland Transforming Care Plan
<http://ow.ly/4Wpr30gWm6D>
- Market Position Statement
<https://leicscc.axlr8.uk/documents/8554/Market%20Positioning%20Statement.pdf>



CABINET - 12 DECEMBER 2017

**WORKING TOGETHER TO BUILD GREAT COMMUNITIES IN
LEICESTERSHIRE: THE LEICESTERSHIRE COMMUNITIES
STRATEGY 2017-21**

REPORT OF THE CHIEF EXECUTIVE

PART A

Purpose of the Report

1. The purpose of this report is to present the outcome of engagement on the Leicestershire Communities Strategy 2017-2021 'Working Together to Build Great Communities in Leicestershire' (hereafter referred to as the Communities Strategy) and to seek approval of the refreshed Strategy which is attached to this report as Appendix B.

Recommendations

2. It is recommended that:
 - a) The outcome of the engagement on the Communities Strategy 2017-21 is noted;
 - b) The Leicestershire Communities Strategy 2017-21 is approved.

Reason for Recommendations

3. To enable implementation of the Communities Strategy which will support the Council's Strategic Plan.

Timetable for Decisions (including Scrutiny)

4. The results of the engagement process and the refreshed Communities Strategy were considered by the Scrutiny Commission on 15th November 2017 (Appendix A and paragraphs 29-30 below refer).
5. Subject to the Cabinet's approval, the necessary work to implement the Communities Strategy will progress immediately.

Policy Framework and Previous Decisions

6. The current Communities Strategy was approved by the Cabinet on 13th October 2014. The draft refreshed Communities Strategy was approved for engagement with stakeholders by the Cabinet on 10th March 2017.
7. The refresh of the Council's Strategic Plan 2018-22 – the Single Outcomes Framework was considered by the Cabinet on 24th November 2017 and will be submitted to the County Council on 6th December for approval. The Communities Strategy provides a framework for achieving Strategic Plan outcomes in collaboration with Leicestershire communities.
8. A strategy for Early Help and Prevention Services was approved by the Cabinet on 17th June 2016. This Strategy identifies the Council's Target Operating Model for early help and prevention, which is supported by the approach set out in the Communities Strategy.

Resource Implications

9. There are no direct financial implications in relation to the refreshed Communities Strategy. Delivery of the Strategy will be supported from within existing staffing resources and through the commissioning of community capacity building contracts and grants.
10. The Director of Corporate Resources has been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

11. None.

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PART B

Background

12. The current Communities Strategy (approved in 2014) set out the Council's commitment to develop inclusive and resilient communities that are more self-sufficient; that look out for each other, and work with the Council in collaboration with partners and communities to make a positive difference for the benefit of the people of Leicestershire.
13. Several significant achievements have resulted from the delivery of the existing Communities Strategy and Action Plan, including Community Managed Libraries and the introduction of Local Area Co-ordinators.
14. Lessons have been learnt from these achievements and in refreshing the Strategy this learning and other key issues have been taken into account. These include:
 - a. The benefits, exemplified by the Community Managed Libraries initiative, of appropriate investment of officer time and/or funding in supporting the delivery of the Communities Strategy and the transfer of services to communities;
 - b. The need to raise understanding across the Council of the benefits of an 'asset based approach' aimed at building on the personal skills, social networks and physical assets within communities for the achievement of mutual aims;
 - c. The need to support the Voluntary and Community Sector (VCS) and other partners to develop sustainable models and alternative approaches to income generation; and
 - d. The need to continue to support the VCS and other partner organisations if the Council's ambitions are to be achieved, including support for volunteering and for parish and town councils.

Working Together to Build Great Communities in Leicestershire: Draft Communities Strategy 2017-21

15. The draft refreshed Communities Strategy, considered by Cabinet on 10th March, addressed the lessons learnt referred to above, incorporated case studies to illustrate good practice and included four updated priorities.
16. The draft Strategy also included a commitment to support social action and take an 'asset based' approach in the Council's commissioning decisions.
17. The Cabinet, on 10 March 2017, approved engagement with stakeholders on the draft Communities Strategy to take place during the summer of 2017. This was aimed at encouraging wider participation and involvement in the design and delivery of the Communities Strategy, including conversations with key

stakeholders (see paragraph 20) and a social media campaign to encourage communities to get involved.

Engagement

18. Between June and September 2017 feedback was sought from residents, organisations, partners and stakeholders on the vision, priorities and new approaches included in the refreshed Strategy. Importantly participants were asked to consider how they could work together with the Council in the future to make the Strategy a reality, and what, in their view, comprised a good community.

19. A range of methods were used to engage audiences, including workshops, networking events, partner conferences, meetings, twitter and Facebook. An on-line questionnaire using 'Stickyworld' technology was placed on the Leicestershire Communities website (www.leicestershirecommunities.org.uk). 'Stickyworld' is a simple engagement tool and was used to collate information and views from respondents using virtual sticky notes.

20. The following individuals, representatives and organisations were involved:

- Parish and Town Councils - Annual Liaison Event 10th July and three 'Big Conversations' held on 28th September (Broughton Astley) 2nd October (Asfordby) and 5th October (County Hall, Glenfield) in partnership with the Leicestershire and Rutland Association of Local Councils.
- Voluntary and Community Sector Groups and Organisations - Direct mail and 'Future Focus' Event on 7th September 2017.
- Individuals and Families supported by Youth Offending Service.
- Leicestershire Equalities Forum.
- Neighbourhood Planning Network.
- Volunteers - through various events and activities such as volunteering fairs in Coalville and Oadby during Volunteering Week Young Carers - Event at Leicester Space Centre.
- Carers - Events during Carers Week and close liaison and cross-referencing through the Carers Strategy consultation.
- Older Persons Engagement Network.
- People with Learning Disabilities - Celebration Event on 23rd June.
- District Councils (via the Community Inclusion Partnership).
- Leicestershire Rural Partnership.
- CYCLE (County Youth Council).
- Leicestershire Equalities Challenge Group.

21. The consultation was publicised in libraries and GP surgeries and there was collaboration with Leicestershire Partnership Trust as its 'Healthier in Mind' consultation coincided with this engagement and supported the Communities Strategy priorities.

22. Within the Council, Members, managers and staff were engaged through the following mechanisms:

- Departmental Management Team meetings
- Lesbian, Gay, Bisexual and Transgender + Conference
- Members' Induction Programme
- Senior Managers Conference
- Yammer
- Banners displayed throughout County Hall.

Communities Summit

23. A Communities Summit was held on Thursday 9th November to provide feedback on the consultation and engagement activities and hear from people who are making a difference in their local communities. It included a number of workshops designed to respond to the feedback received during the engagement activities.

24. The Summit was attended by a range of invited stakeholders including community representatives, town and parish councils, the voluntary and community sector, colleagues and partners.

Engagement Questions

25. Three questions were posed to prompt discussion at each event/ engagement opportunity:

- 1) What is a good community?
- 2) What can you do to help other people in your community?
- 3) How can the Council help you to be happy in your community?

Responses and Key Themes

26. There were 48 individual responses via the Leicestershire Communities website, in addition to comments made at the events and workshops over the summer period. Headline responses from each of the three questions can be summarised as follows:

- 1) There was a general feeling that 'community spirit', where people look out for and support each other, is the key to having a good community;
- 2) A sense of neighbourliness, consideration and caring for each other is something we should all strive to do;
- 3) Easier access to information, advice, guidance and support is essential.

27. The key themes arising from the collective responses included:

- The need for greater awareness and improved access to Information, Advice and Guidance at a community level;
- The need to build on the success of Community Managed Libraries and the community spirit they have evoked;
- A view that it should be made easier for people to volunteer by promoting more local opportunities and simplifying the process to allow more people to volunteer;
- A stronger focus on celebrating success and sharing best practice; and,
- More co-ordination of activity within the County Council and prioritisation of support and opportunities for community-led services.

28. With regard to the draft Strategy itself, there was a positive response to the tone, approach and overarching aims. There were also some areas that respondents felt could be strengthened including more explicit reference to the role of Town and Parish Councils, to corporate social responsibility, and to the Council's Strategic Plan and Single Outcomes Framework. This feedback is reflected in the revised Strategy, via:

- The inclusion of reference to 'Parish & Town Councils' in Priority 3 (page 18);
- The addition of a new section outlining the role and opportunities for Parish and Town Councils (page 5); and,
- Strengthening the proposed response to Corporate Social Responsibility within Priority 4, outlining how the Council will work collaboratively with the private sector and VCS (page 19).

Comments of the Scrutiny Commission

29. Detailed comments of the Scrutiny Commission are attached at Appendix A to this report. The Commission highlighted the important role of Parish and Town Councils and community groups in delivery of the Strategy, the value of continued support for and clear communication with these groups and organisations, and the role of the Strategy's Action Plan in driving forward delivery of the priorities. The Commission's views have been taken into account in the amendments made to the draft Strategy and will inform the Action Plan.

30. In addition to the above, the following changes have been made to take account of specific suggestions;

- Page 5 - Amendment to the wording in Parish & Town Council paragraph to read "Within Leicestershire there are more than 230 town and parish councils or meetings covering the great majority of the county"
- Page 13 – Inclusion of a community-led case study – Share & Care, Lutterworth
- Page 17 – Inclusion of an Adult Social Care co-production case study
- Page 19 – Inclusion of more relevant case study to support Priority 4 – Thringstone Community Centre.

Communities Strategy Priorities

31. The Communities Strategy Four Priorities now read:

1. Communities Support themselves, individuals and families.
2. Communities, in collaboration with public services, are supported to design and deliver better outcomes for the people of Leicestershire.
3. Voluntary and Community sector organisations, social enterprises and parish councils are supported and empowered to provide a range of effective services and activities for individuals and communities.
4. The Council continues to be outward focussed, transparent, and open to new ways of working.

Action Plan

32. The feedback, information, links and opportunities identified through the engagement exercise are informing the preparation of a Communities Strategy Action Plan. This will be managed and overseen by the Council's Communities Board, chaired by the Assistant Chief Executive and comprised of Assistant Directors/ Heads of Service from each Council department. The Action Plan, structured around the four priorities of the Communities Strategy, will be supported by a number of work streams, projects, programmes and initiatives which will evolve as the Strategy is implemented.
33. Central to the Action Plan is the development of appropriate, relevant and robust methods of recording and reporting both the impacts and difference made from the activities, interventions and approaches listed. Work is underway with the Council's Business Intelligence Service to develop a research framework that will complement existing quantitative and qualitative research that can be utilised and applied appropriately.

Background Papers

Report to the Cabinet on 10th March 2017, Working Together to Build Great Communities: The Leicestershire Communities Strategy 2017-21
<http://ow.ly/3LSD30gVt2q>

Report to the Scrutiny Commission on 15th November 2017, Working Together to Build Great Communities: The Leicestershire Communities Strategy 2017-21
<http://ow.ly/3QIH30gVta3>

The Leicestershire Communities Strategy 2014
<http://ow.ly/uRfi30gVt5Q>

Report to Cabinet on 16th April 2016, Review of the County Council's Strategic Plan; Embedding a New Approach to Transformation and Commissioning
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4601>

Report to the Cabinet on 17th June 2016, Early Help and Prevention Review
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4603>

Appendices

- Appendix A - Minute of the meeting of the Scrutiny Commission on 15th November 2017
- Appendix B - Working Together to Build Great Communities: The Leicestershire Communities Strategy 2017-21
- Appendix C - Equalities and Human Rights Scoping Assessment

Equality and Human Rights Implications

34. An Equalities and Human Rights Scoping Assessment of the Strategy review is attached as Appendix C. The assessment concluded that implementation of the Communities Strategy is likely to have a positive equalities and human rights impact. Through a focus on early intervention and prevention, developing inclusive and supportive community connections and community solutions it will promote community cohesion and have a positive impact on individuals or groups that identify with protected characteristics.

Other Relevant Impact Assessments

Risk Assessment

35. Risks identified in connection with achieving the vision and delivering the priorities of the Communities Strategy are:

- If the Communities Strategy does not lead to the successful transfer of services to communities or effective support to vulnerable people then demand on Council services could increase; and
- If Third Party and voluntary sector organisations have insufficient resources then they will be unable to form effective partnerships with the County Council around shared agendas.

36. These risks are mitigated through the production of this refreshed Communities Strategy, the development of the Communities Strategy Action Plan, support for the provision of a Countywide Infrastructure Service, contracts to support social enterprise, and the Leicestershire and Rutland Association of Local Councils and through community grants.

SCRUTINY COMMISSION - 15 NOVEMBER 2017**MINUTE EXTRACT****44. Working Together to Build Great Communities: The Leicestershire Communities Strategy 2017 - 2021.**

The Commission considered a report of the Chief Executive which provided an opportunity to comment on the Communities Strategy before its consideration by the Cabinet and to report on progress in developing a Communities Strategy Action Plan. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

In his introduction to the report, the Chief Executive advised that the Communities Strategy would support delivering of the 'Great Communities' outcome in the Strategic Plan and would also facilitate communities to contribute towards delivery of the other four outcomes.

It was also reported that the "Communities Summit", which had taken place the previous week, had been well attended and the new Strategy had been positively received. The emphasis had been on Parish and Town Councils and the County Council working collaboratively to support communities. Community groups attending had used the opportunity to share examples of good practice with each other. Some of these community led initiatives would be used as case studies to illustrate the final version of the Strategy.

The Chairman welcomed the Leader of the Council, Mr N J Rushton CC, to the meeting for this item. Mr Rushton advised that he was keen for the Council to help and support Parish and Town Councils to take on additional responsibilities where they felt able to do so.

Arising from discussion the following points were raised:-

- (i) Not all areas of the County had a Parish or Town Council. It was noted that the Council also provided support to community groups and this was especially important in unparished areas. Some members expressed the view that all areas of the County should be parished. However, this process was led by district councils through a Community Governance Review.
- (ii) The Commission welcomed the positive work already undertaken by the Council to support community groups. Hermitage FM and Thurmaston Library were cited as examples of successful community projects which had benefitted from the County Council's input.
- (iii) The importance of removing barriers and simplifying processes to make it easier for Parish and Town Councils or community groups to deliver services was emphasised. It was also felt that advice and expertise from the County Council would be useful for these bodies. The Commission was advised that a limited resource was available from the Communities Team and some support for specific issues such as road closures for Remembrance Sunday

was available from the relevant department. Following feedback from events held for Parish Councils, consideration would be given to establishing simpler and more efficient communications channels.

- (iv) It was noted that support to community groups would also be delivered through Voluntary Action Leicestershire (VAL). The County Council had a service level agreement with VAL to provide appropriate infrastructure and support to the voluntary sector.
- (v) The Communities Strategy would be supported by an action plan which would contain details of the activity needed to deliver the Strategy. This would apply to the whole Council as each department would have actions for which it was responsible. The action plan was currently being developed.

RESOLVED:

That the comments now made be submitted to the Cabinet for consideration at its meeting in December 2017.

Working Together to Build Great Communities

FINAL Draft Leicestershire Communities Strategy, 2017-21





1. Foreword

I am delighted to introduce our Communities Strategy – Working Together to Build Great Communities.

Our Communities Strategy sets out how by working together, the Council, local communities and partners can make a real difference to the quality of life of the people of Leicestershire. Whether this is about good health, strong and friendly social networks or making environmental improvements, communities have a central role to play in continuing to make Leicestershire a great place.

There are already many active and vibrant communities across Leicestershire and we want to build on this and equip communities with the tools, support and information they need to help shape their local area through initiatives such as neighbourhood planning.

Austerity has affected the types and level of services that the Council can provide and we will need to continue to make some difficult decisions about where funding needs to be allocated in the future. This also means that the Council will be more innovative, and tailor its approach to meet local need and ensuring value for money for our residents. We therefore believe that it is more important than ever that we allocate our resources where they are needed most and that we work alongside other agencies in the public sector (such as health, police and education), the private and voluntary sector and with local communities to make things happen.

Every community has a tremendous supply of assets including land and buildings, people, skills and networks that can be used to build the community and solve challenges. We know we cannot do this on our own but that it will require a shared commitment and a willingness to come together.

However we are not starting from scratch. We have a lot to build on.

We want to identify more opportunities to involve communities in service redesign and expand on the success of the Community Managed Libraries. This is about working together with communities to support local action whether this is activities for young people, good neighbour schemes or dementia friendly projects.

We want to build community capacity, encouraging people to participate in, and contribute to, their local community through for example, volunteering, connecting people, strengthening skills and building confidence. We want to see our voluntary and community sector develop and thrive and our local Parishes flourish.

I hope the Communities Strategy and some of the case studies we have highlighted will inspire you to get involved to continue to make Leicestershire a great place for all our communities.

I look forward to hearing how you can help us achieve this.

Councillor Pam Posnett, Cabinet Lead Member – Communities

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Introduction

This Communities Strategy sets out the council's continuing commitment to work in partnership to support, strengthen and empower communities. It includes our aspirations to build on and develop the assets of the people and places of Leicestershire, in order to achieve the best outcomes for everyone.

It was first adopted by the council in 2014 and there has been significant progress in its delivery. We want to build on this success.

We have a strong track record of working closely with communities to address local issues and improve the quality of life of Leicestershire citizens. As resources have become increasingly stretched due to an increase in demand for services, it is more important than ever that we work together to ensure the best possible outcomes for all of our residents and communities.

In order to do this, we need to continue to work in partnership with other agencies such as town and parish councils, voluntary and community sector organisations, district/borough councils, the NHS and the police, as well as businesses who have an interest and shared commitment to supporting communities.

Communities have, for a long time been providers of activities and support for residents. The council is already working closely with communities to design and deliver services in partnership, but there is more to be done, especially in a changing landscape where the ways in which people interact with public services is shifting.

When we talk about 'communities' we mean both people in different places (communities of place/geography) and different groups of people (communities of interest) and we recognise that people could belong to many different communities at any one time.

Communities are often best placed to understand their own needs and to develop their own solutions. By working with local people, agencies and partners and combining resources, skills and knowledge, we can achieve our vision.

Our vision for Leicestershire is that it is a place where communities are thriving and inclusive, and where people take pride in their local area. It is a place where people help themselves and each other, for example through volunteering and local initiatives. This is underpinned by a strong local economy where people have the skills, knowledge and expertise they need. People are healthy and have choices, and they feel safe. Across Leicestershire people have access to appropriate and affordable housing which meets their needs.

The Communities Strategy is underpinned by **4 Priorities**:

Priority 1	Priority 2	Priority 3	Priority 4
Communities support themselves, individuals and families	Communities in collaboration with public services, are supported to design and deliver better outcomes for the people of Leicestershire	Voluntary and community sector organisations, social enterprises and parish and town councils are supported and empowered to provide a range of effective services and activities for individuals and communities	The council continues to be outward focussed, transparent, and open to new ways of working

This Strategy provides a framework for continued collaboration, to achieve positive outcomes for residents and communities. By using the skills and knowledge of our residents, our partners and our volunteers, we can collectively build the required capacity to actively support our communities, and enable more opportunities for communities to help us design and collaboratively deliver services in future.

Section 1: Context

Leicestershire is recognised as a great place to live. It is made up of vibrant and active communities, who have a history of working together in partnership with others, to make a positive difference.

It is a diverse county, benefitting greatly from close links with Leicester, one of the most culturally diverse cities in the UK. International migration has had, and will continue to have, an impact on both service provision/access and community cohesion across the county, as new arrivals and emerging communities integrate into existing communities, within both Leicestershire and Leicester City.

The mid-2015 population estimate for Leicestershire was 675,000*. Leicestershire is a predominantly rural county by area, but urban by population.** The rural parts of the county are characterised by a large number of smaller settlements, (with populations below 10,000).

Like many places, the county faces the challenge of an ageing population. By 2030, people aged 65 years and older will account for over 25% of the total Leicestershire population. Furthermore, the working age population is expected to reduce over the next 20 years.

Leicester and Leicestershire functions as an integrated economic area in terms of travel-to work patterns, retail and cultural catchments and transport links. It benefits from a diverse industrial structure and is not dependent on the fortunes of any one sector or employer. The west and north-west of the county have a strong industrial heritage of manufacturing and mining industries, are more densely populated and are situated along major motorway routes. In the north, the town of Loughborough hosts a university and a higher density urban population.

Leicestershire is a relatively affluent county and experiences very low levels of social-economic deprivation overall. Even so, pockets of significant deprivation exist, with some neighbourhoods in Loughborough and Coalville amongst the most deprived neighbourhoods in England.

Neighbourhoods with lower levels of deprivation can be found in each of the county's districts.

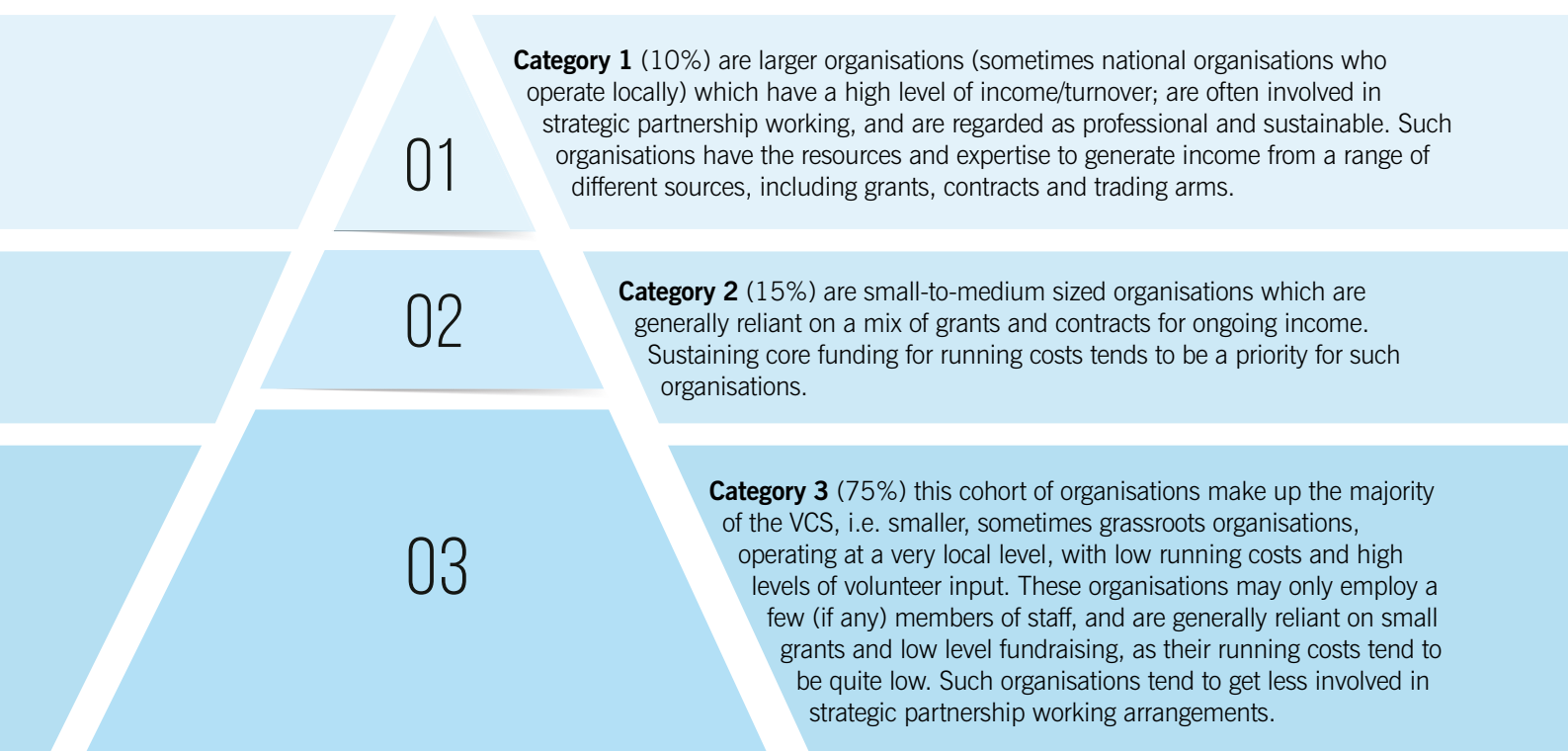
*Population Estimates by Age & Gender

**Urban Rural Population

The Voluntary and Community Sector in Leicestershire

Leicestershire has a thriving and diverse voluntary and community sector (VCS), with many types of organisations operating across the county, ranging from small grassroots groups, to social enterprises and national charities.

A VCS 'pyramid' has been developed to illustrate the VCS landscape in Leicestershire. The 'pyramid' concept suggests that the VCS can be understood in terms of 3 categories:



The VCS in Leicestershire has a strong track record of innovation and responsiveness to changing priorities and demographics. The Council and its partners recognise that the VCS provides valuable services, which help public sector partners to meet their strategic objectives, particularly around supporting those most in need through an early intervention approach.

The Communities Strategy continues our commitment to support and work with the voluntary and community sector in Leicestershire, in order to deliver effective solutions for all of our communities.

Parish and Town Councils

Within Leicestershire there are more than 230 parish and town councils or meetings covering the great majority of the county. We wish to support and enable local councils to be in the strongest position and able to respond to local needs and build on the activities already taking place.

Local parish and town councils have the potential to deliver substantial benefit to their communities through the activities they undertake. This potential exists no matter what the size of population or the differences in finances.

Whilst there may be further opportunities for devolved services (those transferred from county and district councils) there is a real role for local councils in developing and delivering local services that meet the needs of their communities. Many local councils are becoming more innovative through initiatives ranging from supporting community resilience, youth provision, local transport solutions and promoting health and wellbeing.

Austerity

The Communities Strategy was adopted in 2014, partly as a response to the financial challenges facing the public sector and the need for reform.

The Council has had to save £161m over the last seven years and will need to save a further £68m over the next four years. We must acknowledge that with less money and rising demand, fewer services will be available to fewer people and decisions have to be made about what can be provided. This is why we need to re-think what we do, who does it and how it is done and have to acknowledge that some of the things that used to be delivered or offered by the council will no longer be available or be able to be supported.

This has placed a renewed emphasis on the importance of developing capacity in communities, in order to both support the delivery of the council's strategic objectives, and to develop resilient communities.

To help achieve these savings, the way in which we deliver our services has had to change. Commissioning is the process of deciding how we use money and other resources so that they have the biggest impact on the things which are most important. We need to consider how we commission our services in future, to ensure they provide value for money, as well as ensuring we achieve positive outcomes for our communities.

Changing Public Services

Public service providers have to re-think the way in which they do things and how services are designed and delivered. This partly reflects changes in how people expect to be involved with and receive those services, but it is really about achieving better outcomes for everyone.

We have seen significant changes in how our schools operate and a move towards greater community ownership and management of services (such as Youth Centres and Libraries) demonstrating what is possible when we work in collaboration with our partners and communities.

The amount of 'choice' given to people who use services has also changed. A good example is the introduction of personal budgets for adults and families with children who have disabilities to enable them to buy the care services that they most need.

People no longer expect or require services to be 'done to them' but rather 'with them'- a collaborative approach where the contribution and willingness to get involved and take responsibility is shared.

We want to support and enable more people to access services and information virtually, both for themselves and for others. This requires new ways of joint thinking about who receives services; how they are delivered; where and when they are received and what those services should look like. The shift towards digital solutions will help to provide flexibility to enable residents to 'self-serve', i.e. access services on-line; and to find the right information and advice when it is most needed.

The Council has started the process of looking at how services are delivered and this Strategy provides a framework for how we can build upon this and can achieve this change.

The table below provides a useful overview of what this means.

Old model of public services	New model of public services
Done to: led by professionals, citizens disempowered, passive consumers	Act with: citizens as equal, collaborative partners, active co-producers
Top-down organisational decision making	Recognising insights of frontline staff and the public
Closed	Open, transparent, listening, responsive
Delivering	Facilitating
Services delivered through the large institutions	Services embedded in homes and communities
One size fits all, standardised, prescriptive	Personalised, flexible, holistic, diverse solutions
Disjointed service episodes	Services integrated with people's lives
Defining people by problems and needs	Starting with people's assets

Early Help and Prevention

The Council's Early Help and Prevention Strategy sets out how to "support communities at the earliest stage to prevent and reduce the need for help"; and to "target help as soon as possible to tackle problems emerging."

The framework for the Council's approach to early help and prevention work, identifies four tiers of preventative activity to provide increasingly focused support for communities and individuals. The four tiers range from building community capacity (Tier 0), through maintaining good health and well-being via information and advice (Tier 1) and targeted prevention for individuals (Tier 2) to reducing more established needs (Tier 3).

The Council must also seek to ensure that the most appropriate services are provided when people need them most, and that those most in need not only receive the right services, but are also supported to get help and advice to prevent further problems from arising.

We want people to be able to plan ahead, to help themselves and those around them, and to rely less on public services. We also need to encourage individuals and communities to take more responsibility for their own needs, particularly their health and wellbeing, to stop problems escalating.

Communities have a key role to play in helping people to look after themselves, to prevent further problems from arising further down the line. A number of examples already exist, where early help and prevention approaches are embedded within communities. This includes initiatives such as Knit and Chat clubs, which help to provide much needed social interaction; informal walking groups, which keep people active; and Good Neighbour Schemes, which provide a range of support to socially isolated people. We want to ensure these initiatives continue and are supported to grow across Leicestershire.

Section 2:

Achievements to date and lessons learned

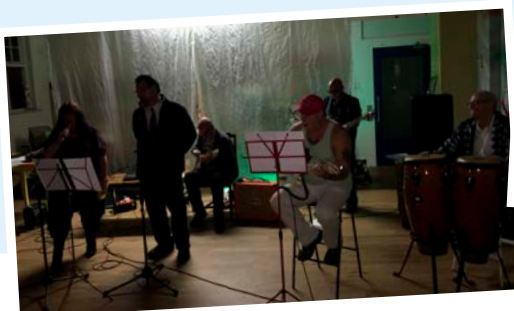
Achievements to date

The Council and its partners in the public, private and voluntary sectors have already helped to develop and support a number of successful community-based initiatives. The Communities Strategy has been at the forefront of this change and some of the achievements so far include:

- Supporting communities to take over the management of more than 30 local libraries and develop these into community hubs by providing a package of support including a dedicated Relationship Manager from the Council's Communities Team, tapered funding and a tailored programme of workshops delivered by Voluntary Action Leicestershire.
- Providing volunteering guidance and training, developing volunteering opportunities and raising the profile of what community volunteers can achieve. Bringing key networks together to resolve challenges and provide a platform for Volunteer Managers to champion their roles.
- A refocused SHIRE Community Grants programme, which has funded over 300 community projects that support those most in need.
- Supporting community buildings to sustain and expand their role as community hubs where people can meet, socialise and support each other and from where community services and activities are provided.
- Empowering Town and Parish Councils to develop capacity and engagement to help improve the areas and the lives of local people. By providing opportunities for meaningful dialogue between the Council and the Leicestershire and Rutland Association of Local Councils (LRALC)
- Continuing to invest in organisations such as Voluntary Action Leicestershire and CASE to provide direct support and assistance to voluntary and community sector groups and social enterprises with a more targeted approach.

CASE STUDY:

Arts for Health aims to improve the mental health and wellbeing of adults and their carers through the provision of accessible arts and music opportunities. A particular issue it aims to address is the limited number of activities during the evening for adults who are experiencing mental health difficulties. A weekly music project at the local Methodist church, led by a music teacher, has enabled individuals to learn and play various instruments, write and perform songs. Participants have experienced an increase in confidence, a sense of achievement, reduced feelings of anxiety and feel better able to deal with problems.



Lessons Learned

- **The first two years** of the Communities Strategy has provided some key learning. We know that initiatives or service changes do not just happen; there is a significant amount of resource required, along with a change in thinking and culture, about how we do things. Whether it is time, funding, skills or knowledge, investment is a key requirement to ensure communities are properly supported.
- **Taking a long-term view** - To ensure that communities are enabled to develop the required capacity to successfully deliver and maintain services (including devolved services) a long-term view of supporting communities is required.
- **One size does not fit all** – Experience has shown us that we need to tailor our approach to meet the needs of the communities we are working with.
- **Combining Resources/Working in partnership** - We need to continue to build strong relationships with partners and our communities by listening to them and being honest about what it is we can do. Change cannot be delivered alone and there is a need to combine resources with our partners.
- **A strong VCS provider market** - This is crucial to the delivery of the Communities Strategy and its priorities. There is a need to support local VCS organisations to develop sustainable business models, as well as considering a range of alternative approaches to generating income.
- **Opportunities for working with the private sector** - Some of the options we need to promote include engagement with businesses around Corporate Social Responsibility, along with exploring potential social investment opportunities.

CASE STUDY:

A Local History Café was established at the Cotesbach Educational Trust, to provide social opportunities for older people, including those with dementia, to meet and form new friendships over lunch and through stimulating conversations about history and genealogy. Based at an education centre in a historic listed building, the project has given opportunities for older, socially isolated individuals to reminisce about their own lives whilst also contributing to the centre's own archives through their personal recollections of local history.



The project has achieved positive impacts on the wellbeing of the participants, through opportunities for stimulating conversations and sharing of stories and knowledge, whilst making new friends. The reminiscence activities have also had positive impacts for individuals with dementia, as these types of activities have been found to be effective in delaying/reducing the effects of dementia.

Section 3: Our Approach

The Leicestershire Communities Strategy identifies the way in which the Council will work with its communities. There are two key components to the approach we are taking. These are:

- **A focus on social action.** Acknowledging that when people come together and act, they can improve their lives and solve the problems their communities face; and
- **An asset-based approach.** Harnessing the skills, knowledge, connections and potential which already exists within communities.

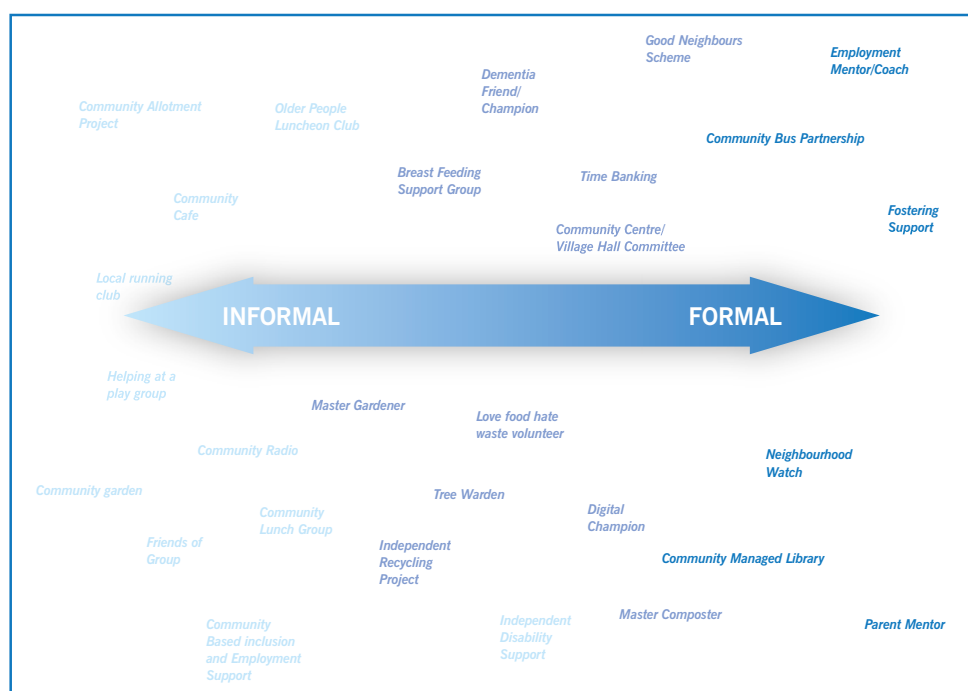
Social Action

The Communities Strategy is underpinned by the desire to encourage social action. Social action can be described as:

People coming together to help improve their lives and solve the problems that are important in their communities. It can broadly be defined as practical action in the service of others, which is (i) carried out by individuals or groups of people working together, (ii) not mandated and not for profit, (iii) done for the good of others – individuals, communities and/or society, and (iv) bringing about social change and or value.'

Source: Cabinet Office. (2015). Social action: Harnessing the potential: A discussion paper. Retrieved from: www.gov.uk/government/publications/social-action-harnessing-the-potential

Social action covers a broad spectrum of informal and formal volunteering activities, ranging from small acts of kindness and neighbourliness, or one-off volunteering (e.g. in response to a specific request) through to regular involvement in formal volunteering. Volunteering underpins many of the strands within the Strategy which contribute towards its aim of energising communities (see diagram below).

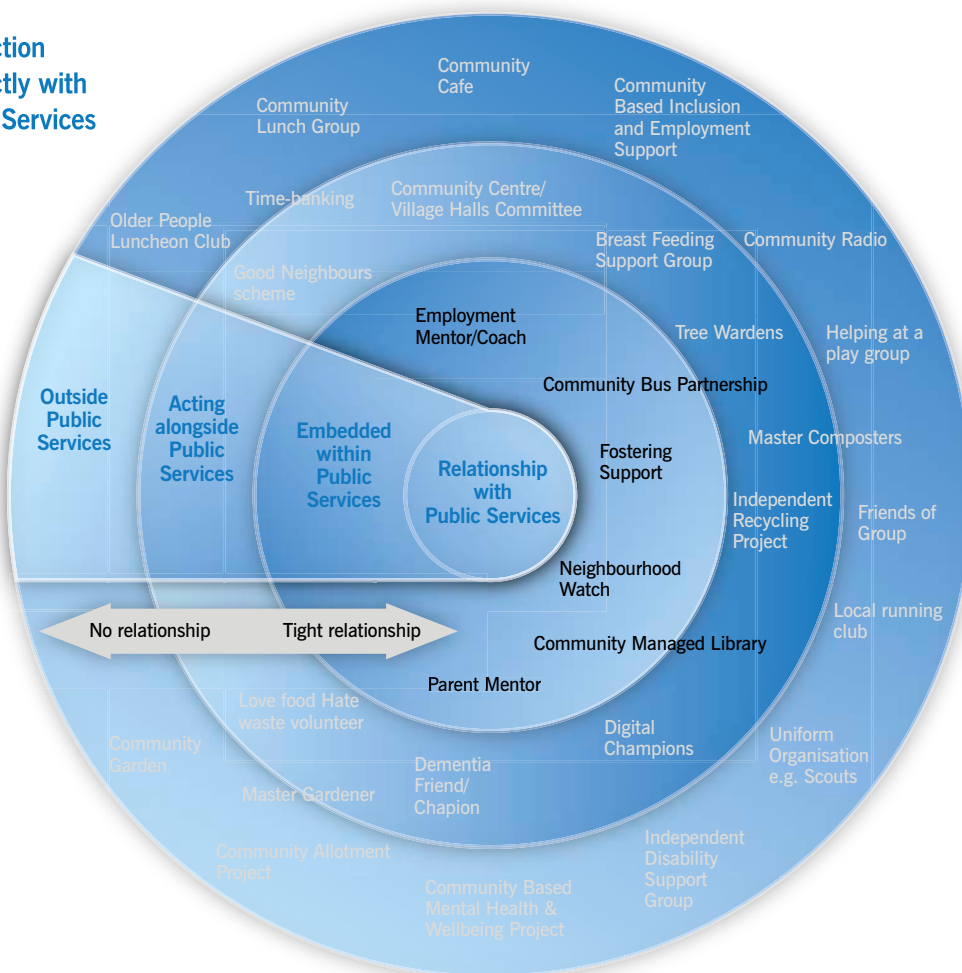


Examples of volunteering in Leicestershire ranging from formal to informal

The council is committed to supporting and enabling social action because it lies at the heart of thriving and inclusive communities and can help the council to jointly deliver better quality, more effective services and outcomes.

There are already lots of activities that we know take place in Leicestershire and this Strategy seeks to build on these. The diagram below provides examples of the role of social action in relation to council services - it is this relationship that we need to build on.

Examples of social action and relationship directly with Leicestershire Public Services



(source: People Helping People: the future of public services, Emma Clarence and Madeline Gabriel, NESTA, September 2014)

We believe that social action is a central design principle for public services and should be embedded in how we commission services. We understand that this approach requires us to be innovative and try new ways of doing things and this will also be a challenge to us.

We want to support social action by:

- Listening and building relationships that support residents to act;
- Encouraging and developing opportunities where people can get involved in their communities;
- Providing advice, guidance and training to help people understand the role that volunteers can have in and alongside public services.

An overview of the 'pitfalls to avoid for the public sector' is attached as **Appendix 1**

CASE STUDY:

Remap Leicestershire & Rutland makes bespoke equipment to help disabled people live more independent lives. Unique pieces of specialist equipment are tailor made by Remap's volunteer experts, and given free to the people who need them. A small amount of grant funding was awarded to Remap, for materials required to develop a set of items, as required by beneficiaries.

The pictures show (1) a low board fitted with braked castors and a car seat to help a young mother who uses a manual wheelchair to move her child safely around the floor, from room to room; and (2) a tailor made piece of equipment which enables a visually impaired man to use a white cane and a walking stick with one hand.



Building on Leicestershire's Assets – The Asset Based Approach

Building on the strengths of local communities is fundamental to this Strategy. It is an approach that is based on local assets - the skills, knowledge, connections and potential that exists within a community. Rather than starting from the perspective of the problems in a community, or what a community needs (a 'deficit-based' model), the asset-based approach starts by making visible and explicitly valuing the strengths that exist in people and places.

These strengths include:

- Personal assets – the knowledge, skills, talents and aspirations of individuals
- Social assets – the relationships people have with family, friends and the wider community
- Community assets – voluntary and community sector organisations; faith groups; public sector services that operate in the area
- Neighbourhood assets – the physical assets that contribute to health and wellbeing where people can meet and take part in activities, for example community centres, parks etc.

An asset based approach can help develop connections, build relationships and mobilise social action at the local level, helping to prevent the need for more formal services.

This approach also highlights that the design, development and delivery of solutions is not only the responsibility of public services, but is much more effective when accompanied by local community involvement which helps people to take ownership of, and responsibility for, local solutions.

Investment in identifying, understanding and developing community assets can help to prevent and address problems early on, rather than when they have had a greater impact on people and have become more difficult and costly to tackle.

We want to support an asset based approach by:

- Encouraging and promoting the importance of an 'asset-based' approach amongst our staff, service departments and with our partners;
- Embedding the principles of the Social Value Act in commissioning;
- Identifying local assets and supporting communities to take full advantage and make the best use of what is already available.

Appendix 2 provides a more detailed explanation of the differences between deficit and asset-based approaches.

CASE STUDY:

Lutterworth Share and Care group offers support to people living with dementia, and their carers, in the Lutterworth area. Meeting three days per week, our activities focus on helping individuals and family members cope and adapt to living with the condition, and offer a safe place for everyone to socialise and receive support. The group is run by two coordinators and community volunteers, some of whom have stayed with the group after loved ones have moved into residential care.

Through activities such as coffee mornings, trips, gardening, singing, crafts and baking, the group aims to raise people's self-esteem, help reduce symptoms of depression, and to support carers to feel less isolated.



Encouraging and enabling social action and asset based approaches should be understood as a shared organisational responsibility and we will be incorporating the approach into our plans and commissioning. Staff training and guidance will be introduced to ensure they are equipped with the skills and knowledge to support this. We also recognise that one of our biggest assets is our staff and we will ensure that we enable colleagues to make a positive impact within communities using their time, skills and knowledge.

In Leicestershire our approach will be to:

- Support communities to better understand local strengths and assets;
- Address challenges in partnership with communities and other agencies;
- Realise the opportunities within, and aspirations of, our communities to be involved;
- Introduce a corporate volunteering policy to support the above
- Adopt the 'Social Action Toolkit' to ensure the approach is embedded into our Commissioning policies and processes

Section 4: Our Vision and Priorities

Our Vision

The council has developed five strategic outcomes as part of an updated strategic plan. This focuses on the difference we want to make for communities in Leicestershire.

This requires a clear understanding of the aspirations of all sections of our communities, particularly those who may require the most support.

We need to ensure that communities also have the right information about existing assets and resources, so that they are in a stronger position to support themselves and that our vision:

Working together for the benefit of everyone

can be achieved.

This vision is underpinned by five outcomes:

Strong Economy

Leicestershire's economy is growing and resilient so that people and businesses can fulfil their potential.

Wellbeing and Opportunity

The people of Leicestershire have the opportunities and support they need to take control of their health and wellbeing.

Keeping People Safe

People in Leicestershire are safe and protected from harm.

Great Communities

Leicestershire communities are thriving and integrated places where people help and support each other and take pride in their local area.

Affordable and Quality Homes

Leicestershire has a choice of quality homes that people can afford.

The outcomes are not about short-term plans and processes. Instead, they highlight what we want to achieve collectively and collaboratively. The outcomes are a way of helping us to align the commissioning decisions across the council, in order to help us deliver the council's vision.

The Outcomes

The Communities Strategy is primarily focused on creating great communities, which is Outcome 4.

However, it will also support, strengthen and empower communities and will help to deliver all of the Outcomes.

For example, through activities such as Neighbourhood Watch, Outcome 3 is boosted. Good Neighbour Schemes where people are supported in their homes or with daily activities such as appointments and shopping enables people to stay independent for longer which we know contributes to better wellbeing, reinforcing Outcome 2.

We also know many people will build their confidence and boost their skills through social action and volunteering. This can lead to improved health and wellbeing and possibly paid employment - Outcomes 1 and 2.

We support the community led Neighbourhood Planning Network and provide an online resource, information and networking for communities wishing to undertake the process helping to inform Outcome 5.

This Strategy sets out how we will seek to achieve these Outcomes working with communities and partners, and how supporting and enabling social action and harnessing community assets within Leicestershire will help achieve our objectives.

This new approach requires a strong emphasis on co-design, co-production and openness with our communities and partners.

The Communities Strategy Priorities

The Communities Strategy centres on how we will help to build Great Communities and how together we can achieve all of the Outcomes.

The four Priorities of the Communities Strategy are:

Priority 1	Priority 2	Priority 3	Priority 4
Communities support themselves, individuals and families	Communities in collaboration with public services, are supported to design and deliver better outcomes for the people of Leicestershire	Voluntary and community sector organisations, social enterprises and parish and town councils are supported and empowered to provide a range of effective services and activities for individuals and communities	The council continues to be outward focussed, transparent, and open to new ways of working

In the next section we will talk more about our Priorities, what they mean, and what we understand success would look like. Case study examples demonstrate some of the excellent initiatives already happening within Leicestershire Communities in support of our Priorities.

CASE STUDY:

A walking football club has been established by Measham Community and Recreation Centre for people over the age of 50, who are at risk of developing long term health conditions. The project is delivered in partnership with Measham Medical Unit, with doctors at the Medical Unit referring appropriate people to the football club. The project is further supported by volunteers. The weekly game lasts for an hour and the rules are identical to five-a-side football, but with one major exception – if you run, the opposition gets a free kick! As well as being able to increase fitness levels, the project boosts the social and emotional wellbeing of participants, with new friendships being made. The project has received financial support from Measham Parish Council, along with a SHIRE Community Grant.



Priority One:

Communities support themselves, individuals and families

What will the outcome be?

Confident, active and empowered communities where people participate, volunteer and contribute to their local community. Communities are enabled to develop the knowledge, skills and expertise to support themselves and each other, including those most in need. Community cohesion and inclusion is strengthened within and amongst communities.

How do we achieve this?

- Support volunteering programmes and identify ways to enable more people to volunteer
- Support a range of community initiatives including the 'Good Neighbour Schemes' and 'Community Broadband'
- Develop strong and robust relationships with communities to achieve better outcomes in service delivery.

CASE STUDY:

Desford Parish Council requested support from the Rural Community Council to set up a Good Neighbour Scheme in the Parish of Desford, which includes the villages of Botcheston, Newtown Unthank and Kirby Grange. Community volunteers have come forward to help ensure the success of the scheme, with particular regard to supporting the needs of the more vulnerable people within the community.

The scheme has helped people to remain in their own homes for longer, through the valuable support and contributions of the members of the community carrying out day to day tasks.



Priority Two:

Communities, in collaboration with public services, are supported to design and deliver better outcomes for the people of Leicestershire

What will the outcome be?

Communities are empowered with the tools they need to help shape their local area, including access to relevant information, knowledge and advice. Inclusive decision making processes where communities are listened to, and able to influence the types of services they receive, including those they wish to deliver themselves.

How do we achieve this?

- Embed an asset based approach into the Council's and partner's day to day activities
- Enable communities to make informed choices about their community, e.g Neighbourhood Planning
- Build on the success of the Community Managed Libraries and use the principles underpinning their establishment to influence future service delivery
- Ensure communities have access to the right information, at the right time and in the right format

CASE STUDY:

Co-production is increasingly helping to guide service development in adult social care and brings together people who care about, work in and use social care. It involves people who use services, or care for someone who does, working alongside professionals as equals to put together ideas, knowledge and experience to design and deliver adult social care and support. Co-production recognises the potential of joint working and that people who use services are often the best people to design them. Listening to carers feedback about wanting staff to be better trained in understanding carers has led to the co-production of staff training; Carers have met with staff to decide on the content and approach to training and contribute to delivering key messages.

More information about co-production in adult social care and opportunities to get involved is available at www.leicestershirecommunities.org.uk/asc/



Priority Three:

Voluntary and community sector organisations, social enterprises and parish and town councils are supported and empowered to provide a range of effective services and activities for individuals and communities

What will the outcome be?

A diverse, effective and sustainable voluntary, community and social enterprise sector. As well as active and empowered town and parish councils that are supported to work collaboratively with and across communities and with those most in need in Leicestershire.

How do we achieve this?

- Support and develop the voluntary and community sector to ensure it is in an optimum position to provide relevant services for Leicestershire communities
- Provide support to town and parish councils
- Encourage greater partnership working and collaboration between VCS organisations

CASE STUDY:

In a climate of unstable finances, and in response to a commissioning opportunity, the UAVA (United Against Violence and Abuse) partnership of three existing domestic abuse reduction agencies was established. The three organisations are now jointly responsible for providing a co-ordinated range of services for those at risk of domestic/sexual abuse across Leicester, Leicestershire and Rutland. This new arrangement has demonstrated considerable success in effective partnership working, which has resulted in benefits for individuals who access the support provided by the new single service, as well as for commissioners.

Priority Four:

The council continues to be outward focused, transparent and open to new ways of working

What will the outcome be?

Strong relationships with stakeholders, partners and communities. A consistent and co-ordinated approach to engaging with communities and stakeholders. Ensuring new approaches are trialled and that the council considers the needs of communities in all areas of service design and delivery.

How do we achieve this?

- Challenge existing services to identify alternative delivery models to achieve better outcomes for everyone
- Through dialogue and conversations encourage and enable communities to identify areas where we can work together to design and deliver tailored local solutions
- The development and implementation of ways to better co-ordinate and work with the private and VCS sectors to harness the combined powers of Corporate Social Responsibility (CSR) across the region.

CASE STUDY:

Thringstone Community Centre

Thringstone Community Centre is reputed to be the first Community Centre in the country and was bequeathed by Charles and Mary Booth in 1903 to the people of Thringstone and surrounding villages. Leicestershire County Council took on responsibility for the charities set up by the Booths and for the Community Centre in 1950 and has managed the facilities, with the support of local people, ever since then.

The Centre is the focus of local community life for Thringstone, Whitwick and its' surrounding villages. It is the venue for a wide range of community activities including pre-school, yoga, theatre, sports, arts and much more.

The County Council and the Rural Community Council have worked with local people to set up a new charity to take responsibility for the Centre. This will ensure the local community has full control of the future direction and operation of the Centre. It is a challenging but exciting opportunity to further develop the Centre, responding to local needs and supporting communities in Thringstone and surrounding villages.



Section 5:

Delivering the Communities Strategy

Wider Ownership and Participation

A key element of the delivery of this Strategy is our commitment to work with others to embed the principles of the Strategy across Leicestershire. Improving people's lives, whilst also making best use of limited resources, remains at the forefront of the council's aims.

To aid us in our aspirations to build thriving, sustainable, resilient communities we will work collaboratively with voluntary and community organisations - not only to help to develop the sector, but to ensure that they are in a strong position to work with us to achieve the best possible outcomes for the people of Leicestershire.

In order to achieve the aims of the Communities Strategy, the council needs to build on this framework and continue to work with other organisations including local councils, the Police, the NHS and the private sector.

Action Plan

We know that empowered communities can deliver a great deal for their residents. This Strategy sets out the framework to enable us to collectively achieve our vision for communities.

A detailed Action Plan will give focus to the delivery of the Strategy, along with a strong commitment to engagement and ongoing conversations with all partners.

We will continue to engage with communities, key partners and other relevant stakeholders in order to further develop and co-produce the activities within the Action Plan.

This Strategy reinforces our message, that as a council, we are committed to building on the great communities we live in. Realising the aspirations of, and harnessing the opportunities within, Leicestershire communities will enable us to achieve better outcomes for all.

CASE STUDY:

With support from the County Council's Resilience Team, the village of Measham, led by the Parish Council have prepared their own bespoke Community Response Plan and created an Emergency Store, enabling them to be prepared for any severe weather or emergency that may come their way. Measham now has one of over 40 Response Plans either in place or being developed throughout Leicestershire and Rutland.



Appendix 1

Pitfalls to avoid

The table below summarises the pitfalls that are commonly encountered by public sector leaders working to change culture, commission for social action and create the conditions for social action. Resisting these pitfalls can prevent social action from becoming tokenistic or ineffective.

Do	Don't
Use co-production to bring together the best of both public sector and community expertise Co-design and co-deliver activities with local people, and recognise that social action is not 'free'.	Expect communities to run services without appropriate support It is unrealistic to expect people to run social care, housing, or health services without professional input and adequate resources.
Recognise that paid facilitators can increase the capacity of residents to volunteer and support new groups to engage. Provide development support for organisations to help them seek funding from other sources.	Believe that all social action can eventually become self-sustaining In many instances, it will continue to require some funding for staff to coordinate and facilitate activities.
Go beyond consultation and engagement by recognising that sharing power between professionals and citizens can create a genuinely reciprocal partnership through co-design and co-production.	Mistake consultation, collaboration, or partnership for co-production Partnerships and collaborations with colleagues in the public sector are important but they do not amount to genuine co-production.
Use practical examples of local social action and conversations with people leading it as the starting point for strategic decisions.	Think about strategy without thinking about implementation This can lead to an unrealistic high-level plan with absence of buy-in from people who will be relied on to implement local programmes.
Listen to citizens about their priorities Use creative methods to engage them in an asset-based conversation.	Enable social action solely as a way of cutting costs Social action is about improving outcomes, but it is unlikely to achieve this if it is being driven largely by the need to make public sector savings.
Define outcomes with residents through co-production Be clear about what all participants want to achieve, what success looks like, and how it will be measured.	Work generically on social action without defining outcomes This is unlikely to lead to clear measurable impact on public service outcomes that the public cares about.

(Source: Enabling Social Action Section C Leadership and Change)

www.gov.uk/government/uploads/system/uploads/attachment_data/file/591799/Leadership_and_culture_change_to_enable_social_action.pdf

Appendix 2

Deficit focused approaches	Asset based approaches
Start with deficiencies and needs in the community	Start with the assets in the community
Respond to problems	Identify Opportunities and strengths
Provide services to users	Invest in people as citizens
Emphasise the role of agencies	Emphasise the role of civil society
Focus on individuals	Focus on communities and the common good
See people as clients and consumers receiving services	See people as citizens and co- producers with something to offer
Treat people as passive and done – to	Help people take control of their lives
Fix people	Support people to develop their potential
Implement programmes as the answer	See people as the answer

Sources

All Together Now: Whole systems commissioning for councils and the voluntary sector, Sarah Stopforth and Claire Mansfield, New Local Government Network, April 2016

Enabling social action – tools and resources developed by the New Economics Foundation in collaboration with the Office for Civil Society. Available from www.gov.uk

Engaging and empowering communities: Our shared commitment and call to action, Think Local Act Personal, NHS England Gateway Reference: 05864

People Helping People: the future of public services, Emma Clarence and Madeline Gabriel, NESTA, September 2014)



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:	Refresh of the Leicestershire Communities Strategy
Department and section:	Chief Executive's Policy, Economy and Communities
Name of lead officer/ job title and others completing this assessment:	Kristy Ball, Communities Team Leader/ Mike Thomson, Policy Officer
Contact telephone numbers:	0116 305 7090
Name of officer/s responsible for implementing this policy:	Implementation to be cross departmental in conjunction with partners and communities and facilitated by the Communities Team
Date EHRIA assessment started:	November 2016
Date EHRIA assessment completed:	November 2016

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	<p>What is new or changed in this policy? <i>What has changed and why?</i></p> <p>The Leicestershire Communities Strategy was agreed by Cabinet in October 2014 and outlines three priorities:-</p> <p>Priority 1: Building the resilience and capacity of communities to support themselves and vulnerable individuals and families - thus reducing demand on public services</p> <p>Priority 2: Supporting community groups to take over relevant services, including those currently delivered by the County Council, and to work more closely alongside us to design and deliver services</p> <p>Priority 3: Developing voluntary and community sector organisations in Leicestershire as effective providers in a mixed, diverse market which supports delivery of our service devolution and support for vulnerable people priorities, and effective commissioning of the sector</p> <p>A review of the strategy is being carried out to;</p> <ul style="list-style-type: none"> a) ensure its continuing relevance and alignment with Council priorities including the new Outcomes Framework that will form part of the refreshed Strategic Plan, b) take account of the findings from the Early Help and Prevention Review, and, c) shift the focus to implementation and a community asset based approach. <p>The review will produce a refreshed Communities Strategy and Action Plan.</p>
2	<p>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></p> <p>The Communities Strategy relates to the Strategic Plan and will take account of the Early Help and Prevention review as set out above.</p>
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>The Communities Strategy relates to all Leicestershire Communities and individuals and groups within them. The current Strategy seeks to achieve the 3 priorities identified in Section 1 above. The refreshed Communities Strategy will reflect the parallel work that is taking place to develop a Single Outcomes Framework for the County Council. The Framework will include a high level outcome that relates to communities and subsidiary outcomes will be developed to guide the Communities Strategy. These outcomes will relate to the development of strong and inclusive communities, sustainable voluntary and community sector organisations and partnership based service delivery.</p>
4	<p>Will this policy meet the Equality Act 2010 requirements to have due regard to</p>

the need to meet any of the following aspects? (Please tick and explain how)			
	Yes	No	How?
Eliminate unlawful discrimination, harassment and victimisation	X		Support and joint work with communities will encompass advice on specific equality considerations i.e. disability compliance, which in turn will support the elimination of unlawful discrimination, harassment and victimisation.
Advance equality of opportunity between different groups	X		The Communities Strategy seeks to support inclusive communities and co-design and delivery/community delivery which most effectively reflect community assets and needs. Community delivery can also actively encourage people to receive support at an early stage rather than wait until they reach crisis point. This approach could therefore advance equality of opportunity.
Foster good relations between different groups	X		The Communities Strategy approach has the potential to both galvanise and unify communities. Support to communities will include those groups which may have the potential to advance equality of opportunity for specific protected groups and foster good relations between different 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*
	a) their current needs and aspirations and what is important to them;		No

	b) any potential impact of this change on them (positive and negative, intended and unintended);		No
	c) potential barriers they may face		No
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?	Yes	
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?	Yes	
8.	<p>*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.</p> <p>To inform recommissioning of community support services a survey of VCS groups has been carried out along with consultation with strategic partners which included consultation on Communities Strategy priorities. This consultation confirmed strong support for the Communities Strategy approach and objectives and has informed the refresh process. The development of the Strategy document has included consultation with the Community Inclusion Partnership which includes District Council and voluntary sector representatives. The Action Plan will set out detailed implementation proposals and will be maintained as a "live" working document. It will be develop through wide engagement across the County Council, partner agencies and communities.</p>		

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;	Yes	
	b) enable open feedback and suggestions from different communities	Yes	
<p>Note: If no to Question 8, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.</p>			
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	Yes		<p>The Communities Strategy seeks to promote strong, resilient and inclusive communities that support people to lead independent lives. It also seeks to promote service co-design and delivery, service delivery that complements community strengths and delivery by VCS organisations. Through a focus on early intervention and prevention, developing inclusive and supportive community connections and community solutions the Strategy will promote community cohesion and have a positive impact on individuals or groups that identify with protected characteristics.</p>
	Disability	Yes		
	Gender Reassignment	Yes		
	Marriage and Civil Partnership		No	
	Pregnancy and Maternity	Yes		
	Race	Yes		
	Religion or Belief	Yes		
	Sex	Yes		
	Sexual Orientation	Yes		
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	Yes		
	Community Cohesion	Yes		
11.	<p>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)</p> <p>Explain why you consider that any particular <u>article in the Human Rights Act</u> 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]</p>			
		Yes	No	Comments

Part 1: The Convention- Rights and Freedoms				
Article 2: Right to life		No		
Article 3: Right not to be tortured or treated in an inhuman or degrading way		No		
Article 4: Right not to be subjected to slavery/ forced labour	Yes		Those supported to volunteer must not be used as a vehicle for exploitation (e.g. appropriate expenses should be provided). The Communities Strategy will promote high standards of volunteer management.	
Article 5: Right to liberty and security		No		
Article 6: Right to a fair trial		No		
Article 7: No punishment without law		No		
Article 8: Right to respect for private and family life	Yes		The Communities Strategy will promote management of volunteers such that their private and family life is respected i.e. cultural and religious life taken into account e.g. when setting up meetings. Where service delivery is taken on by a community group rights and freedoms will be reflected in Service Agreements as appropriate. The Strategy will promote development of equalities and human rights policies and anti-bullying procedures amongst VCS partners.	
Article 9: Right to freedom of thought, conscience and religion	Yes			
Article 10: Right to freedom of expression	Yes			
Article 11: Right to freedom of assembly and association		No		
Article 12: Right to marry		No		
Article 14: Right not to be discriminated against	Yes			
Part 2: The First Protocol				
Article 1: Protection of property/ peaceful enjoyment		No		
Article 2: Right to education		No		
Article 3: Right to free elections		No		
Section 2				
D: Decision				
	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 <input type="checkbox"/>	Positive Impact <input checked="" type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input type="checkbox"/>
Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.				
14.	Is an EHRIA report required?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	

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. 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?

- 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 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?
e.g. policy reviews, annual plans and use of performance management systems

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: 30th November 2016

2nd Authorised Signature (DEG Chair): 

Date: 16 December 2016 



CABINET - 12 DECEMBER 2017

**REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) -
REVIEW OF POLICY STATEMENT**

REPORT OF THE DIRECTOR OF LAW AND GOVERNANCE

PART A

Purpose of the Report

1. The purpose of this report is to advise the Cabinet on the Council's use of the Regulation of Investigatory Powers Act 2000 (RIPA) for the period from 1 October 2016 to 30 September 2017, and to recommend that the existing Policy Statement remains fit for purpose.

Recommendations

2. It is recommended that:
 - (a) The Council's use of the Regulation of Investigatory Powers Act 2000 for the period from 1 October 2016 to 30 September 2017 be noted;
 - (b) That it be agreed that the County Council's existing Policy Statement on the use of RIPA powers (appended to this report) continues to be fit for purpose;
 - (c) That the Cabinet continues to receive annual reports from the Corporate Governance Committee on the use of RIPA powers and whether the Policy remains fit for purpose.

Reasons for Recommendations

3. The Codes of Practice made under RIPA require elected members of a local authority to review the authority's use of RIPA and set the policy at least once a year.

Timetable for Decisions (including Scrutiny)

4. A Policy Statement will be implemented following approval by the Cabinet.

Policy Framework and Previous Decisions

5. Since October 2000 the County Council has had statutory responsibilities under RIPA to ensure there is appropriate oversight for the authorisation of its officers who are undertaking covert surveillance governed by the Act.
6. In November 2013 the Council's Corporate Governance Committee agreed amendments to the Policy Statement to reflect legislative changes and the recommendations made following an inspection undertaken by the Office of Surveillance Commissioners. The Cabinet subsequently agreed the Policy Statement on 13 December 2013.
7. On 25 November 2016 the Council's Corporate Governance Committee agreed to make recommendations to the Cabinet on the approval of a revised Policy Statement. The revisions reflected the recommendations made by the Office of Surveillance Commissioners following an inspection of the County Council on 10 August 2016. The Cabinet subsequently agreed the Policy Statement on 13 December 2016.
8. On 17 November 2017 the Council's Corporate Governance Committee considered the existing Policy Statement and agreed that the Cabinet be recommended to agree that this remained fit for purpose.

Resources Implications

9. There are no resources implications arising from this report.

Circulation under the Local Issues Alert Procedure

10. None.

Officers to Contact

Lauren Haslam, Director of Law and Governance
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Gary Connors, Head of Regulatory Services, Chief Executives Department
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PART B

Background

11. The Trading Standards Service is the primary user of RIPA within the County Council. The three activities primarily used by the County Council are "Directed Surveillance", the conduct and use of "Covert Human Intelligence Sources" (CHIS) and authorisations to acquire certain types of "communications data". These are the RIPA 'powers' referred to in this report.
12. Directed surveillance is the pre-planned covert surveillance of individuals, sometimes involving the use of hidden visual and audio equipment. CHIS includes the use of County Council officers, who pretend to be acting as consumers to purchase goods and services, e.g. in person, by telephone or via the internet.
13. Communications data relates to information obtained from communication service providers, for example, subscriber details relating to an internet account, mobile phone or fixed line numbers, but does not include the contents of the communication itself.
14. Legislative changes in November 2012 implemented an additional layer of scrutiny. Local authority authorisations under RIPA can only take effect if an order approving the authorisation or notice has been granted by the Magistrates' Court.
15. Amendments to the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 brought about further restrictions on the use of RIPA. A local authority can only grant an authorisation under RIPA for the use of directed surveillance where the local authority is investigating particular types of criminality. These are criminal offences and only those offences which on conviction are punishable by a maximum term of imprisonment of six months or more, or offences relating to the sale of alcohol or tobacco to children.
16. With effect from 1 October 2015 the Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 made it an offence to sell nicotine inhaling products to persons under the age of eighteen. The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) (Amendment) Order 2015 provides the necessary gateway to enable a local authority to apply for judicial approval to use covert surveillance when investigating the supply of this type of age restricted product.

The Process

17. An application by the Authority for a RIPA authorisation or notice is considered at a hearing in the Magistrates' Court. The hearing is conducted in private and heard by a Magistrate or District Judge who will read and consider the RIPA authorisation or notice applied for. Home Office guidance recommends the County Council Monitoring Officer (the Director of Law and Governance in this

Authority) should designate certain officers for the purpose of presenting RIPA cases to the Magistrates' Court. Delegated powers agreed by the Cabinet enable the Director of Law and Governance to "authorise staff to prosecute, defend or appear in proceedings before Magistrates' Courts on behalf of the County Council". A pool of suitable officers within Regulatory Services are designated for this purpose. The existing delegated power will allow for further designations to be made by the Director of Law and Governance should it become necessary and appropriate for officers from other service areas to be able to represent the County Council in RIPA hearings.

18. The Corporate Governance Committee continues to be the appropriate body to review the RIPA Policy Statement annually, with a view to reporting to the Cabinet on both the use of RIPA powers and whether the Policy remains fit for purpose.
19. Procedures and all published Home Office guidance for local authorities are available to all employees via the County Council's intranet.

Use of RIPA

20. For the period from 1 October 2016 to 30 September 2017 the following authorisations were approved :
 - 2 directed surveillance;
 - 1 acquisition of communications data.
21. All RIPA authorisations granted within this period were associated with covert surveillance activities undertaken by the Trading Standards Service. These criminal investigations related to the supply of counterfeit or unsafe products and fraudulent trading practices conducted on the doorstep.
22. A total of 4 RIPA applications were submitted for judicial approval between October 2016 and September 2017 and considered by a District Judge or a Magistrate sitting at Leicester Magistrates' Court. On 3 occasions the County Council was able to demonstrate that appropriate consideration had been given to the necessity and proportionality of the covert activity to be undertaken and that it was being sought for a legitimate purpose.
23. The Council's own electronic RIPAR system was implemented before the legislative changes required local authorities to seek judicial approval. However, the court process continues to require original documentation to be produced in proceedings. Taking these factors into consideration together with recent OSC guidance around the use of standardised forms, the County Council has discontinued using RIPAR and reverted back to a standardised manual system.

Equality and Human Rights Implications

24. There are no Equality and Human Rights Implications arising from this report.

Background Papers

Report to the Cabinet on 13 December 2016 “The Regulation of Investigatory Powers Act 2000 Revised Policy Statement” and minutes of that meeting.

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

Report to the Corporate Governance Committee on 17 November 2017 “Regulation of Investigatory Powers Act 2000 (RIPA) -” and minutes of that meeting.

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=434&MId=4825&Ver=4>

Appendix

The Regulation of Investigatory Powers Act 2000 (RIPA) Policy Statement

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Covert Surveillance and the Acquisition of “Communications Data” Policy Statement

1. This policy sets out how Leicestershire County Council (the Council) will comply with the Regulation of Investigatory Powers Act 2000 (RIPA), the Human Rights Act 1998 and the European Convention of Human Rights (ECHR) - Article 8, when carrying out any covert investigatory techniques. If such covert investigatory techniques are conducted by the Council, RIPA regulates them in a manner that is compatible with ECHR, particularly the right to respect for private and family life (Article 8). The use of covert investigatory techniques are an interference with the rights protected by the ECHR (Article 8) and there may be a potential violation of those rights, unless the interference is in accordance with the law and is necessary in a democratic society in the interests of:

- national security;
- public safety;
- economic well-being of the country;
- prevention of disorder or crime;
- protecting of health or morals; or
- the protection of the rights and freedoms of others.

Any such interference must be proportionate requiring a balancing of the seriousness of the intrusion against the seriousness of the offence and consideration of whether there are other means to obtain the required information.

The Council has a number of specific core functions requiring it to investigate the activities of private individuals, groups and organisations within its jurisdiction, for the benefit and protection of the greater public. Such investigations may require the Council to undertake covert investigatory techniques.

2. In accordance with RIPA the Council will only use three covert investigatory techniques for its core functions (details set out below).

“Directed Surveillance” will only be used for the purposes of the Council’s investigations. This is covert non-intrusive surveillance, which is carried out in such a way that the persons subject to the surveillance are unaware that it is or may be taking place. It is undertaken for the purposes of a specific investigation or operation and is conducted in such a manner, that it is likely to result in the obtaining of private information about a person and in circumstances other than by way of an immediate response to events, where it would not be reasonably practicable to seek authorisation for the surveillance. The Council will not undertake surveillance in residential properties or private vehicles.

“Covert Human Intelligence Source” (CHIS) will only be used for the purposes of the Council’s investigations. This is an individual, who may or may not reveal their true identity, establishes or maintains a personal or other relationship with another person(s), for the covert purpose of obtaining information and disclosing the information to the Council. It is immaterial whether information provided by the source is given voluntarily or the source is tasked by a public authority to obtain the information. A CHIS activity is

determined by the manner in which the information was covertly obtained and then subsequently passed on to the Council.

“Communications Data” (CD) will only be used for the purposes of the Council’s investigations. CD is the ‘who’, ‘when’ and ‘where’ of a communication, but not the ‘what’ (i.e. the content of what was said or written). In accordance with RIPA the Council will only utilise the less intrusive types of CD: “service use” (e.g. the type of communications, time sent and duration) and “subscriber information” (e.g. billing information). Under no circumstances will the Council obtain “traffic data” (e.g. information about where the communications are made or received) under RIPA. The Council will not intercept the content of any person’s communications, as it is an offence to do so without lawful authority.

3. The Council will not utilise a “Directed Surveillance” or “Covert Human Intelligence Source” authorisation or a “Communications Data” notice(s) under RIPA, until an order approving the grant or renewal of an authorisation and/or notice(s) has been granted by a Magistrates’ Court.
4. Digital investigation, in particular, the review of ‘open source’ material which has been placed in the public domain without the expectation of privacy, will not normally require a RIPA authorisation. However, the Council will seek an authorisation to undertake repeated or systematic examinations of open source sites, if such examination is undertaken to build up a picture of a person’s activities or lifestyle. The Council will seek a CHIS authorisation if there is to be any interaction with the site host, for example, sending messages and/or making covert enquiries of any kind.
5. Before an authorisation is submitted to a Magistrates’ Court it must be internally authorised by an “Authorising Officer” or a “Designated Person” of the Council. Such covert investigatory techniques will only be used where it is considered necessary (e.g. to investigate a suspected crime) and proportionate (e.g. balancing the seriousness of the intrusion into privacy against the seriousness of the offence and whether the information can be obtained by other means). The Council will follow the relevant Codes of Practice on the scope of powers, necessity and proportionality.

In accordance with the Protection of Freedoms Act 2012 the Council will only submit a “Directed Surveillance” authorisation to the Magistrates’ Court for authorisation, for the purpose of preventing crime, where a criminal offence(s) is punishable (whether on summary conviction or indictment) by a maximum term of at least 6 months’ imprisonment, is suspected, or if the offence relates to the underage sale of alcohol tobacco or nicotine inhaling products and where the necessity and proportionality tests are met. The Council will ensure that any authorisations and/or notices, which are granted and/or renewed by the Magistrates’ Court or by the Council’s Authorising Officers, are not utilised beyond the statutory time limits prescribed.

6. The Council will maintain a list of senior officers, who are designated to oversee the covert investigatory techniques specified in paragraph 2, in respect of the Council’s internal procedures for authorisations and/or notices under RIPA, prior to the authorisations and/or notice(s) being approved by a Magistrates’ Court and to oversee the process following such approvals until cancellation. A record of approved authorisations and notices will be kept by

the Council. The Council's Monitoring Officer, being the Senior Responsible Officer under RIPA, will ensure that the senior officers with responsibility for overseeing any covert investigatory techniques are at Director, Head of Service, Service Manager or equivalent level of seniority and are aware of the Council's obligations to comply with RIPA and with this policy. Furthermore, all officers who are required to undertake covert techniques will receive appropriate training or be appropriately supervised.

7. The Council may undertake any of the covert investigatory techniques specified in paragraph 2 above, in respect to the prevention and detection of illegal sales of the following age restricted products: Butane, Knives and Fireworks, even though these products do not meet the criteria specified in the Protection of Freedoms Act 2012 and therefore do not attract the protections of RIPA, in respect to these covert investigatory techniques. The Council believes that it is important that the Council's Trading Standards Service is authorised to use any of the aforementioned covert investigatory techniques, in order to undertake enforcement activities in respect of the aforementioned products, even though the Council will not be afforded the protection of RIPA. The Council will ensure that it continues to comply with its obligations under the ECHR (Article 8), by requiring its Trading Standards Service to adhere to the same authorisation procedures for RIPA authorisations and/or notices, except for the requirement to seek the approval of a Magistrates' Court.
8. The Council will ensure that any other covert investigatory techniques, not requiring the approval of a Magistrates' Court, will be subject to the same internal authorisation processes as referred to above.
9. This policy and the procedures for the proper approval of authorisations and/or notice(s), the recording of covert investigatory techniques, will be reviewed when it is considered appropriate to do so.

Approved: November 2016

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**CABINET - 12 DECEMBER 2017****RECOMMENDED CHANGE TO TREASURY MANAGEMENT POLICY****REPORT OF THE DIRECTOR OF CORPORATE RESOURCES****PART A****Purpose of the Report**

1. The purpose of this report is to recommend a change to the current treasury management policy to introduce the ability to invest in pooled private debt funds. This will increase the interest earned and provide additional support for the revenue budget, but will involve a marginal increase in risk.

Recommendation

2. It is recommended that the Cabinet approves the addition of pooled private debt funds to the list of acceptable investment types within the Annual Investment Statement, with a maximum cash investment of £40m.

Reasons for Recommendation

3. The change to the treasury management policy will enable the County Council to invest in private debt funds and thereby increase the interest earned relative to what could be earned by utilising cash deposits. Whilst this type of investment has a higher risk profile than cash deposits, the additional risk is not overly significant. Relative to the increase in risk, the additional income is considered to be highly attractive in an environment of low interest rates and significant pressure on the County Council's revenue budget.

Timetable for Decisions (including Scrutiny)

4. The Corporate Governance Committee considered a report on 17 November 2017 and supported the proposals.
5. The next available date to invest in the private debt fund market is January 2018 and in order to meet this date it will be necessary to complete all the necessary documentation before the end of December 2017.

Policy Framework and Previous Decisions

6. Treasury management is an integral part of the County Council's finances. The Treasury Management Strategy for 2017/18 was agreed by the Council in

February 2017 as part of the Council's Medium Term Financial Strategy 2017/18 – 2020/21 (MTFS).

7. The recommended addition of pooled private debt funds as an acceptable investment within the Annual Investment Strategy is an in-year change that requires the approval of the Cabinet. This will be reflected in the revised Treasury Management Strategy in the emerging MTFS for 2018/19 - 2021/22.

Resource Implications

8. Should the Cabinet agree to the recommendation to class pooled private debt funds as acceptable investment types within the Annual Investment Statement, It is intended that the Council will make a £20m investment in the Partners Group Multi Asset Credit Fund 2017 which will generate additional interest of circa £800,000 per annum to support the revenue budget.

Circulation under the Local Issues Alert Procedure

9. None.

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PART B

Background

10. The CIPFA Code of Practice on Treasury Management highlights the three main elements of Treasury Management Policy as Security, Liquidity and Yield in that order with the return of capital deemed to be more important than the rate of return earned. The Council's current Treasury Management Policy is low risk and generally restricts investments to cash deposits with maturities of no more than one year, and lending to counterparties with very high credit ratings.
11. The low risk approach adopted within Treasury Management has served the authority well and Leicestershire has never invested with any of the institutions that have led to capital being put at risk, the most recent of which were the Icelandic Banks. Despite the low risk approach, the returns achieved within Treasury Management have been at the higher end of expectations, and these returns have been achieved largely by being willing to lend monies for as long as allowed within the Policy to acceptable counterparties. Premiums within longer-term lending rates, relative to the expected trajectory of base rates over the period ahead, have been a feature of markets for a number of years.
12. It is well documented that the Council's revenue budget is under increasing pressure, and as a result it has been necessary to review almost every activity to try to deliver services in the most cost-effective manner possible. Interest from Treasury Management activities goes towards supporting the revenue budget, so higher levels of interest will help to reduce savings required elsewhere.
13. There are a large number of investment options that could potentially improve the level of interest earned from the Treasury Management function, but most of them come with levels of risk that are considered inappropriate given the wish to ensure that the capital invested is protected as far as possible. As the Administering Authority of a £4bn Pension Fund, the Council has a higher level of investment expertise than most other local authorities and, as a result, is better placed to be able to assess the potential benefits and risks of different types of investment. Private Debt has been identified as an asset class that can be used to improve interest levels, whilst also involving levels of risk that are acceptably low.

Private Debt and Partners Group

14. The Leicestershire County Council Pension Fund currently has over £200m invested in 'private debt', with a further £90m committed to investments that will be made over the next 8 months. When this committed capital is invested the asset class will make up about 7.5% of the Fund's total assets, in line with its strategic asset allocation for the asset class. All of this money will be invested through Partners Group.

15. Private Debt can be broadly defined as loans from one party to another that are not tradeable on a recognised securities exchange. For many years the banking sector originated the vast majority of debt required by medium-sized companies (who are the main borrowers from the Partners Group funds) but a much tighter regulatory capital regime means that there are now attractive investment opportunities for investors with capital to commit to the asset class. The requirement for financial institutions to hold a larger amount of regulatory capital to cover the risks associated with loans means that the banking system cannot currently supply all the debt required by the corporate world.
16. Partners Group is an independent investment manager with over £40bn of assets under management, and their entire focus is on private markets. They have over 850 institutional investors, of which 150 are in the UK, and they have been running private debt portfolios since 2010. Despite the fact that they commenced investment in the asset class in the aftermath of the Global Financial Crisis – a time at which many companies had balance sheets that were under great stress – they have experienced a very low level of defaults. They have a sizeable team of industry experts that carries out deep due diligence prior to any investment, they will almost always secure a position that is high in the capital structure of a company, and the loan will often be secured against specific assets owned by the company.
17. Partners Group are targeting profitable companies with industry-leading positions, strong and stable cash flows, experienced management and supportive institutional owners. They are not looking to take risky, high-return positions in turn-around situations but despite this the returns available to investors are very attractive; their funds target a return of LIBOR (London Inter Bank Offer Rate, which is the rate at which banks will lend to each other) + 4-6% net of all fees. The majority of this return will come from the interest paid on the loans by borrowers but items such as arrangement fees and charges for early repayment of loans will enhance returns.
18. There are significant numbers of private debt managers, but the Leicestershire Pension Fund was attracted to Partners Group because of its global footprint, the size of its investment team, the risk-return profile that is targeted and its historic focus on not losing capital. The Pension Fund has invested with them since 2014 and the returns achieved have been exactly as expected, which is very reassuring.
19. Each Partners Group private debt fund has a lifespan of approximately 5 years. In the first year money is drawn from investors as loans are made and, on average, these loans will have maturities of around 4 years. If any loans are repaid during the early years of the fund the monies can be 'recycled' into new loans as long as the maturity date of any new loans is within the original lifespan of the fund. Repayment of capital will be gradual, rather than in a single lump sum at the end of the fund, and will generally be in years 4 and 5. Any investment made should be considered to be 'tied-up' for 5 years.

20. The County Council has significant cash balances that are lent as part of its treasury management activities. Much of the cash balance relates to cash flow (for example grants being paid in advance of expenditure) and to earmarked funds/provisions that are required to meet expected future expenditure. There is little risk that these cash balances will fall to such an extent that investing £20m in a Partners Group private debt fund will cause a problem from a liquidity perspective.
21. One particularly attractive aspect of private debt is that the underlying loans carry an interest rate that is linked to LIBOR and if rates rise the interest earned will rise accordingly. Given that we are almost undoubtedly in a rising interest rate environment, this protection is very valuable.
22. If the Treasury Management Policy were to remain in its current form, it would be expected that the loan portfolio would produce a return of around LIBOR. Even at the lower end of the target return range, an additional £800,000 per annum interest would be expected from a £20m investment in a Partners Group private debt fund and this will assist in reducing the impact of savings required in the Medium Term Financial Strategy.
23. The investment is not entirely without risk and there is a reliance on the investment manager to be able to identify and structure loans that generate attractive rates of return without undue levels of risk. The due diligence carried out by the Pension Fund, and the manager's track record in the asset class, gives a high degree of confidence that this can be achieved. There can be no guarantee that there will not be defaults within the fund but the combination of the high position within the capital structure that the loans will sit, the fact that there will often be assets specifically backing the loans, and the diversification of borrowers within the fund (there are expected to be around 50 loans when the investment is fully deployed) provides a great deal of comfort that the risks are acceptable.
24. Whilst clearly there is a hope that there are no defaults within the fund, the additional return that is expected (relative to maintaining the current Treasury Management Policy) gives substantial assurance that the return will more than justify the additional risk.
25. The investment will be classified as a capital investment, but this does not affect the attractiveness of it and does not cause undue concerns from an accounting perspective. The performance of the investment will be reported to the Corporate Governance Committee as part of the quarterly treasury management report. To all intents and purposes the investment in a pooled private debt fund replaces what would otherwise have been a cash investment, so it should still be considered a treasury management decision and be reported accordingly.

Other relevant issues

26. The £40m maximum investment amount provides flexibility to invest further monies into private debt funds, if this is felt to be appropriate. At the present

time there is no intention to make further investments in the asset class, but the flexibility is necessary in order to allow a commitment into a replacement fund in the period in which the original investment is maturing and repaying capital.

27. Within the Annual Investment Strategy there is a requirement to classify investments as either 'specified' or 'non-specified'. In broad terms a specified investment will be capable of repayment within one year and be made to a counterparty with a high credit rating; by implication non-specified investments are more risky than specified investments as they are either for longer periods of time or to lower-quality counterparties. Investment in pooled private debt funds will be classed as a non-specified investment.
28. The Corporate Governance Committee considered a report on this matter at its meeting on 17 November and expressed its support for the proposals.

Summary

29. Leicestershire's current Treasury Management Policy is very low risk and this remains broadly appropriate. The increasingly difficult budgetary position means that it is sensible to take a small amount of additional risk, in the expectation that this additional risk will be justified by the higher returns achieved by investing in a high-quality pooled private debt fund.
30. The risks inherent within the recommended private debt fund are considered to be relatively low, and when judged at a portfolio level (the private debt fund will be circa 10% of the total treasury management portfolio) the overall risk within treasury management will remain low. The increased level of risk appears adequately compensated for by the additional interest that is expected to be earned by the investment, relative to what might reasonably be expected from a cash deposit.

Background Papers

31. Report to the Corporate Governance Committee – 17 November 2017 – Recommended Change to Treasury Management Policy in Respect of the Lending of Surplus Balances
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=434&MId=4825&Ver=4>

Equality and Human Rights Implications

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