



Meeting: **Cabinet**

Date/Time: **Tuesday, 29 March 2022 at 2.00 pm**

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

Contact: **Mr. M. Hand (Tel. 0116 305 2583)**

Email: **matthew.hand@leics.gov.uk**

Membership

Mr. N. J. Rushton CC (Chairman)

Mr. B. L. Pain CC Mrs H. L. Richardson CC
Mrs D. Taylor CC Mrs. P. Posnett MBE CC
Mrs. C. M. Radford CC Mr. R. J. Shepherd CC
Mr. O. O'Shea JP CC Mr. P. Bedford CC
Mr. L. Breckon JP CC

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– Notices will be on display at the meeting explaining the arrangements.**

AGENDA

<u>Item</u>	<u>Report by</u>
1. Minutes of the meeting held on 11 February 2022.	(Pages 3 - 12)
2. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.	
3. Declarations of interest in respect of items on the agenda.	
4. Environment and Transport Department's 2022/23 Highways and Transportation Capital Programme and Works Programme.	Director of Environment and Transport (Pages 13 - 54)



5.	A511 Growth Corridor Proposals - Bardon Link Road.	Director of Environment and Transport	(Pages 55 - 92)
6.	National Bus Strategy - Enhanced Partnership Plan and Scheme and Bus Service Improvement Plan.	Director of Environment and Transport	(Pages 93 - 152)
7.	Local Bus Service Challenges and Impacts.	Director of Environment and Transport	(Pages 153 - 164)
8.	Leicester City Council Workplace Parking Levy Business Case Proposals.	Director of Environment and Transport	(Pages 165 - 180)
9.	Exception to Contract Procedure Rules - Urgent Action Taken by the Chief Executive in Relation to the Confirm Highway Management System.	Director of Environment and Transport	(Pages 181 - 184)
10.	Charging for Social Care and Support Policy.	Director of Adults and Communities	(Pages 185 - 246)
11.	Leicestershire County Council's Strategic Plan 2022 - 2026.	Chief Executive	(Pages 247 - 308)
12.	Leicestershire County Council Communities Strategy - Our Communities Approach 2022 - 2026.	Chief Executive	(Pages 309 - 334)
13.	Response to the Hinckley National Rail Freight Interchange Consultation.	Chief Executive	(Pages 335 - 348)
14.	Response to the Hinckley and Bosworth Borough Council Pre Submission Local Plan (2020 - 2039) Regulation 19 Consultation.	Chief Executive	(Pages 349 - 380)
15.	Response to North West Leicestershire District Council Local Plan Review: Development Strategy and Policy Options (Regulation 18) Consultation.	Chief Executive	(Pages 381 - 420)
16.	Items referred from Overview and Scrutiny.		
17.	Any other items which the Chairman has decided to take as urgent.		



Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Friday, 11 February 2022.

PRESENT

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

Mrs D. Taylor CC
Mrs. C. M. Radford CC
Mr. O. O'Shea JP CC
Mr. L. Breckon JP CC

Mrs H. L. Richardson CC
Mrs. P. Posnett MBE CC
Mr. R. J. Shepherd CC
Mr. P. Bedford CC

Apologies

Mr. B. L. Pain CC

In attendance

Mr. R. Ashman CC, Mrs. B. Seaton CC, Mr. M. Mullaney CC, Mr. M. Hunt CC

93. Minutes of the previous meeting.

The minutes of the meeting held on 14 December 2021 were taken as read, confirmed and signed.

94. Urgent items.

There were no urgent items for consideration.

95. 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.

With regard to agenda item 4 – Provisional Medium Term Financial Strategy - Cabinet members who were also members of district councils declared an Other Registerable Interest (namely, Mr. N. J. Rushton CC, Mr. L. Breckon CC, Mr. O. O'Shea CC, Mrs. P. Posnett CC, Mrs. C. M. Radford CC, Mrs L. Richardson CC, Mr. R. Shepherd CC and Mrs D. Taylor CC).

Mr O'Shea declared an Other Registerable Interest in agenda item 5: Hinckley and Bosworth Borough Council's New Local Plan – Response to Regulation 19 Consultation, as a member of Hinckley and Bosworth Borough Council.

96. Provisional Medium Term Financial Strategy 2022/23 to 2025/26.

The Cabinet considered a report of the Director of Corporate Resources concerning the Council's proposed 2022/23 to 2025/26 Medium Term Financial Strategy (MTFS), following consideration of the draft MTFS by the Overview and Scrutiny bodies and

receipt of the Local Government Finance Settlement. A copy of the report, marked 'Agenda Item 4', is filed with these minutes.

The Director reported that the Council was in a slightly improved position following the Local Government Finance Settlement announced in December, which had reduced the shortfall in 2023/24 from £11.5m to £7.9m.

Mr. Breckon CC said that the Council would continue to work hard to close the funding gap and deliver the required savings which would have been far greater had the 3% Council Tax rise not been proposed. He added that responses to the budget consultation indicated a good level of support for the proposals which committed the Authority to continue to protect the most vulnerable whilst supporting important initiatives such as the SHIRE Community Grants Scheme and a Tree Nursery to help the Authority deliver upon its pledge to plant 700,000 trees in the County. He concluded that the Council would continue to work with Leicestershire MPs to push for fair funding.

Mr Shepherd CC said that whilst he welcomed the reduction in the projected shortfall as a result of the improved Government Settlement, it was clear from the report that difficult decisions would still need to be made in order for the Council to be able to continue to deliver its statutory services.

Mr Bedford CC welcomed the success of the Council's Corporate Asset Investment Fund which had provided a regular income stream to offset some of the additional costs faced by the Authority. He welcomed the comments of the external auditors, Grant Thornton, which recognised the sound management of the Council's finances.

Mrs Taylor CC said that the high needs block element of the school funding budget had a deficit of £9.1m for 2021/22 which added to existing deficits would total over £26m in the current financial year, rising to over £62m by the end of the four year MTFS. This was a position that could not continue and the Government needed to consider quickly how this national issue could be addressed.

The Leader welcomed the allocation of funding to support the SHIRE Community Grants scheme, the closure of roads to facilitate street parties to celebrate the Queens Jubilee and a new Tree Nursery. He added that the significant increase in inflation and fuel costs, which was impacting the County's residents, was also affecting the Council and therefore the proposed rise in Council tax was needed in order for it to help manage the gap in funding.

RESOLVED:

- I. That the comments of the Overview and Scrutiny Committees and the Scrutiny Commission as set out in Appendix Q to the report be noted;
- II. That the following be recommended to the County Council:
 - a) That subject to the items below, approval be given to the Medium Term Financial Strategy (MTFS) which incorporates the recommended revenue budget for 2022/23 totalling £471.7m as set out in Appendices A, B and E of this report and includes the growth and savings for that year as set out in Appendix C;

- b) That approval be given to the projected provisional revenue budgets for 2023/24, 2024/25 and 2025/26, set out in Appendix B to the report, including the growth and savings for those years as set out in Appendix C, allowing the undertaking of preliminary work, including business case development, consultation, and equality and human rights impact assessments, as may be necessary towards achieving the savings specified for those years including savings under development set out in Appendix D;
- c) That approval be given to the early achievement of savings that are included in the MTFS, as may be necessary, along with associated investment costs, subject to the Director of Corporate Resources agreeing to funding being available;
- d) That the level of the general fund and earmarked funds as set out in Appendix K be noted and the use of those earmarked funds as indicated in that appendix be approved;
- e) That the amounts of the County Council's Council Tax for each band of dwelling and the precept payable by each billing authority for 2022/23 be as set out in Appendix M (including 1% for the adult social care precept);
- f) That the Chief Executive be authorised to issue the necessary precepts to billing authorities in accordance with the budget requirement above and the tax base notified by the District Councils, and to take any other action which may be necessary to give effect to the precepts;
- g) That the 2022/23 to 2025/26 capital programme as set out in Appendix F be approved;
- h) That the Director of Corporate Resources, following consultation with the Cabinet Lead Member for Resources, be authorised to approve new capital schemes, including revenue costs associated with their delivery, shown as future developments in the capital programme, to be funded from funding available;
- i) That the financial indicators required under the Prudential Code included in Appendix N, Annex 2 be noted and that the following limits be approved:

	2022/23 £m	2023/24 £m	2024/25 £m	2025/26 £m
Operational boundary for external debt				
i) Borrowing	263	263	311	340
ii) Other long term liabilities	1	1	1	1
TOTAL	264	264	312	341
Authorised limit for external debt				
i) Borrowing	273	273	321	350
ii) Other long term liabilities	1	1	1	1
TOTAL	274	274	322	351

- j) That the Director of Corporate Resources be authorised to effect movement within the authorised limit for external debt between borrowing and other long-term liabilities;
- k) That the following borrowing limits be approved for the period 2022/23 to 2025/26:
- (i) Upper limit on fixed interest exposures 100%;
 - (ii) Upper limit on variable rate exposures 50%;
 - (iii) Maturity of borrowing:-

	<u>Upper Limit</u>	<u>Lower Limit</u>
	%	%
Under 12 months	30	0
12 months and within 24 months	30	0
24 months and within 5 years	50	0
5 years and within 10 years	70	0
10 years and above	100	25

(iv) An upper limit for principal sums invested for periods longer than 364 days is 10% of the portfolio.

- l) That the Director of Corporate Resources be authorised to enter into such loans or undertake such arrangements as necessary to finance capital payments in 2022/23, subject to the prudential limits in Appendix N;
- m) That the Treasury Management Strategy Statement and the Annual Investment Strategy for 2022/23, as set out in Appendix N, be approved including:
- I. The Treasury Management Policy Statement, Appendix N; Annex 4;
 - II. The Annual Statement of the Annual Minimum Revenue Provision as set out in Appendix N, Annex 1;
- n) That the Capital Strategy (Appendix G), Corporate Asset Investment Fund Strategy (Appendix H), Risk Management Policy and Strategy (Appendix I), Earmarked Funds Policy (Appendix J) and Insurance Policy (Appendix L) be approved;
- o) That it be noted that the Leicester and Leicestershire Business Rate Pool will continue for 2022/23;
- p) That the Director of Corporate Resources following consultation with the Cabinet Lead Member for Resources be authorised to make any changes to the provisional MTFs which may be required as a result of changes arising between the Cabinet and County Council meetings, noting that any changes will be reported to the County Council on 23rd February 2022;
- q) That the Leicestershire School Funding Formula remains unchanged, reflecting the National Funding Formula for 2022/23.

(KEY DECISION)

REASONS FOR DECISION:

To enable the County Council to meet its statutory requirements with respect to setting a budget and Council Tax precept for 2022/23, to allow efficient financial administration during 2022/23 and to provide a basis for the planning of services over the next four years.

Continuing an unchanged Leicestershire School Funding Formula for 2022/23 will ensure that it fully reflects the National Funding Formula (NFF).

97. Hinckley and Bosworth Borough Council's New Local Plan - Response to Regulation 19 Consultation.

The Cabinet considered a report of the Chief Executive concerning Hinckley and Bosworth Borough Council's emerging Local Plan, and to seek approval for the formal response to the latest (Regulation 19) consultation to be submitted by the Chief Executive. A copy of the report, marked 'Agenda Item 5', is filed with these minutes.

The Chief Executive said that whilst the consultation period had been delayed, a delegation to enable the Chief Executive to submit the County Council's response was still required as the County Council's Cabinet was not due to meet again until after the new submission deadline of the 23 March.

Mr O'Shea CC said that there remained significant concern with regards to the infrastructure, school and highways provision outlined in the draft Local Plan.

Mr Bedford CC said it was vital for the residents of the district and wider County that there was a robust Local Plan in place.

The Leader said that a sound Local Plan would ensure that developments in the Borough were accompanied by the necessary infrastructure.

RESOLVED:

- a) That the Chief Executive, following consultation with the Cabinet Lead Member, be authorised to submit the County Council's formal response to Hinckley and Bosworth Borough Council's consultation on its Local Plan 2020 to 2039 Submission version;
- b) That it be noted that at this stage insufficient evidence has been provided to demonstrate that the Local Plan meets the tests of soundness as set out in Paragraph 35 of the National Planning Policy Framework and as a result, this is likely to form the basis of the County Council's response.

REASON FOR DECISION:

HBBC's consultation exercise runs from the 9 February to 23 March 2022. As the Cabinet is not due to meet again until 29 March 2022, authorising the Chief Executive to submit comments on behalf of the County Council will enable a response to be prepared within the statutory timeframe.

The planning system requires that a local planning authority may only submit its Local Plan for examination if it is confident that it will meet the tests of soundness. The HBBC Local Plan has been presented as a submission version without properly considering the

transport impacts of the intended growth strategy and without setting out how the impacts of the strategy will be mitigated. The County Council is therefore concerned that if the Local Plan is submitted for examination at this stage, it will not be possible to demonstrate that the Plan is capable of being found sound and may be rejected.

98. Becoming an Anti-Racist Organisation.

The Cabinet considered a report of the Chief Executive concerning the County Council's proposal to make a formal commitment to becoming an anti-racist organisation. A copy of the report, marked 'Agenda Item 6', is filed with these minutes.

Mrs Posnett CC said that the Council was proud of its record with regards to race relations and its commitment to promoting equality. The formal pledge for the Council to become an anti-racist organisation would emphasise its duty to ensure that any concerns of unfairness or discrimination were properly addressed and resolved.

RESOLVED:

- a) That the comments of the Employment Committee be noted;
- b) That at its meeting on 23 February the County Council is recommended to make a clear commitment to becoming an anti-racist organisation.

REASON FOR DECISION:

Whilst the County Council is rightly proud of its record on race relations and complies with the Public Sector Equality Duties enshrined in the Equality Act 2010, the formal commitment for the Council to become an anti-racist organisation will emphasise its commitment to taking a positive and proactive approach to ensure that any concerns or perceptions of unfairness or discrimination with employment and service delivery are systematically addressed and resolved. The Council will demonstrate leadership and transparency in making this commitment, which will be backed by a systematic Action Plan and dedicated resources to drive implementation.

99. Leicestershire Rural Framework 2022-2030.

The Cabinet considered a report of the Chief Executive which sought approval for a revised Leicestershire Rural Framework. A copy of the report, marked 'Agenda Item 7', is filed with these minutes.

RESOLVED:

That the Leicestershire Rural Framework 2022-2030 be approved.

REASON FOR DECISION:

To provide a revised framework which outlines the key priorities for rural Leicestershire. The Framework does not seek to duplicate existing countywide strategies, but instead complements and supports their delivery from a rural perspective.

100. Development of a Family Hubs Model in Leicestershire

The Cabinet considered a report of the Director of Children and Family Services concerning the proposed implementation of a Family Hubs Model for Leicestershire. A copy of the report, marked 'Agenda Item 8', is filed with these minutes.

Mrs Taylor CC said that the proposed Model would support a system wide approach to delivering sustainable support for families across the County. She added that the outcome of the bid to the Department for Education to assist with the initial implementation of the Model was still awaited.

RESOLVED:

- a) That the principle of a Family Hubs Model of service delivery for services provided by the Children and Family Wellbeing Service, be approved;
- b) That it be noted that a feasibility study, which will include engagement with families and other stakeholders, will be undertaken in order to inform the new Family Hubs Model;
- c) That the Director of Children and Family Services, following consultation with the Cabinet Lead Member, be authorised to finalise the new Family Hubs Model and take the necessary action in order to enable its implementation.

REASONS FOR DECISION:

The Family Hubs Model brings together key elements of government policy including the Supporting Families Programme (previously known as Troubled Families), Best Start in Life Vision for 1001 Critical Days, and the Department for Health's Start for Life Programme for maternity services.

As per the requirements set out by the Department for Education (DfE) (which is the Government Department leading on the development of Family Hubs), Cabinet agreement was sought for the County Council to move to a Family Hubs Model of service delivery. A Feasibility Study would undertaken prior to its implementation (also a DfE requirement) to map existing services which may fall within the model and to identify relevant data which will support the setting of priorities.

101. Leicestershire's Policy on Admissions to Mainstream Schools: Determination of Admission Arrangements.

The Cabinet considered a report of the Director of Children and Family Services regarding Leicestershire's School Admissions Policy and associated coordinated admissions schemes. A copy of the report, marked 'Agenda Item 9', is filed with these minutes.

RESOLVED:

That the Leicestershire School Admissions Policy for entry from September 2023 and associated coordinated admissions arrangements for first-time admissions, secondary transfers and mid-term transfers, as set out in the Appendix to the report, be approved.

REASON FOR DECISION:

The School Standards and Framework Act 1988 places an obligation on the County Council to determine the admission arrangements for community and voluntary controlled schools in Leicestershire. As an admitting authority the County Council is required to determine the admission arrangements for such schools in Leicestershire from September 2023 by 28 February 2022 and make them available on the Council's website no later than 15 March 2022. This will then provide all parents and carers over a year's notice to allow them to make informed preferences when applying for a school place from 2023.

102. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

103. Exclusion of the Press and Public.

That under Section 100A of the Local Government Act 1972, the public be excluded for the remaining item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 3 and 10 of Part 1 of Schedule 12A of the Act and that, in all circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

104. Exception to Contract Procedure Rules to Provide Agency Cover.

The Cabinet considered an exempt report of the Director of Children and Family Services which sought the Cabinet's approval for an exception to the Council's Contract Procedure Rules to enable the direct award of contracts for the temporary provision of qualified social workers. A copy of the report, marked 'Agenda Item 13', is filed with these minutes. The report was not for publication by virtue of paragraphs 3 and 10 of Schedule 12A of the Local Government Act 1972.

RESOLVED:

That an exception to the Contract Procedure Rules be approved to enable the Director of Children and Family Services to approve the direct award of contracts to the five suppliers identified in paragraph 21 of the report for the temporary provision of qualified social workers, with the contracts running until 31 March 2023 with a maximum combined spend of £1.6m.

REASONS FOR DECISION:

The County Council's Contract Procedure Rules (Part 4G of the Constitution) require that, where the estimated value of a contract exceeds £181,302, formal tenders must be invited.

Where an exception to the Contract Procedure Rules is required for contracts over £181,302, Rule 6 (b)(ii) provides that Cabinet approval be obtained to the exception where this is justified on its merits. The contracts with the five agencies are expected to have a combined value not exceeding £1.6m up to 31 March 2023, each of which is likely to be over the £181,302 threshold.

The circumstances and financial considerations surrounding the proposal, explained in Part B of this report, mean that other procurement processes were not possible in order to ensure business continuity.

The Department had been unable to source all of the necessary staff required via the Council's existing agency arrangements and needs to ensure there are sufficient qualified social workers available.

Work with the Council's existing corporate contractor for agency staff was ongoing to source more qualified social workers. If necessary, a procurement exercise (compliant with Contract Procedure Rules) would be undertaken for the provision of qualified social worker agency staff from 1 April 2023.

11.00 - 11.37 am
11 February 2022

CHAIRMAN

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CABINET – 29 MARCH 2022

**ENVIRONMENT AND TRANSPORT DEPARTMENT'S
2022/23 HIGHWAYS AND TRANSPORTATION
CAPITAL PROGRAMME AND WORKS PROGRAMME**

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

PART A

Purpose of the Report

1. The purpose of this report is to seek the Cabinet's approval for the Environment and Transport Department's 2022/23 Highways and Transportation Capital Programme and Works Programme, which are appended to this report as Appendix A and Appendix B respectively.
2. The Highways Capital Programme is aligned with the Council's Medium Term Financial Strategy (MTFS) 2022/23 to 2025/26, approved by the County Council at its meeting on 23 February 2022.

Recommendations

3. It is recommended that:
 - (a) The Environment and Transport Department's 2022/23 Highways and Transportation Capital Programme and Works Programme be approved;
 - (b) That the Director of Environment and Transport be authorised,
 - (i) following consultation with the Director of Corporate Resources and the Cabinet Lead Members for Highways and Transportation and Corporate Resources, to prepare and submit bids, as appropriate, to secure external funding for delivery of schemes identified in the Highways and Transportation Capital Programme and Works Programme;
 - (ii) following consultation with the Director of Corporate Resources, the Director of Law and Governance and the Cabinet Lead Member for Corporate Resources, to enter into such contracts as is necessary to progress schemes in the approved Highways and Transportation Capital Programme and Works Programme to allow early contractor involvement to take place in advance of

all external funding required to deliver the scheme being secured, subject to the key principles (a) to (g) set out in paragraph 41 of this report.

Reasons for Recommendations

4. To approve the Environment and Transport Department's Highways Capital Programme and Works Programme for the 2022/23 financial year.
5. To enable the delivery of large capital schemes using a collaborative approach to work with contractors to reduce risk and increase cost certainty. Working in this way will also provide necessary assurance to partners and third-party funders contributing to the cost of delivering the Highways Capital Programme.

Timetable for Decisions (including Scrutiny)

6. A report was considered by the Highways and Transport Overview and Scrutiny Committee on 3 March 2022 and its comments are included in Part B of this report.
7. Subject to the Cabinet's approval, the Environment and Transport 2022/23 Highways and Transportation Capital Programme and Works Programme will be published on the County Council's website.

Policy Framework and Previous Decisions

8. The 2021/22 Highways and Transportation Capital Programme and Works Programme was approved by the Cabinet on 23 March 2021.
9. A draft MTFS 2022/23 to 2025/26 was considered by the Cabinet at its meeting on 14 December 2021 and approved for consultation and scrutiny. Subsequently, at its meeting on 11 February 2022, the Cabinet, inter-alia, recommended a proposed MTFS 2022-26 for approval by the County Council. The County Council approved this MTFS at its meeting on 23 February 2022.
10. The Department's key highways-related plans and strategies have been considered when developing the 2022/23 Highways and Transportation Capital Programme and Works Programme. These include:
 - a) The Local Transport Plan (LTP3) (2011 to 2026) – adopted by the County Council on 23 March 2011.
 - b) The Highway Asset Management Policy and Highway Asset Management Strategy – approved by the Cabinet on 23 June 2017 (updated in December 2020 following consultation with the Lead Member for Highways, Transport and Waste).
 - c) The Highways Infrastructure Asset Management Plan – approved by the Cabinet on 15 September 2017 (updated in October 2020 following consultation with the Lead Member for Highways, Transport and Waste).

- d) The Leicester and Leicestershire Strategic Growth Plan – approved by the Cabinet on 23 November 2018.
 - e) Revised Environment Strategy and Action Plan – approved by the County Council on 8 July 2020.
 - f) The Leicester and Leicestershire Strategic Transport Priorities - approved by the Cabinet on 20 November 2020.
 - g) The Network Management Plan (NMP) - approved by the Cabinet on 15 December 2020.
 - h) The Cycling and Walking Strategy – approved by the Cabinet on 20 July 2021.
 - i) Various area specific strategies, including the Interim Melton Mowbray Transport Strategy (IMMTS) and Interim Coalville Transport Strategy (ICTS), approved by the Cabinet on 20 July 2021 and 17 September 2021 respectively.
11. In October 2021, the Cabinet approved for consultation the draft Strategic Plan (2022-26). Elsewhere on this meeting agenda, the Cabinet is being presented with the key findings from the consultation and its approval is being sought for the revised Strategic Plan (2022-26) to be submitted to the County Council for consideration. The programmes will support the delivery of the Plan's objectives.

Resource Implications

12. The programmes are aligned to the budget envelopes included in the MTFS 2022-26 as approved by the County Council in February 2022 and no additional funding is being sought through this report.
13. The actions outlined in the Highways and Transportation Works Programme will be funded from a variety of sources, including capital and revenue budgets and current external sources of funding. Officers will continue to explore and, as appropriate, pursue any additional sources of external funding should opportunities arise.
14. The two programmes will require significant amounts of money in order to be delivered and represent a continued commitment by the Authority to deliver on its strategic objectives, not least to aid economic recovery from the Covid-19 pandemic's impacts and to improve the environment. It is important to note that whilst these figures are large, the Capital Programme has been developed to fit within the budget envelope available/affordable and not the other way around. In practice, based on current evidence, future population growth projections and current societal behaviours, the levels of funding available through the Council's own budgets and Government funding allocations, while delivering vital work, are insufficient to meet current and future needs of the County.
15. Therefore, the Authority's funding alone, as well as Government funding allocations, will not be sufficient to provide for all the highways and transport infrastructure and measures that will be needed to meet the requirements of the

County's growing population and to fulfil the Council's wider growth agenda. This is evidenced through work underpinning Local Plan development and driven by the growth proposals that those plans cover (including to meet the housing number requirements set by the Government). Without investment from elsewhere, growth will be frustrated and/or travel conditions on Leicestershire's transport system will deteriorate. Similarly, it will not be possible to maintain the current standards of the Authority's existing highways assets (i.e., the area's roads, cycleways and footways, verges, bridges, signs, and lines, etc.) without additional funding from other sources, which means the condition of the existing highways assets will continue to decline.

16. There are also likely to be significant costs to the Authority in respect of climate change. This is both in terms of the resources and work required to support efforts to decarbonise travel (transport) in the County to the degree necessary to meet net zero commitments/requirements and from the impacts of likely increased extreme weather events on highway assets. Addressing the challenges of achieving net-zero and climate change are likely to be a central feature of the next Local Transport Plan (LTP4), the development of which will be the subject of future reports to the Cabinet in 2022/23.
17. What monies are available need to be invested in projects and measures that deliver maximum benefit over the longest possible period. It also emphasises the importance of ensuring that the Authority is well prepared to secure additional funding from other sources, including via bids to the Government and from developers (not just via planning applications, but also through ensuring that Local Plans prepared by district councils provide a robust policy basis for seeking contributions).
18. The Highways and Transportation Works Programme is resource intensive, both in staff and financial terms. The impacts of the Covid-19 pandemic and pressures arising from work by other bodies, such as the development of new district Local Plans, has impacted on the delivery of the current year's programme, including work on the development of the South West Leicester Area Transport Strategy and the next priority Local Cycling and Walking Infrastructure Plans. Additionally, like many sectors of the economy, skill shortages and/or the inability to retain the necessary skills, will continue to impact on the programme's delivery. The implications of this include the risk of slippage on programme delivery and cost escalation as market prices increase. Thus, going forward it will be evermore important to ensure that resources are focused on the effective delivery of the approved programme. More detail on the financial context is provided in Part B of this report.
19. The Director of Corporate Resources and the Director of Law and Governance have been consulted on this report.

Circulation under the Local Issues Alert Procedure

20. None.

Officers to Contact

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PART B

Background

Strategic context

21. The 2022/23 Highways and Transportation Capital Programme and Works Programme reflects the Environment and Transport Department's current key highway service-related policies, strategies, and plans, as detailed above, whilst also taking account of the Council's future priorities.
22. These policies, strategies and plans will remain in place for the foreseeable future and those developed and owned by the Council will continue to be assessed and reviewed where appropriate to ensure that they remain fit for purpose. The 2022/23 Highways and Transportation Capital Programme and Works Programme will be updated to reflect any changes arising. These changes will be undertaken by the Director of Environment and Transport, following consultation with the Director of Corporate Resources and the Cabinet Lead Member for Highways, Transportation and Flooding, using their existing delegated authority.
23. Furthermore, these programmes have previously been, and will continue to be, driven by wider strategic agendas, in particular being heavily informed by transport evidence associated with district councils' work to develop Local Plans; how particular projects support the delivery of growth is highlighted in the overview of the programmes set out further on in this report and in Appendix B.

Financial context

24. The County Council continues to operate in an extremely challenging financial environment, with the ongoing impact of the Covid-19 pandemic only serving to exacerbate pre-pandemic issues arising from spending pressures that it faces. This is similar to most other local authorities across the country; however, Leicestershire County Council faces the additional challenge of being the lowest Government-funded shire authority in England.
25. The recently approved MTFS 2022-26 sets out the Council's response to the financial position and sets out in detail £40m of savings and proposed reviews that will identify further savings to offset the £39.5m funding gap in 2025/26. This is a challenging task, especially given that savings of £230m have already been delivered over the last 12 years. In addition, over the period of the MTFS, growth of £87.9m is required to meet demand and service pressures with £35.5m required in 2022/23.
26. Given this financial situation, the County Council has recently undergone an extensive independent audit to review how it develops and delivers the Highways and Transport Capital Programme. This was driven by unstable market conditions, increasing scheme costs, the current financial position of the Council and the acknowledgement that the programme is the largest the

County Council has ever had. The intention of the audit is to ensure that the Authority continues to develop and deliver the Capital Programme in the most effective and efficient way possible in order to maximise the value/benefits of investments made in projects.

27. Nevertheless, the County Council, as the Local Highway Authority for the area, is under significant challenge to maintain its highway assets to the standard that it once did; this is a national problem.
28. Going forward, officers will continue to look at how the state of the County's highway assets is likely to affect the balance of future years' spend across all asset management and maintenance activities. Future Works Programmes will have to look different in order to seek to check the rate at which the condition of highway assets is deteriorating. Significantly greater levels of funding would need to be made available and to be devoted to preventative work, i.e., planned programmes of work that seek to maintain the state (structural integrity) of the County's highway assets to the best overall condition possible in the circumstances.
29. Correspondingly, less funding would be available for reactive maintenance (for example, the repair of potholes on low-speed and/or lightly traffic roads). In any event a reactive approach amounts to less productive use of funding by spending more money on something that is no longer effective, i.e., the state of the road network is now at a point where reactive maintenance is not only failing to check the rate of deterioration but also potentially failing to adequately mitigate road safety and claims risks. This is because potholes and cracks are appearing across the road network at a faster rate than can be repaired, largely due to underlying structural integrity issues that can only be addressed by the ability to invest more heavily in preventative maintenance work.
30. Less funding would also be available for work relating to the appearance of the assets, such as grass cutting beyond that required in respect of road safety.
31. Maintenance programmes will also need to evolve in the light of the impacts of climate change, for example, how changes in average temperatures might affect the nature of interventions and how to seek to mitigate against the likelihood of more frequent extreme weather events. Matters such as these will be covered in greater detail when the Highways Asset Risk Management Strategy is presented to the Cabinet for consideration during 2022/23.
32. Similarly, due to financial constraints, the Authority is not able to add to, or improve, the area's transport system to the extent that it once could, for instance through minor improvement programmes or measures to tackle congestion or to improve cycling and walking facilities across the whole of the County. Such improvements will only be possible where external funding is available.
33. Looking ahead, much uncertainty about the United Kingdom's overall financial and economic prospects continues; the ongoing financial impacts of the Covid-

19 pandemic are still unclear, and continued concerns remain over the United Kingdom's future trading relationship with the European Union. Such uncertainties will likely affect local government funding in the medium term.

34. Furthermore, housing and economic growth around the County is likely to put increasing pressure on its transport system, generating the need for further measures to mitigate the impacts of growth on communities, businesses, and the environment (including implications for achieving net-zero).
35. These uncertainties and pressures come at a time of considerable challenges to local authorities (and the highways and transport sector more widely) in seeking to secure and retain people/resource to deliver projects. Combined with a significant construction materials' inflation rate which is forecast to remain high (prices in July 2021 were 20% higher than the previous year), this means that every pound now spent on both capital and maintenance works buys less than it did even just a year ago.
36. The Environment and Transport Department's Capital Programme budget totals £226.4m over the period 2022-26, of which £221.3m (97.7%) is the Highways and Transportation element (it should be noted that these figures do not include any potential slippage/acceleration). This capital funding comes from several sources such as various Government grants and competitive funding streams, capital receipts, the County Council's capital budget and revenue balances and external contributions such as developer contributions.

2022/23 Highways and Transportation Capital and Works Programmes

37. The 2022/23 Highway Capital Programme (attached as Appendix A to this report) sets out a summary of the budget breakdown for each of the highway's capital lines set out in the refreshed MTFS. It also presents figures for the period 2023/24 to 2025/26, although those may be subject to change as a result of future MTFS refreshes and/or Government funding announcements.
38. The total highways capital spend for 2022/23 is £56.05m and the main areas of spend are:
 - a) Melton Mowbray Distributor Road - North and East Sections
£20.7m in 2022/23. Work is ongoing to secure the necessary statutory orders and prepare the scheme for construction, which is partly funded by £49.5m Department for Transport (DfT) grant with the balance coming from developer contributions (in some cases forward funded by the Authority). Work is currently being carried out to review costs now that the project is at detailed design stage.
 - b) Melton Mowbray Distributor Road - Southern Section
£1.99m in 2022/23. Construction of the new road is partly funded by an approved £18.2m Housing Investment Fund grant and forward funding of developer contributions using Highways Act powers.

- c) Zouch Bridge Replacement – Construction and Enabling Works
£5m in 2022/23, which will address structural issues with this bridge on the A6006. Without the issues being addressed, it is likely that use of the bridge by larger vehicles would have to be restricted, potentially even prohibited, which would give rise to economic and environmental impacts caused by the need for lorries to significantly re-route.
- d) County Council Vehicle Replacement Programme
£2.99m in 2022/23. Investment in new vehicles to replace aged vehicles, reduce running costs, making them cleaner and lower CO₂ emissions.
- e) Advance Design / Match Funding
£3.07m in 2022/23. It is perhaps now more important than ever, given the need to support economic recovery in the light of impacts of the pandemic, that the Authority retains the ability to fund work that enables a pipeline of transport projects to be maintained. This funding will cover ongoing transport strategy development and delivery, advanced design works to support future major transport schemes and bids to the Government, work to identify measures to support the delivery of the new round of local plans and work to identify strategic transport infrastructure requirements for Leicester and Leicestershire to 2050. Any bidding will be carefully considered in light of potential financial risk and commitment to the Council.
- f) A511 / A50 Major Road Network – Advance Design Works
£0.94m in 2022/23 is allocated for ongoing design work for the scheme, which is partly funded by the Government's Major Road Network programme.
- g) Melton Depot Replacement
£0.55m in 2022/23 to find an alternative depot site to replace the existing Melton depot, where the lease is due to expire.
- h) Pan Regional Transport Model (PRTM)* Refresh
£1.25m in 2022/23. This investment will continue to ensure that the Authority has the best tools possible to assess and forecast likely future travel demands and impacts, helping to provide robust evidence to inform future policy and strategy development (including environmental); scheme identification and development; funding bids to the Government.
* Previously known as the Leicester and Leicestershire Integrated Transport Model – LLITM
- i) Transport Asset Management Programme
£19.25m in 2022/23 for capital maintenance works for highways and transport assets across the County such as roads and footways.
- j) Safety Schemes
£0.30m in 2022/23. To enable the delivery of road safety schemes where accident levels highlight that they are required.

39. Funding for asset management includes a one-off allocation of £6m from reserves over the next two financial years (2022/23 and 2023/24), which will be used to support patching work, the surface dressing programme and traffic signal equipment renewals.
40. The 2022/23 Highways and Transportation Works Programme (see Appendix B) contains actions (intervention/work/treatment), some of which are part of longer-term projects that will take place over a number of years or may be implemented beyond 2022/23. Appendix B provides more information behind the budget lines set out in Appendix A and provides further highlights on how the work is aligned to the delivery of strategies, supporting growth and reducing carbon levels.
41. As set out in the report to the Cabinet in February on the Medium Term Financial Strategy 2022/23 – 20245/26, the approach to developing the Authority's overall Capital Programme has been based on the following key principles:
 - a) To invest in priority areas of growth, including roads, infrastructure, climate change, including the forward funding of projects.
 - b) To invest in projects that generate a positive revenue return (spend to save).
 - c) To invest in ways which support delivery of essential services.
 - d) Passport the Government capital grants received for key priorities for highways and education to those departments.
 - e) Maximise the achievement of capital receipts.
 - f) Maximise other sources of income such as bids to the Leicester and Leicestershire Enterprise Partnership (LEEP), section 106 developer contributions and other external funding agencies.
 - g) No or limited prudential borrowing (only if the returns exceed the borrowing costs).
42. The 2022/23 Highways and Transportation Capital and Works Programmes have been prepared using the most current information available and will be revised as necessary to ensure value for money and to respond to changing circumstances (for example, changes in Government policy or Government funding announcements). The programmes will continue to evolve, for reasons outlined earlier in this report and in light of the County Council's carbon reduction commitments.
43. Going forward, the funding position remains uncertain nationally in respect of future levels of Government investment in major transport projects, given the impacts of the Covid-19 pandemic on the Country's finances, and the affordability of such large projects, is a major issue for the Council. This at a time when evidence is showing the forecast pressures on Leicester's and Leicestershire's transport system as a result of population and economic growth.

44. There are likely to be significant additional pressures in terms of the advanced design/match funding for the transport infrastructure required to enable Leicester's and Leicestershire's growth ambitions, as set out in the Strategic Growth Plan.
45. It will not be possible to meet all these pressures through the current approach of funding advanced design/match funding predominantly through the Highways and Transportation Capital Programme or one-off allocations from other County Council budgets. To progress, the Council will need to maximise funding opportunities, including:
 - a) DfT funding including risk funding.
 - b) Developer contributions - need to maximise and de-risk developer contribution before we submit a scheme and limit forward funding of developer contributions.
 - c) Business rate contributions (for example from the East Midlands Freeport proposal).
46. There is a risk of bids to the Government being rejected (as the Authority limits local contributions) or if the Authority has to collect sufficient developer contributions before starting works (and not forward fund).

Comments of the Environment and Transport Overview and Scrutiny Committee

47. The Highways and Transport Overview and Scrutiny Committee considered a report of the Director of Environment and Transport which provided details of Department's Capital Programme and Works Programme 2022/23 at its meeting on 3 March 2022.
48. Members of the Committee raised concerns regarding paragraph 37 of the report which stated that the Authority's funding alone, as well as Government funding allocations, would not be sufficient to provide for all the highways and transport infrastructure and measures that would be needed to meet the requirements of the County's growing population and to fulfil the Council's wider growth agenda.
49. In response, the Director gave reassurance that some of the Capital Programme was funded by one-off Government grants for specific purposes. Therefore, the funding for those projects would not be affected by the financial difficulties facing the Department as a whole. However, it was acknowledged that there was a shortage of revenue funding and difficult decisions would need to be made on where funding was most needed. Members asked for their concern regarding this issue to be drawn to the attention of the Cabinet.

Equality and Human Rights Implications

50. There are no equality or human rights implications arising directly from the recommendations in this report. It has therefore not been necessary to

undertake a detailed equality assessment on the 2022/23 Highways and Transportation Capital Programme and Works Programme.

51. Equality and Human Rights Impact Assessments will be carried out in relation to work undertaken on individual projects contained within the 2022/23 Highways and Transportation Capital Programme and Works Programme, when appropriate.

Environmental Implications

52. No detailed environmental assessment has been undertaken on the 2022/23 Highways and Transportation Capital Programme and Works Programme. However, the County Council will assess the environmental implications of relevant new policies and schemes at appropriate points during their development.

Partnership Working and Associated Issues

53. Working with key partners, such as Leicester City Council, district councils, Department for Transport, National Highways, Network Rail, developers and Midlands Connect will continue to be important in seeking to secure additional funding to deliver future transport measures and infrastructure.

Risk Assessment

54. The 2022/23 Highways and Transportation Capital Programme and Works Programme have been risk assessed as part of a wider risk assessment of the Environment and Transport Department's business planning process.
55. The delivery of both programmes is supported by the Department's business planning process and risk assessments will be undertaken for individual teams, schemes and initiatives, as appropriate.

Background Papers

Leicestershire County Council's Local Transport Plan 3 (LTP3)

https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2017/1/9/Local_transport_plan.pdf

Report to the Cabinet on 23 June 2017 - Highway Asset Management Policy and Highway Asset Management Strategy

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135andMId=5120andVer=4>

Report to the Cabinet on 15 September 2017 - Highways Infrastructure Asset Management Plan (HIAMP)

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135andMId=4863andVer=4>

Report to the County Council on 8 July 2020 - Revised Environment Strategy and Action Plan

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=134&MID=6040>

Report to the Cabinet on 15 December 2020 - Network Management Plan
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6000&Ver=4>

Report to the Cabinet on 20 July 2021 – Cycling and Walking Strategy
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6445&Ver=4>

Report to the Cabinet on 20 July 2021 – Interim Melton Mowbray Transport Strategy
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6445&Ver=4>

Report to the Cabinet on 17 September 2021 – Interim Coalville Transport Strategy
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6446&Ver=4>

Report to the County Council on 11 February 2022 - Medium Term Financial Strategy 2022/23 -2025/26
<https://politics.leics.gov.uk/documents/s166504/MTFS%202022-26%20Report%20-%20Cab%2011-02-22%20v9%20FINAL.pdf>

Appendices

Appendix A - Environment and Transport 2022/23 Highways and Transportation Capital Programme

Appendix B - Environment and Transport 2022/23 Highways and Transportation Works Programme

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Appendix A - 2022/2023 HIGHWAYS and TRANSPORTATION
23/24 - 25/26 HIGHWAYS and TRANSPORTATION - CAPITAL

CAPITAL PROGRAMME
PROGRAMME (Indicative Budgets)

BUDGETS							FUNDING FOR WHOLE PROJECTS				
Gross cost of Project / Scheme	Project / Scheme	MTFS Budget 2022/23	Indicative Budget 2023/24	Indicative Budget 2024/25	Indicative Budget 2025/26	Total for MTFS period	Council Funding	Anticipated yearly DFT Funding	Other Specific Grants Funding	External Contribution	Total Funding
	<u>Major Schemes</u>										
£85,270,000	1. Melton Mowbray Distributor Road - North & East Sections	£20,708,000	£29,230,000	£19,660,000	£0	£69,598,000	£25,086,000	£0	£40,512,000	£4,000,000	£69,598,000
£37,500,000	2. Melton Mowbray Distributor Road - Southern Section	£1,993,000	£3,684,000	£23,441,000	£5,601,000	£34,719,000	£18,843,000	£0	£15,876,000	£0	£34,719,000
£12,430,000	3. Zouch Bridge Replacement - Construction & Enabling Works	£5,000,000	£5,427,000	£0	£0	£10,427,000	£4,843,000	£5,584,000	£0	£0	£10,427,000
£10,595,000	4. County Council Vehicle Replacement Programme - Fleet Vehicles	£2,995,000	£2,700,000	£2,400,000	£2,500,000	£10,595,000	£10,595,000	£0	£0	£0	£10,595,000
£12,097,000	5. Advance Design / Match funding	£3,068,000	£3,438,000	£3,233,000	£2,358,000	£12,097,000	£1,204,000	£10,893,000	£0	£0	£12,097,000
£5,430,000	6. A511 / A50 Major Road Network - Advance Design Works	£942,000	£2,429,000	£0	£0	£3,371,000	£3,371,000	£0	£0	£0	£3,371,000
£10,000,000	7. Melton Depot Replacement	£550,000	£8,127,000	£968,000	£0	£9,645,000	£9,645,000	£0	£0	£0	£9,645,000
£1,700,000	8. Leicester & Leicestershire Inregrated Transport Model - Refresh	£1,250,000	£450,000	£0	£0	£1,700,000	£1,700,000	£0	£0	£0	£1,700,000
	Sub-Total - Major Schemes	£36,506,000	£55,485,000	£49,702,000	£10,459,000	£152,152,000	£75,287,000	£16,477,000	£56,388,000	£4,000,000	£152,152,000
£46,517,000	<u>Transport Asset Management</u>	0	£19,048,000	£14,531,000	£13,127,000	£46,706,000	-£995,000	£47,701,000	£0	£0	£46,706,000
£2,499,000	9. Capital Schemes and Design	£2,655,000	£0	£0	£0	£2,655,000	£1,493,000	£1,162,000	£0	£0	£2,655,000
£1,081,000	10. Bridges (Structures)	£1,081,000	£0	£0	£0	£1,081,000	£0	£1,081,000	£0	£0	£1,081,000
£303,000	11. Flood Alleviation Schemes - Environmental works	£303,000	£0	£0	£0	£303,000	£0	£303,000	£0	£0	£303,000
£1,730,000	12. Street Lighting	£1,730,000	£0	£0	£0	£1,730,000	£0	£1,730,000	£0	£0	£1,730,000
£433,000	13. Traffic Signal Renewal	£433,000	£0	£0	£0	£433,000	£0	£433,000	£0	£0	£433,000
£3,893,000	14. Preventative Maintenance (Surface Dressing)	£3,956,000	£0	£0	£0	£3,956,000	£0	£3,956,000	£0	£0	£3,956,000
£8,978,000	15. Restorative (Patching)	£9,022,000	£0	£0	£0	£9,022,000	£0	£9,022,000	£0	£0	£9,022,000
£21,000	16. Public Rights of Way	£21,000	£0	£0	£0	£21,000	£0	£21,000	£0	£0	£21,000
£47,000	17. Network Performance & Reliability	£47,000	£0	£0	£0	£47,000	£0	£47,000	£0	£0	£47,000
£5,655,000	18. Hinckley Hub - Hawley Road (National Productivity Investment Fund)	£0	£1,335,000	£0	£0	£1,335,000	£1,289,000	£0	£0	£46,000	£1,335,000
£1,100,000	19. Safety Schemes	£300,000	£300,000	£250,000	£250,000	£1,100,000	£1,100,000	£0	£0	£0	£1,100,000
£770,000	20. Highways Depot Improvements (Subject to business case)	£0	£370,000	£400,000	£0	£770,000	£770,000	£0	£0	£0	£770,000
£73,027,000	Sub-total - Transport Asset Management	£19,548,000	£21,053,000	£15,181,000	£13,377,000	£69,159,000	£3,657,000	£65,456,000	£0	£46,000	£69,159,000
	TOTAL CAPITAL PROGRAMME	£56,054,000	£76,538,000	£64,883,000	£23,836,000	£221,311,000	£78,944,000	£81,933,000	£56,388,000	£4,046,000	£221,311,000

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Appendix B – 2022/2023 Highways and Transportation Capital Works Programme

Major Schemes (1-8)

1. Melton Mowbray Distributor Road – North & East Sections

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Melton / Melton Mowbray	Melton Mowbray Distributor Road – North & East Sections	Detailed design and Full Business Case to be completed. Decision from the Secretary of State regarding Statutory Orders/CPO. Advanced works to start on site. <i>This project is a key element of the Interim Melton Mowbray Transport Strategy - IMMTS, approved by the Cabinet in July 2021; the purpose of the strategy overall is to enable the town's successful long-term growth.</i>	Cost Band A

Budget

£20,708,000

2. Melton Mowbray Distributor Road – Southern Section

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Melton / Melton Mowbray	Melton Mowbray South Distributor Road	Transition to formal project, progress to preliminary, then detailed design; start process to submit combined application for Road and Housing in 2023. <i>This is another key element of the IMMTS.</i>	Cost Band A

Budget

£1,993,000

3. Zouch Bridge Replacement – Construction & Enabling Works

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	<u>Cost Band</u> A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Charnwood	A6006 - Zouch bridge replacement – Construction and Enabling Work	Complete options appraisal and subsequent review for Cabinet. Appoint contractor to commence works on site.	Cost Band A

4. County Council Vehicle Replacement Programme – Fleet Vehicles

Budget

£5,000,000

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Countywide	County Council Vehicle Programme	Vehicle replacement programme to support service delivery.	Cost Band A

Budget	£2,995,000
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5. Advanced Design / Match Funding

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Countywide	Strategic Growth Plan	<p>Transport assessment work to develop greater understanding of the strategic transport measure required to support Leicester and Leicestershire's future growth out towards 2050.</p> <p><i>This budget line now includes monies previously separately identified in respect of developing proposals for a M1 J20a, as it is now more appropriate to consider the need for a new junction in the context overall strategic measure requirements, rather than in isolation.</i></p>	Cost Band C
North West Leicestershire / Coalville	NWL Growth Fund	<p>Work to identify and develop further proposals to support future growth in North West Leicestershire.</p> <p><i>This work has links to the Interim Coalville Transport Strategy approved by the Cabinet in</i></p>	Cost Band C

		<i>September 2021.</i>	
Countywide	Emerging Priorities Fund	Fund to support any new initiatives which may arise from funding opportunities during the year and/or any other work not previously identified when the Programme was being put together.	Cost Band B
Countywide	Leicestershire Highway Design Guide	A review to replace the interim Leicestershire Highways Design Guide (formerly 6C's Design Guide) which is used across the Department.	Cost Band C
Charnwood	Charnwood Growth Fund	<p>Work to identify and to develop proposals to support future growth of Charnwood.</p> <p><i>This work has close links with work being undertaken by Charnwood Borough Council to put in place a new Local Plan, a report on which was most recently presented to the Cabinet in September 2021.</i></p>	Cost Band C
Countywide	Strategic Transport Plan	Work required for the Strategic Transport Strategy.	Cost Band D

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Countywide	Major Road Network (MRN)	<p>To investigate areas for the next round of intervention on the MRN which can be developed for potential future funding bids.</p> <p><i>Identification of the County Council's next MRN priority corridor (following on from the A50/A511) will be subject to consideration by the Cabinet.</i></p>	Cost Band C
Countywide	Road Safety Strategy	<p>This document will set out our 'whole-system' approach to road safety, using robust evidence. It will summarise the wide-ranging work that we are already undertaking and, where appropriate, it will identify new approaches/areas of focus and gaps/weaknesses and opportunities.</p>	Cost Band D
Melton / Melton Mowbray	Melton Mowbray Transport Strategy (MMTS)	<p>Work to develop ideas contained in the Interim Strategy and to develop the full version of the Strategy.</p>	Cost Band B

Countywide	Rail Strategy	<p>To continue to promote the priorities of Leicester & Leicestershire Rail Strategy including through working with Midlands Connect.</p> <p><i>Following publication of the Integrated Rail Plan in November 2021, it is likely that a review of this Strategy, which was jointly developed with Leicester City Council, will be required. Any future reviews will be subject to future consideration by the Cabinet.</i></p>	Cost Band C
Countywide	Highway Asset Surveys	Asset Management data collection surveys.	Cost Band D

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	<u>Cost Band</u> A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Countywide	Asset Management Advance Design	Fund to support any new initiatives which may arise from funding opportunities during the year.	Cost Band C
Countywide	Highway Asset Surveys	To undertake Highway assets surveys.	Cost Band D
Countywide	Walking & Cycling Strategy	<p>To help fund work to implement the Cycling and Walking Strategy approved by the Cabinet in July 2021, including the development of Local Cycling and Walking Infrastructure Plans – LCWIPS – for the two priority areas* also approved by Cabinet in July 2021.</p> <p><i>* Loughborough/Shepshed and the South East quadrant of the Leicester Principal Urban Area – SEQPUA.</i></p>	Cost Band B
Hinckley & Bosworth / Desford	A47 Desford Crossroads (Majors)	<p>Conversion of staggered signalised crossroads to a conventional roundabout to improve capacity, unlock development, housing, and support delivery of employment.</p> <p><i>Improvement of this junction will support growth in Blaby and Hinckley and Bosworth</i></p>	Cost Band B

		<i>districts.</i>	
Hinckley & Bosworth / Desford	A47 Desford Crossroads (Land Compensation)	Negotiations for land purchases.	Cost Band D
Countywide	South East Leicestershire Transport Strategy (SELTS)	To develop initial evidence base for the strategy and to identify possible initial proposals for early deliver. <i>This work falls within the SEQPUA LCWIP area and is likely to inform bids to the Government for cycling and walking funding. Previous work on this project has helped to successfully secure developer contributions.</i>	Cost Band C
Countywide	Electric Vehicle Strategy	To develop an Electric Vehicle Strategy for Leicestershire.	Cost Band D
Countywide	Network Management Plan	To review the NMP.	Cost Band D
Countywide	Microsimulation and Scheme Assessment Development Programme	To maintain the new Microsim models.	Cost Band D
Countywide	Local Transport Plan 4 (LTP4)	Although another five years remain on LTP3 it is proposed to start work on LTP4 now, to take account of new and emerging national and local policies, priorities, and challenges. Not least the environment (carbon agenda), local	Cost Band C

		authority funding and the long-term impacts of COVID-19 on transport network.	
Countywide	Transforming City Fund (TCF)	Engagement with Leicester City Council on the development and implementation of projects that have direct impacts on the County's transport system. <i>The works themselves are being funded by Leicester City Council.</i>	Cost Band D
Countywide	Road Investment Strategy 3 (RIS3)	Engagement with National Highways on its development of proposals for the future improvement of the Strategic Road Network in Leicestershire, including the M1 and A5.	Cost Band D
Countywide	Passenger Transport Policy & Strategy (PTPS)	To enable a review of the PTPS to be undertaken in the light of the implementation of the Leicestershire Bus Service Improvement Plan, as approved by the Cabinet in October 2021, and Enhanced Partnership Scheme and Plan, which are included for consideration of approval elsewhere on this Cabinet meeting agenda.	Cost Band D

Budget

£3,068,000

6. A511 / A50 Major Road Network

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
North West Leicestershire / Hinckley & Bosworth	A511 / A50 Corridor	<p>Detailed design near completion, planning to be submitted in 2022. Work being undertaken on procurement strategy.</p> <p><i>This is a key element of the Interim Coalville Transport Strategy (ICTS) approved by the Cabinet in September 2020. Delivery of this project/the ICTS is important to enabling the continued growth of the town.</i></p>	Cost Band A

Budget

£942,000

7. Melton Depot Replacement

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	<u>Cost Band</u> A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Melton Mowbray	Melton Depot Replacement	To find alternative depot site to replace Melton depot whose lease is due to expire.	Cost Band B

Budget

£550,000

8. Leicester and Leicestershire Integrated Transport Model (LLITM) – Refresh (now known as the Pan Regional Transport Model or PRTM)

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Countywide	Various Locations	Computer models used to help predict future scenarios to the County's road network.	Cost Band A

Budget **£1,250,000**

Transport Asset Management (9-18)

9. Capital Schemes & Design

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Charnwood / Thurmaston	A607 Asda Roundabout including approaches and exits	Carriageway Strengthening.	Cost Band B
Melton / Somerby (Burrough on the Hill)	Melton Lane: Twyford Road – Culvert	Carriageway Strengthening.	Cost Band C
Charnwood / East Goscote	The Warren: Long Furrow – Opposite Woodmen’s Chase	Carriageway Strengthening.	Cost Band C
Hinckley & Bosworth / Sheepy (Sibson)	A444 Twycross Road: Shenton Lane – Sheepy Road	Carriageway Strengthening.	Cost Band B
North West Leicestershire / Ibstock	A447 Melbourne Road: 30mph limit south of Ibstock – Central Avenue	Carriageway Strengthening.	Cost Band B

Charnwood / Loughborough	A6004 Belton Road: Derby Road – Belton Road West Extension	Carriageway Strengthening.	Cost Band B
Melton / Melton Mowbray	A607 Leicester Road: Roundabout with Edendale Road	Carriageway Strengthening.	Cost Band C
Melton / Melton Mowbray	A606 Potter Hill Nottingham Road: House No 7 – 200yds countdown sign for Ab Kettleby	Carriageway Strengthening.	Cost Band B
Melton / Garthorpe (Coston)	B676: 30mph Coston – Track to Garthorpe Races	Carriageway Strengthening (year-end scheme as may not be able to fully fund it).	Cost Band B

Budget

£2,655,000

10 - Bridges (Structures)

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Harborough/ Horninghold	Stockerston Bridge (0465)	Bridge maintenance/strengthening.	Cost Band C
Harborough/ Medbourne	Ashley Road (0461)	Culvert replacement.	Cost Band C
NWLDC/ Whitwick	Dumps Road (0447)	Bridge maintenance/strengthening.	Cost Band C
Melton/ Redmile	Barkestone Bridge (0975)	Bridge maintenance/strengthening.	Cost Band C
Blaby/ Kilby	Welford Rd, Kilby Bridge (0181)	Concrete repairs.	Cost Band C
Charnwood/ Loughborough	Epinal Way (0289)	Concrete repairs.	Cost Band C
Hinckley & Bosworth Desford	Desford Road (0544)	Concrete repairs.	Cost Band C
NWLDC/ Castle Donnington	London Road (0142)	Concrete repairs.	Cost Band C
Various	Various bridges	Minor maintenance.	Cost Band B
Various	Various bridges	Bridge inspections and assessments.	Cost Band B

Budget

£1,081,000

11. Flood Alleviation Schemes – Environmental Works

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	<u>Cost Band</u> A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Earl Shilton	Hollydene Crescent	Highway Flood Alleviation.	Cost Band C
Market Harborough	Northampton Road	Highway Flood Alleviation.	Cost Band C
Broughton Astley	Dunton Road	Highway Flood Alleviation.	Cost Band D
Thorpe Langton	Welland Road	Highway Flood Alleviation.	Cost Band B
Cossington	Main Street	Highway Flood Alleviation.	Cost Band C

Budget £303,000

12. Street Lighting

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Blaby/Enderby	Fosse Park/Grove Park	Street lighting renewals.	Cost Band B
Countywide	Various Locations	Column replacement.	Cost Band A

Budget

£1,730,000

13. Traffic Signal Renewal

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	<u>Cost Band</u> A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Enderby	B4114 / Everards Way	Traffic Signals Renewal.	Cost Band C
Loughborough	Epinal Way / Ashby Rd Roundabout	Traffic Signals Renewal.	Cost Band C
Loughborough	Epinal Way / Garendon Rd	Traffic Signals Renewal.	Cost Band D
Wigston	Bushloe End / The Plough	Traffic Signals Renewal.	Cost Band D
Wigston	Station Rd / Manor St	Traffic Signals Renewal.	Cost Band D
Enderby	B4114 / Sandhill Dr	Traffic Signals Renewal.	Cost Band D
Loughborough	Nanpantan Rd / Brook Ln	Traffic Signals Renewal.	Cost Band D
Loughborough	Bridge St/Rectory Place	Traffic Signals Renewal.	Cost Band C
Loughborough	Southfields Rd/Beehive Ln	Traffic Signals Renewal.	Cost Band C
Loughborough	Ashby Rd/Snells Nook Ln	Traffic Signals Renewal.	Cost Band D

Budget

£433,000

14. Preventative Maintenance (Surface Dressing)

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Charnwood	Various Roads	Surface Dressing and Pre-Patching.	Cost Band B
Melton	Various Roads	Surface Dressing and Pre-Patching.	Cost Band B
Harborough	Various Roads	Surface Dressing and Pre-Patching.	Cost Band B
North West Leicestershire	Various Roads	Surface Dressing and Pre-Patching.	Cost Band B
Hinckley & Bosworth	Various Roads	Surface Dressing and Pre-Patching.	Cost Band B
Blaby	Various Roads	Surface Dressing and Pre-Patching.	Cost Band B
Oadby & Wigston	Various Roads	Surface Dressing and Pre-Patching.	Cost Band C
Twycross	Norton Lane, Warton Lane, Orton Road	Water Re-texturing.	Cost Band D
Sheepy	Wellsborough Road	Water Re-texturing.	Cost Band D
Swinford, Westrill & Starmore, South Kilworth	Kilworth Road, Rugby Road	Water Re-texturing.	Cost Band D
Smeeton Westerby	Gumley Road	Water Re-texturing.	Cost Band D

Keyham	Ingarsby Road	Water Re-texturing.	Cost Band D
Peatling Parva	Ashby Road	Water Re-texturing.	Cost Band D
Measham, Snarestone, Newton Burgoland	Bosworth Road & Snarestone Road	Water Re-texturing.	Cost Band D
Cosby	Croft Road	Water Re-texturing.	Cost Band D
Withcote, Tilton	Tilton Road, Oakham Road	Water Re-texturing.	Cost Band D
Kilby	Wistow Road	Water Re-texturing.	Cost Band D
Swithland	Leicester Lane	Water Re-texturing.	Cost Band D

Budget

£3,956,000

15. Restorative (Patching)

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Countywide	Various Locations	Footway Patching – CAT 2H (Un-planned).	Cost Band A
Countywide	Various Locations	Footway Patching – CAT 2H (Planned).	Cost Band A
Countywide	Various Locations	Carriageway Patching – CAT 2H (Un-planned).	Cost Band A
Countywide	Various Locations	Carriageway Patching – CAT 2H (Planned).	Cost Band A
Countywide	Various Locations	Roadmender Repairs - Unplanned (Repairs of potholes and small patching repairs typically up to 10m ² in footway and carriageway).	Cost Band A
Countywide	Various Locations	Roadmender Repairs - Planned (Repairs of potholes and small patching repairs typically up to 10m ² in footway and carriageway).	Cost Band A

Budget

£9,022,000

16. Public Rights of Way

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Charnwood	System	To bridle bridge over Wreake (Listed structure).	Cost Band D
Countywide	Various	Four area survey schemes to LI78.	Cost Band D

Budget

£21,000

17. Network Performance & Reliability

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Countywide	Various	Network Data Collection.	Cost Band C

Budget

£47,000

18. Safety Schemes

District / Parish	Location / Scheme Name	Intervention / Work / Treatment Description	Cost Band A = Over £1m B = £201,000-£1m C = £51,000-£200,000 D = £50,000 and below
Countywide	Various	Safety Schemes	Cost Band B

Budget **£300,000**

Total Highway Capital Programme Budget	£56,054,000
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CABINET – 29 MARCH 2022

A511 GROWTH CORRIDOR PROPOSALS – BARDON LINK ROAD
REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

PART A

Purpose of the Report

1. The purpose of this report is to advise the Cabinet on the progress of the A511 Growth Corridor proposals, including the projected cost increase as a result of an independent audit of the Council's Highways and Transport Capital Programme and the results of an informal consultation exercise on the proposed Bardon Link Road, an element of the Growth Corridor project.
2. The report also seeks approval to submit a planning application for the Bardon Link Road and authorisation for the necessary action to be taken to secure the land required to deliver the road.

Recommendations

3. It is recommended that:
 - a) The revised costs estimates for the A511 Major Road Network (MRN) project arising from the independent audit of the Highways and Transport Capital Programme be noted;
 - b) The resultant financial approach, developed to address the revised project costs, be noted;
 - c) The results of the informal consultation on the proposed Bardon Link Road be noted;
 - d) The proposed route for the Bardon Link Road, as set out in Appendix A to the report, be approved and that the Director of Environment and Transport be authorised to make minor alterations to the route as necessary;
 - e) The Director of Environment and Transport be authorised:
 - i. Following consultation with the Director of Corporate Resources and the Cabinet Lead Member for Highways, Transportation and Flooding, to continue all necessary work to progress the A511 Growth Corridor scheme including submission of the Full Business Case (FBC) to the Department for Transport (DfT); and submit a planning application in

respect of the route of the Bardon Link Road aligned to the programme for scheme delivery as required by DfT;

- ii. Pursuant to the above, in consultation with the Director of Law and Governance and following consultation with the relevant Cabinet Lead Members, to continue discussions with landowners and stakeholders, with a view to reaching voluntary agreement over the purchase and/or reservation of land for the Bardon Link Road elements of the A511 Growth Corridor MRN project;
- iii. To authorise and make preparations in parallel with (ii) above for the use of compulsory purchase powers pursuant to the Highways Act 1980 and the Acquisition of Land Act 1981, taking all steps necessary to include the preparation of the Draft Compulsory Purchase Order, associated Side Roads Order and Statement of Reasons.

Reason for Recommendations

- 4. To note the projected cost increases for the A511 MRN project following the recent independent audit of the Environment and Transport Capital Programme and plans in place to secure the additional funding required.
- 5. To note the outcome of the pre-planning informal consultation which took place between 27 September 2021 and 31 October 2021 to support the development of a planning application and to enable the planning application with regard to the route of the Bardon Link Road to be submitted to the County Council's Development Control and Regulatory Board.
- 6. In order to complete the application process for DfT MRN funding, it is necessary for the County Council to prepare and submit a FBC before DfT funding is awarded.
- 7. Where possible, it is hoped that the acquisition of land and rights or interests in land will be achieved by negotiation and agreement with landowners. However, alongside and in conjunction with the negotiations with the landowners, it will be essential to commence the preparation for the use of the compulsory purchase powers to procure land and rights or interests in land along the route.
- 8. The circumstances in which the previous Cabinet authority was given in March 2021 to progress the A511 Growth Corridor scheme to FBC have significantly changed including market conditions, risks and the potential need to increase forward funding. The recommendations are proposed following consideration of these circumstances.

Timetable for Decisions (including Scrutiny)

- 9. Subject to the Cabinet's approval, a planning application in respect of the route of the Bardon Link Road will be submitted for consideration by the Council's Development Control and Regulatory Committee in spring 2022.

10. Subject to the planning application being approved, and other Statutory Processes being completed (such as land acquisition) the Council will submit a FBC to the Department for Transport (DfT) in December 2023.
11. Discussions will continue with landowners and stakeholders, with a view to reaching voluntary agreement over the purchase and/or reservation of land for the Bardon Link Road elements of the A511 Growth Corridor MRN project.
12. Subject to the above, construction of the scheme is expected to commence in summer 2024.

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 one 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 North West Leicestershire District Council (NWLDC) to plan for the future growth in the area and in particular Coalville.
16. In November 2015 the Environment and Transport Overview and Scrutiny Committee was advised that, given the significant opposition to making any changes to Hugglescote Crossroads, future highways improvement work in the area would be focused on the A511.
17. In March 2019 the Cabinet agreed to the development of the Strategic Outline Business Case (SOBC) and the Outline Business Case (OBC) for the MRN A511 Growth Corridor scheme. It authorised the Director of Environment and Transport to prepare and submit bids, as appropriate, to secure external funding for delivery of schemes identified in the Highways Capital Programme.
18. In November 2019, following public consultation, the Cabinet agreed to support the proposals comprising proposed improvements to eight junctions along the A511, including a Bardon Link Road extension to south-east Coalville, and dual carriageway between Thornborough Road and Whitwick Road. It authorised the Director of Environment and Transport to use the existing allocation of £4m capital funding to develop and submit a planning application for the Bardon Link Road and undertake all necessary preparations to progress the scheme to FBC and, subject to DfT approval, deliver the scheme.

19. In March 2021, the Cabinet agreed to continue to progress the A511 Growth Corridor scheme including submission of the FBC to the DfT; and authorised the Director of Environment and Transport (following consultation with the Director of Corporate Resources and the Cabinet Lead Member) to undertake a pre-submission consultation exercise to support the submission of a planning application for the Bardon Link Road aligned to the programme for scheme delivery as required by the DfT. The Cabinet also agreed that all necessary work continued to progress the A511 Growth Corridor scheme including submission of the FBC to the DfT and authorised the Director to make minor changes to the A511 Growth Corridor Scheme as it was developed.
20. In September 2021, the Cabinet noted the outcome of engagement on the draft Interim Coalville Transport Strategy (ICTS) and approved its adoption.

Resource Implications

21. The estimated cost of the A511 Growth Corridor scheme as submitted in the OBC was £47.5m of which £40.4m is expected to be met from DfT funding.
22. The County Council has recently undergone an extensive independent audit to review how it develops and delivers the Highways and Transport capital programme. This was driven by unstable market conditions, increasing scheme costs, the current financial position of the Council and the acknowledgement that the Highways Capital Programme is the largest the County Council has ever had.
23. As the A511 MRN project has progressed through this new process, the project cost has been re-examined to account for new risks (particularly inflation), but also to consider wider lessons learnt from other recently completed projects.
24. In summary, this has resulted in the overall scheme cost increasing beyond that set out in the OBC.
25. The revised budget range showed the total outturn costs could vary between circa £50-£70m and the key changes included inflation, construction costs, professional fees and risk. In order to address the cost increases identified in the cost review, more of the developer contributions identified to support the ICTS will be allocated to the MRN scheme. More information concerning the identified risks which have led to the projected increases is included in Part B of the report.
26. It is likely there will be a requirement for the Council to forward fund a proportion of the developer contributions needed to meet the full scheme costs. This involves a risk to the County Council if the developer funding to be used to recoup the forward funding does not fully materialise via developer contributions – noting that decisions on developer contributions will be made by the District Council as the local planning authority. However, contributions of approximately £6.7m for physical infrastructure works have been received to date through the Contribution Strategy. Beyond this, growth allocated through the NWLDC's Local Plan or other schemes for which planning permission has

been granted, is expected to secure agreement on further s106 (developer) funds in excess of £20m identified in the Contribution Strategy.

27. The Director of Corporate Resources has been consulted on the content of this report.

Legal Implications

28. Wherever possible the acquisition of land and rights or interests in land 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.
29. The Director of Law and Governance has been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

This report has been circulated to Members representing the electoral divisions that are affected by the proposals - Mr D. Harrison CC, Mrs D. Taylor CC, Mr C. Smith CC, Mr K. Merrie CC, Mr T. Gillard CC, Mr P. Bedford CC and Mr N. J. Rushton CC.

Officers to Contact

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PART B

Background

30. Congestion on the A511 Growth Corridor has been a long-standing issue recognised by both NWLDC and the County Council. This dates back to 2008 when the Coalville Transport Strategy (CTS) was developed, and the County Council investigated junctions on the corridor requiring improvement to facilitate housing growth in Coalville and Ashby.
31. An outcome of the CTS was a supporting funding arrangement to deliver the transport strategy to help facilitate the delivery of improvements along the Growth Corridor. However, insufficient funding has currently been received through this funding arrangement to deliver the range of improvements required and issues (such as congestion and pollution) have become increasingly pronounced. This is likely to be exacerbated further by increases in background traffic and the significant levels of growth planned for Coalville as part of the District Council's Local Plan.
32. The A511 Growth Corridor is recognised by LLEP in its Strategic Economic Plan as one of five Growth Areas. The Strategic Economic Plan states that through appropriate investment and improvements along the corridor, there is the potential to deliver at least 5,275 houses and 25 hectares of employment land. Importantly, a significant number of the committed dwellings (3,500) are on sites which are collectively referred to as south-east Coalville.
33. Taking into account the aims of the MRN funding opportunity and the evidence of priorities needed to support growth, a package has been developed for submission to DfT to seek MRN funding. The A511 Growth Corridor proposals consist of a range of measures, including improvements to eight junctions, a dual carriageway between Thornborough Road and Whitwick Road in Coalville and the Bardon Link Road. This main part of the Link Road is being provided as part of the South East Coalville development. It is the extension of this link which requires planning permission and has been subject to a pre-submission planning consultation. Appendix A shows a plan of the proposed Bardon Link Road.
34. Implementation of A511 Growth Corridor scheme will provide the breathing space to enable a wider transport strategy for Coalville and the surrounding area to address localised traffic issues, public transport improvements and walking and cycling connectivity, building on the work done as part of the Local Sustainable Transport Fund in 2012 and 2013.
35. Work commenced in December 2020 between NWLDC and the County Council to consider a refresh of the current funding strategy in place between the two authorities with regard to the financing of the CTS, of which the A511 Growth Corridor is a major component.
36. The OBC for the package of measures proposed for the A511 Growth Corridor was submitted to the DfT in January 2020, with a revised post-Covid-19 version

being submitted in July 2020. The pandemic has affected Government timelines, but a positive decision was made by the DfT in Summer 2021 and the OBC was approved.

37. Submission of a FBC is subject to completion of all necessary statutory procedures (such as planning permission, land acquisition etc) hence the request to the Cabinet to submit a planning application for the Bardon Link Road.
38. Subject to securing planning permission and the authorisation, making and confirmation of any required Compulsory Purchase and associated Side Roads Order, the FBC will be submitted to DfT in December 2023.
39. Subject to DfT's approval of the FBC, construction of the scheme is expected to commence in Summer 2024.

DfT Major Road Network Bid

40. The Council submitted the MRN bid to the DfT in July 2019, requesting funding to prepare an OBC by December 2019 with a potential scheme construction start date of 2022. This was the only bid submitted across the East Midlands to the MRN funding pot.
41. In October 2019 the DfT announced that the bid was successful, with £1.5m funding awarded to commence work on the OBC from July 2019. The OBC was submitted in January 2020, with a potential construction start date of Spring 2022.
42. As a result of the impact of the pandemic the DfT requested a revised OBC in order to understand the impact of Covid-19 on all projects that were to be supported by MRN funding. The revised OBC was submitted in July 2020 with an updated start date of spring 2024.
43. The revised OBC was approved by the DfT in the summer of 2021.

Bardon Link Road

44. The proposed route for the Bardon Link Road (as shown in Appendix A) forms the basis for planning, land acquisition and compulsory purchase order process (minor alterations may be made as part of the later detailed design process).
45. Whilst the Cabinet decision in March 2021 enabled work to continue to progress the A511 Growth Corridor scheme, including submission of the FBC, specific approval is now being sought in relation to the Link Road, specifically

the submission of a planning application and, if approved, to secure the land required to deliver the Link Road.

Independent Audit of the Environment and Transport Capital Programme and resulting projected cost increases for the A511 Scheme

46. The County Council has recently undergone an extensive independent audit to review how it develops and delivers the Highways and Transport capital programme. This was driven by unstable market conditions, increasing scheme costs, the current financial position of the Council and the acknowledgement that the Highways Capital Programme is the largest the County Council has ever had.
47. As with any Local Authority led major capital project, there is a recognised cost estimate range process whereby more cost certainty is provided as different key stages of a project are completed (such as SOBC, OBC, FBC). As an example, the development of an OBC for a project is a substantial time distance away from when a project could be delivered, and therefore the cost range will be much greater, whereas FBC approval would provide greater certainty as statutory processes would have been completed, and a contractor supported project cost will be provided. As a further illustration, HM Treasury estimate that at OBC a project is only around 30% maturity which reflects the cost range that should be applied at that stage.
48. As the A511 MRN project has progressed through the new process recommended as a part of the independent audit, the project cost has been re-examined to account for new risks (particularly inflation), but also to consider wider lessons learnt from other recently completed projects.
49. The A511 MRN project is currently at the OBC stage where the DfT have granted "Programme Entry" with the £40.4m DfT grant subject to the County Council agreeing to conditions such as the development and submission of an FBC for the project, and agreement to covering any cost escalation over and above the grant provided.
50. Based on the project stage and the updated project cost range estimates, the potential increase in project costs is forecast to be between £2.5m and £22.5m compared to that originally forecast at the OBC stage.
51. A significant proportion of the cost increases have not yet been realised, but as informed by the external audit, this more robust estimate allows the County Council to understand potential costs in the event some of the increases do materialise.
52. The A511 MRN project forms the major part of the Interim Coalville Transport Strategy (ICTS) approved in September 2021. The Strategy identifies a range of measures in addition to the MRN scheme identified to support and mitigate growth in North West Leicestershire. However, the ICTS recognises the MRN

scheme as the priority for funding and highlights that developer contributions secured based on the evidence of the ICTS will be used to fund the costs of the scheme over and above the DfT grant award.

53. Therefore, in order to address the cost increases identified in the cost review, more of the developer contributions identified to support the strategy will be allocated to the MRN scheme. This has been agreed with officers at NWLDC as the A511 MRN scheme is the highest priority scheme identified to support the Local Plan.
54. Based on the current NWLDC Local Plan, the strategy has identified approximately £23m of additional developer contributions that can be used to support the MRN scheme.
55. It is recognised that this approach will likely delay the delivery of other schemes identified as part of the ICTS. In order to mitigate this, the Council's Growth Service is undertaking work to revise the level of future contributions to support the ICTS and other County Council infrastructure alongside NWLDC's development of their new Local Plan.

Consultation

56. Following approval by the Cabinet in March 2021, an informal public consultation exercise was undertaken in order to ascertain the level of support for the proposed link road.
57. The informal consultation commenced on 27 September 2021 and ran until 31 October 2021. The consultation exercise included a variety of communication methods, such as letters, social media platforms and posters. In summary, the communication consisted of the following:
 - a) The hand delivery of 29 consultation letters to the properties immediately adjacent to the proposed link road. This included the opportunity for the property owners to discuss the plans with the Project Team.
 - b) The distribution of 1700 consultation letters to the wider area.
 - c) Two Public Exhibitions held at Hermitage Park Hotel in Coalville on 29 September 2021, and 1 October 2021.
 - d) Detailed consultation material launched via the Leicestershire County Council consultation platform at the A511 website, promoted via the consultation letters, social media and the local press.
 - e) Posters promoting the consultation and exhibitions were placed around the Coalville area.
 - f) Information shared with both the County Council and NWLDC Elected Members about the consultation.
58. Attendance at both exhibitions totalled 46; with 26 visitors on 29 September and 20 visitors on 1 October. Although the numbers

were relatively low, those that did attend were very engaged and stayed to discuss the proposals.

59. The majority of feedback has focussed on the entire A511 Growth Corridor rather than just the Bardon Link Road proposals. This has been reviewed in detail, and responses provided against each theme, (such as speed limits, congestion, pollution, and public transport). The Link Road proposals have received mixed views from those who chose to comment with an almost 50/50 split of for and against. Further information concerning the consultation feedback is included as Appendix B.

Next Steps

60. To date, the A511 MRN Corridor scheme including the Bardon Link Road has completed the outline design process and undergone the first stages of detailed design. Subject to the Cabinet's approval, the next key stage is to progress the planning application process with submission of a planning application, in relation to the Bardon Link Road, to the County Council's Development Control and Regulatory Board in spring 2022. Alongside this, discussions will continue with affected landowners and stakeholders, with a view to reaching voluntary agreement over the purchase and/or reservation of land, rights or interests in land for the Bardon Link Road elements of the A511 MRN project but in parallel make preparations for use of compulsory purchase powers to include the preparation of a draft Compulsory Purchase Order and associated Side Roads Order pursuant to the Highways Act 1980 and the Acquisition of Land Act 1981. It is considered that there is a compelling case in the public interest to justify the use of the County Council's compulsory purchase powers under the Highways Act 1980 and the Acquisition of Land Act 1981 to facilitate the delivery of the scheme and such public interest and this justifies interference with the rights of those persons with an interest in the land required for the scheme.
61. Further environmental survey and associated design work will be progressed to give a fuller understanding of environmental impacts and potential mitigation required. This information will be presented during the planning application process.
62. The planning determination period for Bardon Link Road is 16 weeks, meaning a decision by the County Council's Development Control and Regulatory Board would be expected by early Summer 2022. This will provide a further opportunity to carry out further consultation with residents and stakeholders as a part of the planning process.
63. The outcomes of the consultations on the A511 Growth Corridor proposals in 2019 and the most recent on the Bardon Link Road proposals in September/October 2021 are being considered where appropriate in undertaking the detailed design, with the scheme business case submission to the DfT focusing on the alignment of the proposals to the scheme objectives, affordability, risk and value for money.

Equality and Human Rights Implications

64. An Equality and Human Rights Impact Assessment (EHRIA) Screening has been undertaken to understand the potential impacts, both negative and positive, on protected characteristic groups. The full and final assessment will form part of planning application.
65. The conclusion of the initial screening is that there are several potential impacts that could affect groups with protected characteristics across north-west Leicestershire. In particular, groups most likely to 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 this will be captured in the final assessment as a part of the planning application process.

Other Relevant Impact Assessments

66. Currently a small section of the A511 around the Broom Leys junction is designated as an Air Quality Management Area (AQMA). Without intervention to ease the current and future levels of congestion along the A511, there is a likelihood that air quality objectives will not be met at other locations, leading to the need to declare more AQMAs along the route. The scheme offers the opportunity to reduce exhaust emissions through reducing acceleration/deceleration, thus reducing particulates due to tyre and brake wear that such events cause. The proposed scheme also provides an opportunity to contribute to improving biodiversity through thoughtful landscaping. The table below sets out how the proposed scheme is aligned to the carbon reduction and biodiversity and habitat commitment set out in the County Council's Environment Strategy:

Aim	Objective	Actions taken
A. Reduce our own greenhouse gas emissions and those in the wider county where we have influence	A2. Contribute to the reduction of greenhouse gas emissions across the County.	Reduce exhaust emissions through reducing acceleration / deceleration
F. Reduce the environmental impacts of travel and transport	F4. Work with partners to reduce greenhouse gas and other pollutant emissions from the local transport network.	
G. Have due regard for biodiversity throughout all our activities and seek to improve the biodiversity value of our own land and influence improvements in the wider County.	G4. Work with partners to support wider biodiversity improvements across Leicestershire.	As part of the detailed design, opportunities to improve biodiversity within the green areas of highway land will be considered.

67. The potential to promote short journeys by promoting sustainable transport will also contribute to the Council's commitment to tackling climate change.

Background Papers

Report to the Cabinet 23 March 2021. 'A511 Growth Corridor Proposals - Bardon Link Road':

<http://politics.leics.gov.uk/documents/s160568/A511%20MRN%20Proposals>

Report to the Cabinet 29 March 2019. 'Environment and Transport 2019/20 Highways Capital Programme and Highways Transportation Work Programme':

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=5601&Ver=4>

Report to the Cabinet 16 March 2015. 'Enabling Growth Plan':

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

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

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

Report to the 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>

Consultation Report:

<https://www.leicestershire.gov.uk/roads-and-travel/road-maintenance/a511-growth-corridor-scheme>

Appendices

Appendix A – Plan of the proposed Bardon Link Road

Appendix B – Bardon Link Road consultation report

APPENDIX A



- Notes:
1. All Dimensions Are In Metres. All Levels Are In Metres Above Ordnance Datum.
 2. Any changes to the design or specification will require the prior approval of the relevant engineer in writing.

Approved	Revision	By	Date	Rev.
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Indicative Layout

Engineering services
Highways & Transport Services



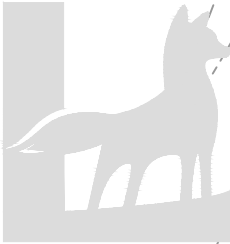
CLIENT: Asset and Major Programmes

Title:
Site: Bardon Link Road

Series: -----

Drawing: GA Cabinet Report

Scheme Ref. / Drawing No.			Revision
MRN A511-000 Bardon Link Road Cabinet Report Indicative layout			
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Checked By:	RS	Size:	A1
Approved By:	SC	Date:	17th March 2022



Leicestershire
County Council

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APPENDIX B

A511 Bardon Link Road

Statement of Community Engagement

Leicestershire County Council

January 2022

Quality information

Prepared by	Checked by	Verified by	Approved by
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Revision History

Revision	Revision date	Details	Authorized	Name	Position
0	12/12/2021	Draft for Client Review	E Portsmouth		Principal Planner
1	22/12/2021	Version 2, incorporating client input	E Portsmouth		Principal Planner

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1. Introduction

Purpose of the Statement of Community Engagement

- 1.1 Leicestershire County Council (LCC) is preparing to submit a full planning application to LCC as planning authority for the Bardon Link Road: a new section of highway extending southwards from the A511 Bardon Road and linking to the housing development at Grange Road. AECOM has been commissioned by LCC to prepare the planning application supporting documents. The scope of the commission includes the preparation of a Statement of Community Engagement (SCE). This Statement of Community Engagement (SCE) provides an overview of the engagement activities that have been undertaken by LCC as applicant, prior to the submission of a planning application for the Bardon Link Road Scheme.
- 1.2 The SCE outlines the engagement methods used, outlines the approach to advertising and provides a summary of the feedback received.
- 1.3 These activities adhere to the guidance provided within the Leicestershire County Council, Statement of Community Involvement, 2015, within which it states that; *'Leicestershire County Council is very much in favour of applicants holding pre-application discussions with stakeholders and the local community.'*

Context for the SCE

- 1.4 The revised National Planning Policy Framework, July 2021, emphasises the importance of pre-application engagement with the local community and where relevant with statutory and non-statutory consultees. It suggests that addressing issues earlier can help local authorities issue timely decisions and can reduce unnecessary delays and costs.

Project Overview

Aim of the Proposed Scheme

- 1.5 The proposed Bardon Link Road scheme, herein referred to as 'the Proposed Scheme' is being promoted by LCC. The Proposed Scheme is one part of the wider A511 Growth Corridor Scheme which comprises improvements made to nine locations between the A42 junction 13 at Ashby to the Field Head roundabout near junction 22 of the M1, including the upgrading of a section of Stephenson Way from a single to a dual carriageway.
- 1.6 The Proposed Scheme, in combination with the other junction improvements associated with the wider A511 Growth Corridor Scheme, will link the A511 with the new housing development at Grange Road, improve congestion along the A511 and surrounding roads, unlock further locations for homes and jobs, and improve journey times for users of the corridor.
- 1.7 LCC held a series of public consultation events in September 2019 to present and discuss the proposed improvements for the A511. Following this consultation, further design work was undertaken. Most of the junction improvement works proposed will be progressed under LCC's permitted development rights and so will not require planning applications.

Description

- 1.8 The Proposed Scheme will comprise:
 - construction of approximately 450 m new highway:
 - acquisition and demolition of four properties, to the south of A511 Bardon Road:
 - construction of a fourth arm to the south of the Bardon Road/Stephenson Way roundabout:
 - construction of an underpass below the railway for the new road to pass through: and
 - associated drainage works, including a culvert through the railway embankment and a drainage pond.

2. Public/Stakeholder Engagement

Approach to Public Consultation

- 2.1 The proposals for the A511 Bardon Link Road were available for public consultation and comment during the period 27th September through to 31st October 2021. The consultation comprised a series of informal discussions with directly affected neighbours, consultation events held on two days at The Hermitage Park Hotel, Coalville where members from the project team attended and spoke with interested parties and a dedicated web page on the LCC website.

Publicising the Exhibition

- 2.2 A range of publicising activities have been undertaken, including:

- On Monday 13th September 2021 two members of the LCC project team hand delivered 29 letters (a copy of which is available in Appendix A, document A.1). The letter included a plan showing a sketch of the Proposed Scheme. This letter was delivered to those residents located immediately adjacent to the proposed new road. These were identified as the Zone 1 properties. Following the initial distribution of the letters on Monday 13th September, each of the 29 properties was visited again on the 16th and 17th September to give the residents an opportunity to discuss the scheme proposals and to address any questions. The feedback received at this point indicated that the engagement was well received and much appreciated. During this exercise only 5 of the 29 properties resulted in no reply.
- On Wednesday 15th September, a further 1,700 letters, including the sketch plan of the Proposed Scheme were delivered via 1st class Royal Mail to a wider area of properties around the scheme, identified as Zone 2 as well as to a number of stakeholders. A copy of this letter and the sketch plan is available within Appendix A (A.2 and A.3).
- On Friday 17th September, posters were displayed around the Coalville area at the following locations:
 - Stephenson College
 - McDonalds
 - Aldi
 - Lidl
 - Morrison's
 - Coalville Post Office (located in Asda on Ashby Road)
 - Costa Coffee, Coalville Precinct
 - The new Coalville indoor market, Marlborough Square
 - Coalville Library
 - North West Leicestershire District Council Offices, Whitwick Road
- The details of the proposed link road were available to access during the consultation period via LCC's website on the 'Current Engagement' page:

<https://www.leicestershire.gov.uk/have-your-say/current-engagement/>

From here the online consultation platform, Confers, could be accessed to find further information including scheme plans and computer generated images of the proposed changes. There was also a FAQ section and a short questionnaire at the end of the presentation where feedback could be provided, these details are still available for viewing on the LCC website. Once the consultation had closed, the links were moved to the 'You said, we did' page of LCC's website which allowed the public to continue to view the consultation material while the project team were analysing the feedback received:

<https://www.leicestershire.gov.uk/have-your-say/you-said-we-did>

- LCC's online consultation platform, 'Confers' is available at this link:
<https://leicestershire.confers.com/room/presentation?roomid=51#page/home>

Within this platform people are able to add their comments/views on particular parts of the Proposed Scheme. Confers is an interactive site allowing people to participate by using a thumbs up, thumbs down tag which can be placed on the plan and add a comment to it if minded. The LCC project team are able to interact through replying to comments.

- LCC set up a dedicated email address where the public could submit questions/queries they had during the consultation period. This email address is monitored on a daily basis and remains available for the public to contact the LCC project team:

A511MRN@leics.gov.uk

- The LCC Customer Service Centre were also briefed on the Proposed Scheme. Should phone calls be made to the general phonenumber, these calls were diverted to members of the project team if further discussion was required. Both the LCC Customer Services Centre and North West Leicestershire District Council (NWLDC) Customer Services Centre were provided with copies of the letters / plan / FAQs / questionnaires and contact telephone numbers for the project team to facilitate responses to any questions / queries they received.
- There was direct engagement with the Lead Member and the relevant County Councillors as well as a copy of the letter and plan being uploaded to the Members' Hub, viewable by all Leicestershire County Councillors. Local District Councillors were also notified of the events and received a copy of the letter and plan to inform them should they receive any calls from their constituents on the matter.
- A media release was issued to The Coalville Times, who published a notice on Thursday 23rd September (6 days prior to the first public consultation in-person event) advertising the consultation days and inviting the public to join in.
- Twitter and Facebook live feeds about the consultation events were shared the day before and on the day of the events which were generated by LCC Communications Team.

- 2.3 The two in-person public consultation events took place at The Hermitage Park Hotel, Whitwick Road, Coalville on Wednesday 29th September from 10am until 3pm and Friday 1st October from 4pm – 8pm. The latter was attended by LCC's Lead Member.

3. Feedback and Analysis

Introduction

- 3.1 This section of the SCE provides a summary of the feedback received during the consultation process. The feedback was collected via completed feedback forms handed out at the drop-in event, online responses, emails received through the dedicated scheme email address, phone calls through to the LCC customer services team and through discussions held during the consultation events.
- 3.2 In total,
- 46 people attended the two public consultation events held over the two days; 26 visited on 29th September and 20 visited on 1st October:
 - 201 visitor sessions were logged on the online consultation website, Confers:
 - 13 emails received via the dedicated scheme email inbox: and
 - 68 feedback forms were received.
- 3.3 Whilst the overall number of people attending the public consultation events was relatively low, those who did attend were very engaged and the majority stayed to discuss the proposals for on average 45 minutes. The majority of the attendants had heard about the consultation events through local flyers and attended to discuss not only this scheme but the wider A511 Growth Corridor Scheme too.

Equalities Questions

- 3.4 The initial questions (Questions 1 to 3) of the online questionnaire and feedback forms asked consultees to provide additional information about themselves to help LCC understand the demographics and location of those responding. These questions were not mandatory. An overview of the responses provided is presented below:

Gender

- 3.5 Consultees were asked their gender, given the options: female, male or prefer to self-describe. More responses were received from males (45.59%) than any other group.

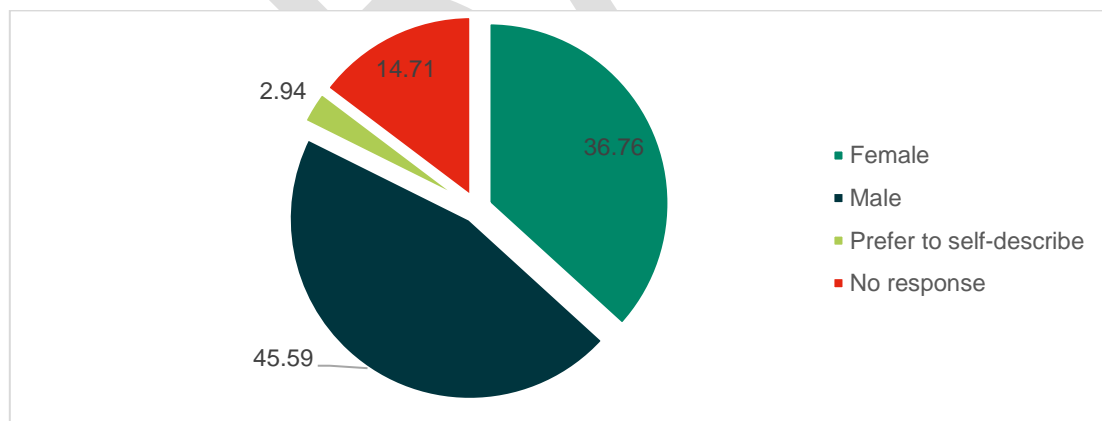


Figure 3-1: Indication of Gender

Age

3.6 Consultees were asked to provide their age. Figure 3-2 below indicates the age split of consultees.

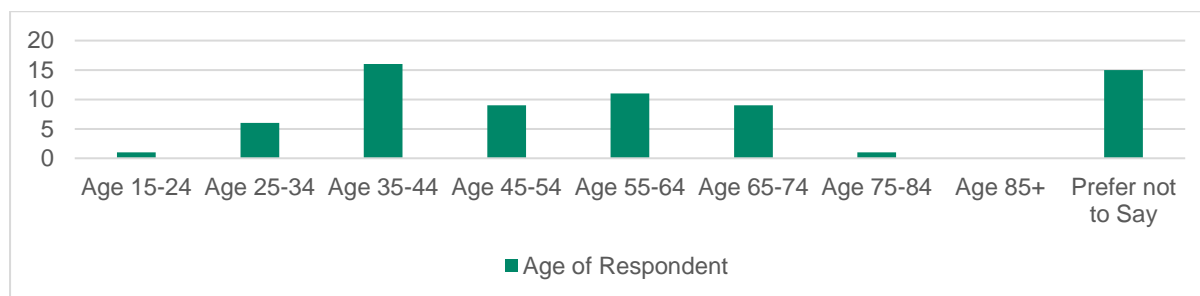


Figure 3-2: Age Profile of Consultees

Employment Status

3.7 Consultees were asked about their employment status and were given the options: Employee in full time job (30 hours plus per week) Employee in part-time job (less than 30 hours per week), Self-employed full or part-time, wholly retired from work or, doing something else. The graph below presents the results from this question. Almost half (47.06%) of consultees indicated that they were employed on a full time basis.

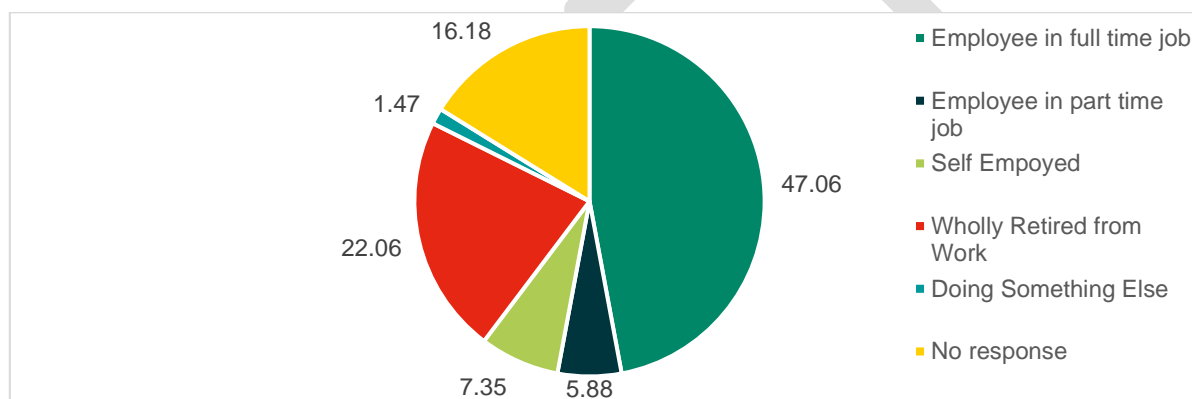


Figure 3-3: Consultee Employment Status

Detailed Feedback Analysis

- 3.8 This section provides an analysis of the feedback that was received as part of the consultation process. All consultation responses were included in the analysis including feedback form responses, emails and phone calls and comments made on the online consultation platform.
- 3.9 In addition to the feedback detailed below, the online consultation website contained a 'thumbs up/thumbs down' voting option, for which the overall feedback was:
- 24 consultees voted thumbs up:
 - 26 consultees voting thumbs down.
 - 151 visitors to the online consultation platform did not use the voting options.
- 3.10 Of the 201 visitors to the online consultation platform, 32 open text comments were received, a breakdown to the issues raised and a response to those issues is provided below.
- 3.11 It should be noted that the consultees were not required to answer every question and therefore there may be different response rates to each question. Further, the response rate in the analysis below has been rounded to the nearest decimal place and therefore does not always equal precisely 100%. The section below provides an in-depth analysis of the responses provided to each question. For those questions which provided space for comments, the feedback has been grouped into a number of themes.

3.12 In response to questions 4, 5, 6 and 7 consultees were given the following choices to select:

- Strongly disagree
- Tend to disagree
- Neither agree nor disagree
- Tend to agree
- Strongly agree
- Don't know (questions 6 and 7 only)

Question 4 and 4a: To What Extent do you Agree or Disagree with the Proposed Designs?

3.13 The results from this question are presented in Figure 3-4. A total of 37 consultees disagreed to some extent with the proposed designs, 25 of whom strongly disagree; 28 consultees elected to agree to some extent to the proposed design.

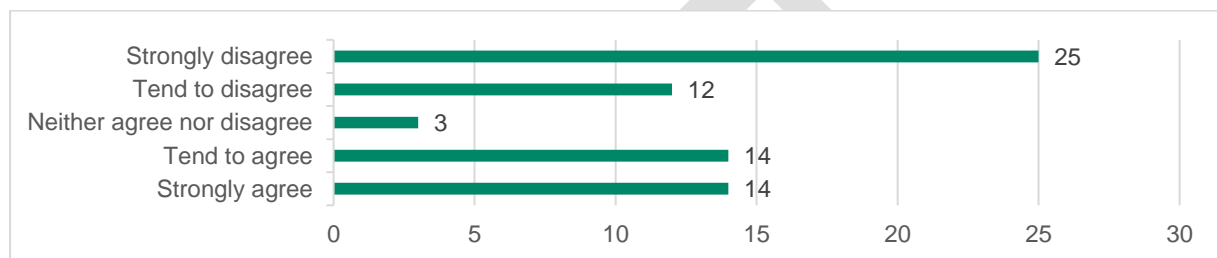


Figure 3-4: Chart Showing: To What Extent Consultees Agree/Disagree with the Proposed Design

3.14 Question 4a asked the consultee to provide further reasoning for the answer they gave at question 4. An open, free-text box was provided for comments. The responses given were varied and for analysis reasons have been grouped into themes. The responses are detailed in Table 3-1 below.

3.15 Whilst the consultation was specifically about the proposed Bardon Link Road, a large number of the consultees made comments referring to the wider A511 improvement works, with comments referring to the junction improvement works proposed at other junctions outside of the scope of this planning application, and other comments detailing the potential impact of the proposed A511 improvement works on the surrounding small villages.

3.16 Other highlights from the response to this question include congestion with some contradictory comments received. Whilst a number of consultees referred to existing levels of congestion, some consultees suggested congestion was not an issue and many of those who referred to the congestion levels indicated that they did not consider the proposed link road would help relieve congestion.

Table 3-1: Common Themes Raised in Response to Question 4a

Issues by Theme Raised by Consultees	Number of times theme raised
The wider A511 improvement work proposals:	
<ul style="list-style-type: none"> Consultees made various comments with regards to the wider A511 Improvement Scheme including: A request to ensure the other improvements along the A511 route are progressed, comments with regards to the proposed works at other junctions along the A511 corridor, the impacts of the A511 works on the surrounding villages, progression of the Bardon Bypass. 	14
Congestion:	
<ul style="list-style-type: none"> Consultees commented on the exiting high levels of congestion in the area 	12

• Comments indicating that consultees don't believe the scheme would improve congestion levels.	8
• Comments indicating that the proposed scheme would improve the current congestion level	4
• Suggestions that the scheme is only being built to benefit the proposed new developments	4
• Consultees commented that they did not consider congestion in the area to be an issue	2
• Concerns that the congestion issue will be moved elsewhere	1
<hr/>	
Public Transport	
• Comments requesting more public transport links	5
• Comments suggesting the Proposed Scheme would improve public transport / active travel links in the area	3
• Re-opening of the former railway line should be considered	2
<hr/>	
Impact on Wildlife and Open Space	
• Concerns with regards to the loss of open countryside/vegetation	4
• Concerns with regards the negative impact the scheme will have on wildlife	3
• Concerns with regards to the loss of open space	2
<hr/>	
Pollution	
• Comments suggesting the Proposed Scheme would increase pollution levels (noise/vibration/air)	7
• Comments suggesting pollution is currently an issue	3
• Comments with regards to the pollution impact during the construction phase	1
<hr/>	
Levels of Development in the area	
• Many consultees mentioned the levels of recent housing and employment development witnessed within the area causing the traffic problems seen.	6
<hr/>	
Pedestrian Experience	
• Consultees indicated that the pedestrian / cycle routes being offered within the scheme could be better, with improved facilities particularly at the road junctions for both pedestrian and cyclists.	5
<hr/>	
Other comments	
• Concern with regards to the loss of existing homes	2
• Concern with regards the cost of the Scheme or questions with regards to the funding of the Scheme	2
• Concern raised with regards to the impact on property value locally	1
• Comment raised in response to the consultation material not being good enough	1

Question 5 and 5a: To what extent do you agree or disagree that the scheme will help to reduce congestion on the local highway network?

- 3.17 More consultees (35) chose to either disagree (14), or strongly disagree (21) in response to this question. Eighteen consultees agreed that it would improve congestion levels, two consultees did not answer and 13 suggested that they neither agree nor disagree with the statement.

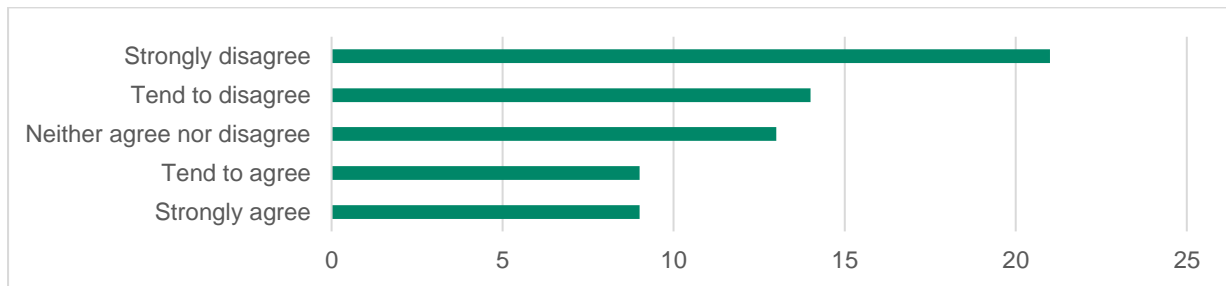


Figure 3-5: Chart Showing: To What Extent Consultees Agree/Disagree that the Proposed Scheme will help to reduce congestion

- 3.18 Question 5a asked the consultee to provide further reasoning for the answer they gave at question 5. An open, free-text box was provided for comments. The responses given were varied and for analysis reasons have been grouped into themes. The response is detailed in table 3-2 below.
- 3.19 Consultees comments with regards to congestion comprised; concern with regards the increase in volume of traffic going onto the A511 as a result of the link road; concern that the issue is being shifted elsewhere locally and that the scheme is only concentrating on a very small area.
- 3.20 Traffic management was raised within numerous comments, with reference to inclusion of speed limits and enforcement required through the use of speed cameras on the new road, as well as across the wider area. Weight restrictions to reduce the number of HGV's using roads in the area was also raised.
- 3.21 Many mentioned that they believed the Proposed Scheme was being created only for the benefit of the new housing developments located to the south of the A511.

Table 3-2: Common Themes Raised in Response to Question 5a

Issue Theme Raised by Consultee	Number of times theme raised
The wider A511 improvement work proposals:	
Consultees requested a commitment to the development of the Bardon Bypass;	3
Consultees referred to other areas along the A42/M1 corridor as associated with the wider A511 improvement scheme	
Congestion	
• Concern that the Proposed Scheme is only being progressed to support the new developments.	9
• Concerns with regard the Proposed Scheme would increase the volume of traffic going onto the A511	9
• The Proposed Scheme would be shifting the issue elsewhere or only concentrates on a small section of a much larger issue	6
• The Proposed Scheme will improve congestion as it will provide other options for travel	4
• The number of cars on the road need to be reduced	1
• The Proposed Scheme would create congestion at the roundabout junction	1
Public Transport	
• Comments suggesting better active travel links/public transport facilities are required within the area	5
• Suggestions that the railway should be re-opened to improve the public transport offering	2
Traffic Management	
• The current HGV presence in the area is an issue	7
• Improved traffic management is required, suggesting speed cameras	4

Various other comments, these include:

- Concern with regards to the level of development within the area adding to congestion levels 4
- The Proposed Scheme encourages use of the private car 2
- Pollution 2
- Cost 1

Question 6 and 6a: To what extent do you feel we have adequately incorporated walking and cycling into the scheme?

3.22 More consultees voted 'agree' (31) with 10 voting that they strongly agree that walking/cycling had been adequately incorporated into the Proposed Scheme. Overall, 23 consultees disagreed with this of which 18 strongly disagreed.

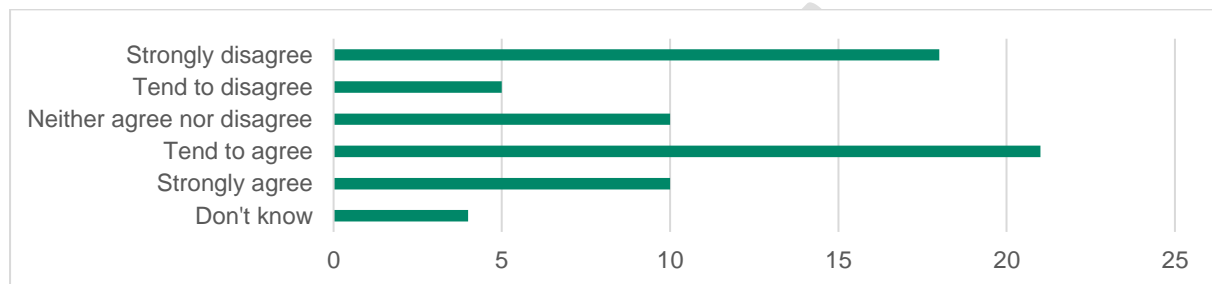


Figure 3-6: To What Extent Consultees Agree/Disagree that Walking/Cycling has been Adequately Incorporated into the Proposed Scheme

3.23 Question 6a asked the consultee to provide further reasoning for the answer they gave at question 6. An open, free-text box was provided for comments. The responses given were varied and for analysis reasons have been grouped into themes. The response is detailed in table 3-3 below.

3.24 The main comment themes relate to increasing and improving the active travel provision.

Table 3-3: Common Themes Raised in Response to Question 6a

Issue Theme Raised by Consultee	Number of times theme raised
Increase/Improve the active travel facility provision.	
• More room for cyclists	4
• More links for cyclists and pedestrians	4
• Plans do not go far enough to enhance the active travel offering	4
• The active travel links should not be situated adjacent to the road	2
A511 wider area	
• More pedestrian crossing points are needed along the A511	5
• There needs to be more provision for active travel along the A511	2
Safety concerns with regards to the amount/speed and type of traffic using the proposed road	7
Comments suggesting the details within the consultation material were not clear, were scarce, insufficient	7
Comments suggesting the proposed walking and cycling provision is adequate for the Scheme	5
Comments suggesting that as the existing pedestrian/cycle links are used very little, that the provision of more links is not an issue	3

The following issues were also raised:

- Should be focussing efforts on reducing traffic not accommodating it 1
- Lighting details are needed 1
- Concern with regards to the disruption caused by the construction phase of the development 1
- Request to use the former railway line as a cycle link 1
- Concern regards the long term maintenance of the active travel links 1

Question 7 and 7a: To what extent do you agree or disagree that our plans to assess the schemes impact on the local environment are adequate?

3.25 The outcome of the responses to question 7 shows whilst more consultees voted strongly disagree (19) in response to this question, suggesting they didn't feel the plans presented adequately assess the Scheme's impact on the local environment, 15 consultees voted agree, indicating they felt the impact on the local environment was assessed adequately.

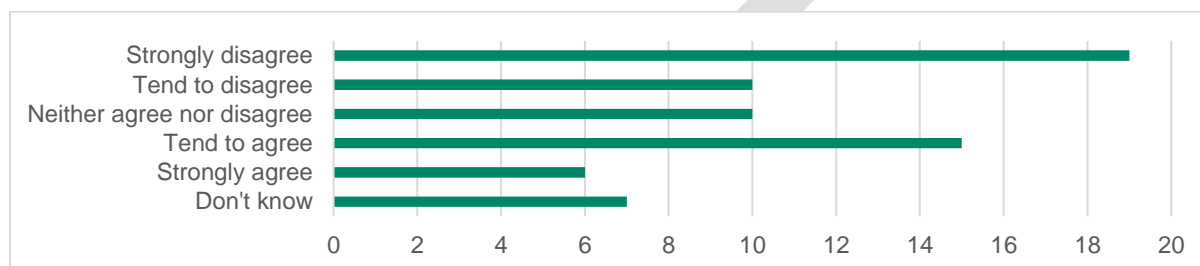


Figure 3-7: What Extent Agree/Disagree that Plans Adequately Assess the Impact on the Local Environment

3.26 Question 7a asks the consultee to provide further reasoning for the answer they gave at question 7. An open, free-text box was provided for comment. The response is detailed in table 3-4 below.

3.27 The main theme relates to consultees suggestions that the Proposed Scheme will have a negative impact on the environment, wildlife and on pollution in the local area, including noise, air and light pollution levels.

Table 3-4: Common Themes Raised in Response to Question 7a

Issue Theme Raised by Consultee	Number of times theme raised
The Proposed Scheme will have a negative impact on	
• Pollution	9
• The environment	5
• Wildlife	5
Consultation	
• Lack of notice with regards the consultation	3
• Consultation plans look impressive	3
Opportunities for more tree planting and creating new accessible green space has been missed	3
Concern with regards to the levels of development in the area	3
Pedestrian/Cyclist Facilities	
• The scheme does not encourage active travel uptake	3
• Safe pedestrian environment will be destroyed by the scheme	2
Other comments received include:	
• The increase in traffic at Hugglescote Cross-road	1
• Welcome the use of a sustainable drainage system (SuDS) within the plans	1

- Local level assessment of car usage a waste of time 1
- The Proposed Scheme serves only the new homes 1
- Concern with regards to the loss of homes 1
- More thought to long-term effects required 1
- More public transport links required 1
- Scheme needs EIA 1

Question 8 Do you have any concerns about the environmental impact the Scheme which we have not considered?

3.28 A free text box was provided for consultees to provide their response to this question. An overview of the responses is provided in table 3-5 below.

Table 3-5: Common Themes Raised in Response to Question 8

Issue Theme Raised by Consultee	Number of times theme raised
The Proposed Scheme will cause damage to wildlife and green space	7
Pollution	
• The Proposed Scheme will increase CO2 through promotion of car travel	5
• Air Quality at Bardon Road	4
• Noise impacts caused by the Proposed Scheme	1
Levels of Development Locally	
• Concerns with regards the level of development in the area	4
• The area is becoming more industrial through the local development	1
Private car use	
• The Proposed Scheme promotes car travel	6
• The Proposed Scheme should promote more public transport use	2
More tree planting should be a part of the Proposed Scheme	4
No concerns about the environmental impact of the Proposed Scheme	5
Other comments received in response to this question comprise:	
• Concern regarding the impact on other nearby roads, shifting traffic	1
• Residents need to be kept informed	1
• Traffic management issues, specifically the speed limit needs to be enforced	1
• Insufficient detail available to consultees	1
• An EIA should be required	1
• Should develop brown field sites first	1

Question 9: Do you feel that there are any other impacts of the scheme that we have not considered?

3.29 A free text box was provided for consultees to provide their response to this question. An overview of the responses is provided in table 3-6 below.

Table 3-6: Common Themes Raised in Response to Question 9

Issue Theme Raised by Consultee	Number of times theme raised
Wider A511 Growth Corridor Improvement Scheme	
• Impact on the other villages	3
• Comments with regards other junctions in the wider scheme	1
• Would prefer the Bardon Bypass	1

Development within the area

• Concern with regards the level of development in the area	3
• The Scheme will promote further development to the south of Bardon Road	2
Concern with the impacts on pollution in the local area, specifically noise from the new development for the existing residents, CO2 emissions	3
No other impacts needed considering	3
Lack of public transport in the area	2
Scheme will create extra traffic on Bardon Road	2
Scheme will have a negative effect on property value	2
Safety concerns for pedestrians and cyclists	2
More active transport links should be included within the scheme	2
Concerns with regards the long-term maintenance of the road specifically; graffiti and litter	2
Consideration should be given to signalling the roundabout junction	2
Other comments received in response to this question comprise:	
• An alternative to roads should be considered	1
• The scheme does not present good value for money	1
• Alternative roads should have been considered	1
• Traffic restrictions should be included within the plans	1
• Disruption to local residents during the construction phase	1

Question 10: Is there anything further you would like this scheme to include?

3.30 The questionnaire presented an open text box for responses to be input. Whilst 5 consultees responded: no, and 3 responded that the scheme is not wanted, the other responses are summarised below.

Table 3-7: Common Themes Raised in Response to Question 10

Issue Theme Raised by Consultee	Number of times theme raised
Pedestrian and Cycle Facilities	
• A Dedicated cycle lane should be provided	6
• Linking in the multi-user route at the old mineral railway	2
• The plans should do more to prioritise people over cars	2
• There should be an improvement to the pedestrian links on offer within the plans	1
• Ensure there is safe access for pedestrians during the construction phase	1
Comments with regards to the wider A511 Improvement Works:	
• The Scheme should create a Bardon Relief Road; promote a link from the Flying Horse to Copt Oak;	4
• A pedestrian crossing is needed at Shaw Lane	2
Inclusion of traffic management:	
• Speed limits throughout the scheme; weight restriction roads	5
• Comments regarding the use of HGVs in the area	2
Concern with regards to the levels of development within the area	3

Landscaping Issues

- Inclusion of more tree planting/hedgerow creation and woodland creation 3
- More green benefits should be incorporated into the scheme such as play/open space 1

Measures to reduce pollution should be incorporated into the scheme 3

Better public transport including rail links should be incorporated into the scheme 2

Other comments received in response to this question comprised:

- The scheme will promote community severance 1
- Hugglescote Parish Council have road name ideas 1
- There needs to be junction improvements at Bardon Close 1
- There is clear justification for the Scheme 1
- The scheme will increase traffic 1
- Concern with regards to the impact on the countryside 1

Question 11: Is there anything else you want us to consider during the construction period?

3.31 Consultees were provided with an open free-text box to provide an answer to this question. Four consultees responded: no, and five consultees responded with comments suggesting the Proposed Scheme is not required. The other comments provided are summarised below.

Table 3-8: Common Themes Raised in Response to Question 11

Issue Theme Raised by Consultee	Number of times theme raised
Construction Environment Management	
• Construction noise restrictions	4
• Maintain access to the area for recreational purposes during construction	4
• Prompt removal of traffic management once no longer required	3
• Reduce mud on road caused by construction vehicles	3
• Limit the tree hedgerow loss	2
• Agree haul routes beforehand	2
• Agree acceptable construction hours of work	1
Local Participation	
• Include local residents more regularly within the planning process	3
• Include local apprenticeships/local sourced labour in the construction process	2
Protect the disused railway line and bridge for active travel links	2
Various other issues were raised only once including:	
• Reference to the 2019 consultation on the A511 corridor improvement scheme	1
• Ensure safe access for emergency services	1
• Include solar panels along the length of the proposed route.	1

4. Summary and Conclusion

- 4.1 The applicant has undertaken pre-application consultation with the local community as encouraged by the National Planning Policy Framework and the Leicestershire County Council SCI.
- 4.2 In summary, and as presented above, there were a number of consistent themes evident throughout the feedback including:
- **Speed Limits:** concern raised with regards to the existing speed limits witnessed along the A511 and a consensus that speed limits along the new road and near the junction should be lowered and imposed through the installation of speed cameras or other highway management measures.
 - **Environmental Impact:** throughout the comments received concern with regards the loss of open space/green fields, as a result of the Proposed Scheme, the need for more tree planting and the potential negative impact it will have on the local wildlife has been raised.
 - **Congestion:** the issue of congestion was contentious. Whilst the majority of consultees agreed there are existing congestion issues in the area, consultees expressed different opinions as to whether they felt the Proposed Scheme would in fact improve or worsen the current situation.
 - **Pollution:** increased levels of air and noise pollution, both during construction and once the Proposed Scheme is in operation was also raised. Some consultees stated the pollution levels would likely worsen and some stated that the Proposed Scheme would improve pollution levels.
 - **Public Transport and Active Travel:** throughout the questions this theme was raised by many consultees. Whilst the Proposed Scheme will include a shared cycle/pedestrian path and although some consultees agreed that this was beneficial, others suggested that the Proposed Scheme did not go far enough and more could be incorporated to improve the pedestrian/cyclist experience.
 - **Construction Phase Disturbance:** throughout the questionnaire responses, concerns were raised with regards to the potential disturbance to local residents that may occur during the construction phase. Specifically, noise associated with construction, mud on the local roads from construction vehicles exiting the site, working hours and the impact on local roads of the extra construction vehicles.
- 4.3 Table 4.1 illustrates how the consultation themes have been addressed:

Table 4-1: Applicants Response to the Main Issues Raised Through Public Consultation

Consultation feedback themes	Applicants Response
Traffic Management <ul style="list-style-type: none"> • Speed limits • Weight Restrictions 	<p>The new Bardon Link Road will be subject to a 30 mph speed limit. This will be indicated by the presence of street lighting (as detailed in the Highway Code). A traffic calming scheme will also be installed on the new road, in the form of speed cushions. Speed cushions comprise raised features that span part of the carriageway, not the full highway width. Speed cushions allow vehicles with a larger wheelbase (such as a bus or ambulance) to straddle it without feeling the bump, therefore ensuring the link road remains bus friendly. The introduction of the speed cushions on the link road, creates an element of self-enforcement as vehicles are physically prevented from driving too fast over the cushions.</p> <p>A weight limit is being considered for the new Bardon Link Road to prevent HGVs from using the route as a cut through. An exception would be included for vehicles accessing properties off this road where there is no alternative route (e.g. delivery vehicles to properties on the new housing development).</p>
Environmental Impact <ul style="list-style-type: none"> • Pollution • Loss of green space 	<p>The Proposed Scheme has been subject to EIA Screening in accordance with the Town and Country Planning (EIA) Regulations 2017. LCC as the planning authority determined that the Proposed Scheme does not constitute EIA development and that a statutory EIA is not required. Nonetheless a series of environmental surveys and assessments have</p>

- Loss of vegetation: trees/hedgerows:
- Impact on the wildlife

been undertaken and the following reports accompany the planning application:

- Air Quality Assessment Report – this reports on assessments of impacts on air quality during both construction and operation of the Proposed Scheme.
- Heritage Statement – this considers potential impacts on heritage assets, including any potential of direct physical impacts and impacts due to changes in setting.
- Ecology Reports - including a Preliminary Ecological Appraisal Report, Reptile Survey Report, Bat Survey Reports, Riparian Mammals (Otter and Water Vole) Survey Report, Aquatic Ecology Report. A confidential Badger Survey Report has also been prepared.
- Biodiversity Net Gain Report – this describes how biodiversity net gain will be achieved on the Proposed Scheme.
- Phase 1 Geo-environmental desk study report – this includes a qualitative geotechnical assessment together with a Conceptual Site Model and a preliminary risk assessment to assess potential risk from contamination.
- Landscape and Visual Impact Assessment – this assesses the temporary and permanent potential impacts on landscape and visual impacts of the Proposed Scheme.
- Arboricultural Impact Assessment Report – this includes the results of tree surveys and includes a tree protection plan and recommendations for the protection of trees in accordance with BS 5837:2012 - *Trees in relation to design, demolition and construction*.

During construction of the Proposed Scheme, potential environmental impacts will be managed and monitored through the implementation of the Contractor's Construction Environmental Management Plan (CEMP) which will be approved by the planning authority prior to the start of works on site.

Congestion

Throughout the responses concern was raised about the current levels of congestion in the area and the potential impact of the Proposed Scheme.

- Traffic modelling is being undertaken in support of the planning application; full details will be presented within the Transport Assessment which once complete will be submitted in support of the planning application.
- The roundabout junction with the inclusion of the extra southern arm has undergone initial modelling which has demonstrated that the proposed layout can accommodate the predicted traffic growth.

Public Transport and Active Travel

- Pedestrian Experience
- Cycle Network
- Bus/Rail

The Proposed Scheme includes a lit shared footway / cycleway on both sides of the new highway which will form a continuation of the footway / cycleway provision proposed along the developer's spine road.

Leicestershire Footpath No. N86 will be crossed by the new Bardon Link Road. The public footpath will be subject to a slight diversion to facilitate this crossing but will otherwise be retained as existing.

Uncontrolled crossings are proposed on each arm of the roundabout to facilitate pedestrian movements through the junction. These crossings will include dropped kerbs and tactile paving.

The new Bardon Link Road has been designed to a sufficient width, with speed cushions rather than speed bumps to facilitate the use by buses if the proposed scheme gains planning permission and the necessary demand is demonstrated.

Construction Phase Disturbance

Whilst there will be some disturbance during the construction phase, both the noise and air quality assessments prepared to inform the design of the scheme have concluded that the impacts will be short term and minimal. Further to this, it is likely that should the Proposed Scheme gain planning consent a condition of that consent would be the preparation and submission of a Construction Environment Management Plan (CEMP). This is a document which is often prepared by the on-site contractors and will contain detail with regards to mitigation ensuring that the environment is

protected during the construction period. It is common for a CEMP to contain details including;

- Working hours
- Number of vehicles to and from the site
- Dust management: and
- Wheel cleaning

Consultation Material:

Some comments received referred to the consultation material. Whilst some consultees mentioned that the plans were clear others suggested there was not enough detail available.

The consultation material was advertised: via letter to the immediate neighbours of the scheme site, online, through posters, leaflets and on the radio. A dedicated website, email address, phone number and manned drop-in events were arranged. The detail within the consultation contained the proposed alignment of the link road, an indicative landscape layout showing the possibilities with regards planting and open space. Due to the evolving nature of the Proposed Scheme, these plans were indicative.

Other Themes Raised

Applicants Response

Concern with regards levels of development within the Coalville Area

- Grange Road housing development
- Coalville SUE

A number of comments raised queries with regards to the amount of development that has taken place in relatively close proximity to the Proposed Scheme site. It is acknowledged that the Proposed Scheme lies close to a large, new housing development on the allocated site to the north of Grange Road. The site is allocated for housing and there are other nearby employment use allocations.

The level of development is set by local plan policy contained within the North West Leicestershire District Council Local Plan and is outside of the scope of this Proposed Scheme.

Wider A511 Growth Corridor Improvement Works

- Previous consultation
- Bardon Bypass
- Alternative routes

The wider A511 Growth Corridor Improvement works comprise junction improvement works to eight junctions and the upgrading of Stephenson Way from a single to a dual carriageway. These works have been widely publicised and have been thorough their own public consultation in September/October 2019; a process which informed design of these improvements and fed into the Outline Business Case.

The wider improvement works are being delivered under LCC's permitted development rights and as such do not require planning consent.

Some responses queried why a Bardon Road Bypass (also referred to as a Bardon Relief Road) was not being progressed. This relates to a former proposal to build a bypass of the A511 through Bardon: an area to the south-east of Coalville.

Assessment work was undertaken in 2012 and was reported to the North West Leicestershire Highways Forum in October 2012. The assessment work concluded that in providing what is, in effect, a parallel route to Bardon Road that offered little in terms of significant time savings, the business case/value for money for/of the project was likely to be poor. In turn, this meant that there appeared to be little or no case for securing public investment. Whilst the work is now 9 years old, LCC remain of the view that the fundamental conclusions about the Bardon Road Bypass remain valid.

Appendix A : Public Consultation Letters

A.1 Letter hand delivered to 29 properties in Zone 1



To the Occupier

Date: September 2021
 My Ref: A511 MRN Growth Corridor
 Contact: Customer Services 0116 305 0001
 Project Team 0116 3058136
 Email: A511MRN@leics.gov.uk

Dear Occupier,

A511 MRN Growth Corridor - Scheme Update

As you may be aware from previous consultations on proposals for the A511, Leicestershire County Council has continued to seek government funding to upgrade a series of junctions along the A511 between A42 Junction 13 and Field Head Roundabout on the A50.

The existing A511 corridor, despite its importance, suffers from congestion and delays, particularly during the peak travel periods. High levels of congestion and changes in lane and road widths affect journey times, road safety and influences how and when people chose to travel along this route. If nothing is done, these transport conditions are likely to worsen over time with the proposed future growth within the Coalville and North West Leicestershire area. This will make the area unattractive to live and work in.

We are therefore continuing to develop changes to the 9 locations along the A511 corridor, drawings of which are available to view by going to www.leics.gov.uk/A511MRN

A key part of the scheme will be the creation of a new link road connecting the A511 Bardon Road roundabout with the housing developments off Grange Road. The plan enclosed with this letter provides an overview of the scheme at this location.

The new link road will require planning permission and we plan to submit a planning application early 2022. To support this next stage, Leicestershire County Council are launching a public consultation event to seek residents and interested parties' views on the proposed changes.

As someone directly affected by these works, we want you to see the proposals before they are more widely shared with others. Officers will therefore be in the area on **16th and 17th September** to talk to you about the project and answer any questions you may have. If you are not available on these dates, there will be a further opportunity to talk to the project team in person at one of the consultation events taking place at the end of September, or if you

Environment and Transport Department,
 Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RJ
 Telephone: 0116 305 0001 Fax: 0116 305 0006 Minicom: 0116 305 0007
 Email: etd@leics.gov.uk
 Director: Ann Carruthers
www.leics.gov.uk

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wish to raise any questions beforehand, please telephone 0116 3058136 and a member of the team will be able to help.

This is your opportunity to express your thoughts, what concerns you may have and share any local or specialist knowledge that may help to inform the proposals we progress.

The public consultation events are due to be held on Wednesday 29th September 2021 between 10am and 3pm and Friday 1st October 2021 between 4pm and 8pm, both at the Hermitage Park Hotel, Whitwick Road, Coalville LE67 3FA

A questionnaire will be made available at the events or alternatively the consultation material can be viewed online by using the following <https://www.leicestershire.gov.uk/have-your-say/current-engagement>.

If you require the consultation material in an alternative format, such as a paper copy, please telephone 0116 3057009 and this will be arranged for you

Yours faithfully,



Ann Carruthers
Director for Environment and Transport &
Senior Responsible Officer for the scheme

Enc: new link road illustration

DR

A.2 Letter posted out to 1,700 properties in Zone 2



Dear Sir/Madam,

RE: A511 Growth Corridor Scheme

As you may be aware from previous correspondence, Leicestershire County Council is seeking government funding to upgrade a series of junctions along the A511 between A42 Junction 13 near Ashby-de-la-Zouch and Field Head Roundabout in Markfield.

We are therefore continuing to develop changes to the 9 locations along the A511 corridor, drawings of which are available to view by going to www.leics.gov.uk/A511MRN

A key part of the scheme will be the creation of a new link road connecting the A511 Bardon Road with the housing developments off Grange Road. The new link road will require planning permission, and a planning application will be submitted in early 2022. A copy of the latest scheme plan is enclosed.

To inform the planning application process we will be undertaking a consultation exercise with local residents and other interested parties to allow individuals to have their say on the new road and junction design.

The consultation period will start on **Monday 27th September 2021** and will close at **midnight on Sunday 31st October 2021**.

To access the virtual consultation page and complete a short questionnaire, please visit <https://www.leicestershire.gov.uk/have-your-say/current-engagement>

Two public consultation events will also be held on Wednesday 29th September 2021 between 10am and 3pm and Friday 1st October 2021 between 4pm and 8pm, both at the Hermitage Park Hotel, Whitwick Road, Coalville LE67 3FA

This is your opportunity to express your thoughts and any concerns you may have, and to share any local or specialist knowledge that could inform any proposals that are put forward.

If you require the consultation material in an alternative format, such as a paper copy, please telephone (0116) 3057009 and this will be arranged for you.

Yours faithfully,

Ann Carruthers
Director for Environment and Transport &
Senior Responsible Officer for the scheme

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Ann Carruthers, Director
www.leicestershire.gov.uk

A.3 Sketch plan distributed with consultation letters



aecom.com



CABINET – 29 MARCH 2022

**NATIONAL BUS STRATEGY:
ENHANCED PARTNERSHIP PLAN AND SCHEME AND
BUS SERVICE IMPROVEMENT PLAN**

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

PART A

Purpose of the Report

1. The Leicestershire Bus Service Improvement Plan (see background papers), which supports the Government's National Bus Strategy (NBS), was approved by the Cabinet in October 2021. This report seeks approval of the associated Enhanced Partnership Plan (the Plan) and Enhanced Partnership Scheme (the Scheme) as shown in Appendices B and C and approval for the County Council to enter into an Enhanced Partnership with bus service operators.

Recommendations

2. It is recommended that:
 - a) The outcome of the consultation undertaken by the County Council in respect of the Enhanced Partnership Plan and Enhanced Partnership Scheme as set out in the report and Appendix C be noted;
 - b) The establishment of an Enhanced Partnership with bus service operators, based on the Enhanced Partnership Plan and Enhanced Partnership Scheme (Appendices A and B respectively to this report) be approved;
 - c) That registrations for local bus service changes and requests for funding to support local bus services continue to be assessed in line with the Council's adopted Passenger Transport Policy and Strategy (PTPS), pending a review of the PTPS once the Enhanced Partnership is in place.

Reason for Recommendations

3. To note the outcome of the consultation and the views expressed.
4. To fulfil the Government's requirement to have an Enhanced Partnership (supported by a Plan and Scheme) in place, which will be the delivery vehicle

for the Bus Service Improvement Plans (BSIP) and a pre-requisite for the Council to be considered for BSIP funding.

5. To note the intention for the County Council to continue to assess registrations for local bus service changes and requests for funding to support them, in line with the PTPS and the intention to review the PTPS once the Enhanced Partnership is in place.

Timetable for Decisions (including Scrutiny)

6. Subject to the Cabinet's approval, the Enhanced Partnership will be put in place by the Government's original deadline of the beginning of April 2022. The Government has recently relaxed that requirement by one month but for the reasons set out in Part B of this report, it is considered best to meet the original April deadline.
7. The Highways and Transport Overview and Scrutiny Committee considered a report on the NBS BSIP and Enhanced Partnership on 4 November 2021.

Policy Framework and Previous Decisions

8. In October 2018 the Cabinet approved the Authority's PTPS which sets out the policy objectives and key supporting principles that guide the County Council's support for road-based passenger transport services across Leicestershire.
9. In May 2019, the County Council declared a Climate Emergency. The updated 2020 Environment Strategy sets out how the Council will reduce the environmental impacts of travel and transport. Providing frequent, high quality passenger transport services is a key element in delivering the Climate Change commitment and the Environment Strategy.
10. In November 2020 the Cabinet approved the Leicester and Leicestershire Strategic Transport Priorities document (2020-2050), which highlights where Leicestershire County and Leicester City Councils will work together to deliver common transport aims and objectives. Its principle aims include:
 - a) supporting the transition to a low-carbon and circular economy;
 - b) adapting to climate change;
 - c) improving connectivity;
 - d) supporting and driving the economy to unlock growth; and
 - e) supporting the efficient movement of both people and goods around and through the County.
11. In June 2021 the Cabinet approved the commitment to the establishment of an Enhanced Partnership, and publication of a statutory notice to that effect, in order to comply with the requirements of the NBS and the guidance. Further to this, work continued on the development of the Enhanced Partnership.

12. In October 2021 the Cabinet considered a report on the NBS and approved the Leicestershire BSIP. It also approved the issuing of a statutory notice to bus operators and, subject to no objections being received, the undertaking of a public consultation on 'The Plan' and 'The Scheme'. It also resolved that the Council's Passenger Transport Policy and Strategy (2018) be amended, to take account of the formal establishment of the Enhanced Partnership and the delivery of the BSIP.

Resource Implications

13. In June and October 2021, the Cabinet considered reports on the NBS, which included details about Government funding, the need to appoint an Enhanced Partnership Manager and support team, the Authority's BSIP funding requirements and funding uncertainties. This information remains unchanged and a link to these reports is provided in 'Background Papers'.
14. The County Council still awaits notification of the respective funding allocations. The Government continues to make it clear that ongoing access to passenger transport funding (and possibly wider highways and transport funding) remains contingent on compliance with the requirements of the NBS, the guidance and the delivery timetable. Any reductions in funding allocations will need to be met through a measured approach to the scaling back of activities to ensure spend remains within budget.
15. A separate report on the agenda for this Cabinet meeting deals with the challenges currently faced by the local bus services and the potential resource implications for the Authority.
16. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

This report has been circulated to all Members of the County Council.

Officers to Contact

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 Email: Ann.Carruthers@leics.gov.uk

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PART B

Background

17. The Government published its guidance on Bus Service Improvement Plans (BSIP) in May 2021, setting out a vision for delivering the step-change in bus services that is required by NBS, which can be achieved by Local Transport Authorities working closely with their local bus operators and local communities.
18. Notwithstanding the vision and ambitions, the proposals come at a time of considerable challenges to the bus market nationally. These include the ongoing impacts of the Covid-19 pandemic on patronage levels (and uncertainties as to whether 'new normal' patterns of working and travel behaviours will result in a long-term impact on patronage), increased and increasing fuel costs, and driver shortages.

The Enhanced Partnership Plan

19. The Plan (Appendix A) is a formal legal agreement between the Local Transport Authority - the County Council - and local bus operators, to work together to improve local bus services. It will provide the formal framework and governance for the Enhanced Partnership.
20. The Plan sets out that the Partnership will be led by an 'Enhanced Partnership Board' formed of officer representatives of the Council, the bus operators and district councils within Leicestershire (the latter not being voting members of the Partnership).
21. The Enhanced Partnership will also include opportunity, through a broad 'Enhanced Partnership Forum', for a wide range of other stakeholders to provide input and suggestions on how the BSIP should best be implemented. These include:
 - a) a Leicestershire bus user group (to be formed);
 - b) community transport operators in Leicestershire;
 - c) neighbouring local transport authorities;
 - d) train operating companies serving stations in Leicestershire;
 - e) East Midlands Airport;
 - f) the Leicester and Leicestershire Enterprise Partnership; and
 - g) other organisations that have an interest in Leicestershire's bus services.
22. The overall aim of the Plan is for Leicestershire's Enhanced Partnership to work together to deliver the BSIP, to the extent that is feasible with available funding. It is anticipated that it will also provide a more formal basis for parties to work together to seek to deal with issues arising from wider pressures on the bus market.

The Enhanced Partnership Scheme

23. The Scheme (Appendix B) fulfils the statutory requirements set out in the Transport Act 2000 as amended by the Bus Services Act 2017 when the Authority wishes to exercise its power to make an Enhanced Partnership Plan and one or more Enhanced Partnership Schemes. It sets out:
 - a) The geographic area covered by the scheme;
 - b) When the scheme is to commence;
 - c) In detail the overall interventions to be made by the Authority under the Scheme – these comprise facilities and measures;
 - d) Requirements in the form of Standards of Services imposed on Local Qualifying Bus Services; and
 - e) Arrangements for the review and possible variation of the Scheme and its operation.

24. The Scheme is dependent upon an Enhanced Partnership Plan being in place. Initially the Scheme will be a simple relatively low-cost first step, as funding from the Government to deliver the BSIP is not yet known. The first scheme can, in due course, be extended in scope and ambition, and additional schemes can be introduced in line with the BSIP, once the Enhanced Partnership is in formal operation and funding availability becomes clear. The Scheme involves:
 - a) A countywide requirement for bus operators to only introduce service changes on specific agreed dates (there will be exemptions to this requirement for some services that come into the County from other local authority areas). This will help make the Leicestershire bus network simpler to understand.
 - b) The County Council carrying out an audit of bus stops on the B4114 corridor (a section of Narborough Road South) to the south-west of Leicester and providing improved facilities within that corridor. Operators of bus services on this corridor will be required to use only vehicles that meet, as a minimum, the Euro VI emissions standard by 1 April 2024.

Consultation on the Plan and the Scheme

25. Engagement with stakeholders is an important part of the process for developing a new approach to the delivery of bus services. It helps to ensure that the Authority takes account of customer and user expectations and delivers the most appropriate service levels, consistent with the budget available.

26. Consultation exercises relating to passenger transport provision have previously taken place and the outcomes were reported to the Cabinet, including in respect of the Authority's PTPS (consultations in 2018) and BSIP (consultations in 2021). These previous exercises have also helped to inform

the development of the Plan and the Scheme as well as the specific exercises referenced below.

Statutory consultation with bus operators

27. There is a statutory requirement for the Authority to undertake this consultation exercise with bus operators.
28. Bus operators received notice of the Plan and the Scheme in November 2021, providing them with a 28-day period for objection. Any objections from bus operators would need to be resolved before the Enhanced Partnership could be formalised.
29. No objections were received from bus operators, enabling the Council to proceed with consultation with statutory consultees and the public.

Statutory and Public consultation

30. Further to the statutory consultation with bus operators, the Council undertook a four-week consultation on the Plan and the Scheme, which ran from 10 January to 6 February 2022.
31. This exercise included the same consultees as the June/July 2021 engagement, along with statutory consultees such as bus operators, other Local Authorities affected by the proposals, the Traffic Commissioner, Police, Transport Focus, the Competition and Markets Authority and local Members of Parliament.
32. The consultation took the form of an online 'you said, we did' exercise, taking consultees through how they had helped to inform the Leicestershire BSIP and the development of 'The Plan' and 'The Scheme', and providing them with an opportunity to comment.
33. The consultation was promoted through the Council's website and through social media.
34. Comments were received from 17 different respondents of which three were members of the public, two were County Council employees, 10 were from other local authorities (including district councils, parish councils and neighbouring authorities), and two were from other organisations (Transport Focus and National Forest Trust). Six of the respondents were non-statutory consultees and 11 were statutory consultees.
35. Only a small number of comments or concerns were received that were specifically about the Plan and the Scheme (the remaining observations are included in paragraph 39).
36. There were two specific comments citing the Transport Act 2000, questioning:

- a) how the Enhanced Partnership Forum meets the statutory requirement to consult users on how well the partnership is working; and
 - b) how a less onerous bespoke mechanism to vary a scheme could be used as an alternative to making additional schemes which would require consultation.
37. For the first point, it is considered that sections 8.2 to 8.4 of the Plan (which include reference to a Leicestershire bus user group being part of the Enhanced Partnership Forum, and to the Forum reviewing delivery progress at least annually) adequately address the requirement of the Transport Act. With respect to the second point, where a new proposed intervention can clearly be seen as a variation on the Scheme, the bespoke variation mechanism will be used; where it is clearly a new/additional scheme, the bespoke variation mechanism will not be used. Where necessary, expert legal advice will be sought to determine which is the appropriate route to take.
38. One respondent considered that district councils should have voting rights on the Enhanced Partnership Board. However, whilst the district councils would be non-voting members, they would still play an integral part in helping to inform future plans and decisions of the Partnership.
39. Other key general themes emerging from the consultation were around accessibility, frequency and reliability, information provision, affordability, and greener vehicles. Whilst not specifically relevant to the Enhanced Partnership itself, such viewpoints do mirror the objectives of the BSIP, which has provided further reassurance that the BSIP is striking the right priorities for people.
40. All comments received during the consultation have been included in Appendix C. Overall, no changes were required to the Plan and the Scheme as a result of the consultation and these can now be formalised, and the Enhanced Partnership can be 'made' in line with the Government's requirements.

Further consultation

41. Going forward, variations to the Scheme(s) delivered through the Enhanced Partnership and under the BSIP may, as appropriate, be subject to separate engagement and consultation exercises.

Passenger Transport Policy and Strategy

42. The BSIP sets out that the PTPS will be reviewed in full, once the BSIP and Enhanced Partnership have been developed, to ensure that full alignment is achieved.
43. In the meantime, officers will continue to use the adopted PTPS, where appropriate, when considering whether the Authority should provide funding to support local bus services, where they are no longer able to operate on a commercial basis.

Equality and Human Rights Implications

44. The Equality Act 2010 requires the Authority to have due regard to the need to eliminate discrimination and to promote equality of opportunity between different protected groups.
45. An Equality and Human Rights Impact Assessment (EHRIA) screening has been undertaken. The impact of the BSIP and the Plan and the Scheme is considered to be positive/neutral, and therefore a full EHRIA is not required.

Environmental Implications

46. Delivery of improved bus services should help to deliver mode shift away from the private car and would therefore be expected to deliver air quality and carbon reduction benefits.

Legal Implications

47. External legal advice was obtained to ensure that the Enhanced Partnership Plan and the Enhanced Partnership Scheme accords with statutory requirements of the Bus Services Act 2017.

Background Papers

Report to the Cabinet on 16 October 2018, 'Draft Passenger Transport Policy and Strategy'

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=5184&Ver=4>

Report to the Cabinet on 20 November 2020, 'Leicester and Leicestershire Strategic Transport Priorities':

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=5999&Ver=4>

Report to the Cabinet on 22 June 2021, 'National Bus Strategy'

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6444&Ver=4>

Report to the Cabinet on 26 October 2021, 'National Bus Strategy'

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6447&Ver=4%20>

Leicestershire Bus Service Improvement Plan

<https://www.leicestershire.gov.uk/roads-and-travel/buses-and-public-transport/bus-service-improvement-plan-bsip>

Appendices

Appendix A: Draft Enhanced Partnership Plan

Appendix B: Draft Enhanced Partnership Scheme

Appendix C: Summary of consultation feedback

Leicestershire Enhanced Partnership Plan

THE LEICESTERSHIRE COUNTY COUNCIL ENHANCED PARTNERSHIP PLAN FOR BUSES
IS MADE IN ACCORDANCE WITH SECTION 138G(1) OF THE TRANSPORT ACT 2000 (AS
AMENDED) BY:

LEICESTERSHIRE COUNTY COUNCIL

Draft Plan Document

8th December 2021

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0. Definitions

- 0.1 In this Enhanced Partnership Plan document, the following capitalised terms shall have the meanings ascribed to them below:

1985 Act	Transport Act 1985
2000 Act	Transport Act 2000 (as amended by the 2017 Act)
2017 Act	Bus Services Act 2017
Bus Operators (or Operators)	All Large Operators, Medium Operators and Small Operators running Qualifying Bus Services taken collectively.
County Council	Leicestershire County Council.
Enhanced Partnership Scheme Variation (or Scheme Variation)	A formal variation of the relevant Enhanced Partnership Scheme(s) as a result of the mechanism set out in section 8 which will then constitute a formal variation of the relevant scheme for the purposes of s.138E(1) of the 2000 Act.
Facilities	Those facilities referred to in the Enhanced Partnership Scheme document which shall be deemed such for the purposes of s.138D(1) of the 2000 Act.
Leicestershire Bus Service Improvement Plan (or Leicestershire BSIP, or BSIP)	The Bus Service Improvement Plan published by Leicestershire County Council.
Leicestershire Enhanced Partnership Board (or EP Board)	The committee of selected Leicestershire Bus Operator representatives, County Council officers and district or borough council representatives responsible for considering recommendations put forward by the Leicestershire EP Forum and making recommendations to the County Council including specific Enhanced Partnership Scheme Variations using the mechanism in section 6.
Leicestershire Enhanced Partnership (or Enhanced Partnership or EP)	The Enhanced Partnership covering the geographic extent of the administrative boundary of the county of Leicestershire shown for identification purposes only at Figure 1.

Leicestershire Enhanced Partnership Forum (or EP Forum)	The committee of all Leicestershire Bus Operators, the County Council, district and borough councils, responsible for considering all issues affecting the Leicestershire Enhanced Partnership Enhanced Partnership, and making recommendations to the Leicestershire Enhanced Partnership Board in line with the Leicestershire Enhanced Partnership Enhanced Partnership governance arrangements.
Large, Medium or Small Operator	Any single Bus Operator with registered mileage within Leicestershire representing the following proportions of total registered mileage within Leicestershire for Qualifying Bus Services: Large: equal to or greater than 15% Medium: equal to 5%, but less than 15% Small: less than 5%. For the avoidance of doubt, a list of Large, Medium and Small Operators will be published at the start of each County Council financial year based on registered mileage reported by operators for an agreed average week in the preceding four-month period. .
Measures	Those measures referred to in the Enhanced Partnership Scheme document which shall be deemed as such for the purposes of s.138D(2) of the 2000 Act.
Non-qualifying Bus Service	Services excluded from classification as Qualifying Bus Services.
Qualifying Bus Service	A registered local bus service with one or more stopping place within the geographical area of the Enhanced Partnership, with the exception of: <ul style="list-style-type: none"> Any education related or works registered local bus service not eligible for Bus Service Operators Grant Any cross-boundary registered local bus service with less than 10% of its registered mileage within the Enhanced Partnership area Any services operated under section 22 of the 1985 Act Any registered local bus service which is an excursion or tour Any other registered local bus service that the Operators (through the Leicestershire EP Board voting mechanism in section 6) and County Council decide should be excluded from all or specific requirements of the Enhanced Partnership Scheme. For the avoidance of doubt, a list of Qualifying Bus Services will be published at the start of each County Council financial year.
Requirements	Those requirements placed upon Bus Operators identified as such within the Enhanced Partnership Scheme document, which shall be deemed as such for the purposes of s.138C 2017 Act.

Scheme	a scheme made by the County Council pursuant to s138 of the 2000 Act.
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1. Introduction

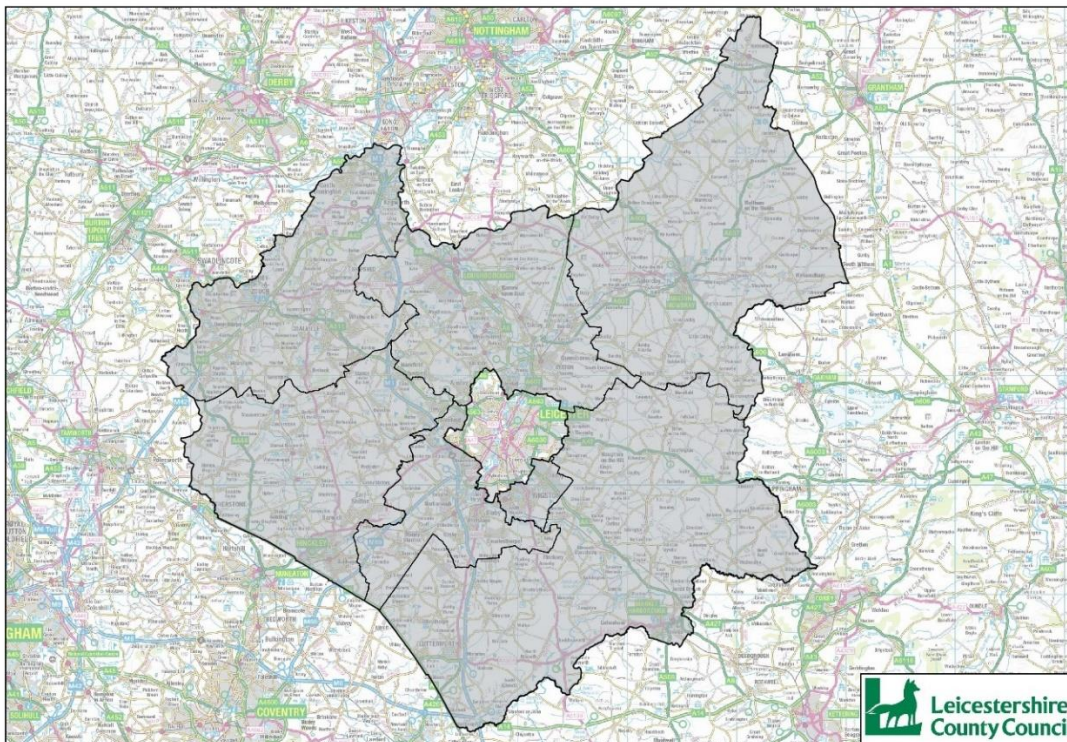
- 1.1 Leicestershire County Council recognises the very important role that buses and other passenger transport services have to play in keeping people and places connected, especially in a largely rural county such as Leicestershire. Use of such services rather than private car travel also helps reduce congestion, improves air quality in our towns, and limits carbon emissions.
- 1.2 Decarbonisation is clearly one of the high priority overall objectives for developing increased use of better, cleaner bus services. The County Council has declared a Climate Emergency and has pledged to reach a revised target of achieving 'net zero' across the county by 2045 – five years sooner than the government target of 2050.
- 1.3 In line with this, the Leicester & Leicestershire Strategic Growth Plan has a strong emphasis on 'clean growth', for which greater bus use will be a key delivery strand. The county already has a number of major employment areas, including Magna Park (the largest distribution hub in Europe), and the East Midlands Gateway adjacent to the airport. It is vital that public transport use is maximised for workers at these and other future major employment parks if 'clean growth' is to be achieved.
- 1.4 This document presents the Enhanced Partnership Plan for delivering the Leicestershire Bus Service Improvement Plan (BSIP). The BSIP has been developed by Leicestershire County Council and consultants, ITP, in collaboration with bus operators in the county. It takes account of views expressed by residents and visitors to Leicestershire and other interested parties and organisations, as gathered through a countywide public engagement exercise. It also takes account of discussions with neighbouring authorities, and community transport operators. The focus of the Leicestershire BSIP is strongly on growing the fare-paying customer market, with concessionary passengers also benefiting from many of the initiatives included.
- 1.5 We believe that the Leicestershire BSIP represents an ambitious but realistic first step on the road to revitalising the Leicestershire bus network. With funding from Government, we will be able to deliver a brighter future for bus use in the county that will play a vital role in achieving Leicestershire's aspirations to be a low-carbon, clean growth area.

2. Extent of the Enhanced Partnership

Area Covered

- 2.1 The area covered by the Leicestershire Enhanced Partnership is the administrative area of Leicestershire County Council, as shown in Figure 2-1.
- 2.2 Leicestershire is predominantly a rural county, with 80% of the county's land being used for agriculture and approximately 55% of the county's population living within rural parishes. The county has approximately 150 settlements with a population of less than 10,000, and approximately 150 small villages with a population of less than 250. The majority of these small villages are located in the east of the County, within the districts of Melton and Harborough.
- 2.3 There are a number of towns in Leicestershire. These include Ashby-de-la-Zouch, Coalville, Earl Shilton, Hinckley, Loughborough, Lutterworth, Market Harborough, Melton Mowbray, Oadby, and Wigston. A significant number of Leicestershire residents also live within the Greater Leicester conurbation, just outside the city council's administrative boundary.

Figure 2-1: Leicestershire EP area (county boundary)



Duration

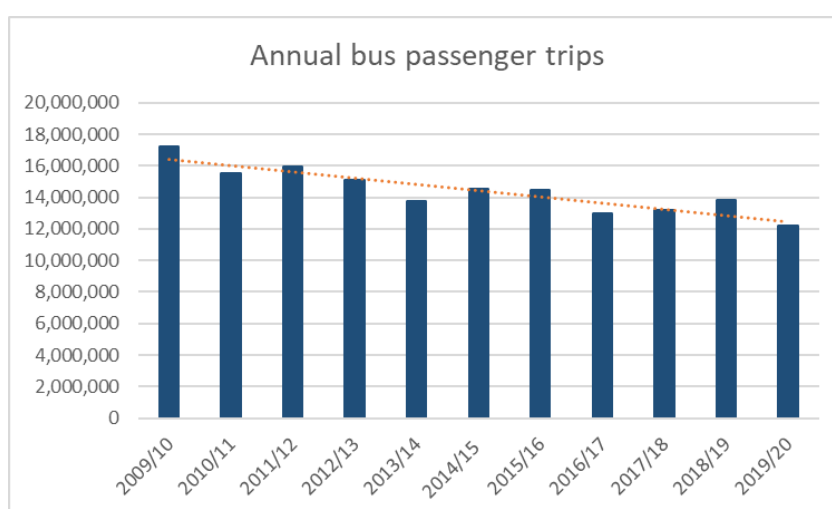
- 2.4 It is proposed that the Leicestershire Enhanced Partnership will cover a 10-year period from April 1st 2022 to March 31st 2032. This corresponds to the Leicestershire BSIP duration and will give stability, consistency, and clarity of long-term vision to allow both LTA and bus operators to commit to delivering a much-needed boost to bus services and usage.

3. The Leicestershire Bus Market

Bus Travel Trends

- 3.1 In general, Leicestershire has seen a downward trend in bus passengers over the last decade, from 17.3m in 2009/10 to 13.8m in 2018/19, as shown in Figure 3-1. This reduction in patronage to some extent coincides with reduction of local authority support for non-commercial bus services as council finances have been reduced. The 20% patronage reduction in Leicestershire is equivalent to the fall in patronage in neighbouring Nottinghamshire and Derbyshire. It is against this background that the Leicestershire BSIP and its delivery through the Leicestershire EP aims to reverse this trend and grow bus use over the next decade. At the same time, however, it should be noted that there are a number of commercial routes whose patronage was growing pre-Covid and there are lessons to be learned from such services.

Figure 3-1: Leicestershire bus passenger trends^{1 2}



¹ Based on DfT bus statistics Table BUS0109, as published June 2021.

² Last month of 2019-20 (latter part of March) was affected by COVID restrictions.

- 3.2 The impact of the Covid-19 pandemic on bus patronage has been dramatic. Patronage for financial year 2020/21 was just 27.5% of the 2018/19 figure (3.8m compared to 13.8m).
- 3.3 Table 3-1 shows that although the proportion of passengers travelling with an English National Concessionary Travel Scheme (ENCTS) pass has fallen over recent years (in line with the rise in age of eligibility), in 2019/20 31% of all bus passengers in Leicestershire were concessionary travellers. This is significantly higher than the England average of 21%. The concessionary section of the bus market is also taking the longest time to recover post-Covid.

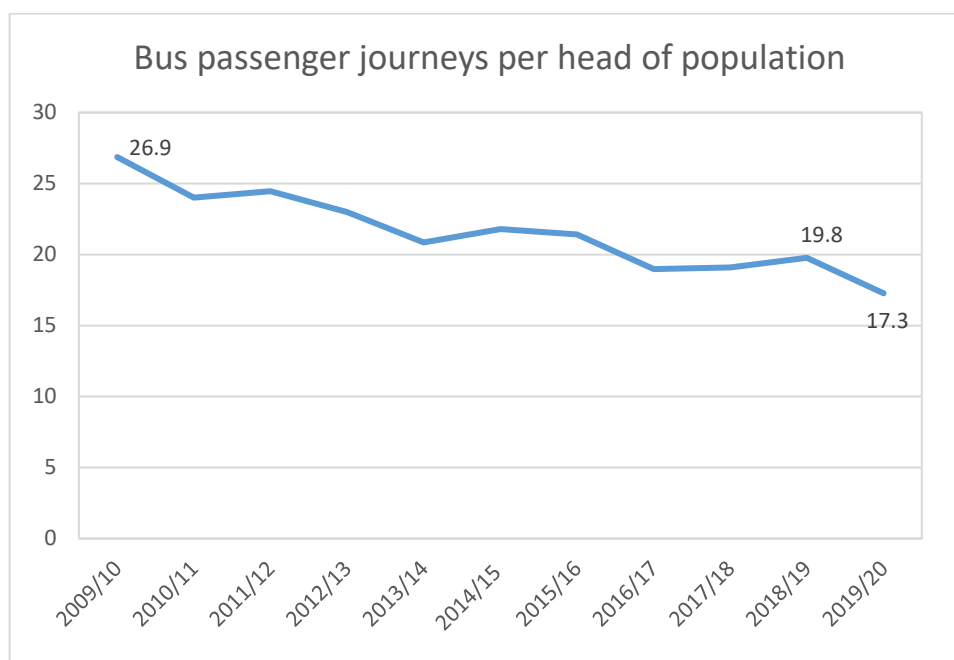
Table 3-1: Concessionary travel trends in Leicestershire³

Year	Total passenger journeys (millions)	Of which ENCTS (millions)	% ENCTS	England ENCTS %
2009/10	17.3	5.6	33	23
2010/11	15.5	5.5	36	23
2011/12	15.9	5.8	37	23
2012/13	15.1	5.8	38	22
2013/14	13.8	4.9	36	22
2014/15	14.6	5.1	35	22
2015/16	14.5	5.3	37	22
2016/17	13.0	4.3	33	22
2017/18	13.2	4.4	33	22
2018/19	13.8	4.5	32	22
2019/20	12.2	4.0	31	21

- 3.4 Over the past decade, there has been a steady decline in the number of bus passenger journeys per head of population in Leicestershire (Figure 3-2), reducing by 26% from just under 27 in 2009/10 to just under 20 journeys per person in 2018/19. This trend reflects the challenges the authority has faced in maintaining service levels, which have resulted in supported service frequency reductions and removal of certain under-used services. It also reflects growth in car ownership and usage.

³ Based on DfT bus statistics Tables BUS0109 and BUS0113, as published June 2021

Figure 3-2: Bus passenger journeys per head of population



Bus Network

- 3.5 The primary providers of passenger transport services in Leicestershire are commercial organisations that operate local bus services on a profit-making basis, as envisaged when the local bus service market outside London was de-regulated in 1985. It is generally in the interests of the people of Leicestershire for commercial bus networks to be attractive, efficient, and stable; also commercial networks require no subsidy and there is, therefore, no cost to the taxpayer. Such networks can meet the needs of many people in providing a means of collective transport that reduces congestion on our roads, limits vehicular emissions and provides access to work and life opportunities.
- 3.6 Facilitating and supporting an appropriate mix of services, working with communities and commercial and third sector operators, is a key aim for the Council, against a backdrop of a challenging funding situation. These are intended to meet statutory requirements, help Leicestershire County Council deliver on its strategic priorities and outcomes, and support the people of Leicestershire in accessing key services.
- 3.7 There are just over 70 commercial routes in operation in Leicestershire, many of which operate cross-boundary into neighbouring authority areas. There is no dominant operator of commercial routes – Arriva operates approximately 44% of commercial routes, with Centrebus operating approximately 23%. The remaining commercial

routes are operated by nine different operators, including First, trentbarton and Kinchbus.

- 3.8 There are a number of bus services operating in the county which the County Council considers it appropriate to secure and financially support, in addition to those operated commercially, in order to meet priority social needs. These services together amount to approximately 1.6 million supported miles.
- 3.9 As of October 2021, 14 services are fully supported by the Council at a gross cost of approximately £2.2m per annum. 13 services are funded on a de minimis basis at a gross cost of approximately £580,000. A further two services are supported on a de minimis basis, using Section 106 funding from developers. A number of the de minimis contracts had been commercial within the last five years, demonstrating the fragility of the bus market in Leicestershire.
- 3.10 Some cross-boundary services are also co-funded by neighbouring LTA's, including the Park & Ride services that go into the City of Leicester and the 747 that serves Rutland as well as Leicestershire.
- 3.11 Analysis of the local bus network was undertaken in 2018 to identify the proportion of the population within walking distance (determined as 800m to reflect the rurality of the area) of a commercial or a supported service. The analysis concluded that 82.3% of the county's population was within walking distance of a commercial service and 63.5% of the population was within walking distance of a supported service. Overall, 93.3% of the population was within 800m of a local bus service.
- 3.12 In addition to conventional bus services, the County Council currently funds in excess of 40 demand responsive transport (DRT) services at a gross cost of approximately £185,000 per annum. These taxi DRTs operate on specific days of the week, with a fixed timetable. Journeys only operate if bookings are received, with bookings being made directly with the operator. Concessionary passes are accepted for travel on these services.
- 3.13 The Council secured £1.3m of funding from the Rural Mobility Fund to pilot a technology-based DRT service in the Hinckley / Narborough area of Leicestershire. This pilot will be closely monitored with a view to extending the concept to other low public transport demand areas of the county.
- 3.14 The council also funds community transport services across the county which complement the local bus network and provide lifeline services for those who are unable to use conventional bus services. Annual funding of £512,000 is provided to 12 CT providers who offer car- and minibus-based services for members of their schemes.

Bus Fleet

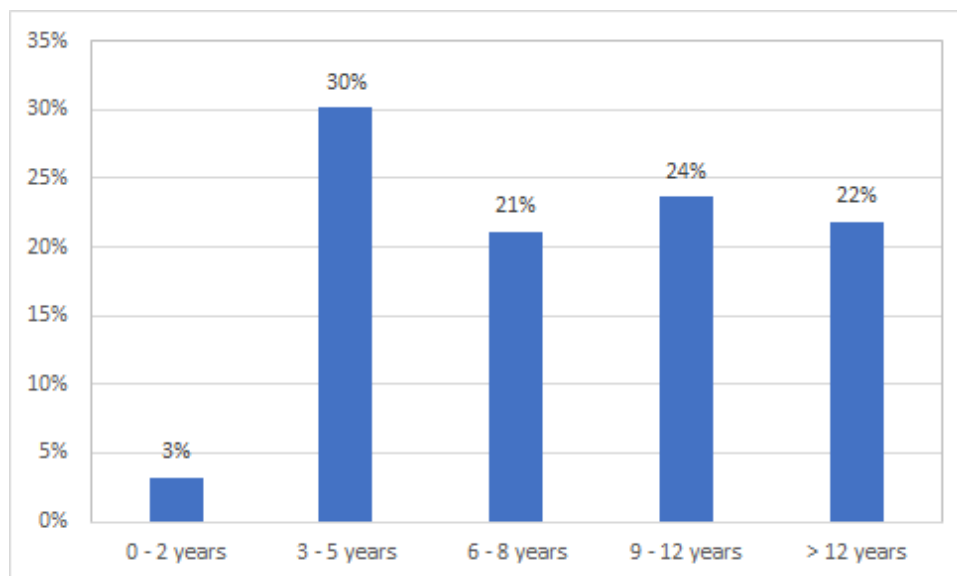
- 3.15 The bus fleet deployed in Leicestershire is predominantly Euro VI (see Table 3-2) as of October 2021, but there are 74 buses that do not meet the Euro VI emission standard. The electric buses within the fleet are deployed exclusively on the tendered Park & Ride services. Only around 3% of the vehicles deployed in Leicestershire are less than two years old (see Figure 3-3)– this includes the Park & Ride electric buses. A Euro 6 diesel car emits 10 times the per passenger NOx of a comparable journey by a Euro VI bus.
- 3.16 In general terms, older buses are more polluting than newer buses. Approximately a third of buses in public service in Leicestershire are between three and five years old (Figure 3-3). More than a fifth of vehicles are over 12 years old, which reflects the tendency among operators to cascade vehicles as they age from more profitable urban services onto county services.

Table 3-2: Composition of Leicestershire bus fleet⁴

Summary	Total	%
Euro 1	0	0%
Euro 2	0	0%
Euro 3	12	4%
Euro 4	12	4%
Euro 5	50	17%
Euro 6	212	72%
Electric	9	3%
Total	294	100%

⁴ Based on data supplied by the majority of bus operators

Figure 3-3: Average age of Leicestershire bus fleet



Traffic Levels and Congestion

- 3.17 According to DfT's Road Traffic Statistics, 5.27 billion vehicle miles were travelled on roads in Leicestershire in 2019, of which 3.96 billion (over 75%) were travelled by cars and taxis. For cars and taxis and all motor vehicles, this is an increase of 8% compared to the equivalent figures for 2014⁵.
- 3.18 Traffic congestion in the county has worsened over recent years, resulting in significant pinch points along the network where buses struggle to maintain their schedules as a consequence of competing for road space with other traffic. A list of key bus pinch points on the network where delays are regularly experienced has been identified by bus operators.

Fares and Ticketing

- 3.19 'Flexi' bus tickets offer unlimited travel on any bus in the city of Leicester and into Greater Leicestershire – the urban area of the county close to the city boundary. Five bus operators participate in the scheme – Arriva, Centrebus, First, Kinchbus and Stagecoach. The scheme includes child and student termly and yearly ticket options.
- 3.20 All commercial bus operators in Leicestershire offer a range of proprietary tickets which include single, return, one day and multiple day options; all discounts offered currently are done so commercially by each individual operator. Operators also offer a range of

⁵ Road traffic statistics - Local authority: Leicestershire ([dft.gov.uk](https://www.dft.gov.uk))

tickets for employers, schools, colleges and universities to encourage public transport use. Fares and ticketing information are available from the bus driver or via the relevant operator's website. Saver tickets are also available to buy from drivers for the Council-subsidised Park & Ride services.

- 3.21 Although operators offer some child and young person discounts in Leicestershire, age restrictions, the amount of discount available, and coverage, differ by operator.

Timetables and Information

- 3.22 The County Council is responsible for providing timetables and information for the local bus services which it financially supports. This information is predominantly available via the Choose How You Move website⁶. The website also includes a journey planner to enable users to explore the different travel options that are available in Leicestershire.
- 3.23 Bus operators provide information for their own commercial bus services, including via their own websites, which are signposted by Choose How You Move. Several operators also provide live at stop real time information via free to download mobile phone apps. Such apps also offer journey planning tools to help customers. There are 114 Real-Time Information displays located around the county.

Other Factors that Affect Use of Local Bus Services

- 3.24 Local bus services are always in competition with other modes of transport. In particular, this includes the private car, which on a per-person basis uses more road space, contributes much more to congestion, emits more local air pollutants, and has greater carbon emissions.
- 3.25 Private car users incur costs each time they make a trip. These include depreciation on the initial investment made in the vehicle, maintenance costs, tyre wear, fuel costs, and parking costs. However, only the last two items tend to be perceived as a per-trip cost by people, leading to a skewed view of the relative cost of car versus bus or other modes.
- 3.26 Parking capacity and prices are within the partial control of the public sector, where car parks and on-road parking are controlled and operated by local authorities. Private non-residential (e.g. employer-provided) parking is, of course, outside their direct control, as are privately-operated car parks. Nonetheless, parking prices and supply

⁶ www.choosehowyoumove.co.uk/public-transport/

control can be used as a demand management tool, helping to re-balance the skewed view of relative costs of car versus bus.

- 3.27 Leicester City Council is considering the introduction of a Workplace Parking Levy in Leicester. Such a measure would have implications for Leicestershire residents who currently drive into work in the city, as city centre employers may opt to pass some or all of the parking charge onto employees, which may affect county residents' modal choice for travel to work in the city.
- 3.28 In the main Leicestershire towns (as in many towns), parking prices are generally set quite low by the seven first tier local authorities (district councils). This is probably due to a concern that higher prices would affect the attractiveness of the town. Nevertheless, there is some scope for using parking price as a lever in future to get more people to use buses and other sustainable transport modes, provided that there are high quality bus services and infrastructure available as alternatives.

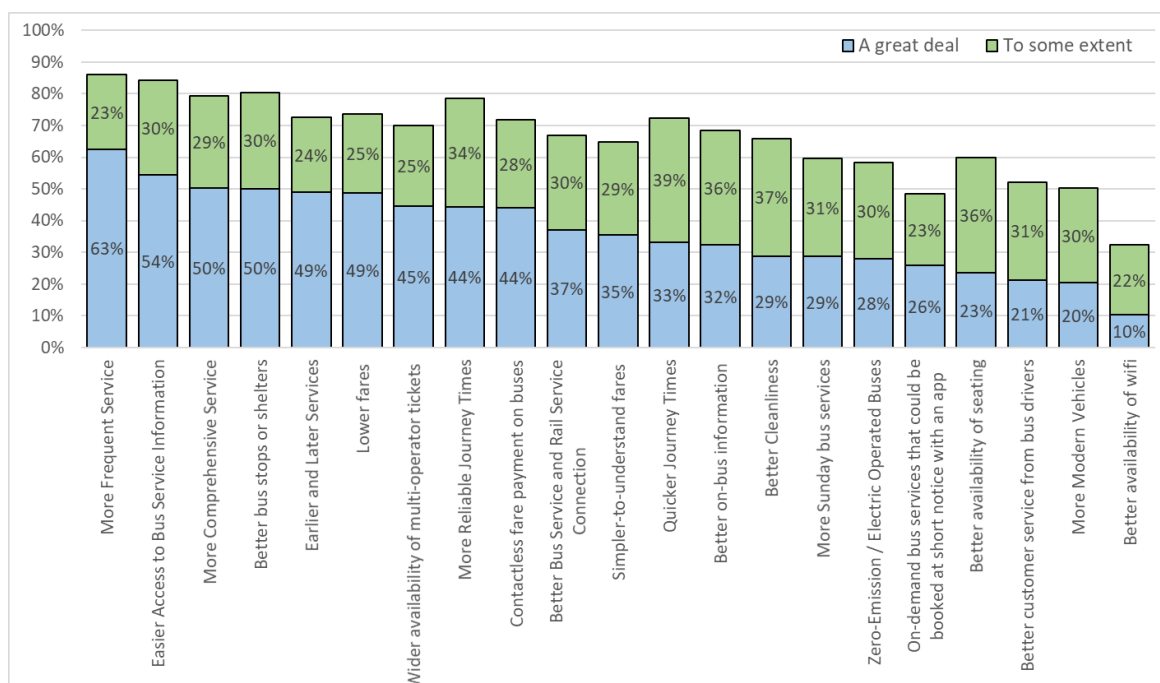
4. Public Perceptions and Priorities for Improvement

- 4.1 An online public engagement survey, which was live between 15th June and 30th July 2021, sought to gather the views of Leicestershire residents and visitors regarding their use of bus services and measures that would encourage them to increase their bus travel. A total of 1,483 responses were received, which included councillors and representatives of organisations.
- 4.2 Figure 4-1 shows that the top ten measures residents and visitors considered would increase their bus use in Leicestershire 'a great deal', were:
- More frequent service (63%)
 - Easier access to bus service information (54%)
 - More comprehensive service (local buses near you serving more destinations) (50%)
 - Better bus stops or shelters (50%)
 - Earlier and later services (49%)
 - Lower fares (49%)
 - Wider availability of multi-operator tickets (45%)
 - More reliable journey times (44%)

- Contactless fare payment on buses (44%)
- Better bus service and rail service connections (37%)

4.3 Among regular users and infrequent / non-users, two of the top three measures were the same – ‘more frequent services’ and ‘easier access to bus service information’. ‘Lower fares’ were considered more likely to increase bus use by infrequent and non-users than by regular users. The capability for contactless fare payment was considered more effective at encouraging increased bus use by infrequent / non-users than by regular users.

Figure 4-1: Measures that would encourage Leicestershire residents and visitors to increase their bus use



4.4 In addition to the measures outlined, councillors and representatives of organisations, business and community groups suggested the following measures could help to increase bus use in the county:

- more circular services providing links to facilities and destinations situated outside of the city centre
- improvements to walking and cycling links to access bus services
- measures to disincentivise car use to achieve modal shift and net-zero carbon targets
- improved communication between the bus operator and its users, such as the provision of real-time information via social media

- retain cash payments on the bus and paper timetables at bus stops.
 - co-ordination between the County and City Council, including better co-ordinated timetabling, ticketing, and links to other public transport interchanges.
- 4.5 Residents and visitors highlighted the following additional measures to encourage greater bus use:
- better bus service connections to Fosse Park shopping centre, avoiding the need to interchange in Leicester and making the bus journey time competitive with the car
 - cheaper and easier-to-understand fares, including multi-operator tickets
 - availability of group saver tickets (particularly for families)
 - under-18 travel to be available without charge
 - an extension to the concessionary pass validity, particularly for travel before 09:30
 - retain traditional methods of payment and bus service information provision at the same time as developing mobile apps
 - increase in use of CCTV and improved driving style
 - improved walking infrastructure to reach bus stops
 - improve vehicle accessibility, particularly for disabled individuals, those travelling by bike and those with a pushchair
- 4.6 The full survey analysis report can be accessed on the Leicestershire public transport website.

5. Enhanced Partnership Plan

Aim and Objectives

- 5.1 The overall aim of the Leicestershire Enhanced Partnership is for the parties to work together to deliver the BSIP, to the extent that is feasible with available funding. The BSIP's aim is:

To increase bus usage (compared with pre-pandemic levels) across the county through improved, financially sustainable, higher standard services that better meet the needs of Leicestershire residents, employees, and visitors – making bus travel a preferred

choice for travel around the county and travel into the City of Leicester. This will enable long term clean growth, supporting delivery of the Leicester & Leicestershire Strategic Growth Plan.

- 5.2 Table 5-1 summarises the BSIP objectives and how they will be delivered by the Enhanced Partnership approach.

Table 5-1: BSIP Objectives and Approach to Delivery by the Enhanced Partnership

BSIP Objectives	EP Approach
1. A high-quality, integrated and efficient bus network	<ul style="list-style-type: none"> • a clearer brand identity and a more holistic approach to marketing • greater coordination between operators' timetables • integration with other travel modes such as rail, cycling, walking and e-mobility • use of DRT to provide greater availability, particularly in rural areas of the county
2. A more reliable bus network	<ul style="list-style-type: none"> • quicker journey times delivered more reliably and where possible, more frequently
3. An affordable bus network	<ul style="list-style-type: none"> • focussing on young people who are the potential core bus market for the future
4. An easy-to-use bus network	<ul style="list-style-type: none"> • improving the customer experience by <ul style="list-style-type: none"> - improving information - facilitating interchange between the services of different bus operators - simplifying fares
5. A more attractive and greener bus network	<ul style="list-style-type: none"> • moving towards use of modern lower emission (and ultimately zero emission) vehicles across the network

Interventions and Schemes

- 5.3 Within the Leicestershire BSIP, a range of interventions have been identified that address the EP Plan aim and objectives. As funding availability allows, these will be

brought forward and implemented (either singly or in combination) as Schemes made under the Enhanced Partnership. Schemes will be developed to deliver outcomes that are identified as desirable in the context of improving local transport services within the Scheme Area.

- 5.4 The Enhanced Partnership will always have at least one Scheme in operation throughout its duration. The initial Scheme is outlined in the Enhanced Partnership Scheme document; additional Schemes will be required to be made through variations to the EP Plan. In some cases, these Schemes will be corridor, route or area specific.

Funding Sources

- 5.5 The Enhanced Partnership will draw on multiple funding sources to deliver the desired outcomes of the Enhanced Partnership Scheme(s), as appropriate:
- Funding provided by Central Government
 - County Council capital funding
 - County Council revenue funding
 - Developer contributions
 - Reinvestment of operator revenue generated by schemes
 - Other external funding opportunities.

Implications for Small and Medium sized Operators

- 5.6 Given the variety of bus operators involved (in terms of market share, fleet size, company turnover and structure), it is important to ensure that the effects of the Enhanced Partnership do not unduly negatively impact smaller operators' ability to engage or to comply with requirements.
- 5.7 The Leicestershire EP Board will therefore allocate operator votes based on a small, medium or large market share, measured as a proportion of total registered mileage. In addition, Bus Operator Requirements will not be placed upon certain categories of service (Non-qualifying Services), including services typically operated by smaller operators.

Competition

- 5.8 Leicestershire County Council has undertaken an assessment of the impacts of the EP Plan and Scheme [made on [31st March 2022]] on competition and believes it will not or

is unlikely to have a significantly adverse effect on competition, for the purposes of Part 1 of Schedule 10 of the 2000 Act. The Competition and Markets Authority has also been consulted on the proposals as required by section 138F of the 2000 Act.

- 5.9 The implementation of an Enhanced Partnership Plan and associated Scheme is aimed at delivering improvements to bus services for passengers in a deregulated environment. The Enhanced Partnership will not impact on competition, as operators will be free to amend and introduce services in the area, provided that the standards that apply to all operators are met.

6. How the Enhanced Partnership Plan will contribute to the County Council's Transport Plans and Policies

- 6.1 Leicestershire is currently in the process of developing a new Local Transport Plan (LTP4). Our current Local Transport Plan (LTP3) runs until 2026. The six published goals of the LTP are entirely consistent with the aim of the BSIP – to get more people using buses through an improved bus network and better operation. These goals are:
- 6.1.1 Goal 1: A transport system that supports a prosperous economy and provides successfully for population growth.
 - 6.1.2 Goal 2: An efficient, resilient, and sustainable transport system that is well managed and maintained.
 - 6.1.3 Goal 3: A transport system that helps to reduce the carbon footprint of Leicestershire.
 - 6.1.4 Goal 4: An accessible and integrated transport system that helps promote equality of opportunity for all our residents.
 - 6.1.5 Goal 5: A transport system that improves the safety, health, and security of our residents.
 - 6.1.6 Goal 6: A transport system that helps to improve the quality of life for our residents and makes Leicestershire a more attractive place to live.
- 6.2 This EP Plan made in conjunction with the Scheme will form daughter documents to the Local Transport Plan (current and future editions) to ensure that they are embedded within the County Council's governance framework and culture.

7. Alignment with Passenger Transport Policy and Strategy

- 7.1 The County Council's BSIP, current at the date this EP Plan is made, aligns with the county's Passenger Transport Policy and Strategy (PTPS), which has been in operation since October 2018 and was developed against a background of diminishing funds to support buses. The PTPS will be reviewed and updated if necessary to assure continued alignment following the making of this EP Plan as appropriate and in conjunction with the EP Board.

8. Enhanced Partnership Governance Arrangements

Overview

- 8.1 The Leicestershire Enhanced Partnership will be governed by two primary bodies:
- Leicestershire Enhanced Partnership Forum – in which all bus operators and other key local stakeholders will be entitled to participate and be invited, although attendance by individual Operators is voluntary.
 - Leicestershire Enhanced Partnership Board – established by the Enhanced Partnership with terms of reference that engage the County Council and Operators in the development and operation of the Enhanced Partnership.

Leicestershire Enhanced Partnership Forum

- 8.2 The Leicestershire Enhanced Partnership Forum will be an informal group, providing opportunities for discussing issues of all kinds affecting the Leicestershire bus network, consulting with and building consensus across the various stakeholders and making recommendations for consideration to the EP Board. The Forum will represent a platform for the County Council to monitor the effectiveness of its transport plans and policies and, in particular the effectiveness of the EP Plan through consultations that it will undertake from time to time in conjunction with the EP Board with both the Forum and wider constituent groups within the County.
- 8.3 Membership of the Forum will comprise the following:

- All Bus Operators running Qualifying Bus Services in Leicestershire
 - A representative(s) of community transport operators in Leicestershire
 - Leicestershire County Council
 - All Leicestershire district and borough councils
 - Leicester City Council
 - Other neighbouring local transport authorities
 - All train operating companies serving stations in Leicestershire
 - East Midlands Airport
 - Leicester and Leicestershire Enterprise Partnership
 - A Leicestershire bus user group (to be formed)
- 8.4 In addition, any other external organisations with an interest in bus services in Leicestershire not listed above will be invited to join or may request to join the Leicestershire EP Forum. At least once per financial year, the Forum will be invited to review and discuss the progress of, and future opportunities for, the Partnership.

Leicestershire Enhanced Partnership Forum Annual General Meeting (AGM)

- 8.5 The final Forum meeting of each financial year will be the designated Leicestershire EP Forum AGM. All Operators will be invited to self-nominate or nominate other willing Operators for Leicestershire EP Board membership, to represent themselves and all other Operators in their category, ahead of the EP Forum AGM. A ballot will be organised by the County Council at the Annual General Meeting to select Operators' EP Board representatives.

Meeting arrangements

- 8.6 Leicestershire EP Forum meetings will take place not less than twice per year, normally six calendar weeks before each EP Board meeting. Leicestershire EP Forum meetings will be arranged, chaired and minutes taken by the County Council in year one of the EP Plan; the Chair will be appointed annually thereafter from among EP Forum members. Members will be invited to self-nominate or nominate other EP Forum members. Nominations may be made (to be received by the County Council by such deadline as the County Council publishes) by any participants within the EP Forum under an election procedure that will be administered by the County Council. The election of the Chair for the next year will take place at the EP Forum AGM with the elected Chair taking office immediately following the conclusion of the AGM.

- 8.7 Meetings will normally be held at County Hall, Glenfield or such other suitable venue as may be agreed at the previously held meeting of the Forum. Forum members may offer to host provided the venue is accessible by bus. Meeting length will vary according to agenda content but ordinarily expected to be one to two hours.
- 8.8 Agendas and meeting papers (including a copy of minutes and decisions resulting from previous recommendations put to the County Council by the EP Board) will be circulated by the County Council no less than one week in advance of each meeting; draft minutes will be circulated no more than two weeks after each meeting. Draft minutes will be approved at the next Leicestershire EP Forum meeting.

Leicestershire Enhanced Partnership Board

- 8.9 The Leicestershire EP Board will be the key oversight body of the Leicestershire EP. The Board will make recommendations for consideration by the County Council on all matters relevant to the operation and continuing development of the EP including (as provided at paragraph 8.37) proposals for variations to existing EP Schemes and proposals for new EP Schemes.
- 8.10 Meetings of the EP Board shall be chaired by the chair for the time being of the EP Forum.
- 8.11 The Leicestershire EP Board will be the key oversight body of the Leicestershire EP. The EP Board will have the following initial terms of reference being to:
- monitor the progress of the EP in delivering the EP Plan and BSIP;
 - monitor the effectiveness of implemented Schemes in achieving the EP Plan and BSIP objectives.
 - work with the County Council to respond to Government or other funding opportunities that may arise for delivery of bus service improvement interventions;
 - review, discuss and agree priorities for delivery of interventions to achieve the EP Plan and BSIP;
 - review, discuss and agree programmes of preparatory work (feasibility studies, business case preparation, design, public consultations, impact assessments etc) for interventions that may be taken forward as EP Scheme variations or new EP Schemes;
 - oversee the process of preparing and developing detailed requirements leading to a variation to an existing EP Scheme where this will be subject to the bespoke scheme voting procedure incorporated in any EP Scheme where that is applicable;

- consider fully detailed proposals for EP Scheme variations or new EP Schemes that are the responsibility of the County Council having regard to s.138L of the 2000 Act, once all relevant preparatory work has been completed, and make recommendations to the County Council for their adoption (or otherwise).
- 8.12 The Board shall be entitled to keep under review these terms of reference and further develop them being responsible for all decisions relating to administration of the affairs of the Board including frequency of meeting, requests for attendance at meetings of the Board by individuals and representatives of organisations that are capable of contributing to the work of the Board and the manner in which and methods by which reporting of the affairs of the Board are made to all Operators.
- 8.13 In relation to the EP Plan this will be reviewed by the EP Board in conjunction with the County Council on an annual basis with the review to be completed in each year within three months following the anniversary date of the making of the Plan. Reviews will take account of the outcome of the County Council's annual review of the Leicestershire BSIP. The EP Board will in its review take account of the outcome of comments provided by the EP Forum following their review referred to at paragraph 8.4 of this EP Plan.
- 8.14 Membership of the Leicestershire EP Board will comprise the following representatives:
- 2 x Large Operators representatives (voting)
 - 2 x Medium Operators representatives (voting)
 - 2 x Small Operators representatives (voting)
 - 2 x Leicestershire County Council officers (voting, with decision veto powers)
 - 2 x representatives of district or borough councils within Leicestershire (non-voting)
 - 1 x independent chair (non-voting)
- 8.15 Board meetings will require a quorum of four Operator representatives, with a minimum of one per category (Large/Medium/Small) and two County Council officers. Any Board member may, if necessary, arrange for an alternate or deputy from the same category to participate with voting rights. All representatives should have the authority to vote on behalf of their organisation at Board meetings. District or borough council representatives may rotate in relation to the relevance of agenda items but will not be entitled to EP Board voting rights.

- 8.16 The Leicestershire EP Plan will interface, so far as practicable, with the Leicester City Council EP Plan and the EP Plans of other neighbouring local authorities, particularly with regard to cross-boundary travel. The Leicestershire EP Board will work with the neighbouring EP Boards to ensure that EP Schemes with cross boundary implications are implemented in a complementary and collaborative manner.
- 8.17 The Leicestershire EP Board may establish from time to time committees comprised of members of the Board and other appropriate persons to undertake specific project assessment work on behalf of the Board such as to bring forward ticketing projects, zero emission bus opportunities, support for the County Council in pursuing funding bids and approaches to addressing congestion.

Operator representative selection

- 8.18 Operators representing each of the categories of Operator membership above will be invited to self-nominate or nominate other willing Operators to serve on the EP Board by notice in writing to the County Council's nominated representatives two weeks prior to each Leicestershire EP Forum AGM. Where there are more than two nominees for any single category, all Bus Operators in the same category will be given the opportunity to vote by secret ballot undertaken among those present at the EP Board meeting for a preferred representative. Voting will be on the basis of one vote per Operator (where Operators are part of the same holding company, group, or share persons of significant control (as determined by the County Council having regard to the circumstances) they will only be entitled to one vote between them). Operator representatives will be reselected on an annual basis.
- 8.19 The voting procedure for Board membership selection will be a simple majority and be administered by the County Council. Where there is a tie, a run-off vote will take place between the leading tied Operators.
- 8.20 In the event that a Leicestershire EP Forum AGM ballot fails to select Operator representatives for one or more Operator category, the default Operator objection mechanism set out in The Enhanced Partnerships and Schemes (Objections) Regulations 2018 will be used to determine the views of Operators in that category for the purposes of Leicestershire EP Board votes (in terms of objection or otherwise to the proposals).
- 8.21 Operator representatives will be acting on behalf of all Operators in that category, not on behalf of their own company alone. Representatives will be responsible for ensuring attendance at all Leicestershire EP Board meetings in that year, and ensure they have:
- fully reviewed and understood all meeting papers in advance of attendance

- the required mandate from the Operators they represent.

8.22

Role of Leicestershire Enhanced Partnership Board

- 8.23 The Leicestershire EP Board remit including the terms of reference shall be reviewed from time to time in consultation with the County Council.
- 8.24 The EP Board will observe the need for confidentiality; any information provided by local bus service operators relating to patronage and/or fare income on individual bus routes will be considered commercially confidential and will only be discussed by the EP Board on this basis.
- 8.25 Where any other matter should remain confidential and not for discussion outside the EP Board, the member raising the matter has the responsibility to make this clear in advance or at the time of discussion. It is the responsibility of the EP Board members to ensure appropriate steps are taken to maintain the confidentiality of the matter.
- 8.26 All meeting of the EP Board shall be held in private but with the rights of attendance referred to at paragraph 8.34 applying.
- 8.27 At the commencement of each meeting the Chair shall remind all participating in the meeting that in conducting the affairs of the EP Board and in taking any actions arising from the meeting of the EP Board each participant has responsibilities under competition law and must observe these.

Leicestershire Enhanced Partnership Board resolution-making

- 8.28 Recommendations of the Leicestershire EP Board will normally be made by way of a vote through a show of hands of those present. However, if any voting parties request the vote is conducted by email after the meeting to allow further consideration, this may be agreed by the Board members present if a simple majority support such a proposal. Unless stated otherwise in this document, recommendations will be passed by way of a majority of all members of the EP Board entitled to vote as follows:
- 2 x Large Operators representatives (1 vote per operator representative)
 - 2 x Medium Operators representatives (1 vote per operator representative)
 - 2 x Small Operators representatives (1 vote per operator representative)
 - 2 x Leicestershire County Council officers (3 votes per County Council officer)

- 8.29 A resolution shall only be treated as carried where votes in favour include four Operator votes including a minimum of one from each category of Operators as referred to above.
- 8.30 For avoidance of doubt an elected Chair who is not otherwise entitled to voting rights under the above voting scheme shall not have a vote nor a casting vote should any vote be tied. Nor shall any Chair who is entitled to voting rights have a casting vote.

County Council approval

- 8.31 The County Council will consider any resolutions of the Board containing recommendations made by the Board for the attention of the County Council. Recommendations will be referred to the Director of Environment and Transport for consideration as to the steps that ought to be taken by the County Council in order to consider the recommendation and establish the further steps to be taken with that recommendation.
- 8.32 The County Council reserves the right to reject recommendations made by the Board. The County Council will take forward recommendations that it is willing and able to support through such procedures of the Council and in compliance with the statutory requirements as necessary in the circumstances.
- 8.33 Operators will be entitled to make known their concerns in writing to the County Council's Director of Environment and Transport if they object to a particular vote of the Leicestershire EP Board. The Director will review the circumstances and consider whether these are such that a recommendation should be rejected.

Board meeting observers

- 8.34 Any other Bus Operator, County Council and district and borough council representatives will be able to attend the Leicestershire EP Board meetings as observers but will not have the right to vote. Observers may be invited to make comments or ask questions of the EP Board at the Chair's discretion or invited to defer these until the next Leicestershire Enhanced Partnership Forum meeting.

Meeting arrangements

- 8.35 Leicestershire EP Board meetings will take place not less than twice per year at regular intervals between each Leicestershire EP Forum meeting, with provision for additional meetings as required to make recommendations which in the opinion of the Chair cannot be deferred to a scheduled meeting, provided that a quorum can be achieved, with not less than one week's notice being given. Meetings will be arranged and

minutes taken by the County Council and will normally be held at County Hall, Glenfield. Meeting length will vary according to agenda content but ordinarily be one to two hours.

- 8.36 Agendas and meeting papers will be circulated to all Board members no less than one week in advance of each meeting date, and draft minutes circulated no more than two weeks after each meeting. Copies will also be distributed to all Leicestershire EP Forum members so any issues or concerns can be discussed with the relevant Operator representative, to be raised at the Leicestershire EP Board meeting. Draft minutes will be approved at the next EP Board meeting.

Variations to Enhanced Partnership Plan and any Scheme

- 8.37 In addition to matters falling within the terms of reference set out above the EP Board will:
- receive and consider proposals from the County Council for variations to the EP Plan, proposed variations to any existing EP Scheme and proposals for further EP Schemes; and
 - receive and consider proposals from its membership to be put to the County Council for variations to the EP Plan, proposed variations to any existing EP Scheme and proposals for further EP Schemes
- 8.38 Consideration will be given by the EP Board to potential EP Plan and EP Scheme variations put forward by Board members, including County Council officers, or by any Operator of Qualifying Bus Services or by any participant within the EP Forum. The proposer of a variation should demonstrate how this might contribute to achieving the objectives set out in the EP Plan and current local transport policies. Such requests should be set out in writing and submitted to the Chair of the Board with a copy to the following County Council email address [to be confirmed].
- 8.39 On receipt of a valid request for a variation, the Chair of the Board will include discussion of the proposed variation on the agenda at the next scheduled EP Board meeting or, at their discretion, convene an extra Board meeting, giving at least 14 days' notice for the meeting, to consider the proposed variation.
- 8.40 In order to limit any circumstances in which the County Council may oppose the progression of a proposed variation or a proposal for a further EP Scheme or the requirements arising from the proposal could result in any other material commitment required of the County Council that it may not be able to meet the County Council shall prepare and deliver to the EP Board a brief summary document setting out the

Council's opinion concerning the feasibility of the proposal should it be implemented. The summary document may refer to matters such as:

- 8.40.1 the availability or non-availability of funding to support implementation of the proposal including the Council's ability to provide for any future expenditure that the Council would be required to incur;
 - 8.40.2 the compatibility of the proposal with policies that the Council has committed to follow including in particular policies supporting the Council's equalities duties;
 - 8.40.3 should the proposal be implemented the Council would in consequence be in breach of any contracts or other legally binding obligations that it is subject to;
 - 8.40.4 the proposal requires the co-operation of third parties such as a District Council
 - 8.40.5 any governance related considerations that the Council requires to take into account.
- 8.41 For avoidance of doubt the existence of matters raised by the Council need not be taken as reason for the EP Board to decline to deal with the proposal and the Council shall indicate in the summary document or in any other manner at a subsequent date the extent to which it supports the proposal and is willing and able to work with the EP Board in order to progress the proposal on a basis that is not anticipated to lead to the Council exercising its veto.
- 8.42 If the proposed variation is a proposed variation to the EP Plan and is agreed by the Board for recommendation to the County Council (in line with the majority decision-making process outlined in this document), the County Council will take forward the proposal by initiating the procedures that the County Council are required to follow under s.138L and s.138M of the TA2000 and where the procedure followed then so permits make the EP Plan variation.
- 8.43 If the proposed variation is a proposed variation to an EP Scheme then in the event that the conditions set out to permit a bespoke voting mechanism to apply as set out in the relevant EP Scheme are met the variation shall be taken forward by the EP Board having regard to the provisions of s.138E of the TA 2000 applying the voting procedure provided for in the relevant EP Scheme.
- 8.44 If the proposed variation is a proposed variation to an EP Scheme and paragraph 8.43 does not apply the variation once resolved upon by the EP Board shall be taken forward by the County Council under the procedures provided for at s.138L and s.138M.
- 8.45 The County Council shall be entitled on its own initiative to progress variations to the EP Scheme in accordance with the provisions of s.138L and s.138M of the TA 2000 but

shall first consult with the EP Board as to the circumstances and the detail of the proposed variation.

- 8.46 In the event that a number of Operators which would trigger the default Operator objection mechanism (as set out in the Enhanced Partnerships and Schemes (Objections) Regulations 2018) raise concerns in writing to the chair of the EP Board meeting within 28 days of a Board Meeting about a variation recommendation made by the Board, the decision making process for EP Scheme Variations will revert to the default Operator objection mechanism contained in those regulations to review that decision and, as appropriate, for future decision making purposes in relation to the proposed variation.

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Leicestershire Enhanced Partnership Scheme for Buses

Supporting the development of bus services in the County of Leicestershire

Draft Scheme Document

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**Organisation Making the Enhanced Partnership Scheme for Leicestershire
(excluding Leicester City)**

**THE LEICESTERSHIRE ENHANCED PARTNERSHIP SCHEME FOR BUSES IS
MADE IN ACCORDANCE WITH SECTION 138R(1) OF THE TRANSPORT ACT 2000 (as
amended)**

**BY: Leicestershire County Council having its principal administration offices at County
Hall, Glenfield, Leicester LE3 8RA**

1. DEFINITIONS USED IN THE DOCUMENT

NB: Not all definitions are currently used but are incorporated to recognise the intention to further develop the Scheme by way of variation and/or cause further Schemes to be made at future dates with consistent terminology.

Authority – means Leicestershire County Council.

Automatic Vehicle Location (AVL) – is a means for automatically determining and transmitting the geographic location of a vehicle, allowing it to be tracked in real time.

B4114 Corridor – the highway shown as the 'corridor' coloured pink in Figure 2.

Board – means the Enhanced Partnership Board established in the manner provided for and with the remit set out in the Enhanced Partnership Plan.

Bus Gate – is a short stretch of road carriageway that is restricted to use by buses and (where specified) taxis and other authorised vehicles as indicated on appropriate signage on the approach.

Bus Lane – is a signposted lane, designated for use by buses and (where specified) taxis and other authorised vehicles, at the times also indicated by signage.

Bus lane enforcement – means the action taken to ensure that bus lanes are used only by authorised vehicles. This is often carried out by using cameras to record unauthorised use, with the issue of civil penalties to offenders under section 144 of the Transport Act 2000.

Bus Stand – means a bus stop clearway as defined in accordance with paragraph 1(a) of Part 1 to Schedule 19 of The Traffic Signs Regulations and General Directions 2002 but which will permit a local bus to stand within the clearway for as long as maybe necessary up to a maximum period of 10 minutes.

CCTV – means closed circuit television system, whereby static or mobile cameras are used to record offences or for surveillance and security purposes.

CVRAS – means Clean Vehicle Retrofit Accreditation Scheme (CVRAS) and is a certification scheme for manufacturers of retrofit emissions reduction technology that will enable Clean Air Zone (CAZ) compliance of legacy fleet vehicles to address the air pollution emissions from buses.

Designated feeder service – means a bus service that is specifically designed by the operator and accepted by the Authority as one that connects with another service allowing passengers to interchange at designated stops or stands

Enforcement camera – means a roadside camera that records and produces suitable evidence of unauthorised use of bus lanes or bus gates for the local highway authority to issue civil penalties under section 144 of the Transport Act 2000.

EP Forum – means the forum established in the manner provided for by the EP Plan.

EP Plan – means the statutory plan made by Leicestershire County Council on the same date as this Scheme pursuant to the provisions of section 138A of the Transport Act 2000 (as amended).

EP Scheme Area – means the area to which this EP Scheme document applies as shown on Figure 1.

Euro VI equivalent standards – Euro VI diesel bus or a bus with CVRAS approved technologies retrofitted to a diesel bus to reduce NOx and PM emissions and achieve Euro VI equivalent standards

Facilities – means the physical assets that are provided at specific locations along particular routes (or parts of routes) within the EP scheme area or new and improved bus priority measures.

Highway Works Permit – is a permit issued by Local Highway Authority to any organisation that wishes to undertake street works promoted by a public utility company or highway works promoted by the Local Highway Authority, with the aim of managing all works on the public highway. Local Authority have powers to operate permit schemes under Part 3 of the Traffic Management Act 2004 and The Traffic Management Permit Scheme (England) (Amendment) Regulations 2015.

Leicestershire Enhanced Partnership Plan – means the document made pursuant to section 138A of the Transport Act 2000 and which is required to be in place for an EP Scheme to be made and which was made by the Authority on the same date as but prior to the making of this Scheme.

Measures – means the improvements with the aim of:

- Increasing the use of local bus service serving the routes to which the measures relate or ending or reducing a decline in their use; or
- Improving the quality of local bus service.

Local Authority – as prescribed under section 23 of the Local Government Act 2003.

Local Highway Authority – for the purpose of this Scheme the Authority.

Local Qualifying Bus Services – means those Registered Local Bus Services operating within the EP Scheme area that must meet the requirements and obligations set out in this EP Scheme document.

Multi-Operator Capping – means a common fares and ticketing system, applied across multiple bus operators, that will cap a user's travel cost according to the lowest price available for the journey or journeys made.

Multi-Operator Ticketing – means a common fares and ticketing system applied and accepted by multiple operators.

Real Time Information – using technology to track the location of buses in real time, information is transmitted to bus stops or devices to indicate to passengers the predicted arrival time at a particular point.

Registered Local Bus Service – has the meaning set out in Section 2 of the 1985 Act.

Service Change Date - dates (published in advance by the Authority in accordance with the Service Change Protocol) at which alterations to service timetables may be carried out (subject to satisfaction of all regulatory requirements in respect of the same).

Service Change Protocol – a protocol established by the Authority following consultation with the EP Board setting out the basis upon which Service Change Dates are to be established.

Standards of Services – means the requirements that are to be complied with in relation to Local Qualifying Bus Services as set out at Section 4.

TRO – means a Traffic Regulation Order, made under the Road Traffic Regulation Act 1984 or any other enactment regulating the use of roads or other places.

Zero emission vehicle – means a vehicle that emits no pollutants at its tailpipe.

2. INTRODUCTION

- 2.1. This document fulfils the statutory requirements set out in the Transport Act 2000 as amended by the Bus Services Act 2017 when the Authority wishes to exercise its power to make an Enhanced Partnership Plan and one or more Enhanced Partnership Scheme(s). In accordance with statutory requirements in section 138 of the Transport Act 2000, this EP Scheme document sets out:
 - 2.1.1. the geographic area covered by the Scheme;
 - 2.1.2. when the Scheme is to commence;
 - 2.1.3. in detail the overall interventions to be made by the Authority under the Scheme – these comprise Facilities and Measures;
 - 2.1.4. requirements in the form of Standards of Services imposed on Local Qualifying Bus Services; and
 - 2.1.5. arrangements for the review and possible variation of the Scheme and its operation.
- 2.2. Certain types of public services (listed in Schedule 1) are exempt from the Standards of Services.
- 2.3. The EP Scheme is dependent upon there being in place an Enhanced Partnership Plan made by the Authority. The Leicestershire Enhanced Partnership Plan was made by the Authority on the same date as this Scheme has been made.
- 2.4. The EP Scheme has been developed following various consultations provided for by the Transport Act 2000 and various further consultations and discussions (particularly with neighbouring Local Authorities with transport functions and district and municipal Councils within the EP Plan Area). The Scheme has been prepared in conjunction with bus operators that provide Local Qualifying Bus Services in the EP Scheme Area. The EP Scheme aims to support improvements within the EP Area. It sets out obligations and requirements on both the Authority and operators in order to achieve the intended improvements, with the aim of passengers benefitting from attractive and convenient bus services.
- 2.5. The EP Scheme aims to contribute towards meeting the following objectives of the EP Plan:
 - A high-quality, integrated and efficient bus network
 - An easy-to-use bus network
 - A more attractive and greener bus network
- 2.6. A number of objectives may only be achieved with investment, the funding of which will in turn be dependent upon levels of grant funding provided by the Department from Transport and from other sources.

3. SCOPE OF THE EP SCHEME

- 3.1. The EP Scheme will support the improvement of Local Qualifying Bus Services operating in the EP Plan Area.
- 3.2. The EP Scheme does not include the areas of Leicester City Council which is a promoter of its own EP Plan and EP Scheme.
- 3.3. The EP Scheme Commencement Date will be 7 days after it has been made. The EP Scheme will have no specific end date but will be subject to a review by the Authority in conjunction with the Board at least annually.
- 3.1. The Scheme applies to Registered Local Bus Services with one or more stopping places within the Plan Area unless exempted under the Scheme.

SCHEME AREA

Figure 1 Map of the EP Scheme Area (grey shading)

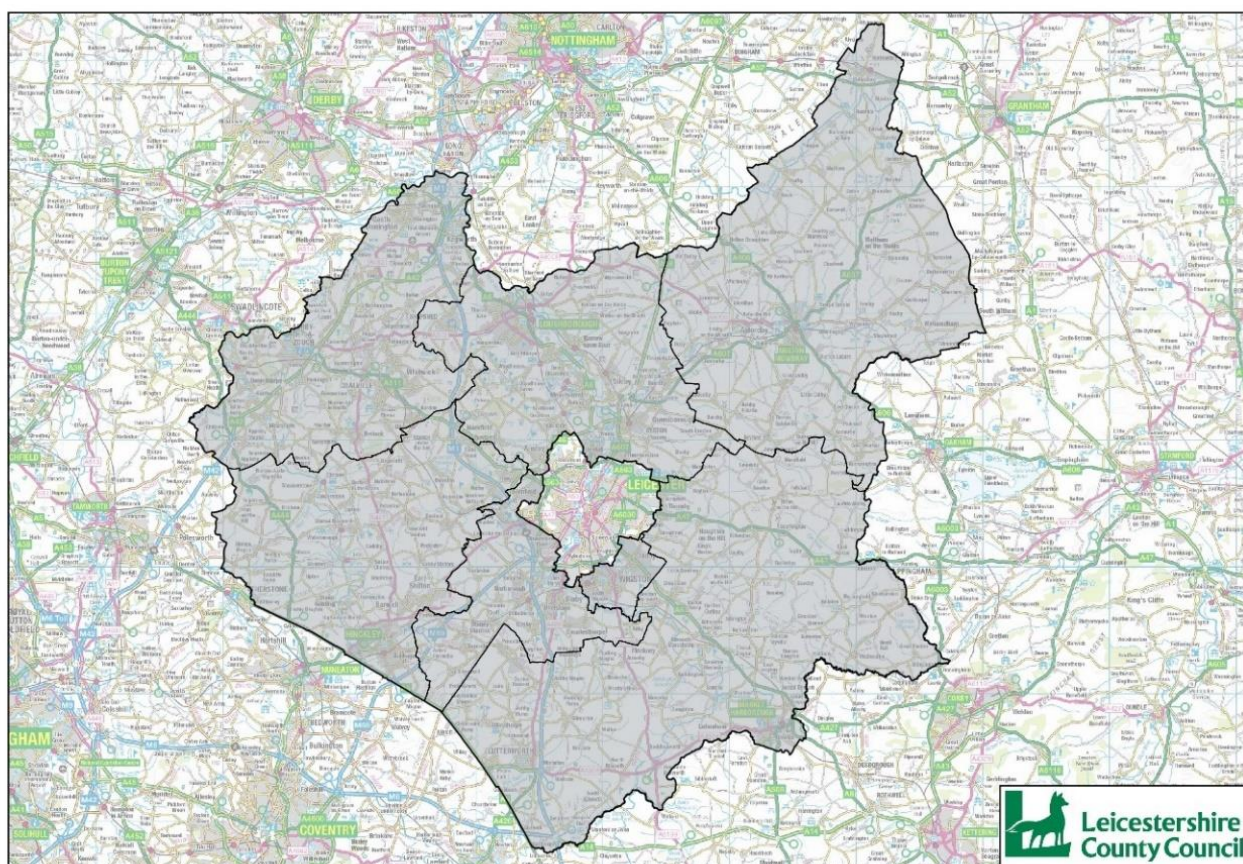
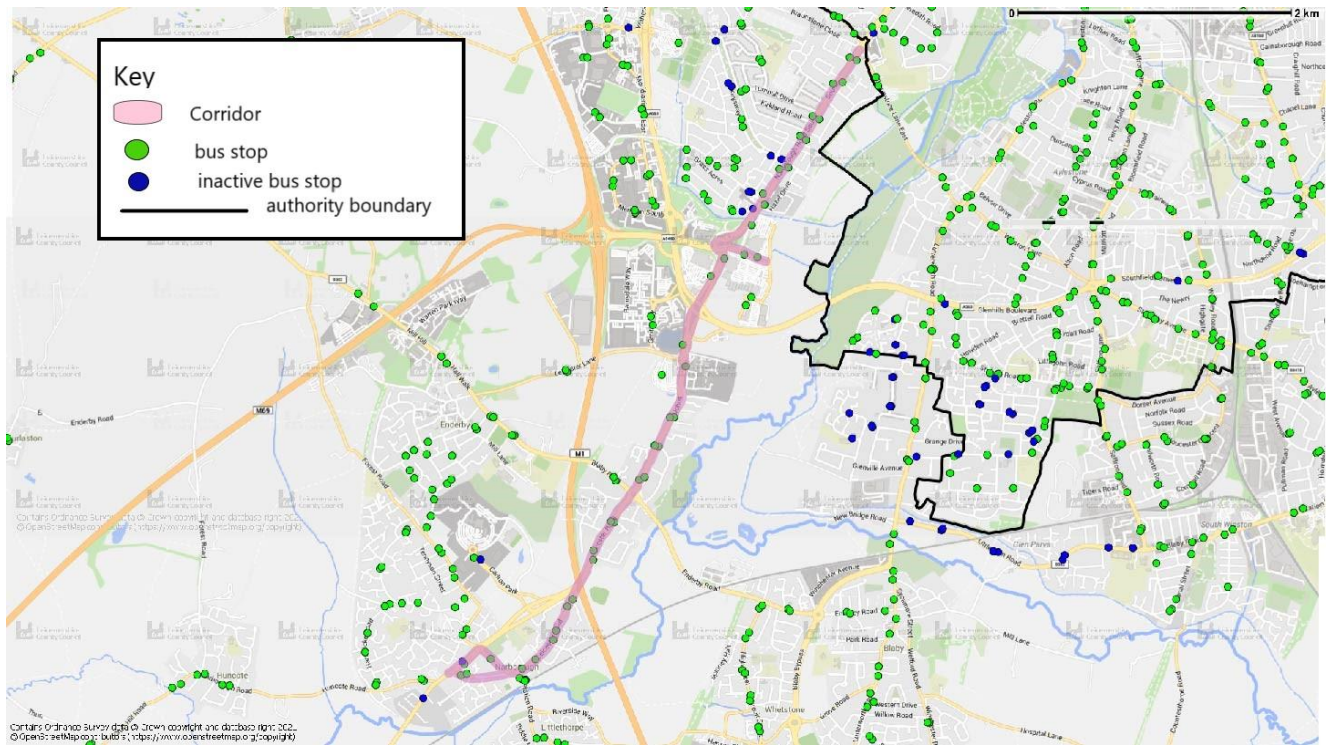


Figure 2 Map of the B4114 corridor



4. REQUIREMENTS TO BE FULFILLED BY THE AUTHORITY

Facilities

- 4.1. The Authority will continue to maintain bus stops and shelters in collaboration with other parties as appropriate.
- 4.2. The Authority commits to provide new and improve existing Facilities at bus stops or shelters within the B4114 Corridor; the extent and nature of those Facilities is dependent upon funding availability that will include funding from national transport funding initiatives. This Scheme document may be varied and if relevant further and/or substitute Scheme documents adopted to implement additional Facilities that have the objective of contributing to meeting the objectives of the EP Plan for Leicestershire.
- 4.3. The Authority agrees to take the following initial steps with a view to implementing through variation to this Scheme or subsequent Schemes as appropriate commitments to make improvements to Facilities comprising bus stops and shelters as follows:
 - 4.3.1. An audit of bus stops and shelters will be undertaken on the B4114 Corridor in Year 1, against a defined list of features that different types of stop should have (such features to be defined through collaborative work between the Enhanced Partnership members). Accessibility and personal safety issues with bus stops will also be reviewed and measures identified to provide safe access for a wide range of users (including people with impaired mobility).
 - 4.3.2. Implementation of upgraded infrastructure is anticipated to commence during the second half of Year 1 of the Scheme and will be rolled out during Years 2 and 3.
- 4.4. The audit and upgrade of infrastructure will address bus stop provision along the Narborough Road South (the B4114 Corridor) which heads out of Leicester as Narborough Road and becomes Narborough Road South in the county.

Provision of Measures

- 4.5. Commitments by the Authority to implement Measures are dependent upon funding that may include funding from national transport funding initiatives. This Scheme document may be varied and if relevant new and/or substitute Scheme documents adopted to implement Measures that have the objective of contributing to meeting the objectives of the EP Plan for Leicestershire.

5. REQUIREMENTS IN RESPECT OF LOCAL QUALIFYING BUS SERVICES

Standards of Services to be provided within the Scheme Area

- 5.1. For the purposes of the Scheme all Local Services that are Local Qualifying Bus Services are to be operated (subject to any qualifications referred to below) in accordance with:
 - 5.1.1. the standards of Vehicles used referred to below; and
 - 5.1.2. the standards of Service referred to below.

Vehicle Standards

- 5.2. All Local Qualifying Bus Services operating as registered services in the B4114 Corridor are required to meet the emission standard referred to as Euro VI or Euro VI Equivalent Standards by no later than 1 April 2024 at which time this Vehicle Standard shall come into effect.

Service Standards

- 5.3. Subject to paragraph 5.4 to only make changes to any Local Qualifying Bus Service and routes on agreed Service Change Dates in order to maintain network stability within the Scheme Area unless:
 - 5.3.1. there are exceptional circumstances giving cause for a change and agreed in advance with the Authority; or
 - 5.3.2. in the case of a timetable change (but not a route change within the Scheme Area) the timetable change arises as a consequence of a variation in the timetable change dates required to be implemented by another local transport authority.
- 5.4. The EP Board shall from time to time be entitled to review the operation of this paragraph 5.3 taking account of cross boundary services which may be subject to different considerations relating to the co-ordination of timetable change dates (such as variations in school term dates). The EP Board may following such consideration determine to exclude services specified in the resolution of the EP Board from the requirements of paragraph 5.3 from such date as is specified by the EP Board in its resolution. A vote in favour shall constitute a variation to this EP Scheme effected under a bespoke voting mechanism for the purpose of the Transport Act 2000 (as amended).

6. EP SCHEME REVIEW, MANAGEMENT AND GOVERNANCE

- 6.1. The EP Scheme has been made by the Authority having been developed in conjunction with stakeholders (in particular operators of local bus services operating within the County).
- 6.2. Going forward, the EP Board established under the Leicestershire County Council Enhanced Partnership Plan will be responsible for oversight of the Scheme including considering future variations, in accordance with the processes detailed in sections 6.27 to 6.30 of the EP Plan.

7. VARIATIONS TO THE EP SCHEME

- 7.1. Variations to the Scheme shall be brought into effect through the formal making of the variation to the Scheme by the Authority.
- 7.2. Variations considered for implementation may include variations to this variation procedure.
- 7.3. The making of a variation shall be subject to the following:
 - 7.3.1. The internal procedures required to be pursued by the Authority having regard to all relevant governance arrangements that are relevant to any consequences that arise from the variation (such as requirements to undertake impact assessment, financial implications and any requirements to secure the assistance of other parties in order to deliver the proposed variation).
 - 7.3.2. The Board being satisfied that the Scheme as varied will improve the quality or attractiveness of bus services in the Scheme Area; and/or the Scheme as varied will contribute to reducing or limiting congestion, noise or pollution.
- 7.4. Variations to the EP Scheme may be made applying the provisions of this section 7 of the EP Scheme applying in turn the provisions of s.138E of the TA 2000 where the following conditions (required to be specified under that section of the TA 2000 exist) namely:
 - 7.4.1. if implemented it will result in the variation to or the addition of any further Facility, Measure or Standards of Service or the removal of any Facility, Measure or Standards of Service or a combination of the same; and
 - 7.4.2. the variation is considered by the Authority in principle to be acceptable and appropriate to be developed into a formal variation for adoption by the Authority.
- 7.5. the Authority and where appropriate other parties as provided for in the EP Plan may from time to time bring forward proposals for variations to this Scheme reflecting, in particular, investment opportunities that arise that will lead to enhanced and/or new Facilities intended to improve the quality of bus services operating in the County to which the Scheme relates or which if implemented are calculated to increase patronage or meet other objectives within the EP Plan.
- 7.6. The Authority and where appropriate other participants in the Scheme may from time to time bring forward proposals for variations to this Scheme reflecting, in particular, Measures that the Authority is able to commit to or, with co-operation from third parties, secure that will lead to enhanced and/or new Measures intended to facilitate the improvement of the quality of bus services operating in the County to which this Scheme relates, or which if implemented is calculated to increase patronage or meet other objectives within the EP Plan.

- 7.7. The Authority and where appropriate other participants in the Scheme may from time to time bring forward proposals for variations to this Scheme reflecting, in particular, variations to the Vehicle Standards and the Customer Service Standards (where applicable) relevant to this Scheme intended to facilitate the improvement of the quality of bus services operating in the County to which this Scheme relates or which if implemented is calculated to increase patronage or meet other objectives within the EP Plan.
- 7.8. All participants within the EP Board are accordingly encouraged to bring forward for consideration by the EP Board potential EP Scheme variations and the Board shall also have regard to proposals remitted to it by the EP Forum also established under the EP Plan. The proposer of a variation should demonstrate how the variation is calculated to contribute to achieving the objectives set out in the EP Plan and current local transport policies.
- 7.9. Other variations to the EP Scheme may be brought forward where through the implementation of the variation any of the objectives of the EP Plan will be more effectively achieved or for the purpose of varying any other matter that is the subject of this Scheme.
- 7.10. Variations considered for implementation may include variations to this variation procedure.
- 7.11. All proposals for Variations shall be set out in writing and submitted to NBS@leics.gov.uk. The administrator responsible for the conduct of the affairs of the EP Board shall provide copies of the proposal to all members of the Board within three working days of receipt of the proposal.
- 7.12. The EP Board shall be entitled to comment on proposals for variations to and new Facilities and Measures (or variations to or the removal of existing Facilities and or Measures) to be implemented under this Scheme proposed under the variation in accordance with the foregoing procedures.
- 7.13. Any proposal brought forward may require to be taken through the internal procedures of the Authority in the manner envisaged above.
- 7.14. If there is not full agreement given on behalf of all Operators present or if any category of Operator is not represented either by its nominated representative or any authorised substitute, then the proposed variation shall be put to the Operator objection mechanism, but (unless the Authority considers a longer period would be prudent) with a reduced objection period of 14 days replacing Part 2 of the Transport Act 2000 section 138L (2) (c). The proposed variation will be advertised on the Leicestershire County Council website and emailed to operators of Local Qualifying Bus Services. If the proposed variation satisfies the requirements of the operator objection mechanism the Authority will make the EP Scheme variation.

8. REVIEW OF THE EP SCHEME

- 8.1. Once the EP Scheme is made, it will be reviewed by the EP Board at least annually, commencing no later than on the anniversary of the Scheme commencement date. The Authority will initiate each review and it will be anticipated to take no longer than two months to complete.
- 8.2. Any changes to the contact information contained in this Scheme will be automatically updated, without the need to follow the variation process set out in this Scheme. This only applies to amendments to existing contact information or additional information with regard to the mechanism for reporting issues. Any proposal to remove a mechanism for reporting issues will be subject to the variation process.

9. REVOCATION OF THE EP SCHEME

- 9.1. An EP Scheme can only exist if an EP Plan is in place. If, for any reason, the EP Plan is revoked, it would automatically cease to have effect as a Statutory Scheme.
- 9.2. If, for some reason, it becomes necessary for the EP Scheme to be revoked, the EP Board will be reconvened and follow the same process as outlined in sections 6.27 to 6.30 of the EP Plan (noting that the agreement will be for revocation and not variation).
- 9.3. If at any point in the future the EP Scheme area is included in a Bus Franchising Area, the relevant requirements set out in this EP Scheme document will cease to apply from the commencement date of the franchising scheme.

Schedule 1 - Types of public services exempt from the Standards of Services

A registered local bus service with one or more stopping place within the EP Scheme Area, with the exception of:

- Any education related or works registered local bus service not eligible for Bus Service Operators Grant
- Any cross-boundary registered local bus service with less than 10% of its registered mileage within the Enhanced Partnership area
- Any services operated under section 22 of the 1985 Act
- Any registered local bus service which is an excursion or tour
- Any other registered local bus service that the Operators (through the Leicestershire EP Board voting mechanism in section 6) and County Council decide should be excluded from all or specific requirements of the Enhanced Partnership Scheme.

For the avoidance of doubt, a list of Qualifying Bus Services will be published at the start of each County Council financial year

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Appendix C – Comments from Statutory and Non-Statutory Consultees

As part of the Enhanced Partnership Plan (The Plan) and Enhanced Partnership Scheme (The Scheme) consultation, notification of the consultation was sent out to statutory and non-statutory consultees. Statutory consultees included County Councillors, MPs, Competition & Markets Authority, Leicestershire Chief Officer of Police, Traffic Commissioner, district/borough/parish councils, neighbouring authorities, bus operators and other organisations that represent local passengers. Below tables consist of detailed comments relevant to The Plan and The Scheme and other non-relevant general comments. Both tables are broken down by statutory and non-statutory consultee comments.

Comments Relevant to The Plan and The Scheme	
Statutory Consultees	Welcome and the introduction of the Euro VI emissions.
	This partnership ought to be working between all levels and tiers of local government across boundary and City (including County, district/borough, City, parish and town councils below or at the same level as the Public Transport County Authority) and with the national Government as well as other key transport related agencies such as: Transport for the East Midlands, Midlands Connect, East Midlands Councils, National Highways, Network Rail and the Train Operating Companies (the latter to ensure better integration between bus and rail services and to facilitate benefits like through, seamless ticketing etc.).
	Objectives of The Plan and The Scheme need to enable/facilitate integrated travel between travel modes, e.g., between local and sub-national and national inter-city bus and coach services, demand responsive bus transport, rail services, walking, cycling, taxi and car use. This should be for seamless ticketing, integrated access for all sectors of community to use with equal ease and confidence.
	There should be an integration between City and County services to form one accessible network that is local government boundary blind and is clean, reliable which includes taxis, Demand Responsive Transport (DRTs) and buses.
	There is a need to deliver a regular frequency service and regular patterns across 24 hour each day (e.g., 10 mins at peak time, 30 mins for rest of day, 45 mins after 6pm and weekends) which would make buses easier to access, reliable and develop passenger loyalty and confidence.
	Need to secure an investment in bus waiting environment and passengers must be under care of a bus service from when they get to a bus stop and not when they get on a bus. Must have high quality lighting, signage, totems, shelter, travel information and bus stop furniture, of a countywide consistent style and typeface, and it should be provided across the entire Leicestershire Bus network.
	Buses must be equally accessible for both able-bodied and less able-bodied and should be same at waiting environments and quality of environment at destination.

	Travel information should be equally accessible to able and less able-bodied people (travellers with a hearing or sight impediment, physical disabilities including those in a wheelchair in terms of the height travel information is displayed and the like). Information should also be routinely available in audio and in braille.
	Failure to deliver a reliable bus service, including buses running to time (both in terms of running ahead of advertised time or behind it) should be met with suitably punitive financial or other suitable and appropriate penalties. In order to facilitate this, clear and timetabled designated waiting points should be placed on each bus route to allow buses to wait to return to their advertised time path when they are ahead of time and also a comprehensive suite of bus priority measures should be investigated on the road network that are coordinated with strategic timing points to allow buses to accelerate past known traffic congestion hot-spot points should they be behind their advertised times.
	Bus passenger numbers used in National Bus Strategy (NBS) engagement were during Covid-19 lockdown times (2020 and 2021) and may be skewed.
	Scheme is subject to Government funding which isn't guaranteed.
	Enhanced Partnership board will consist of six operators (one vote each) and two Council officers (three votes each). There should be representation from all district/borough councils to reflect differing needs for urban and rural areas.
	Bus user group appears to have little influence on decision making.
	Tie up of train and bus service in Leicester/Leicestershire will be advantageous as it is a long walk (especially with luggage) between London Road train station and Haymarket and St Margaret's bus stations.
	There should be more emphasis on circular routes in the County, especially within villages alongside A47 and Oadby/Wigston areas.
	Houghton Parish Council was involved in previous discussions to save 747 service by heading forums and campaign groups and has expertise and would like a place on bus user group.
	The Bus Service Improvement Plan (BSIP) refers to many measures that passengers want improving, however, there is work to do to convert high-level aspirations to real change.
	The initial proposed scheme is limited to creating service stability and improving facilities on B4114 corridor which is recognised as simple/low cost first step.
	Early resident and visitor consultation is welcomed, and it is anticipated to see that an open approach to consultation will continue throughout Partnership.
	Compared draft The Plan and The Scheme to Transport Focus "What passengers want from BSIPs document" which reflects national research into passenger priorities for improvement with robust methodology and samples and would expect The Plan and The Scheme to reflect these passenger priorities as well as those identified in the Council's local engagement and research.
	The Council's survey carried out for BSIP provides useful data

	about local priorities and bus use, but it is not always clear how these have informed development of The Plan and The Scheme.
	Surprised not to see explicit links between The Plan and BSIP.
	Pleased to see in BSIP a number of passenger satisfaction measures chosen as performance indicators and agree this cover some of highest priority areas.
	Also outlined ambitious targets of passenger growth, journey time and reliability, however, not always clear how schemes in BSIP would enable targets to be met.
	Noted that performance will be reported against targets every six months and suggest that reports include explanations about targets, constraints in meeting them and published figures.
	Noted and welcome Council's intention to develop a Passenger Charter in line with a Transport Focus Guidance.
	Understand that bus industry faces challenges in competing with car as it seeks to recover from reduced patronage due to the Covid-19 pandemic and uncertainty over Government funding make it difficult to make firm commitments.
	It's clear that bus patronage must increase, and passenger satisfaction must improve, so proposals must be up to the task which Transport Focus will judge.
	Passengers want buses running more often and it is noted that BSIP proposes number of reviews, although it is unclear if reviews are subject to funding or implementation of findings.
	Review to determine how network is reshaped and pilot scheme of increased service frequencies is positive but only covers supported network and may not be wide-ranging.
	Extending DRT to evening services would benefit the poorly served communities.
	Coordination of bus timetables with rail timetables and creation of mobility hub could improve connection with other transport forms.
	Passengers want buses to go to more places.
	BSIP suggests further DRT services in new area could offer new and extended routes but will be subject to assessment of Narborough routes performance.
	Scheme commits to only making timetable changes on agreed change dates which is positive commitment for stable network as long as number of dates are kept low.
	Would like reassurance that passengers will be consulted and communicated with on significant changes.
	Passengers want more buses on time and faster journey times.
	Plans to understand "pinchpoints" leading to delays and potential interventions are welcome.
	As delay interventions are subject to feasibility studies and funding, it is difficult to judge how it will help Local Authority meet reliability targets.
	Note intended review of app-based information provision but want to see more commitment to keeping on-board passengers informed of delays/disruptions (could be included in the Bus

	Passenger Charter).
	Passengers want better value for money.
	BSIP mentions ambition to introduce consistent age under which young people can access discounted fares which is welcomed but unclear if this is firm commitment or subject to funding.
	Pleased to see that cash payment option will be retained.
	Long-term aim to develop multi-operator capped fare is welcome but commitment appears high-level.
	Would like to know more on how passengers can access fare and ticket type information.
	Need clarification on what simpler flat/flexible fares are being considered.
	Passengers want more effort to tackle anti-social behaviour.
	Noted that part of audit of B4114 stops is to review safety issues, but disappointed not to see any measures to tackle anti-social behaviour.
	Would like to see CCTV, improved lighting and stops and enforcement/inclusion of safety in design guidelines for buses and stops.
	Planned audit of stops could address some anti-social behaviour issues and would encourage to involve users when determining features to audit and setting new standards.
	Passengers want better quality of information at bus stops.
	Would encourage to involve users in audit plans for setting new standards in relation to information at stops.
	Would like to see up-to-date timetable at every stop, fare information at major stops and consider route/network connection maps at major stops.
	Plans to improve information availability and be informed by customer research is positive.
	Plans to improve real time information and develop countywide app covering all operators is positive but still subject to reviews and funding.
	Passengers want more accessible buses.
	Didn't see any detail about how buses will be made more accessible which would be useful to give confidence about Council's ambitions.
	Know from Transport Focus own research and highlighted in Council engagement, that bus accessibility could encourage greater bus use. E.g., providing audio-visual next stop information.
	Council Passenger Charter could include commitment to provide alternative transport for wheelchair space and to customer service training.
	Passengers want cleaner buses.
	Intention to agree/implement minimum service standards for cleanliness is welcome but need more detail on what these standards will be and if this can be delivered without funding.
	Research following the Covid-19 pandemic shows importance of on-board cleaning for passengers.

	Would like to see commitment to enhanced bus cleaning regimes and regular graffiti removal.
	Not convinced that Enhanced Partnership Forum carrying out consultations from time to time constitutes a Plan and meets statutory requirement to consult users on how well the Enhanced Partnership is working (as set out in S.138A (8) of Transport Act 2000).
	Would like more detail about user representation on Enhanced Partnership Forum and reassurance their views will be properly heard.
	Recommend involving groups representing people with protected characteristics to the Enhanced Partnership Forum and use passenger research to hear from representative demographic across the County with types of research question set out in brief.
	Would like to understand more about measuring delivery of improved customer experience and how it will be reported and scrutinised.
	BSIP contains some detail on how performance will be reported but unclear how this will link to role of the board.
	Concerned that less onerous bespoke mechanism (which should only be used for minor modifications) to vary scheme will be used as alternative to making additional schemes which would require consultation (as per S.138k OF Transport Act).
	Transport Focus can help the Partnership to improve services by carrying out passenger satisfaction/passenger research, and various policy and process development activity.
	Overall, proposals are welcomed by Hinckley and Bosworth Borough Council (HBBC).
	With system of privatised bus operators outside of London, difficult to envisage Enhanced Partnership proposal having significant impact.
	A split between City and County into separate partnerships will make integration difficult as many services span both areas.
	Local authorities ought to have voting rights on proposed board.
	Thought should be given to possible sanctions for operators who don't participate on board/forum.
	The initial proposed scheme is welcome but needs extending.
	Should be investigated if B4114 corridor initiative can be extended to other areas with buses that fail emission standards including HBBC.
	BSIP ignores needs of Bottesford with main focus on B4114 corridor rather than remote but fast-growing communities.
	BSIP notes that bus patronage is dramatically down which it will be if there is no service that meets residents' needs.
	Introduce circular route (e.g., Ratby, Groby, Kirby Muxloe, Leicester Forest East, City) which can be an adopted system throughout the County using less vehicles, creating greener environment, more economic and less wear and tear on highway.

Non-Statutory Consultees	This is a great scheme going forward.
	Plan is informative and encouraging
	Wholeheartedly support ideas contained in draft The Plan of joint ticketing, measures to lower emissions, improve air quality and identify amendments to routes which make more rural areas accessible by public transport, coordinate timetables and provide better links with active travel infrastructure.

Comments Not Relevant to The Plan and The Scheme	
Statutory Consultees	Feel that NBS public engagement survey open for too short period (15 June – 30 Jul 2021), during school holidays, not well publicised, received insufficient responses and included responses from Councillors and organisations which meant replies not only from public. Also, responses/recommendations were obvious.
	Concerns about future of 747 services as it is part subsidies by Rutland County Council who are not part of partnership plan.
	Residents within Sileby Parish are currently besieged with issues including, traffic congestion, flooding, diversions due to building works, frequently cancelled Kinchbus service 2, no RTIs and poor bus communication.
	Would like to see reporting and key performance indicators at level of detail that parish councils can analyse and challenge on behalf of residents. Whether it be by operator, route or parish.
	There is no public transport directly from Blaby to Fosse Park or Enderby Leisure Centre.
	Would like to highlight importance of Centrebus service 58 which runs through South Kilworth, on the route from Market Harborough to Lutterworth.
	Centrebus service 58 vital to community of South Kilworth in providing access to the two main towns either side of the village and is used by all groups of people including carers, children, elderly and teenagers giving them connection to varied amenities and services available.
	Sutton Cheney Parish Councillor would like a dial a bus service from Sutton Cheney to Nuneaton Railway Station.
	Bottesford is growing village hub at northern extreme of Leicestershire and Parish Council and community feel they are ignored with regards to public transport provision.
	As satellite village, many Bottesford residents have to commute to work in Nottingham, Newark, Grantham, London (via Grantham), Bingham Melton and Leicester using cars due to lack of regular/reliable public transport.
	Bottesford residents want to go to Nottingham, Melton, Grantham or Leicester for entertainment, socialising and leisure but aspirations are curtailed due to lack of public transport and must use cars or taxis.
	No public transport between Bottesford and Melton (and on to Leicester) after 5pm and on Sunday, with Centrebus service 23 having last journey from Melton to Bottesford on weekday and

	<p>Saturday at 6pm.</p> <p>Anyone in Bottesford wanting to go for evening meal in Nottingham or Grantham is unable to get train back after 8pm.</p> <p>Bottesford residents wanting to take bus back from Nottingham after 5.40pm (weekdays) or 4.45pm (Saturdays) can only travel as far as Bingham (Vectare 93) with no connection onwards to Bottesford.</p> <p>Last bus from Bottesford to Grantham is at 5.45pm (weekdays) and 5pm (Saturdays) on Vectare 93, and at 4pm (Weekdays) and 3pm (Saturdays) on Centrebus 6 which is no good for anyone working until 5pm or 5.30pm on Saturdays.</p> <p>What is needed from BSIP is seamless connectivity between Bottesford and local town/cities (including Vale of Belvoir) including integrated services and cross-boundary partnership working with Nottinghamshire and Lincolnshire and practical timetable timings allowing Bottesford residents use of buses for employment, education, hospital visits, socialising, leisure and entertainment.</p>
Non-Statutory Consultees	<p>No bus service in Heather and closest service is 1.25 miles away which only goes to Hinckley and Coalville where you would have to catch another bus to get to Leicester.</p> <p>Recently applied for bus pass but hoping that Sileby will still have a bus service to use pass on.</p> <p>Many elderly people in Sileby who rely on bus services.</p> <p>Buses, in comparison to car travel are poor for passenger comfort being bumpy with hard suspension and hard plastic seating, drafty, noisy. They have rattling plastic panels, windows, frames and luggage racks. Electric buses will hopefully solve these issues but in meantime can passenger comfort be addressed on current plastic buses.</p> <p>Disappointed that gross inequality promoted by the Council has not been addressed as it discriminates based on age with providing free travel persons over certain age. Studies suggest that free bus pass increases travel substantially by age groups affected while those discriminated have possibly reduced bus usage.</p> <p>Resident has had to use car since Centrebus service 128 (which use to serve Frisby-on-the-Wreake) has stopped.</p> <p>Older people in Frisby-on-the-Wreake cannot get to Leicester or Melton.</p> <p>The Council are happy with climate emergency and doesn't wish to encourage use of Public Transport.</p> <p>The National Forest Company is currently managing a £3.9m Landscape Partnership Scheme (LPS) in Charnwood Forest, largely funded by National Lottery Heritage Fund, to enable people to explore, understand and help care for the forest area which is being delivered by partnership of 18 organisations including relevant LA's and National Forest Company. One of challenges identified during development of LPS is prevalence of car use and paucity of public transport in some areas of forest. There are</p>

	<p>number of projects as part of LPS which focus on encouraging public transport use with various members of Environment and Sustainable Travel Team at the Council working with National Forest to incentivise and support active travel. There is a small amount of funding to carry out a feasibility study to support this. As part of LPS, Charnwood Regional Park Board to pursue application from UNESCO Global Geopark status for park area on grounds of its internationally significant geological heritage with process likely to take seven years and no guaranteed success. UNESCO have 17 development goals which need considering for application, some of which relate to climate action, sustainable communities and infrastructure.</p>
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**CABINET – 29 MARCH 2022****LOCAL BUS SERVICE CHALLENGES AND IMPACTS****REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT****PART A****Purpose of the Report**

1. The purpose of this report is to provide the Cabinet with an update concerning the continued impacts of the Covid-19 pandemic and other significant factors, such as increased fuel costs and driver shortages, which are affecting the bus market nationally, and to highlight the issues arising in Leicestershire and the actions being taken to address them.

Recommendations

2. It is recommended that:
 - a) The challenging situation regarding local bus services in Leicestershire and its implications for the County Council and bus operators, be noted;
 - b) The actions already taken to mitigate the impact, including the payment of a higher level of concessionary travel reimbursement than actual concessionary use, be noted;
 - c) It be noted that the following actions will be taken by the Director of Environment and Transport, following consultation with the Lead Cabinet Member and Director of Corporate Resources, using existing delegated authority:
 - i. To set the level of concessionary travel reimbursement from 1 June 2022 to 31 March 2023;
 - ii. In accordance with the Council's Passenger Transport Policy and Strategy (PTPS), agree with existing supported service providers to extend contracts and where necessary, the payment of short-term increases to them until the new contracted arrangements are in place.
 - d) That the Director of Environment and Transport be authorised, following consultation with the Lead Cabinet Member and Director of Corporate

Resources, to take the necessary steps to award contracts for supported services from July 2022;

- e) Noting the current issues affecting the local commercial bus market, the Director of Environment and Transport following consultation with the Lead Cabinet Member and Director of Corporate Resources, be authorised to take such action as necessary to ensure the continued provision of services in line with the PTPS;
- f) The links and dependencies of the local bus market with the Council's Bus Service Improvement Plan (BSIP) and formulation of its Enhanced Partnership (considered as part of a separate report on the Cabinet agenda), be noted;
- g) That, if the outcome of d) and e) above result in significant changes to local bus services or costs, a report outlining the changes/costs be considered at a future meeting of the Cabinet.

Reason for Recommendations

- 3. To note issues affecting Leicestershire's bus services and the actions taken and planned to be undertaken to mitigate their impact.
- 4. To enable the extension of existing contracts and/or the approval of new contracts for bus services from July 2022 and where necessary, make variations to existing services.

Timetable for Decisions (including Scrutiny)

- 5. The Director of Environment and Transport, following consultation with the Lead Cabinet Member and Director of Corporate Resources, will use their existing delegated authority to decide upon the level of concessionary travel reimbursement the County Council will pay bus service providers from 1 June 2022 to 31 March 2023.
- 6. Subject to approval, the Director of Environment and Transport, following consultation with the Lead Cabinet Member and the Director of Corporate Resources, will award contracts for supported services from July 2022 and make any short-term changes to the County's bus provision, where required, including response to the receipt of a provider's intention to change or withdraw a service.

Policy Framework and Previous Decisions

- 7. In October 2018 the Cabinet approved the Authority's PTPS.
- 8. In May 2019, the County Council declared a Climate Emergency. The updated 2020 Environment Strategy sets out how the Council will reduce the environmental impacts of travel and transport. Providing frequent, high quality

passenger transport services, is a key element in delivering the Climate Change commitment and the Environment Strategy.

9. In November 2020 the Cabinet approved the Leicester and Leicestershire Strategic Transport Priorities document (2020-2050), which highlights where Leicestershire County Council and Leicester City Council will work together to deliver common transport aims and objectives.
10. In June 2021 the Cabinet approved the establishment of an Enhanced Partnership Plan (the Plan) and Enhanced Partnership Scheme (the Scheme) and publication of a statutory notice to that effect, in order to comply with the requirements of the National Bus Strategy (NBS) and guidance. Further to this, work has continued on the development of the Enhanced Partnership.
11. In October 2021 the Cabinet considered a report on the NBS and approved the BSIP. It also approved the issuing of a statutory notice to bus operators and, subject to no objections being received, the undertaking of a public consultation on the Plan and the Scheme. It also resolved that the Council's PTPS be reviewed, to take account of the formal establishment of the Enhanced Partnership and the delivery of the BSIP.
12. A report detailing the outcome of the Council's Enhanced Partnership Plan and Scheme consultation exercise and seeking approval to establish it and enter into an Enhanced Partnership, is presented elsewhere on this meeting's agenda.

Resource Implications

13. On 1 March 2022 the Government announced an additional £150m post-pandemic funding to aid bus recovery between April and October 2022. Details regarding allocation of this funding are still unknown. The uncertainty around the Council's BSIP funding allocation along with the high likelihood of further commercial bus service changes will place significant pressure on the Council's Local Bus Services budget.
14. The potential need to continue with a higher level of concessionary travel reimbursement than actual concessionary use, the likelihood of higher prices when re-tendering the current supported bus services contracts and price increases already agreed until the tendering exercise is complete, will add to this pressure. This has been further compounded by increased fuel prices and driver shortages. Overall, there is a potential additional cost implication in the region of £500,000 for 2022/23 as set out in Part B of this report. Mitigating action is being taken to try to limit cost implications.
15. The Government continues to make clear that ongoing access to passenger transport funding (and possibly wider highways and transport funding) remains contingent on compliance with the requirements of the NBS, the guidance and the delivery timetable.
16. The Director of Corporate Resources and the Director of Law and Governance have been consulted on this report.

Circulation under the Local Issues Alert Procedure

This report has been circulated to all Members.

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PART B

Background

17. The onset of Covid-19 pandemic in March 2020 resulted in a significant impact to the bus market across the country with a 90-100% reduction in patronage and recovery since has been slow.
18. To support and aid recovery of the bus market, the Government has provided a Covid Bus Service Support Grant (CBSSG), which more recently changed to a Bus Recovery Grant (BRG). Throughout, there have been two strands to this grant support:
 - a) Local Transport Authority (LTA) CBSSG/BRG to enable LTAs to support the operators of their subsidised network;
 - b) Commercial CBSSG/BRG paid directly to bus operators to support their commercial networks.
19. The CBSSG grant ran from 17 March 2020 until 31 August 2021. This grant was claimed for lost fare revenue and other losses incurred by the County Council resulting from the Covid-19 pandemic. Claims were made based on actual loss figures. The initial BRG grant period is from 1 September 2021 to 5 April 2022. This grant is a fixed figure based on CBSSG losses and mainly to cover lost fare revenue.
20. To date the Council has claimed circa £1.7m (£1.1m in 20/21; £0.6m in 21/22) of LTA grant money to support operators of the subsidised network. It is understood that commercial bus operators have claimed significantly more than this from the commercial grant.
21. Throughout the pandemic, the Government has strongly urged LTAs to pay concessionary travel reimbursements at 100% pre-Covid-19 usage levels irrespective of the level of service being provided, and legislation was relaxed to enable LTAs to do this. Under the delegated authority of the Director of Environment and Transport, the Council has therefore been paying reimbursements at 100% pre-Covid-19 usage levels throughout the pandemic period until more recently, where it has been paying 100% pre-Covid-19 usage levels, but purely to the level of service being provided e.g., the actual timetable schedule being made.
22. In February 2020 the Council received £557,000 of Supported Bus Service Grant (SBSG) funding from the Government to improve existing subsidised services and restore lost services. The Government has since allowed this funding to be utilised towards the recovery of the Council's subsidised services throughout the Covid-19 recovery period.
23. Prior to the pandemic, the Council was progressing a PTPS review of all of its contracted services. In response to the pandemic, this review was paused and all bus service contracts were extended until 31 March 2022.

National Bus Strategy

24. In the midst of the Covid-19 pandemic, the Government published its new NBS for England in March 2021. In accordance with the NBS actions and timescales set by the Government, the Council:
 - a) Confirmed in June 2021 its intention to establish an Enhanced Partnership by April 2022.
 - b) Published its Bus Service Improvement Plan (BSIP) in October 2021 setting out the themes, schemes and funding ask (includes a request for bus recovery support) from the Government to deliver the NBS ambitions.
 - c) Produced and consulted on the Council's Enhanced Partnership Plan and Scheme (November 2021 to February 2022) – the Enhanced Partnership will be the delivery vehicle for the BSIP and its formulation is essential for the Council to be considered for BSIP funding from the Government.
25. As detailed in paragraph 12, the outcome of this consultation exercise is being reported as a separate item on this Cabinet agenda with the recommendation to establish an Enhanced Partnership in April 2022.
26. The BSIP provides a summary of the estimated additional funding requirement from the Government, over an initial three-year period and over a 10-year period. Within this funding requirement an allowance has been made for providing recovery support for local bus services. An announcement from the Government on the Council's indicative BSIP funding allocation, which will be subject to the establishment of an Enhanced Partnership, is anticipated to be imminent.

The Current Bus Market Challenges and Reaction of Bus Operators

27. On 1 March 2022, the Government confirmed that a final tranche of post-pandemic support will be made available from 5 April, when the current LTA and commercial BRG is due to end, until October 2022. In the region of £150m is being made available but details of the allocation to LTAs are not yet known.
28. Bus operators are experiencing driver shortages due to increased demand and more competitive salaries in the HGV sector and rising fuel costs, compounded by the war in Ukraine.
29. Passenger confidence and usage continues to be low and this has been exacerbated by the Omicron variant. Cost of living pressures could also prolong the recovery:
 - a) Usage is currently at around 60/70% pre-Covid-19 (2019) levels.
 - b) Concessionary travel use is at 50% pre-Covid-19 (2019) levels.

30. From April 2022, the Government has asked LTAs to adopt a gradual approach to amending concessionary fare reimbursement payments. The guidance suggested reducing payments by 5% every two months until actual patronage levels are reached, although LTAs are permitted to implement their own approach to reimbursements.
31. As a result of the above and the challenging operating environment, bus operators are starting to confirm plans to change and/or withdraw/reduce their services. Bus operators are also requesting support for fuel increases.
32. To date the Council has received notice on several of its current contracted bus services as well as a high volume of commercial bus service changes.
33. This is likely to impact many communities across Leicestershire who will potentially be left without a service, or a reduced service, if the Council does not step in with an alternative form of provision.
34. Bus operators have highlighted that the risk of further withdrawals will be increased if concessionary travel reimbursement is not paid at 100% pre-Covid-19 (2019) levels.

Local Services and Budgetary Impacts

35. The Council's net Local Bus Services budget is £1.66m. This covers the provision of 24 supported bus services, 47 Demand Responsive Transport services and three Park and Ride services across Leicestershire.
36. Where a bus operator submits a registration to either change or withdraw a bus service, those registration changes are assessed against the Council's PTPS to determine the need for the Council to step in with some form of provision. It is likely, in a lot of cases, that the Council will determine that there is a need to step in with alternative provision to ensure communities continue to have access to essential services (food shopping, healthcare etc).
37. However, the PTPS objective scoring system used to assess and determine such need is very much dependent on the accuracy of the usage data provided by operators. This presents a challenge as current usage data for services will not provide a true reflection of service performance due to the impacts of Covid-19.
38. Any further moves from bus operators are likely to leave more communities without a service and add further pressure to the Local Bus Services budget if the Authority is required to replace existing commercial services with a reduced supported service.
39. As advised in paragraph 23, the contracts for the Council's supported bus services come to an end on 31 March 2022. A programme to extend (where procurement rules allow) and/or to retender them on a like for like basis for two years (with an option to extend for one year) has been developed and is now underway.

40. This will provide some surety and stability for operators and ensure access to essential services is maintained for communities. However, it is anticipated that there will be an overall increase in current contract costs following this exercise due to factors such as increase in fuel costs and shortage of drivers. It is intended to have the new and extended contracts in place from 31 July 2022, subject to the tender results.
41. A negotiated contract price for the period between 1 April and 30 July (whilst the tender exercise is progressed) is being sought from operators of existing contracts. It is likely that this will result in additional costs during this interim period and/or operators wishing to revert to a minimum cost contract (where the Council takes the fare revenue risk).
42. As detailed in paragraph 32, the Council was given notice on a number of its contracted services and this was due to come into effect from 27 February 2022. The Council has also received further contract price increase requests from operators relating to fuel prices. The Director of Environment and Transport, following consultation with the Cabinet Lead Member and Director of Corporate Resources, has subsequently agreed £207,000 of additional costs up to 30 July 2022 in order to ensure provision on a like for like basis can be maintained for communities and to allow time for these contracts to be retendered and new contracts put in place from 31 July 2022 in line with the tender programme described in paragraph 39.
43. Of the £557,000 SBSG funding, the Council was awarded in 2020/21, there is £447,000 remaining, which can be used to cover some of these additional costs. For the current financial year (2021/22), a balanced budget should be achievable by utilising this along with the LTA BRG.
44. For the next financial year (2022/23) onwards, there is a high likelihood of a shortfall on the Local Bus Services budget, the size of which is difficult to forecast as there are several unknowns at present, namely:
 - a) The resultant costs of the retender/extension exercise for the existing contracts to maintain the status quo. They are unlikely to match existing contract costs.
 - b) Costs of any further commercial bus service changes if a decision is taken to step in to fund the continuation of those services following a PTPS assessment.
 - c) Of the Council's requested BSIP funding £412,000 has been identified to support local bus services and is included in the 2022/23 budget. This allocation has not yet been confirmed by the Government.
 - d) The extent to which bus patronage recovers to pre-Covid-19 levels. This will affect the level of income received on the Council's minimum cost bus contracts.
 - e) The decision taken on the level of concessionary travel reimbursement the Council pays.
 - f) The uncertainty around fuel prices compounding pressure on bus operators and therefore leading to further contract price increases.

45. Dependent on the outcomes of the above, the shortfall in 2022/23 could be anywhere in the region of £50,000 to £500,000, potentially more.

Mitigation Approach

Tender Awards for Supported Bus Services

46. The Director of Environment and Transport will consider the results of the tender exercise following consultation with the Lead Cabinet Member and Director of Corporate Resources. A decision to award will be taken on a value for money basis. In the instance that some of the tenders are unaffordable and/or force the need for a substantial change to provision for communities, a further report will be brought to the Cabinet for consideration.
47. Subject to the award of the supported bus service tenders, the Council will robustly challenge any future requests for contract price increases from operators through the auditing and assessment of service data.

Commercial Bus Service Changes

48. The data (pre-Covid-19 and current) for all of the Council's contracted services will be kept up to date, to enable any further registrations for bus service changes/withdrawals to be assessed against the PTPS scoring system. A league table approach aligned to the scoring will be taken.
49. In accordance with the PTPS, the Director of Environment and Transport, following consultation with the Cabinet Lead Member and Director of Corporate Resources, will then make decisions on any short to medium-term passenger transport changes.
50. It is likely that commercial bus service withdrawals will score more highly than some of the current contracted services, meaning decisions are likely on whether the Council will need to increase the Local Bus Services budget or accept that some of its current lower scoring supported services will need to revert to Demand Responsive Transport services. If there is substantial change to provision for communities or recommended need to increase the Local Bus Services budget, a further report will be brought to Cabinet for consideration.

Concessionary Travel Reimbursement

51. The Director of Environment and Transport, following consultation with the Cabinet Lead Member and Director of Corporate Resources, has approved continuation of the current arrangements for concessionary travel reimbursement, as set out in paragraph 21, until the end of May 2022. This will allow time for the Council's approach to concessionary travel reimbursement to be reviewed further in order to set the level of reimbursement from 1 June 2022 to 31 March 2023.
52. Options to be considered from June 2022 onwards will include:

- a) the continuation of the current arrangements;
 - b) the adoption of the Governments recommended approach by reducing the level of reimbursement by 5% every two months until actual concessionary usage levels are reached; and,
 - c) other variations of reducing levels of reimbursement.
53. Further information on the Council's level of BSIP funding for 2022/23 should become available from Department for Transport during March. This will help to inform the decision.

Enhanced Partnership and PTPS Review

54. The Council will (subject to the Cabinet's approval) formalise the Enhanced Partnership Plan and Scheme and establish an Enhanced Partnership in April 2022. Through the new partnership, the Council will work with operators to try and mitigate pressures e.g., qualifying agreements, network designs, coordinated headways etc.
55. The Council will undertake a review of its PTPS later this year to establish if it is still fit for purpose, and a wider network review of its contracted services. The BSIP sets out that the PTPS will be reviewed in full, once the BSIP and Enhanced Partnership have been developed, to ensure that full alignment is achieved.
56. The additional BRG will assist, but the Council will continue to lobby MP's and the Government for additional grant support.

Equality and Human Rights Implications

57. The Equality Act 2010 requires the Authority to have due regard to the need to eliminate discrimination and to promote equality of opportunity between different protected groups.
58. An Equality and Human Rights Impact Assessment (EHRIA) screening has been undertaken for the Council's PTPS, BSIP and Enhanced Partnership with their impact being considered as positive/neutral, and therefore a full EHRIA is not required.
59. It should be noted that the withdrawal of services may have a significant effect on the elderly, those living in isolated areas and those living in deprived or disadvantaged communities without access to other means of transport.

Environmental Implications

60. Maintaining the supported bus network should help to deliver modal shift away from the private car and would therefore be anticipated to deliver air quality and carbon reduction benefits.

Background Papers

Report to the Cabinet on 16 October 2018, 'Draft Passenger Transport Policy and Strategy':

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=5184&Ver=4>

Report to the Cabinet on 20 November 2020, 'Leicester and Leicestershire Strategic Transport Priorities':

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=5999&Ver=4>

Report to the Cabinet on 22 June 2021, 'National Bus Strategy':

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6444&Ver=4>

Report to the Cabinet on 26 October 2021, 'National Bus Strategy':

<http://cexmodgov1.ad.leics.gov.uk:9075/ieListDocuments.aspx?CId=135&MId=6447&Ver=4%20>

House of Commons research briefing paper on fuel prices (February 2022):

<https://researchbriefings.files.parliament.uk/documents/SN04712/SN04712.pdf>

Government statistics for weekly fuel prices (March 2022):

<https://www.gov.uk/government/statistics/weekly-road-fuel-prices>

Unite union survey on bus driver shortage (November 2021):

<https://www.unitetheunion.org/news-events/news/2021/november/new-survey-reveals-shocking-shortage-of-bus-drivers/>

Office for National Statistics (ONS) (Oct 2021) report on driver shortages in the wider labour market:

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/fallinhgvdriverslargestamongmiddleagedworkers/2021-10-19>

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CABINET – 29 MARCH 2022

**LEICESTER CITY COUNCIL WORKPLACE PARKING LEVY
BUSINESS CASE PROPOSALS**

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

PART A

Purpose of the Report

1. The purpose of this report is to seek the Cabinet's approval of the County Council's response to the consultation from Leicester City Council on its Workplace Parking Levy Business Case proposals. The proposed response is attached as Appendix B to this report.

Recommendations

2. It is recommended that the Cabinet:
 - a) Notes the concerns expressed by Members to date regarding Leicester City Council's (LCiC) Workplace Parking Levy Business Case proposals (the proposals) as set out in this report;
 - b) That in the event of the Workplace Parking Levy being put in place in Leicester, LCiC be requested:
 - i. to ensure that it establishes appropriate data collection and monitoring arrangements in respect of the impacts identified and in assessing the benefits of the enhanced passenger transport and cycling and walking measures funded by the Levy;
 - ii. to develop the Displaced Parking Strategy and to establish a Displaced Parking Task Force (as indicated in the proposals) to mitigate the impact of any displaced parking, including in areas of the County; and
 - iii. where there is evidence of adverse impacts in County areas, to identify appropriate mitigation measures and to implement those measures at no cost to the County Council;
 - c) Notes that LCiC has been in close discussion with the NHS which is currently considering its position on the WPL proposal;

- d) Does not raise a formal objection to the proposals subject to the points in (b) above being met by LCiC;
- e) That the comments set out in Appendix B to this report be submitted to LCiC as the views of the County Council.

Reasons for Recommendation

- 3. To note the concerns expressed by members of the County Council which have informed the Council's views on the proposals.
- 4. To ensure that the potential effects on communities and businesses in the County are carefully monitored and that mitigation is provided where necessary, working with the County Council. It is the view of the County Council that any such mitigation should be funded by LCiC.
- 5. It is recognised that the WPL is a key element of LCiC's proposed LTP4 and its outcomes align well to the Department for Transport's policy agenda for the decarbonising of transport. The proposals can be, in principle, an appropriate response to the growth and carbon challenges faced by the local area.
- 6. To ensure that the views of the County Council are taken into account.

Timetable for Decisions (including Scrutiny)

- 7. LCiC has undertaken a consultation exercise on the proposals, which closed on 13 March. LCiC has agreed to accept the County Council's response following its consideration by the Cabinet on 29 March.
- 8. The decision as to whether LCiC can introduce a WPL rests with the Secretary of State for Transport. It is understood the City Council will submit its proposals for consideration later this spring with an aim of the scheme being implemented in early 2023.

Policy Framework and Previous Decisions

- 9. The proposed response to the consultation has been informed by a number of County Council and partnership policies and strategies, outlined below.
- 10. The Strategic Growth Plan (SGP) for Leicester and Leicestershire was approved by the County Council and the other nine partners, including LCiC, in late 2018. It provides the long-term vision for planned growth of the area to 2050. It recognises the pivotal role of the City of Leicester in the area and its 'central city' role, supporting the market towns and rural area around it through more jobs, leisure, arts, culture and entertainment. The SGP recognises that Leicester needs to grow in such a way that enables full use to be made of its existing services and infrastructure and notes that by providing more homes close to jobs in the city centre and other employment centres, this will help relieve development pressures in the County.

11. In May 2019, the County Council declared a Climate Emergency.
12. In November 2020 the Cabinet approved the Leicester and Leicestershire Strategic Transport Priorities document (2020-2050), which highlights where Leicestershire County Council and LCiC will work together to deliver common transport aims and objectives and ensuring that long-term development needs and associated transportation requirements are coordinated.
13. In late summer 2021, in parallel with its consultations on its LTP4, LCiC undertook consultation on the concept of a WPL. On 17 September 2021 the Cabinet agreed comments be submitted to LCiC as the views of the County Council on the concept of a WPL; including that it was opposed to the idea in principle but would respond further once the draft Business Case had been made available.
14. In October 2021, the Cabinet approved for consultation the draft Strategic Plan (2022-26). The proposed outcomes include: 'Clean, green future – The environment is protected and enhanced, and we tackle climate change, biodiversity loss and unsustainable resource usage.' (The final Strategic Plan is the subject of a separate report to this Cabinet meeting).

Resource Implications

15. There are no immediate financial implications for the County Council arising from the recommendations in this report. However, should the proposals be implemented, officer resources will be required (funded from within existing budgets) to continue to work with LCiC to monitor and understand its impacts, including to evidence whether and if there are any adverse impacts in County areas and to agree mitigation measures as required.
16. Conversely, it is proposed that monies raised by the proposals will be invested in measures that will benefit County residents (as outlined in Part B of the report) and this may help to ease some pressures on County Council resources.
17. Where there is evidence of adverse impacts in County areas, the County Council will expect LCiC to work with it to identify appropriate mitigation and to implement that mitigation at no cost to the Authority.
18. The Director of Corporate Resources and the Director of Law and Governance have been consulted on this report.

Circulation under the Local Issues Alert Procedure

19. This report will be circulated to all Members.

Officers to Contact

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PART B

Background

20. The workplace parking levy is a proposal contained in the Leicester City Mayor's 2019 election manifesto. As a Unitary Authority, LCiC is developing its own policy responses to address the growth and climate challenges within the Leicester and Leicestershire Housing Market Area.
21. LCiC's proposals are intended to encourage more people to switch from using private cars to sustainable transport and to help deliver the funding for transport improvements that have been identified in its LTP4 for the period up to 2036. LCiC proposes investment from WPL in radial bus routes and services, new park and ride sites and an improved rail station, all of which would have the potential to benefit travellers from the County and beyond. As indicated in the Business Case:
 - a) the levy will only apply within the administrative boundary of the City of Leicester;
 - b) the proposed amount is £550 per parking space per annum, index-linked (i.e. it will increase year-on-year);
 - c) it will be the choice of businesses/employers as to whether they pay the levy or instead pass on the cost of payment to employees (partially or fully);
 - d) residential parking and spaces for customers are outside the scope of the levy;
 - e) businesses with 10 parking spaces or less, emergency services and registered Blue Badge holders will all receive 100% discount (i.e. they will make no payment); and
 - f) NHS premises will receive a 50% reduction for a period of three years following the proposals' introduction, after which the full levy would become payable.

Mitigation

22. LCiC states that it takes the risk of displaced parking very seriously. It proposes to develop a Displaced Parking Strategy, which will be based on experiences of introducing a Workplace Parking Levy in the City of Nottingham; an extract (extract 1) from the Business Case in Appendix A highlights areas where parking might be displaced, including in respect of the County:
 - a) some areas of Glenfield and Braunstone to the west of the City;
 - b) possibly the edges of Thurmaston and Birstall to the north;
 - c) an area to the north of Scraptoft (albeit the area shown within the Business Case is largely undeveloped at present); and

- d) an area between Oadby and Thurnby to the east (albeit within the area shown in the Business Case there are very few roads).
23. A Displaced Parking Task Force is proposed to operate jointly with the County and adjoining district councils as required. It would be responsible for identifying hotspots and, working with local residents, acting promptly to arrange appropriate mitigation such as Traffic Regulation Orders to manage any displaced parking and reduce its impact on residents, whether inside or outside the City Council boundary.

Use of WPL Monies

24. LCiC estimates likely receipts from the levy will be approximately £95m over the first 10 years. It also states that this could attract match funding, making a total investment pot of up to £450m.
25. LCiC proposes to use the monies to deliver substantial improvements to passenger transport services including funding towards a 'Mainlines' urban bus network of 25 'route groups' and enhanced park and ride facilities that would serve County areas (see second extract from the Business Case at Appendix A). A fully branded package of transformative improvements will include:
- a) 170 electric buses with audio-visual displays and enhanced access features;
 - b) enforced bus priority measures and signal priority;
 - c) automated 'best fare' digital ticketing;
 - d) on-street real time information at all boarding stops;
 - e) new bus shelters at main boarding stops;
 - f) a new St Margaret's Bus Station; and
 - g) for each 'Mainline', a route group with an integrated timetable to a minimum frequency standard within Greater Leicester:
 - o every 15 mins or better daytime Monday to Saturday,
 - o every 30 mins evenings and Sundays,
 - o every 10 mins on eleven 'Mainlines' connecting to all key locations outside the City Centre.
26. The monies raised will also be used towards funding further significant expansions of the City's cycleway network and transformation of Leicester Railway Station.

Views expressed by County Council Members on the proposals

27. In January 2022, all County Council Members were invited to an online briefing session on the proposals, from LCiC officers.

28. Around half of the County Council's Members were able to attend the briefing. Members raised a number of questions with the City Council officers during the briefing and have also subsequently contacted County Council officers with their concerns and queries.
29. In general, the two major areas of concern were identified:
- i. On-street parking - the proposals would lead to greatly increased levels of on-street parking in those communities around Leicestershire which adjoin the City, notably Anstey, Groby, Ratby, Oadby, and Wigston, as people travelling into the City to work by car sought to avoid the Levy. This over parking in residential areas, would result in disruption and congestion for local residents and would adversely affect road safety.
 - ii. NHS employees (hospitals, doctor's surgeries etc.) - would be adversely affected. The added cost for NHS premises and employees might be said to represent a tax on the health services, noting that NHS staff already had to pay car parking charges. Additionally, for many of those staff who worked shifts, there were concerns that safety would be an issue if they had to use public transport late at night.

Other issues included:

- iii. Whether the proposed travel improvements to be funded by the levy were appropriate, e.g. Leicester might benefit from a tram system.
- iv. The need for longer operating hours for Park and Ride Services, taking into account the night-time economy and shift-work.
- v. The inadequacies of alternative transport provision beyond the City, for example, to the south and east of Leicester along the A6 corridor.
- vi. That, given the struggles faced by businesses following the pandemic, it was not perhaps wise to seek to introduce a WPL at the present.
- vii. That the impact of the WPL on schools could be considerable. Schools were already struggling with their budgets and the levy would effectively deprive them of resources that might otherwise be used for children's education.
- viii. The LCiC must fully fund any mitigation scheme(s) required in the County.
- ix. The proposals would affect County commuters into the City to a far greater extent than those who already lived and worked there (e.g. because someone living in the City had greater opportunities to access alternative means of transport to the car relative to someone living in the County) but most of the revenue generated from the WPL would be directed towards improvements to transport services in the City and would not benefit County residents.

- x. That the proposals would apply to public sector services and workers such as teachers, GP surgeries, and hospitals.
 - xi. That consideration should be given to an exemption for those travelling to places of religion to worship.
30. LCiC officers responded at the briefing to members comments. It was emphasised that, as set out in the Business Case, it was intended to have a process in place to address displaced parking in the areas adjoining the City and that where mitigation was required the cost of this would be met by the City Council.
31. LCiC officers advised that the City Council had been in close discussion with NHS representatives which was, at the time of the briefing, still considering its response to the consultation. During initial discussions, the NHS had accepted that there could be positive benefits for their employees in the form of extended free bus service provision and in offsetting land costs where the NHS currently leased off-site car parking spaces.

Views of the County Council

32. The proposed views of the County Council to be submitted to the LCiC are attached to this report as Appendix B. The main considerations that have informed this are outlined below.
33. A Workplace Parking Levy was included in the City Mayor's manifesto and is a key element of LCiC's proposed LTP4. The outcomes the proposals aim to deliver - reduced congestion, improved air quality increased cycling, walking and public transport use - align well to the Department for Transport's policy agenda for the decarbonising of transport.
34. The Leicester and Leicestershire Strategic Growth Plan (SGP), referred to in Part A of this report, sets out, inter-alia, the scale of housing required to meet the needs of the area's population out towards 2050. Based on the SGP, around 118,000 new homes are required to be delivered between 2011 and 2036 (figures pre-date changes to the Government's Standard Method for calculating housing number requirements, published in December 2020). The new method increased Leicester's housing need by 35%, adding a further 9,712 homes to its need between 2020 and 2036 (or adding 607 homes per year to give a new total of 2,341 per annum).
35. The City and district councils are currently developing their Local Plans, which include the delivery of new homes and jobs required to meet the needs of the growing population (and to fulfil the Government's housing requirements). In each case the underpinning transport evidence shows that, based on the current travel habits and behaviours, traffic levels are forecast to increase, resulting in:
- a) increased levels of congestion;

- b) the potential for increasing levels of traffic to be diverting on to less appropriate roads (with associated safety and community impacts); and
 - c) presenting challenges in seeking to achieve common net-zero requirements.
- 36. Certain benefits will be achievable through efforts to increase levels of cycling and walking (for example, through the Authority's adopted Cycling and Walking Strategy and associated Local Cycling and Walking Infrastructure Plans), and to deliver enhanced passenger transport services (for instance, through the adopted Bus Service Improvement Plan). Nevertheless, further policy interventions, including to seek to manage travel demand by car, are likely to be required in order to meet the simultaneous (and some might argue opposing) challenges of providing for population and economic growth whilst achieving required reductions in greenhouse gas emissions.
- 37. Difficult and sensitive policy choices are increasingly likely to be needed in order to deliver growth whilst simultaneously meeting net-zero requirements. From a Leicestershire perspective, the appropriate policy approach required to address these challenges will have to be considered in the County Council's next Local Transport Plan (LTP4). But, in that context, LCiC's seeking to implement a levy as a form of 'demand management' - a policy approach that actively seeks to discourage car usage - can be, in principle, an appropriate and valid response to the growth and carbon challenges faced by the Leicester and Leicestershire Housing Market Area.
- 38. With regard to the specifics of the proposals, LCiC has acknowledged the risks around possible displaced parking, and it is beneficial that LCiC has drawn on the experiences of Nottingham City Council in this regard. Its position is not unreasonable at this stage; there is little more than can be done unless and until the levy is implemented and its impacts monitored. As stressed by County Council members, it is important however that the LCiC is committed to working with the County Council in addressing any such impacts.
- 39. The proposed passenger transport measures funded by the WPL should benefit County residents in terms of providing cleaner, higher-quality bus services that give better access to jobs, services and facilities in Leicester. Improvements to Leicester Railway Station should also provide benefits for County residents and is a key to achieving greater passenger space capacity to accommodate future growth in levels of rail travel and/or new passengers arising from enhanced services.
- 40. Should LCiC implement the WPL proposals, it will be essential for the County Council to be kept informed of the project's development and for its officers to work closely with the City Council to deliver any mitigation necessary.

Conclusion

41. It is clear that Members have significant concerns about the proposals, in particular the impacts that it could have on local communities and on public sector services and employees, including the NHS and schools.
42. On balance, given the importance of supporting cleaner and greener transport measures but recognising the concerns raised by Members it is therefore proposed that the comments at Appendix B are submitted as the views of the County Council, stressing the importance of partnership working to:
 - a) establish appropriate data collection and monitoring arrangements in respect of the impacts identified by Local Members and in assessing the benefits of the enhanced passenger transport and cycling and walking measures funded by the Levy;
 - b) develop the Displaced Parking Strategy and establish the Displaced Parking Task Force (both part of LCiC's proposals) to provide the platform for identify and delivering any mitigation measures required to address displaced parking issues, including in the County; and
 - c) where there is evidence of adverse impacts in County areas, to identify appropriate mitigation measures and to implement those measures at no cost to the County Council.
43. Moving forward on this basis, this best supports objectives to deliver clean, green growth in Leicester and Leicestershire and provides a positive platform for joint working with LCiC to address any adverse impacts arising from the proposals should the WPL be agreed by the Secretary of State.

Equality and Human Rights Implications

44. There are no equality and human rights implications arising from the recommendations in this report.
45. A scheme which levies a charge on vehicular parking carries the potential to have a greater impact on individuals who rely on their own vehicles for transport. This potentially includes a higher than average number of elderly or disabled persons or persons with mobility difficulties.
46. *The Business Case sets out that 'equalities issues are being considered continually through the Equalities Impact Assessment and this has led to the additional proposals, for example:*
 - *A 100% discount for Blue Badge holders;*
 - *Additional discounted bus fares for young and unemployed people alongside those for the elderly;*

- *Advice and support to employers in passing on the WPL charge fairly to car commuters;*
- *A WPL charge level that is based on a typical bus fare’.*

47. The County Council will continue to work with the City Council where appropriate to minimise any negative impact on the County.

Environmental Implications

48. A stated aim of the LCiC’s WPL proposals is to seek to significantly improve passenger transport provision and cycling and walking facilities, thus bringing about forecast reductions in car usage. This should deliver environmental benefits overall.

Background Papers

Report to the Cabinet 23 November 2018 – Leicester and Leicestershire Strategic Growth Plan - Consideration of Revised Plan for Approval
<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MID=5185#A157659>

Report to the Cabinet 20 November 2020 – Leicester and Leicestershire Strategic Transport Priorities 2020 to 2050.
<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=5999&Ver=4>

Report to the Cabinet 17 September 2021 – Leicester City Council Draft Local Transport Plan 4 and Workplace Parking Levy Consultations
<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6446&Ver=4>

Leicester Workplace Parking Levy Business Case Summary December 2021
https://consultations.leicester.gov.uk/sec/wpl/supporting_documents/WPL%20Summary%20Business%20Case.pdf

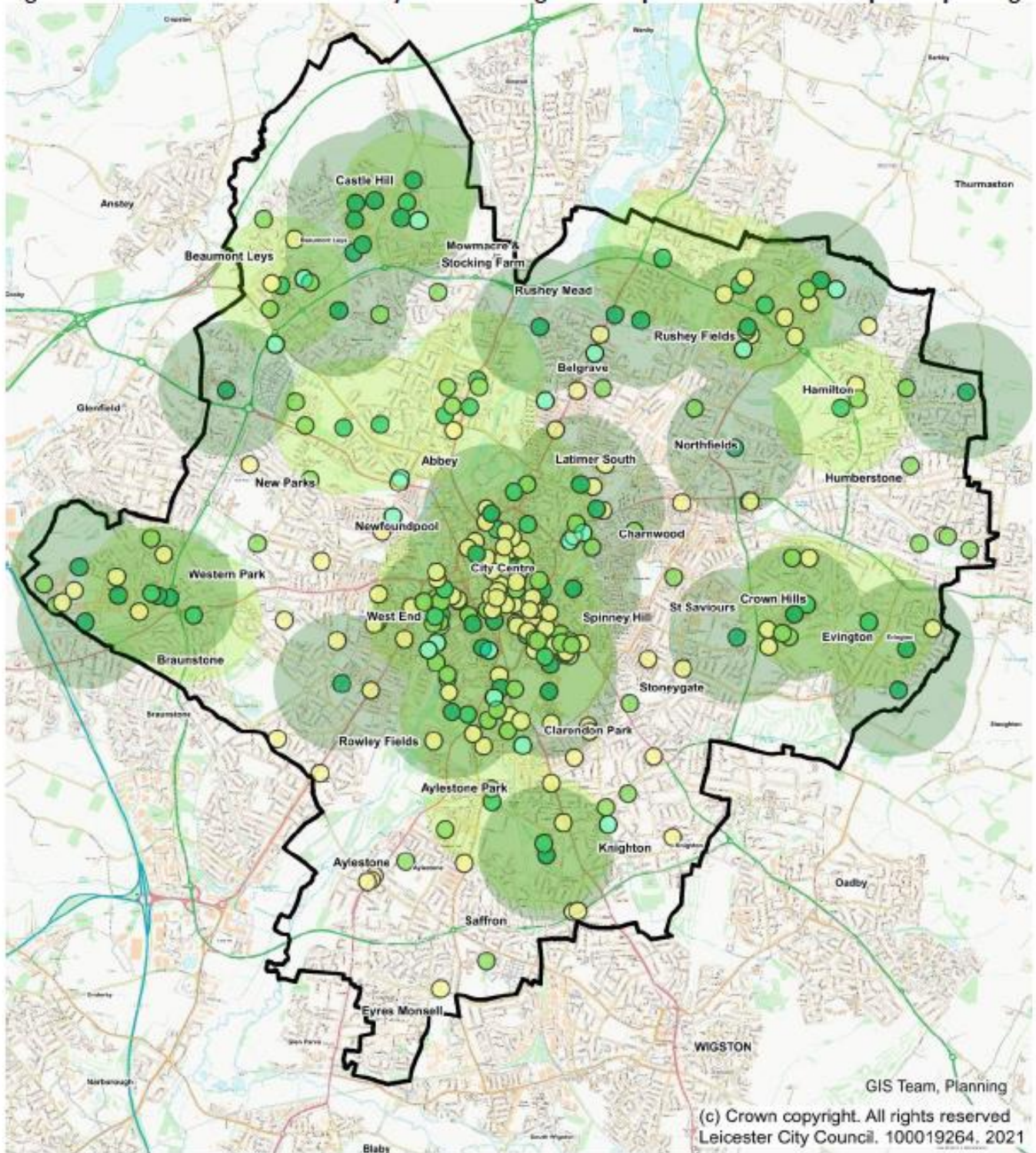
Appendices

Appendix A – Two extracts from LCiC WPL Business Case, December 2021
 Appendix B – Proposed WPL Business Case Consultation Response

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Appendix A: Extract 1 from LCiC Business Case, December 2021

Figure 7: A screenshot from LCC GIS system showing areas of potential focus for displaced parking



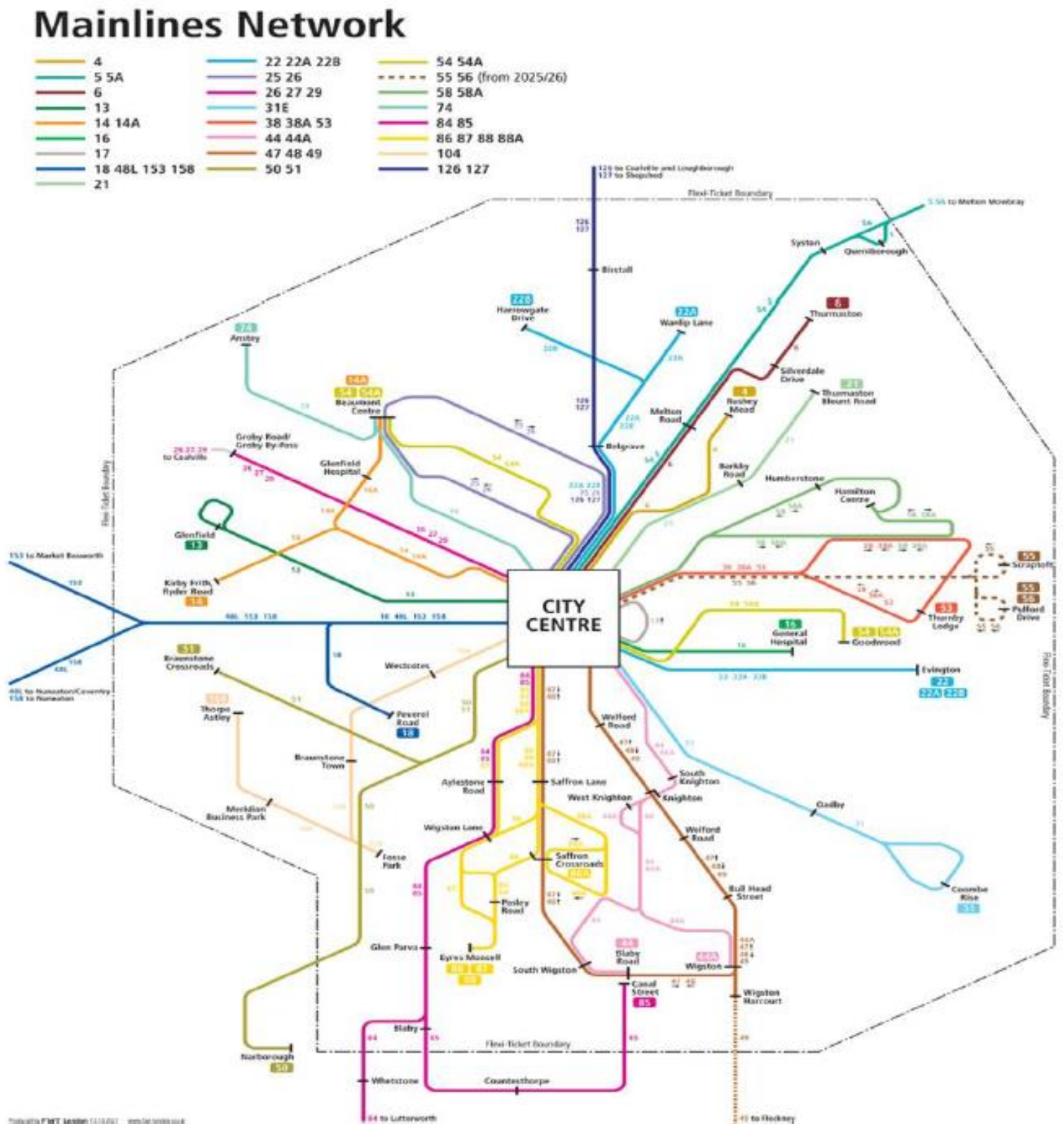
TOP 120 Employers
Car Parking Space Estimated
Numbers

- 100 to 1,300 (44)
- 50 to 99 (26)
- 10 to 50 (64)
- 0 to 10 (139)
- Unknown Number

800 meters as crow flies
around Top Employers

- Employers Estimated
100 Plus CPS
- Employers Estimated
50 to 100 CPS
- City Boundary

Figure 4: Proposed Mainlines Network with diagrammatic depiction of routes



Appendix B: Draft consultation response

“Dear Sir Peter,

LEICESTER CITY COUNCIL WORKPLACE PARKING BUSINESS CASE PROPOSALS

Following consideration of the above matter at its Cabinet meeting on 29 March, the Leader of Leicestershire County Council has asked me to write to you on his behalf to provide the authority’s response to the consultations on the Business Case proposals.

Our two authorities face the common challenge of seeking to provide for the housing, economic and social needs of Leicester and Leicestershire’s growing population whilst at the same time seeking to deliver on net-zero requirements.

Leicestershire County Council recognises that the proposal to introduce a Workplace Parking Levy is one aspect of your authority’s policy response to this challenge, and that it was included in your election manifesto. The measures that it will help to fund will bring environmental benefits by delivering cleaner transport for the area’s residents, including in the County, and more widely in terms of the Government’s policies to decarbonise transport.

However, many County Members have concerns about the potential impacts that the Levy’s introduction could have, in particular concerns about impacts of displaced parking on their communities and on business and services including the NHS and schools.

So, whilst not raising an objection to the Business Case proposals, this position is contingent on your authority working in partnership with the County Council to fulfil its commitments to:

- (a) establish appropriate data collection and monitoring arrangements in respect of the impacts identified by Local Members and in assessing the benefits of the enhanced passenger transport and cycling and walking measures funded by the Levy;*
- (b) develop the Displaced Parking Strategy and establish the Displaced Parking Task Force to provide the platform for identifying and delivering any mitigation measures required to address displaced parking issues, including in the County; and*
- (c) where there is evidence of adverse impacts in County areas, to identify appropriate mitigation measures and to implement those measures at no cost to the County Council.*

I look forward to your officers contacting me to put in train the above work.

Yours, etc.”

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**CABINET – 29 MARCH 2022****EXCEPTION TO CONTRACT PROCEDURE RULES - URGENT ACTION
TAKEN BY THE CHIEF EXECUTIVE IN RELATION TO THE CONFIRM
HIGHWAY MANAGEMENT SYSTEM****REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT****PART A****Purpose of the Report**

1. The purpose of this report is to advise the Cabinet of urgent action taken by the Chief Executive to agree an exception to the Council's Contract Procedure Rules which enabled the direct appointment of Confirm Solutions Ltd.
2. Confirm Solutions Ltd provides the Environment and Transport Department with Confirm software, which is a management solution for highways infrastructure maintenance and management. The original contract ends on 30 September 2022.
3. The exception to the Council Contract Procedure Rules is temporary and intended to expire once the Council completes a procurement exercise.

Recommendation

4. It is recommended that the Cabinet notes the urgent action taken by the Chief Executive to agree an exception to the Contract Procedure Rules to enable the appointment of Confirm Solutions Limited for three years ending on 30 September 2025.

Reasons for Recommendation

5. The Council's Constitution (Contract Procedure Rule 6 (b) (ii)) provides that exceptions to the Contract Procedure Rules may be made by the Cabinet where it is satisfied that an exception is justified on its merits and that in urgent cases the Chief Executive (after consultation with the Leader) may direct that an exception be made subject to it being reported to the Cabinet.
6. The circumstances and financial considerations surrounding the proposal are explained in Part B of this report.

Timetable for Decisions (including Scrutiny)

7. Following consultation with the Leader, the Chief Executive agreed the exception on 25 February 2022.

Policy Framework and Previous Decisions

8. The exception to the Contract Procedure Rules follows the Council's Constitution (Contract Procedure Rule 6 (b) (ii)).

Resource Implications

9. The cost of the contract extension totals £244,699.
10. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the rationale behind this contract exception. Any risk associated with this direct award will be mitigated, provided that a new contract is repurchased (in accordance with the procurement rules) and in place no later than 30 September 2025.

Circulation under the Local Issues Alert Procedure

11. None.

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PART B

Background

12. The Council's Environment and Transport Department has been using the Confirm System as a solution for highways infrastructure maintenance and management since 2004 after an Official Journal of the European Union (OJEU) procurement in 2003. A considerable amount of work has been undertaken in order to configure the system to suit the Authority's highways' needs as well as the time taken in training staff in its use. In 2012 the Council purchased all the modules of Confirm that were available at that time and have since paid for support and maintenance. Following a procurement exercise in 2017, a contract to use Confirm was agreed until the end of September 2022. There was no change to the pricing and the Department continued to only pay the Retail Price Index increase annually. This has meant the overall cost was considerably less than the market price.
13. In preparation to move to a new contract post-September 2022, the Department established a Project Board. The Board concluded that there was currently insufficient capacity within the Authority to undertake a compliant procurement process and implement a cloud based system (rather than the current locally hosted system) which would be a requirement of a new agreement with any future provider, before the end of September. It is anticipated that the procurement and implementation of such a system will take over two years. The Project Board also concluded that costs associated with a move to a cloud based system and a new contract based on the full market price (rather than the current lower negotiated price) (in the region of £250,000,) would significantly impact on the delivery of the Department's Medium Term Financial Strategy savings targets for 2022/23.
14. As a result of the above, and in line with the Council's Constitution (Contract Procedure Rule 6 (b) (ii)), the Chief Executive's permission was sought to enable the current Confirm System contract to be extended for a further three years, ending on 30 September 2025. The extension is based on the current pricing agreement, which will result in the Authority only paying the Retail Price Index increase each year. The value of the contract extension is £244,699.
15. The necessary work will be undertaken in order for a new contract to be re-procured and implemented before 30 September 2025. This will include a procurement process in line with the County Council's Contract Procedure Rules.

Equality and Human Rights Implications

16. There are no positive or adverse equality or human rights implications arising from this report.

Environmental Implications

17. There are no environmental implications arising from this report.

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CABINET – 29 MARCH 2022

CHARGING FOR SOCIAL CARE AND SUPPORT POLICY

REPORT OF DIRECTOR OF ADULTS AND COMMUNITIES

PART A

Purpose of the Report

1. The purpose of this report is to seek the Cabinet's approval for the Council's revised Charging for Social Care and Support Policy to be introduced from 11 April 2022.
2. The revised Policy, which is set out in Appendix A to this report, sets out how the Council charges adults who receive care and support services.

Recommendations

3. It is recommended that:
 - a) The revised Charging for Social Care and Support Policy be approved for implementation from 11 April 2022;
 - b) It be noted that future revisions to the Policy that are necessary to reflect any further changes in legislation and good practice will be made by the Director using his delegated powers.

Reasons for Recommendation

4. To approve a revised policy for charging for adult social care and support which will be implemented from 11 April 2022.
5. To enable the Minimum Income Guarantee and Personal Expenses Allowance (MIG/PEA) amounts to be revised each April in line with changes to the Regulations under the powers delegated to the Director.

Timetable for Decisions (including Scrutiny)

6. Subject to the Cabinet's approval, it is intended to implement the revised Charging for Care and Support Policy from 11 April 2022.

7. The Adults and Communities Overview and Scrutiny Committee received a report on 7 March 2022 and its comments are set out in paragraph 39 below.

Policy Framework and Previous Decisions

8. The Care Act 2014 allows local authorities to charge for most care and support services. The Care and Support Statutory Guidance (the CSS Guidance) requires that where a local authority decides to charge for services, it must follow the Care and Support (Charging and Assessment of Resources) Regulations (the Regulations) and have regard to the Guidance. Local authorities have a discretion to adopt a more generous charging policy than the statutory scheme; for example, they may choose to disregard additional sources of income, set maximum charges, or charge a person a percentage of their disposable income. The CSS Guidance requires that local authorities should develop and maintain a policy on how they wish to apply this discretion locally and how it can:
- ensure that people are not charged more than it is reasonably practicable for them to pay,
 - be comprehensive, to reduce variation in the way people are assessed and charged,
 - be clear and transparent, so people know what they will be charged,
 - promote wellbeing, social inclusion, and support the vision of personalisation, independence, choice and control,
 - support carers to look after their own health and wellbeing and to care effectively and safely,
 - be person-focused, reflecting the variety of care and caring journeys and the variety of options available to meet their needs,
 - apply the charging rules equally so those with similar needs or services are treated the same and minimise anomalies between different care settings,
 - encourage and enable those who wish to stay in or take up employment, education or training or plan for the future costs of meeting their needs to do so,
 - be sustainable for local authorities in the long-term.
9. The Cabinet approved the current Charging for Social Care and Support Policy on 11 September 2015. The Policy has only been subject to subsequent change to reflect changes in legislation, to improve the clarity of the wording and to address issues arising from the Council's initial response to the Covid-19 pandemic.
10. On 24 January 2022, the Adults and Communities Overview and Scrutiny Committee received a report on the "People at the Heart of Care: Adult Social Care Reform White Paper" and its impact on social care provision in Leicestershire and proposals on the Adult Social Care charging reform; the detail of which is set out under the "Build Back Better: Our Plan for Health and Social Care" command and subsequent policy papers.

Resource Implications

11. The proposed charges to the Charging for Social Care and Support Policy can be implemented using the existing capacity within the Adults and Communities Department. It is envisaged that the changes will avoid or reduce the volume of disputes and appeals that would otherwise be received in relation to these matters.
12. The changes will need to be reflected, as far as possible, on the Council's online financial assessment tool.
13. The Government published the proposed MIG/PEA figures for 2022-23 on 28 February 2022. The impact on income received from service users in receipt of chargeable care and support services is expected to be contained within the departmental budget.
14. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the contents of this report.

Circulation under the Local Issues Alert Procedure

15. None.

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PART B

Background

16. The Policy sets out how the Council will undertake a financial assessment in relation to residential and non-residential care and support services including how different types of income and capital are treated and what allowances are permitted in calculating how much someone is required to contribute towards the cost of their care and support services. The Policy assists people to know what they will be charged.
17. In the Care and Support Statutory (CSS) Guidance it states that the Government considers that it is inconsistent with promoting independent living to assume, without further consideration, that all of a person's income above the Minimum Income Guarantee (MIG) is available to be taken in charges. The Guidance suggests that local authorities should therefore consider whether it is appropriate to set a maximum percentage of disposable income (over and above the guaranteed minimum income) which may be taken into account.
18. A recent High Court judgment (SH v Norfolk County Council) established that local authorities should have a clear and transparent process and a recorded position on their charging policy, including the MIG (i.e. the income a person receiving care outside a care home is left with after charges) and Personal Expenses Allowance (PEA) (i.e. the income a person receiving care in a care home is left with after charges). The statutory amounts have not been increased since 2015 though the Government has increased in line with inflation from April 2022. The proposed amounts, based mainly on a person's age and disability, have now been published in a local authority circular from the Department of Health and Social Care dated 28 February 2022 and amending regulations published 8 March 2022. The link to this circular is included under the Background Papers.
19. The High Court Judgment also concluded that Norfolk County Council's proposed changes to its charging policy had an unintended consequence resulting in unjustifiable discrimination against people with more severe disabilities (see Appendix B attached to this report). In particular:
 - The different approach to earned and unearned income.
 - Demonstrating consideration of whether it is appropriate to set a maximum percentage of disposable income which may be taken into account in charges.
20. Following the judgement, all social care authorities have been advised to review their charging policies.
21. In September 2021, the Government published its proposals to transform the funding of social care. The proposals will require a more fundamental review of the Council's charging policy covering the lifetime cap on the amount anyone in England will need to spend on their personal care, alongside a more generous means-test for local authority financial support which will apply from October

2023. This is planned to be undertaken in the next financial year and will include a further consideration of the High Court Judgement, consultation and an equalities and human rights impact assessment pursuant to the Council's public sector equality duty under the Equality Act 2010.

The Revised Charging for Social Care and Support Policy

22. The main proposed changes to the existing policy are to increase the MIG/PEA amounts used in the financial assessment and to provide additional or increased disregards to reflect increase energy costs for residential assessments and the new compensation schemes introduced by Government.

MIG/PEA

23. It is proposed that the Council adopts the statutory amounts for the MIG/PEA which have been set out by Government for its charging policy for 2022-2023. These are the minimum amounts allowed under the legislation. These amounts will be revised each April in line with changes to the Regulations using existing powers delegated to the Director. The changes will be documented in an Executive Decision Record published on the Council's website.
24. Anyone who feels that their assessed contribution towards their care and support charges is unaffordable can request a review and appeal the decision under the current and the proposed Charging for Social Care and Support Policy.

The Norfolk Judgement

25. A synopsis of the High Court judgement in SH v Norfolk County Council is set out in Appendix B to this report.
26. Norfolk County Council decided not to appeal the judgement but has made interim changes to its policy to mitigate the effects of unintended discrimination. These included disregarding the difference in the amount received under the Standard Rate and the Enhanced Rate of the Daily Living Component of Personal Independence Payment (PIP) and not implementing the proposed reduction in the rate of MIG. The Daily Living Component of PIP is a benefit paid to adults with a disability or long-term health problem who need support or assistance in relation to their daily living tasks.
27. Leicestershire County Council has not adopted this approach. Its proposals focus on the MIG and PEA, which are set to increase in line with inflation following revision by HM Government. This will ameliorate the impact of current charging decisions by setting more generous amounts, in addition to net housing and Council Tax costs, than the current rates set under the Regulations which have not kept pace with costs of living and inflationary increases. This provides a benchmark that the Council considers will assist it in complying with the CSS Guidance, in particular (paragraph 8.42), that a local authority must ensure that a person is left with sufficient funds to meet their daily living costs, such as rent, food and utilities.

28. It is worth noting that the Local Government and Social Care Ombudsman has looked at two previous complaints against the Council for including the full amount of the Enhanced Rate Daily Living Component of Personal Independence Payment in 2018 and 2019 and not found the Council to be at fault.
29. In relation to the requirement that where a person receives benefits to meet their disability needs that do not meet the eligibility criteria for local authority care and support, the charging arrangements should ensure that they keep enough money to cover the cost of meeting these disability-related costs. The Council is confident that its current and proposed charging policy in relation to disability-related expenses can address any hardships that may arise.
30. If an individual considers these measures do not eliminate any unjustifiable discrimination of the type complained of in the Norfolk judgement, they have the right of review/appeal, in the current and proposed policy (see paragraph 55 of the policy).

Energy Costs

31. In April 2022, the biggest rise in the energy bills price cap ever set by Ofgem will be implemented. Ofgem announced, on 3 February 2022, that the price cap will increase the average annual domestic energy bill from 1 April by £693.
32. The CSS Guidance requires local authorities to carry out a financial assessment and ensure that people are not charged more than it is reasonably practicable for them to pay. The Government has announced a package of measures to support households with rising energy bills, including:
 - A £200 repayable discount on their energy bill this Autumn for domestic electricity customers. This will be paid back automatically over the next five years.
 - A £150 non-repayable rebate in Council Tax bills for all households in Bands A-D in England.
 - £144 million of discretionary funding for district councils to support households who need support but are not eligible for the Council Tax rebate.
 - Expansion of the Warm Homes Discount to around an additional 800,000 low-income households.
33. People disputing the affordability of their assessed contribution towards the cost of their care and support services due to the increase in energy costs will be directed to seek assistance from the district councils' discretionary fund, noted above and similar funds where appropriate.
34. In relation to the £150 rebate on Council Tax, unless the Council changes its charging policy, people in receipt of a chargeable care and support service will not benefit from the additional support the Government has introduced. Therefore, the financial assessment will retain the pre-reduction liability for

Council Tax in order to avoid a consequent increase in their care and support charges, in line with the arrangements for Council Tax Support. This will ensure the resident receives the full benefit of the reduction in their Council Tax charge for 2022-23.

35. A person incurring greater energy costs due to their disability, compared to average costs, can be considered for disability-related expenditure under the existing and the proposed policy (see paragraph 51 of the policy).
36. For residential placements where the resident remains liable for energy costs at their former home, under paragraph 46(d) of the CSS Guidance the Council has to consider whether the PEA is sufficient to enable the person to meet any resultant costs. Under the existing Charging for Social Care and Support Policy a standard amount based on average costs originally published by British Gas is allowed. The revised proposal includes an increase to these amounts by the increase in energy costs (54%) rather than the Consumer Price Index generally. As a result, the amounts allowed would be £9.07 for an unoccupied property i.e. frost protection (current £5.89) and £32.02 for an occupied property, divided by the number of occupants (current £20.79).

New Government Compensation Schemes

37. Schemes compensating victims of historical institutional child abuse and from the Windrush Compensation Scheme are disregarded from 1 January 2022 in relation to means-tested social security benefits: Council Tax Support, Housing Benefit, Income Support, Income-based Jobseeker's Allowance, Income-related Employment and Support Allowance, State Pension Credit, and Universal Credit. No amendment has yet been made to the Care and Support (Charging and Assessment of Resources) Regulations 2014 relating to financial assessments for care and support services.
38. However, it is proposed to mirror the disregards in means-tested social security benefits in the Council's Charging for Social Care and Support Policy in relation to compensation paid to victims of historical institutional child abuse and from the Windrush Compensation Scheme.

Comments of the Adults and Communities Overview and Scrutiny Committee

39. The Adults and Communities Overview and Scrutiny Committee considered a report at its meeting on 7 March 2022, which provided a briefing on a number of proposed changes to the Council's Charging for Social Care and Support Policy intended to be introduced from 11 April 2022 and invited comment on the revised Policy. The following key points arose from discussion:
 - Members noted that Central Government had confirmed its intention to raise the statutory minimum amount for MIG and PEA for 2022-23 by 3.01%.
 - Members received confirmation that a person's financial assessment would only be impacted by the rules around deprivation of capital if it could be determined that at the time the person gave away their assets, they had
 - a) a reasonable expectation of the need for care or support; and

- b) a reasonable expectation of the need to contribute towards the cost of their care or support.
- The Committee received assurance that even with the complexities of the financial assessment process around residential care placements (due to the number of considerations that had to be made such as whether the placement was to be temporary or permanent) responding to people's care needs was always the priority and that charging could be back dated if necessary.
- Members noted that the Department was currently considering ways to improve its online financial assessment tool for use and publication more widely.

Conclusion

40. The Council is required to formally adopt the charging policy for adult social care and support. As detailed above, the Government's proposals to transform adult social care will require a more fundamental review of the Council's charging policy. This is planned to be undertaken in the next financial year and will include a further consideration of the High Court Judgement, consultation and an Equalities and Human Rights Impact Assessment pursuant to the Council's public sector equality duty under the Equality Act 2010.

Equality and Human Rights Implications

41. An Equalities and Human Rights Impact Assessment screening has been undertaken and indicates that an Equality and Human Rights Impact Assessment Report is not required.
42. In relation to the decision in SH v Norfolk County Council the proposal is to retain the existing policy approach. As detailed above there is an existing dispute and appeal mechanism in the charging policy in addition to the statutory complaints process that enables people to challenge the Council's decision on their assessed contribution.

Risk Assessment

43. The risks of challenge to the Council's policy are recorded by the Council as a Strategic Risk including loss of income, reputational damage and loss of trust. The Council has, via the National Association of Financial Assessment Officers, obtained legal advice on the implications of the Norfolk judgement.
44. The Charging for Social Care Policy provides a right to request a review and appeal if anyone who feels that their assessed contribution towards their care and support charges is unaffordable.

Background Papers

Progress with implementation of the Care Act 2014 and Request for consultation - Cabinet: 11 September 2015

<https://politics.leics.gov.uk/ieListDocuments.aspx?MId=4230>

Report to the Adults and Communities Overview and Scrutiny Committee: 24 January 2022 – Adult Social Care Reform and Charging

<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=1040&MId=6838&Ver=4>

Build Back Better: Our Plan for Health and Social Care

<https://www.gov.uk/government/publications/build-back-better-our-plan-for-health-and-social-care>

Care and Support Statutory Guidance - 27 January 2022

<https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#charging-and-financial-assessment>

The Care and Support (Charging and Assessment of Resources) Regulations 2014

<https://www.legislation.gov.uk/ukxi/2014/2672/contents/made?text=care%20act#match-1>

Social care - charging for care and support: local authority circular - LAC(DHSC)(2022)1

<https://www.gov.uk/government/publications/social-care-charging-for-local-authorities-2022-to-2023/social-care-charging-for-care-and-support-local-authority-circular-lacdhsc20231>

Social care – charging for care and support: local authority circular LAC(DHSC)(2021)1

<https://www.gov.uk/government/publications/social-care-charging-for-local-authorities-2022-to-2023/social-care-charging-for-care-and-support-local-authority-circular-lacdhsc20231>

SH v Norfolk County Council [2020] EWHC 3436 (Admin).

<https://www.bailii.org/ew/cases/EWHC/Admin/2020/3436.html>

Department of Health Impact Assessment - The Care Act 2014: Draft regulations and guidance for implementation of Part 1 of the Act in 2015/16

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/317817/ConsultationIA.pdf

Appendices

Appendix A - Charging for Social Care and Support Policy

Appendix B - Synopsis of the High Court judgement in SH v Norfolk County Council

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Leicestershire County Council

Charging Policy for Social Care and Support

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1. Definitions used in this policy:

Attorney:	Enduring Power of Attorney or Lasting Power of Attorney. A legal process that lets the Service User appoint one or more people (known as attorneys) to help them make decisions or make decisions on their behalf.
Deferred Payment Scheme:	A national scheme whereby people can delay paying for their care and support, or part of it, until a later date (often after their death), provided they meet the eligibility for the scheme.
Deferred Payment Agreement:	The formal mechanism where the Council and the Service User agree to them delaying paying for their care and support, or part of it.
Deputy:	Deputy authorised by the Court of Protection to manage the affairs of someone who lacks the mental capacity to manage their own affairs.
Eligible Needs:	When the Service User's or Carer's needs meet the Council's criteria for council-funded care and support.
Extra Care:	The Service User's own home, in a development with other older people, but with additional care and support available.
Guidance:	Care and Support Statutory Guidance issued under the Care Act 2014 by the Department of Health & Social Care.
Legal Charge:	A legal document held by the Land Registry showing that the Council has a claim on the Service User's property.
Light touch assessment:	In some circumstances, the Council may choose to treat a person as if a financial

assessment had been carried out. This might be where the Council is satisfied that the Service User can afford, and will continue to be able to afford, any charges due and the Service User agrees.

Main home:

A Service User can have only one main home at any one time. This is the home where the Service User normally lives.

Personal Budget:

Money that is allocated to a Service User or Carer by the Council to pay for care or support to meet their eligible needs.

Provider:

Organisation or person providing care services to the Service User.

Representative:

Person nominated by the Service User to assist them with the financial assessment process.

Service User:

Person receiving or eligible for care services provided under the Care Act 2015.

Supported Living:

An alternative to residential care or living with family that enables adults with disabilities to live in their own home, with the help they need to be independent.

The Council:

Leicestershire County Council.

Top-up fee:

The difference between the actual costs of the preferred Care Home Provider and the amount that the Council has set in a Personal Budget to meet the Service User's eligible needs.

3rd Party:

Someone who agrees to pay the top-up fee for the Service User. This may be a relative, friend or charity.

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2. Introduction

1. The Charging Policy for Social Care and Support sets out how the Council charges people who receive care and support services. This policy is based on the requirements of the Care Act 2014 and The Care and Support (Charging and Assessment of Resources) Regulations 2014, as amended.
2. For the purposes of this policy, “residential services” refers to services in a care home. “Non-residential services” refers to services in the community, in a Service User’s home, day services or in prison.
3. The policy is based on the legal framework for charging set out in the Care Act 2014. Should there be any confusion or dispute as to the application of this policy clarification will be sought from the primary and secondary legislation and associated statutory guidance.
4. This updated policy will be applied from 1st April 2022.
5. This policy should be read in conjunction with the associated procedures.

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3. Policy Scope

1. The policy covers charging arrangements for adults aged 18 or over, who receive care and support services that are arranged by the Council under the Care Act 2014.
2. This includes both care provided to people living in a residential setting and to people who live in their own home in the community or in prison. The majority of the charging policy applies to both settings but the detail of how to charge in each setting is different and is set out in the sections below.
3. 1st and 3rd Party “top-up” financial assessments and agreements are included in this policy.
4. Deferred Payment agreements are included in this policy.

4. Core Principles of the Policy

1. The policy adopts the following principles for charging, which are set out by the Department of Health & Social Care in the Care and Support Statutory Guidance issued under the Care Act 2014. The policy will:
 - a. Ensure that people are not charged more than it is reasonably practicable for them to pay;
 - b. Establish who will be entitled to financial support based on a means-test and who will be entitled to free care;
 - c. Be comprehensive, to reduce variation in the way people are assessed and charged;
 - d. Be clear and transparent, so people know what they will be charged;
 - e. Promote wellbeing, social inclusion, and support the vision of personalisation, independence, choice and control;
 - f. Support Carers to look after their own health and wellbeing and to care effectively and safely;
 - g. Be person-focused, reflecting the variety of care and caring journeys and the variety of options available to meet their needs;
 - h. Apply the charging rules equally so those with similar needs or services are treated the same and minimise anomalies between different care settings;
 - i. Encourage and enable those who wish to stay in or take up employment, education or training or plan for the future costs of meeting their needs to do so; and
 - j. Be sustainable for the Council in the long-term.

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5. Care and support for which the Council will not charge.

1. Intermediate care, including reablement, which will be provided free of charge for up to six weeks.
2. Community equipment (aids and minor adaptations). Minor adaptations are those costing £1000 or less.
3. Care and support provided to people with Creutzfeldt-Jacob Disease.
4. After care services / support provided under section 117 of the Mental Health Act 1983.
5. Any service or part of service which the NHS is under a duty to provide. This includes Continuing Healthcare and the NHS contribution to Registered Nursing Care.
6. Carers own eligible support needs in respect of their caring role, including Carers One-off Payments.

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6. Consent to share financial information

1. Under the Welfare Reform Act 2012, and associated regulations, the Council will share financial information with the Department for Work and Pensions and with District Councils for the purposes of completing an accurate financial assessment calculation.

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7. Start date of care charges

1. The Council has the power to charge for meeting a person's care and support needs from the moment it starts to meet those needs.
2. Where the financial assessment has not been completed at the time that care starts the Council will backdate any outstanding charges to the date when it started meeting the person's care and support needs.
3. There are no set timescales in law and guidance to complete a financial assessment, however, the Council will aim to complete an assessment as soon as reasonably practical after receiving all of the required information and proofs.

4. The service user's assessed contribution is always the first call to pay actual care and support charges. This means that the service user's contribution will always be used first to pay for the actual care received. If in a given week the actual care received is less than that provided for in the service user's support plan, but the cost of the actual care received is equal to or greater than the service user's assessed contribution the service user will still be required to pay their full contribution. The council's contribution would be reduced. If the cost of the actual care received is less than the service user's assessed contribution, they will only be required to pay the actual cost.

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8. Financial Representatives & Mental Capacity

1. The Service User can request that the Council liaise with another person who will act as their financial representative for the financial assessment and charging process.
2. Whilst the Council will consider any request to liaise with a financial representative the legal responsibility for any invoice payment and associated debt recovery will remain with the Service User.
3. If a Service User lacks capacity to consent to a financial assessment or to take part in the financial assessment process the Council will liaise with the person who has legal responsibility to make financial decisions on behalf of the Service User. The Council will require proof that someone has the appropriate legal standing e.g. attorney or deputyship for property and finances, to act on behalf of the service user.
4. The Mental Capacity Act 2005 Code of Practice states: If the person who lacks capacity has no property or savings and their only income is social security benefits there will usually be no need for a deputy to be appointed. If the person has assets or savings from other sources an attorney or deputy should be appointed.

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9. Financial Assessment overview

1. A financial assessment will be undertaken for all Service Users in receipt of chargeable services.

2. Service Users can decide to have a light touch financial assessment rather than a full financial assessment. However, this may result in them being liable for the full cost (maximum charge) for their care.
3. The financial assessment will usually be calculated on the basis that the Service User is receiving all the means-tested benefits that they have been identified as being entitled to on application, i.e. if the Service User is entitled to receive income support, income-related employment and support allowance, universal credit or pension credit, but is not claiming those benefits, the financial assessment will assume that those benefits are in payment at the correct amount, this is known as notional income. The amounts assumed will be those payable based on the known circumstances of the individual and will not take into account claims for Disability Living Allowance, Personal Independence Payment or Attendance Allowance which have not yet been approved.
4. Where a Service User is receiving residential care services the high rate of the care component of Disability Living Allowance, the enhanced rate of the daily living component of Personal Independence Payment or Attendance Allowance will be assumed to be in payment (notional income) until the Service User is no longer entitled to claim due to being in local authority funded residential care.
5. The collection of information for the financial assessment may be undertaken by phone, by post, by a visit, on-line or by any other reasonable means deemed appropriate or effective by Leicestershire County Council.
6. Financial assessments will be reviewed at regular intervals as directed by Leicestershire County Council or when significant variations arise in Service User / 3rd Parties financial situations.

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10. Refusal to co-operate with a financial assessment

1. If a Service User refuses to co-operate with a financial assessment they will be required to pay the full-cost of their care and support services from the start date of their services unless information as to their capital and income is already available to the Council in which case those figures may be used to inform the assessment. If subsequently the Service User does

provide the required information the charge payable will be reassessed and may be backdated.

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11. Non-Disclosure of Financial Details

1. Service Users have the right to choose not to disclose their financial details for example where they can afford, and will continue to be able to afford, any charges due. If this right is exercised, they will be required to pay the full cost of their care and support services and the administration fee.

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12. Where a financial assessment would be detrimental to the Service User's health

1. Although the financial assessment process aims to ensure that Service Users are charged only what they can afford to pay, there may be cases when it is believed that a financial assessment would be detrimental to the Service User's health.
2. In these circumstances the requirement to contribute towards the cost of care may be waived. Waiving of on-going charges will be reviewed periodically.
3. Any decision to waive the charge will be taken in line with section 55 of this policy.

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13. Benefits Information

1. A benefits check will be offered to all Service Users who are subject to a financial assessment. The benefits check may be undertaken during the financial assessment process, during a phone call, by post, by a visit or by any other reasonable means deemed appropriate and effective by Leicestershire County Council.
2. The benefits check will consider the Service User's actual income and calculate whether the Service User may be entitled to any means tested or non-means tested benefits based on their individual circumstances. The benefits check will only consider the Service Users circumstances at the

time of the benefits check; the accuracy of the advice given will be dependent on the information given by the Service User.

3. Service Users will be advised of their possible entitlement to benefits and encouraged to make appropriate claims. Information on how to make a claim will be given to the Service User. In some cases, assistance to make appropriate claims may be offered.
4. Service Users must notify the Council's Adult Social Care Finance Section of any changes in benefit income as soon as they occur. The Service User's financial assessment will then be reviewed to take into account the changes in benefit income; the revised calculation will be backdated to the start of the change in benefit payment or the date of the first financial assessment, whichever is the later.

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14. Benefits Information - Residential services

1. Where Service User is entitled to means-tested benefits, on application, they will usually be deemed to be in receipt of those benefits from the date that residential care starts. This is known as notional income.
2. If under-claiming of benefits is identified the Service User will be notified in writing and advised of the potential benefit entitlement based on financial information provided to the Council and signposted to the appropriate part of the DWP / District Council.

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15. Benefits Information- Non-residential services

1. If under-claiming of any means-tested benefit is identified the Service User will be notified in writing and advised of the potential benefit entitlement. They will be deemed to be in receipt of those benefits.
2. Where additional income from means-tested benefits is secured and backdated the charge payable will be reassessed throughout the period of backdating where a chargeable service was in place.
3. If a benefit overpayment is identified the Service User will be advised of the probable overpayment. Information on organisations who may be able to assist with resolving the overpayment and agreeing any repayment

figures will be offered and the Service User will be advised to contact the relevant part of the DWP / District Council to correct the overpayment.

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16. Treatment of Capital

1. The local authority has no power to assess couples or civil partners according to their joint resources. Each person must therefore be treated individually.
2. Only the capital of the Service User will be taken into account in the financial assessment of what they can afford to contribute towards their care and support.
3. Where the Service User has a beneficial interest in capital held in someone else's name, e.g. their partner, the Service User's share will be included in the assessment of their capital. Where a person has joint beneficial ownership of capital, except where there is evidence that the person owns an unequal share, the total value will be divided equally between the joint owners and the person should be treated as owning an equal share
4. Due to travel restrictions and limited opening hours during the COVID-19 pandemic, or a similar situation, where people are experiencing difficulty in obtaining proof of bank balances etc. every effort will be made to complete a financial assessment based on available information particularly the Department of Work and Pensions data (Searchlight). Proof of non-benefit income and savings etc. will be required in due course. This will avoid a 'full-cost' assessed charge for failure to disclose information. Any subsequent change to the financial assessment based on the later information will be backdated to the effective date of the original assessment.

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17. Capital Limits

1. Capital limits are set nationally by central government. The current capital limits can be found on the Council's website.

2. The financial limit, known as the “**upper capital limit**” exists for the purposes of the financial assessment. If a person has capital below this limit, they can seek means-tested support from the Council.
3. A person with more than the upper capital limit can ask the Council to arrange their care and support for them. However, they are not entitled to receive any financial assistance from the Council and must pay the full cost of their care and support, and the administration fee, until their capital falls below the upper capital limit or they complete a deferred payment agreement.
4. If a person clearly has capital in excess of the upper capital limit the Council will undertake a “light touch” financial assessment if the person agrees.
5. If a person has capital below the “**lower capital limit**” their capital is disregarded in their financial assessment and they will not need to contribute to the cost of their care and support from their capital.
6. Where a person has assets between the upper and lower capital limits the Council will apply **tariff income**. This assumes that for every £250 of capital, or part thereof, a person has £1 per week additional income.
7. In some circumstances a person may be treated as possessing a capital asset even where they do not actually possess it. This is called **notional capital**. Notional capital may be capital which:
 - a. Would be available to the person if they applied for it (see Paragraph 28):
 - b. Is paid by someone else to a 3rd Party in respect of the person.
 - c. The person has deprived themselves of it in order to reduce the contribution they have to pay for their care (see Paragraph 38).
8. Where a person has been assessed as having notional capital the value of this will be reduced over time. The value of notional capital will be reduced weekly by the difference between the weekly rate the person is paying for their care and the weekly rate they would have paid if notional capital was not applied. This is known as the diminishing notional capital rule.
9. Where a person is benefiting from the 12-week property disregard and has chosen to pay a top-up fee from their capital resources between the upper and lower capital limits, the level of tariff income that applies during those

12 weeks is the same as it would be if the person were not using the capital to make top-up payments.

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18. Disregarded Capital

1. The following capital assets will be disregarded:
 - a. Property in specified circumstances – see Disregarded Property section 18.
 - b. The surrender value of any:
 - i. Life insurance policy
 - ii. Annuity
 - c. Payments of training bonuses of up to £200
 - d. Payments in kind from a charity
 - e. Any personal possessions such as paintings or antiques most mobile homes, unless they were purchased with the intention of reducing capital in order to avoid care and support charges.
 - f. Any capital which is to be treated as income or student loans
 - g. Any payment that may be derived from:
 - i. The Macfarlane Trust
 - ii. The Macfarlane (Special Payments) Trust
 - iii. The Macfarlane (Special Payment) (No 2) Trust
 - iv. The Caxton Foundation
 - v. The Fund (payments to non-haemophiliacs infected with HIV)
 - vi. The Eileen Trust
 - vii. The MFET Trust
 - viii. The Independent Living Fund (2006)
 - ix. The Skipton Fund
 - x. The London Bombings Relief Charitable Fund

- xi. A Child abuse payment for the purpose of providing compensation in respect of historic institutional child abuse in the United Kingdom
- xii. A Windrush payment made under the Windrush Compensation Scheme (Expenditure) Act 2020
- h. The value of funds held in trust or administered by a court which derive from a payment for personal injury to the person. For example, the vaccine damage and criminal injuries compensation funds.
- i. The value of a right to receive
 - i. Income under an annuity
 - ii. Outstanding instalments under an agreement to repay a capital sum
 - iii. Payment under a trust where the funds derive from a personal injury
 - iv. Income under a life interest or a life-rent
 - v. Income (including earnings) payable in a country outside the UK which cannot be transferred to the UK
 - vi. An occupational pension
 - vii. Any rent. Please note however that this does not necessarily mean the income is disregarded.
- j. Capital derived from an award of damages for personal injury which is administered by a court or which can only be disposed of by a court order or direction.
- k. The value of the right to receive any income under an annuity purchased pursuant to any agreement or court order to make payments in consequence of personal injury or from funds derived from a payment in consequence of a personal injury and any surrender value of such an annuity.
- l. Periodic payments in consequence of personal injury pursuant to a court order or agreement to the extent that they are not a payment of income and are treated as income (and disregarded in the calculation of income).
- m. Any Social Fund payment.

- n. Refund of tax on interest on a loan which was obtained to acquire an interest in a home or for repairs or improvements to the home.
- o. Any capital resources which the person has no rights to as yet, but which will come into his possession at a later date, for example on reaching a certain age.
- p. Payments from the Department of Work and Pensions to compensate for the loss of entitlement to Housing Benefit or Housing Benefit Supplement.
- q. The amount of any bank charges or commission paid to convert capital from foreign currency to sterling.
- r. Payments to jurors or witnesses for court attendance (but not compensation for loss of earnings or benefit)
- s. Community charge rebate / Council tax rebate / Council tax reduction.
- t. Money deposited with a Housing Association as a condition of occupying a dwelling.
- u. Any Child Support Maintenance Payment
- v. The value of any ex-gratia payments made on or after 1st February 2001 by the Secretary of State in consequence of a person's, or person's spouse or civil partner's imprisonment or internment by the Japanese during the Second World War.
- w. Any payment made by a local authority under the Adoption and Children Act 2002 (under section 2(b)(b) or 3 of this act)
- x. The value of any ex-gratia payments from the Skipton Fund made by the Secretary of State for Health to people infected with Hepatitis C as a result of NHS treatment with blood or blood products.
- y. Payments made under a trust established out of funds provided by the Secretary of State for Health in respect of persons suffering from variant Creutzfeldt-Jakob disease to the victim or their partner (at the time of death of the victim)
- z. Any payments under Section 2,3 or 7 of the Age-Related Payments Act 2004 or Age-Related Payments Regulations 2005 (SI No 1983)
- aa. Any payments made under section 62(6)(b) of the Health Services and Public Health Act 1968 to a person to meet childcare costs

where he or she is undertaking instruction connected with the health service by virtue of arrangements made under that section

- bb. Any payment made in accordance with regulations under Section 14F of the Children Act 1989 to a resident who is a prospective special guardian or special guardian, whether income or capital.
- cc. Unsecured loans owed to 3rd parties are not disregarded in the financial assessment.

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19. Disregarded Property

1. In the following circumstances the value of the person's **main or only** home must be disregarded.
 - a. Where the person is receiving care in a setting that **is not** a residential care home
 - b. If the person's stay in a care home is temporary and they:
 - i. Intend to return to that property and that property is still available to them; or
 - ii. Are taking reasonable steps to dispose of the property in order to acquire another more suitable property to return to.
 - c. Where the person no longer occupies the property but it is occupied in part or whole as their main or only home by any of the people listed below, the mandatory disregard only applies where the property has been continuously occupied since before the person went into a care home
 - i. The person's partner, former partner or civil partner, except where they are estranged
 - ii. A lone parent who is the person's estranged or divorced partner
 - iii. A relative of the person or member of the person's family who is:
 - Aged 60 or over, or
 - Is a child of the resident aged under 18, or
 - Is incapacitated

2. A member of the person's family is defined as someone who is living with the qualifying relative as part of an unmarried couple, married to or in a civil partnership.
3. For the purposes of the disregard the meaning of "incapacitated" is not closely defined. However, the Council will consider that a relative is incapacitated if either of the following conditions apply:
 - a. The relative is receiving one (or more) of the following benefits: employment and support allowance, incapacity benefit, severe disablement allowance, disability living allowance, personal independence payments, armed forces independence payments, attendance allowance, constant attendance allowance, or a similar benefit; or
 - b. The relative does not receive any disability related benefit but their degree of incapacity is equivalent to that required to qualify for such a benefit. Medical or other evidence may be needed before a decision is reached.
4. In determining whether the property is occupied the Council will consider the following factors:
 - a. Does the relative currently occupy another property?
 - b. If the relative has somewhere else to live do they own or rent the property
 - c. If the relative is not physically present is there evidence of a firm intention to return to or live in the property?
 - d. Where does the relative pay Council tax?
 - e. Where is the relative registered to vote?
 - f. Where is the relative registered with a doctor?
 - g. Are the relative's belongings located in the property?
 - h. Is there evidence that the relative has a physical connection with the property?
5. A property will be disregarded where the relative meets the qualifying conditions and has occupied the property as their main or only home since before the resident entered the care home.

6. A property can also be disregarded where there are exceptional circumstances and the Council considers it reasonable to do so.

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20. 12-week property disregard

1. The Council will disregard the **value** of a person's **main or only** home when the value of their non-housing assets is below the upper capital limit for 12 weeks in the following circumstances:
 - a. When they first enter a care home, Extra Care services or supportive living services as a permanent resident; or
 - b. When a property disregard other than the 12-week property disregard unexpectedly ends because the qualifying relative has died or moved into a care home.
 - c. A 12-week property disregard will not apply where a person has been self-funding their placement for a period in excess of 12 weeks.
2. The 12-week property disregard can also be applied when there are exceptional circumstances and the Council considers it reasonable to do so.

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21. 26-week Capital disregard

1. The following capital assets will be disregarded for at least 26 weeks in a financial assessment.
 - a. Assets of any business owned or part-owned by the person in which they were a self-employed worker and has stopped work due to some disease or disablement **but intends to take up work again when they are fit to do so**. Where the person is in a care home, this should apply from the date they first took up residence.
 - b. Money acquired specifically for repairs to or replacement of the person's home or personal possessions provided it is used for that purpose. The 26-weeks will apply from the date the funds were received.

- c. Premises which the person intends to occupy as their home where they have started legal proceedings to obtain possession. This will be from the date legal advice was first sought or proceedings first commenced.
 - d. Premises which the person intends to occupy as their home where essential repairs or alterations are required. The 26-weeks will apply from the date the person takes action to effect the repairs.
 - e. Capital received from the sale of a former home where the capital is to be used by the person to buy another home. The 26-weeks will apply from the date of completion of the sale.
 - f. Money deposited with a Housing Association which is to be used by the person to purchase another home. The 26-weeks will apply from the date on which the money was deposited.
 - g. Grant made under a Housing Act which is to be used by the person to purchase a home or pay for repairs to make the home habitable. The 26-weeks will apply from the date the grant is received.
2. A longer disregard may be applied where the Council considers it reasonable to do so, i.e. where a person is taking legal steps to occupy premises as their home but the legal processes take more than 26 weeks to complete. Any extension of the disregard period will be reviewed periodically

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22. 52-week Capital disregard

- 1. The following payments of capital will be disregarded for a maximum of 52 weeks from the date they are received.
 - a. The balance of any arrears of or any compensation due to non-payment of:
 - i. Mobility supplement
 - ii. Attendance Allowance
 - iii. Constant Attendance Allowance
 - iv. Disability Living Allowance / Personal Independence Payment
 - v. Exceptionally Severe Disablement Allowance

- vi. Severe Disablement Occupational Allowance
- vii. Armed forces service pension based on need for attendance
- viii. Pension under the Personal Injuries (Civilians) Scheme 1983, based on the need for attendance.
- ix. Income Support / Income-related Employment and Support allowance / Income-based Jobseeker's Allowance / Pension Credit
- x. Minimum Income Guarantee
- xi. Working Tax Credit
- xii. Child Tax Credit
- xiii. Housing Benefit
- xiv. Universal Credit
- xv. Special payments to pre-1973 war widows
- b. Payments or refunds for:
 - i. NHS glasses, dental treatment or patient's travelling expenses
 - ii. Cash equivalent of free milk and vitamins
 - iii. Expenses in connection with prison visits.
- c. Personal Injury Payments

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23. 2-year Capital disregard

1. The Council will disregard payments made under a trust established out of funds by the Secretary of State for Health in respect of vCJD to:
 - a. A member of the victim's family for 2 years from the date of death of the victim (or from the date of payment from the trust if later); or
 - b. A dependent child or young person until they turn 18.

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24. Other Capital disregards

1. In some cases a person's assets may be tied up in a business that they own or part own. Where a person has ceased to be engaged as a self-employed earner and is taking steps to realise their share of the assets, these will be disregarded during the process. However, the person will be required to show that it is their clear intention to realise the asset as soon as practicable. The Council will, therefore, request the following information:
 - a. A description of the nature of the business asset.
 - b. The person's estimate of the length of time necessary to realise the asset or their share of it.
 - c. A statement of what, if any, steps have been taken to realise the asset, what these were and what is intended in the near future, and
 - d. Any other relevant evidence, for example the person's health, receivership, liquidation, estate agent's confirmation of placing any property on the market.
2. Where the person has provided this information to show that steps are being taken to realise the value of the asset, the Council will disregard the value for a period that it considers to be reasonable. In deciding what is reasonable the Council will take into account the length of time of any legal processes that may be needed.
3. Where the person has no immediate intention of attempting to realise the business asset, its capital value will be taken into account in the financial assessment. Where a business is jointly owned, this will only apply to the person's share.

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25. Treatment of investment bonds

1. If a person has an investment bond which includes one or more element of life insurance policies that contain cashing-in rights by way of options for total or partial surrender, the value of those rights will be disregarded as a capital asset in the financial assessment.

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26. Capital treated as income

1. The following capital payments will be treated as income:
 - a. Any payment under an annuity.
 - b. Capital paid by instalment where the total of:
 - i. The instalments outstanding at the time the person first becomes liable to pay for their care, and
 - ii. The amount of other capital held by the person is over £16,000. If it is £16,000 or less, each instalment will be treated as capital.

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27. Income treated as capital

1. The following types of income will be treated as capital.
 - a. Any refund of income tax charged on profits of a business or earnings of an employed earner; any holiday pay payable by an employer more than 4 weeks after the termination or interruption of employment.
 - b. Income derived from a capital asset, for example, building society interest or dividends from shares. This will be treated as capital from the date it is normally due to be paid to the person.
 - c. Any advance of earnings or loan made to an employed earner by the employer if the person is still in work. This is because the payment does not form part of the employee's regular income and would have to be repaid.
 - d. Any bounty payment paid at intervals of at least one year from employment as:
 - i. A part time fireman
 - ii. An auxiliary coastguard
 - iii. A part time lifeboat man
 - iv. A member of the territorial or reserve forces
 - e. Charitable and voluntary payments which are neither made regularly nor due to be made regularly, apart from certain

exemptions such as payments from AIDS trusts. Payments will include those made by a 3rd Party to the person to support the clearing of charges for accommodation.

- f. Any payments of arrears of contributions by a local authority to a custodian towards the cost of accommodation and maintenance of a child.

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28. Capital available on application

1. In some instances a person may need to apply for access to capital assets but has not yet done so. In such circumstances this capital will be treated as already belonging to the person (notional capital) except in the following instances:
 - a. Capital held in a discretionary trust
 - b. Capital held in a trust derived from a payment in consequence of a personal injury
 - c. Capital derived from an award of damages for personal injury which is administered by a court
 - d. Any loan which could be raised against a capital asset which is disregarded, for example the home.
2. The Council will distinguish between
 - a. Capital already owned by the person but which in order to access they must make an application for. For example:
 - i. Money held by the persons' solicitor;
 - ii. Premium Bonds;
 - iii. National Savings Certificates;
 - iv. Money held by the Registrar of a County Court which will be released on application; and
 - b. Capital not owned by the person that will become theirs on application, for example and unclaimed Premium Bond win. This will be treated as notional capital.

3. Where the Council treats capital available on application as notional capital it will do so only from the date at which it could reasonably be acquired by the person.
4. When applying notional income to a defined contribution pension the Council will calculate this as the maximum income that would be available if the person had taken out an annuity.

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29. Treatment of Income

30. Common issues

1. Only the income of the Service User will be taken into account in the financial assessment of what they can afford to contribute towards their care and support.
2. Where the Service User receives means-tested benefit income as one of a couple this will be divided equally.
3. Income is net of any tax or National Insurance contributions.
4. Employed and self-employed earnings are fully disregarded.
5. In order to protect the minimum income of a couple the council will apply a (non-statutory) 'couple's adjustment' as set out in paragraph 61.

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31. Benefits Income

1. Any income from the following sources will be fully disregarded:
 - a. Direct Payments
 - b. Guaranteed Income Payments made to Veterans under the Armed Forces Compensation Scheme
 - c. The mobility components of Disability Living Allowance and Personal Independence Payments and any Mobility Supplement.
 - d. Armed Forces Independence Payments and Mobility Supplement
 - e. Child Benefit, except where the accommodation is arranged under the Care Act in which the adult and child both live.

- f. Child Tax Credit
 - g. Council Tax Reduction Schemes where this involves a payment to the person
 - h. Mobility Supplement
 - i. Christmas bonus
 - j. Dependency increases paid with certain benefits
 - k. Guardian's Allowance
 - l. Social Fund payments (including winter fuel payments)
 - m. War Disablement Pension, with the exception of Constant Attendance Allowance from 10/04/2017 onwards.
 - n. War widows and widowers' special payments
 - o. Working Tax Credit, except where care is arranged in a care home.
2. Any income from the following benefits will be taken into account:
- a. Attendance Allowance (for people receiving care and support other than in a care home the difference between the higher rate and lower rate is disregarded if LCC is not commissioning night-time care and support)
 - b. Bereavement Allowance
 - c. Carers Allowance
 - d. Constant Attendance Allowance
 - e. Disability Living Allowance care component (for people receiving care and support other than in a care home the difference between the higher rate and middle rate is disregarded if LCC is not commissioning night-time care and support)
 - f. Employment and Support Allowance and Incapacity Benefit
 - g. Exceptionally Severe Disablement Allowance where care and support is provided in a care home.
 - h. Income Support
 - i. Industrial injuries Disablement Benefit or equivalent benefits
 - j. Jobseeker's Allowance
 - k. Maternity Allowance

- l. Pension Credit Guarantee Credit
 - m. Personal Independence Payment daily living component
 - n. Severe Disablement Allowance
 - o. State Pension
 - p. Universal Credit
3. Where any Social Security benefit payment has been reduced (other than a reduction because of voluntary unemployment), for example because of an earlier overpayment, the amount taken into account will be the gross amount of the benefit before reduction.
 4. The first £10 per week of War Widows and War Widowers pension is disregarded.

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32. Other income that will be fully disregarded

1. Any income from the following sources will be fully disregarded:
 - a. Child Support Maintenance Payments, except where the accommodation is arranged under the Care Act in which the adult and child both live.
 - b. Discretionary Trust
 - c. Gallantry Awards
 - d. Income frozen abroad
 - e. Income in kind
 - f. Personal injury trust, including those administered by a Court
 - g. Resettlement benefit
 - h. Pension Credit Savings credit disregard
 - i. Pension Credit Savings credit for people receiving care and support other than in a care home
 - j. Any payments received as a holder of the Victoria Cross, George Cross or equivalent
 - k. Any grants or loans paid for the purposes of education; and
 - l. Payments made in relation to training for employment

m. Any payment from the:

- i. Macfarlane Trust
- ii. Macfarlane (Special Payments) Trust
- iii. Macfarlane (Special Payment) (No 2) Trust
- iv. Caxton Foundation
- v. The Fund (payments to non-haemophiliacs infected with HIV)
- vi. Eileen Trust
- vii. MFET Limited
- viii. Independent Living Fund (2006)
- ix. Skipton Fund
- x. London Bombings Relief Charitable Fund
- xi. A Child abuse payment scheme for the purpose of providing compensation in respect of historic institutional child abuse in the United Kingdom
- xii. A Windrush payment made under the Windrush Compensation Scheme (Expenditure) Act 2020

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33. Annuity and pension income

1. The Council will take **fully** into account any income from an annuity except where it is:
 - a. Purchased with a loan secured on the person's main or only home; or
 - b. A gallantry award such as the Victoria Cross Annuity or George Cross Annuity.
2. Where the Service User is in a care home and paying half of the value of their occupational pension, personal pension or retirement annuity to their spouse or civil partner the Council will disregard 50% of its value.
3. In order to qualify for this disregard one of the annuitants must still be occupying the property as their main or only home. This may happen where a couple has jointly purchased an annuity and only one of them has

moved into a care home. If this is not the case the disregard will not be applied.

4. Where the disregard is applied only the following aspects will be disregarded:
 - a. The net weekly interest on the loan where income tax is deductible from the interest; or
 - b. The gross weekly interest on the loan in any other case.
5. For the disregard to be applied the following conditions must be met:
 - a. The loan must have been made as part of a scheme that required that at least 90% of that loan be used to purchase the annuity;
 - b. The annuity ends with the life of the person who obtained the loan, or where there are two or more annuitants (including the person who obtained the loan), with the life of the last surviving annuitant;
 - c. The person who obtained the loan or one of the other annuitants is liable to pay the interest on the loan;
 - d. The person who obtained the loan (or each of the annuitant where there are more than one) must have reached the age of 65 at the time the loan was made;
 - e. The loan was secured on a property in Great Britain and the person who obtained the loan (or one of the other annuitants) owns an estate or interest in that property; and
 - f. The person who obtained the loan or one of the other annuitants occupies the property as their main or only home at the time the interest is paid.
6. Where the person is using part of the income to repay the loan, the amount paid as interest will be disregarded. If the payments the person makes on the loan are interest only and the person qualifies for tax relief on the interest they pay the net interest will be disregarded. Otherwise the gross interest will be disregarded.
7. The Council will assess pension income for the purposes of charging in the following way:

- a. If a person has removed the funds and placed them in another product or savings account the funds will be treated according to the rules for that product.
- b. If a person is only drawing a minimal income, then the Council will apply notional income according to the maximum income that could be drawn. When the maximum notional income is applied the actual income will be disregarded to avoid double counting. See section 36.
- c. If a person is drawing an income that is higher than the maximum available under an annuity product the actual income will be taken into account.

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34. Mortgage protection insurance policies

1. Where the income from a mortgage protection policy is specifically intended to support the person to acquire or retain an interest in their main or only home or to support them to make repairs or improvements to their main or only home it will be disregarded. However, the income must be being used to meet the repayments on the loan.
2. The amount of income from a mortgage protection insurance policy that will be disregarded is the weekly sum of:
 - a. The amount which covers the interest on the loan; plus
 - b. The amount of the repayment which reduced the capital outstanding; plus
 - c. The amount of the premium due on the policy.

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35. Charitable and voluntary payments

1. A charitable or voluntary payment which is not made regularly is treated as capital.
2. Charitable and voluntary payments that are made regularly will be fully disregarded as income.

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36. Notional income

1. In some circumstances a person may be treated as having income that they do not actually have. This is known as notional income. This may include, for example, income that would be available on application but has not been applied for, income that is due but has not been received or income that the person has deliberately deprived themselves of for the purpose of reducing the amount they are liable to pay for their care.
2. In all cases the Council will satisfy itself that the income would or should have been available to the person.
3. Notional income will also be applied where a person who has reached retirement age and has a personal pension plan but has not purchased an annuity or arranged to draw down the equivalent maximum annuity income that would be available from the plan.
4. Notional income will be calculated from the date it could reasonably be expected to be acquired if an application had been made.
5. The following are exemptions and will not be treated as notional income:
 - a. Income payable under a discretionary trust;
 - b. Income payable under a trust derived from a payment made as a result of a personal injury where the income would be available but has not yet been applied for;
 - c. Income from capital resulting from an award of damages for personal injury that is administered by a court;
 - d. Occupational pension which is not being paid because:
 - i. The trustees or managers of the scheme have suspended or ceased payments due to an insufficiency of resources; or
 - ii. The trustees or managers of the scheme have insufficient resources available to them to meet the scheme's liabilities in full.
 - e. Working Tax Credit.
6. When the Council determines whether deliberate deprivation of income has occurred it will consider:
 - a. Whether it was the person's income?

- b. What was the purpose of the disposal of the income?
 - c. The timing of the disposal of the income? At the point the income was disposed of could the person have a reasonable expectation of the need for care and support?
- 7. If the income has been converted into capital the Council will consider what tariff income may be applied to the capital and whether the subsequent charge is less or more than the person would have paid without the change.

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37. Deprivation of Assets

1. The Council may identify circumstances that suggest that a person may have deliberately and intentionally deprived themselves of, or decreased, their assets in order to avoid or reduce the level of their contribution towards their care.
2. The Council will consider deprivation where the person ceases to possess assets that would have otherwise been taken into account for the purposes of the financial assessment or has turned the asset into one that is now disregarded.
3. In deciding whether deprivation or the purpose of avoiding care and support charges has occurred the Council will consider:
 - a. Whether avoiding the care and support charge was a significant motivation.
 - b. The timing of the disposal of the asset. At the point the capital was disposed of could the person have a reasonable expectation of the need for care and support?
 - c. Whether the person had a reasonable expectation of needing to contribute to the cost of their eligible care needs?
4. Where the council has reasonable grounds to suspect someone has deprived themselves of an asset in order to avoid or reduce the level of their contribution towards their care the Council will require proof of the reasons why they no longer have the asset. If the reasons are not acceptable, the Council will assess the person as if they still had the asset.
5. For capital assets, acceptable evidence of their disposal would be:

- a. A trust deed
 - b. Deed of gift
 - c. Receipts for expenditure
 - d. Proof that debts have been repaid
 - e. A person can deprive themselves of capital in many ways, but common approaches may be:
 - f. A lump-sum payment to someone else, for example as a gift.
 - g. Substantial expenditure has been incurred suddenly and is out of character with previous spending.
 - h. The title deeds of a property have been transferred to someone else.
 - i. Assets have been put into a trust that cannot be revoked.
 - j. Assets have been converted into another form that would be subject to a disregard under the financial assessment, for example personal possessions.
 - k. Assets have been reduced by living extravagantly, for example gambling.
 - l. Assets have been used to purchase an investment bond with life insurance.
6. The Council may decide to conduct its own investigations into whether deprivation of assets has occurred rather than relying solely on the declaration of the person. If this is the case the Council will have regard to the Regulation of Investigatory Powers Act 2000 and associated guidance and legislation.
7. If the Council decides that a person has deliberately deprived themselves of assets in order to avoid or reduce a charge for care and support, the Council may seek to charge the person as if the deprivation had not occurred, i.e. assume that the person still owns the asset and treat it as notional capital.
8. Where a resource has been converted into another of lesser value the Council will treat the person as notionally possessing the difference between the value of the new resources and the one which it replaced.

9. Where a person has transferred the asset to a third party to avoid the charge, the third party is liable to pay the local authority the difference between what it would have charged and did charge the person receiving care. As with any other debt, the Council will use the County Court process to recover debts when other avenues have been exhausted.

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38. Residential Care financial assessment

39. Personal expenses allowance (PEA)

1. The Council will leave the Service User with a minimum amount of income as set out in the Care and Support (Charging and Assessment of Resources) Regulations. The amount is set nationally each year. Anything above this will be taken into account in determining charges.
2. If the Service User has no income the Council is not responsible for providing a personal expenses allowance but will support the Service User to access any relevant state benefits or independent advocacy service.

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40. Temporary or respite care in care home financial assessment

1. A temporary resident is defined as a person whose need to stay in a care home is intended to last for a limited period of time and where there is a plan to return home. The person's stay should be unlikely to exceed 52 weeks, or in exceptional circumstances, unlikely to substantially exceed 52 weeks.
2. If a temporary stay becomes permanent the "temporary care financial assessment" will apply until the date that the care plan is amended and agreed with the person or their representative at which time the "permanent care financial assessment" will apply.
3. A temporary resident will never have their income reduced to less than the Government minimum personal expenses allowance.
4. This allowance will be increased by any additional amounts the person may need so that they can maintain their home during their temporary stay so that it is in a fit condition for them to return to. These may include but

are not limited to, ground rent, service charges, water rates or insurance premiums.

5. The person's main or only home will be disregarded where the person:
 - a. Intends to return to that property as their main or only home and it remains available to them.
 - b. Has taken steps to dispose of the home in order to acquire one that is more suitable and intends to return to that property.
6. Any other capital assets will be treated in the same way as for permanent residents.
7. Where Attendance Allowance, the care component of Disability Living Allowance or the daily living component of Personal Independence Payment is being received it will be completely disregarded. However, any additional amounts included in means-tested benefits associated to these payments will be taken into account whilst they remain in payment.
8. Other income and earnings will be treated in the same way as for permanent residents.
9. Where one member of a couple enters a care home and one remains in the main home the Council will ensure that the partner remaining at home is left with at least an weekly income equal to basic Income Support/Pension Credit for a single person and any premiums/additions to which they may be entitled in their own right. This may involve a voluntary agreement by the partner to disclose the required information to achieve this.
10. The Council will also disregard any other payment the person receives in order to meet the cost of their housing and / or to support independent living. This may include payments to provide warden support, emergency alarms or the meeting of cleaning costs where the person or someone in the household is unable to do this themselves.

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41. Allowable household expenses for residential care placements

1. Short stays/respite - Allowable household expenses will be included in the financial assessment for the duration of the stay but will be subject to review.
2. If the person does not usually live alone the following will apply:
 - a. lives in someone else's household and pays board – no expenses allowed
 - b. lives with spouse/partner only – expenses usually divided equally
 - c. Non-dependants live with SU – expenses divided equally as there is a reasonable assumption that they contribute towards the household costs
 - d. A spouse/partner remaining at home can access information from agencies such as Age UK, please see a link to their [Fact Sheet No: 39 – Paying for care in a care home if you have a partner](#) (PDF)
3. The Council will also disregard any other payment the person receives in order to meet the cost of their housing and / or to support independent living. This may include payments to provide warden support, emergency alarms or cleaning.

Allowable household expenses for residential care placements	Short stays/respite	Permanent Care – Property (main home) taken in to account – weeks 1 – 12	Permanent – Rented property – weeks 1-4 only (Exceptions for Shorthold tenancy agreements and disregarded properties)
Water Rates	✓	✓	✓
Council Tax	✓	x Council Tax Exemption available from district council	x Council Tax Exemption available from district council

Rent/Mortgage	✓	✓	✓
Ground Rent/Service Charge	✓	✓	✓
Home Buildings Insurance	✓	✓	✓
Gas/Electricity (see below)	✓	✓	✓
Lifeline Fees	✓	✓	✓
Court Orders (Maintenance)	✓	✓	✓

4. Standard amounts are allowed for gas and electricity usage depending on whether the property is occupied or empty and therefore only requires frost protection. The amounts are based on average consumption figures published by British Gas and uprated in line with inflation. Where a property is occupied the cost may be divided by the number of usual occupants.
5. No expenses are allowed for a property taken into account as notional capital, see paragraph 37 above.
6. Exceptions or any requests for additional costs will be considered on their merits.

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42. Top-up payments: 1st and 3rd Parties

43. Introduction: 1st and 3rd Parties

1. Where care and support is provided in an accommodation setting, i.e. residential / nursing care, extra care or supportive living, the Council must ensure that at least one option is available that is affordable within a person's Personal Budget.
2. Only when a person has chosen a more expensive accommodation alternative can a top-up payment be sought. The use of top-ups is optional

and cannot be as a result of the Council being unable to commission suitable accommodation at a lower price.

3. Any top-up payment, first or third party, arrangement is payable in addition to the service user's assessed contribution.
4. A first party top-up (Service User) can **only** apply in the following circumstances:
 - a. Service User is subject to 12-week property disregard
 - b. Service User has a deferred payment agreement (DPA) in place with the Council. The DPA agreement must reflect 1st party top-up arrangement.
 - c. Service User is receiving accommodation provided under S117 for mental health aftercare.
5. The top-up payment or additional cost is the difference between the actual costs of the preferred Provider and the amount that LCC would have set in a Personal Budget.
6. For the purposes of agreeing a top-up the Council will consider what Personal Budget it would have set at the time care and support is needed. It will not automatically default to the cheapest rate or to any other arbitrary figure.

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44. Top-up agreement(s)

1. The Service User may meet the additional costs of their care and support from contributions from themselves and/or one or more 3rd parties. A top-up arrangement can only be implemented with a written agreement between LCC and the 1st/3rd Party(ies).
2. The Council will provide the 3rd Party(ies) with sufficient information and advice to support them to understand the terms of the proposed written agreement before entering into it.
3. The 1st/3rd Party(ies) is/are also recommended to take appropriate independent advice, e.g. legal and or financial, prior to entering into the top-up agreement.

4. Where more than one party are responsible for the top-up payment an individual agreement will be completed for each 3rd Party. By signing this agreement the 3rd Party undertakes to continue the top-up payment for the likely duration of the residential placement, recognising that this may be for some time into the future.
5. The **Council can only enter into a top-up arrangement** if it is satisfied that the 1st/3rd Party(ies) are able and willing to pay the additional cost of the preferred accommodation for the period during which the local authority expects to meet the Service User's needs by providing or arranging for the provision of that accommodation, recognising that this may be some time into the future. Each 1st/3rd Party will need to assure the local authority of this.
6. 3rd parties are encouraged to complete a financial self-assessment before agreeing to the 3rd Party payment.

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45. Operation/review of the agreement(s)

1. The Council will pay the Provider for all top-up payments and will reclaim the fee from the 1st / 3rd Party. The payments will be due 4-weekly in arrears unless a 1st party top-up arrangement is included in the Deferred Payment Agreement. The Council's preferred payment mechanism is direct debit.
2. The top-up agreement will usually be reviewed annually. The review will usually take place at the same time as the Service User's annual care review. If a change in the Service User's circumstances triggers a review earlier then the top-up agreement will also be reviewed. The 3rd Party can request a review of the agreement at any time.
3. The 3rd Party must inform LCC of any change in their circumstances which will mean that they are unable to continue to meet the agreement as soon as they are aware of the change.
4. Where the Service User has a change in circumstances that requires a new financial assessment and this results in a change in the level of contribution the Service User makes, this may not reduce the need for a 'top-up' payment.

5. The Council will consider increases in the cost of the residential accommodation commissioned for Social Care by way of the annual Fee Review process, details of which are published on the Council's website.
6. Where the Service Provider wishes to vary the amount of a 3rd Party contribution then the Service Provider should apply in writing to the Council setting out the details surrounding the proposed variation and the Council will, following consultation with the Service User and the 3rd Party contributor undertake to inform the Service Provider of the decision of the 3rd Party as to the proposed variation.
7. Where there is an agreed change to the contribution of a 3rd Party, a revised agreement will be completed or the agreed variation will be recorded on the schedule attached to the 3rd Party agreement.
8. If the 3rd Party wishes to terminate the agreement they should give as much notice as possible to the Council and not less than three months in order to provide the Council with sufficient time to undertake a review of the Service User's care needs and to make alternative arrangements to meet the Service User's needs. If less than three months' notice is received LCC may seek to recover up to three months payments under the agreement.

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46. Failure of the agreement(s)

1. As the Council has entered into a contract to provide care in a setting that is more expensive than the amount identified in the Personal Budget the Council is responsible for the total cost of the placement.
2. Therefore, if there is a break down in the arrangement of the top-up, i.e. the person making the top-up ceases to make the agreed payments, then the Council is liable for the fees until it has either recovered the additional costs it incurs or made alternative arrangements to meet the cared for person's needs.
3. If there is a break down in the arrangement to meet the cost of the top-up the Council may move the Service User to an alternative accommodation which would be suitable to meet their needs and affordable within the Personal Budget.

4. The Council will undertake a new assessment before considering this course of action, including consideration of a requirement for an assessment of health needs, and have regard to the person's wellbeing. The Council will also seek to recover any outstanding debt through its debt collection strategy.
5. Each 3rd Party agreement forms a part of the total top-up agreement for the Service User's care placement; should any one 3rd Party notify the Council of their wish to terminate their agreement or default on their agreement then the local authority will undertake a Service User care review, as detailed in paragraph 21 above.
6. More information is available in the Council's factsheet – '3rd Party Top up Payments for care home residents'. See Appendix A.

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47. Deferred Payment Scheme

1. The Council operates a Deferred Payment Scheme (DPS); the DPS means that people should not be forced to sell their home in their lifetime to pay for their care. By entering into a deferred payment agreement (DPA) a person can "defer" or delay paying the costs, or part of, their care and support until a later date.
2. Before entering into a DPA the Council will provide information regarding the Council's DPS to the Service User and will also recommend that Service Users or their representatives seek appropriate independent (e.g. legal and / or financial) advice.
3. More information about the Deferred Payment Scheme is available in the Councils' [Deferred Payment Scheme Information Sheet](#). See Appendix B.

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48. Non-residential Care financial assessment

49. Minimum Income Guarantee (MIG)

1. The Council will ensure that a person's income is not reduced below the equivalent of the value specified by central government in the Care and Support (Charging and Assessment of Resources) Regulations.

2. The MIG will be calculated after housing costs such as rent and Council Tax (net of any benefits provided to support these costs) and after any disability related expenditure, see Paragraph 62.
3. The MIG is designed to cover a person's usual general living costs such as food, shopping, heating and lighting, pet care, hobbies, social activities and contributions towards household costs.

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50. Couples Adjustment

1. In order to protect the minimum income of a couple the council will apply a (non-statutory) 'couple's adjustment'.
2. Couples include married, registered civil partners and co-habiting couples which would be treated as such by the DWP for benefit purposes. If two people maintain separate financial arrangements and would not be treated as a couple by the DWP then they will be treated as individuals for the purpose of the financial assessment.
3. The 'couple's adjustment' is calculated using the following guidelines:
 - a. If the service user's minimum income guarantee plus their partner's income less the partner's share of the housing costs is less than the relevant couples personal allowance for Pension Credit or Income Support a reduction equal to the difference will be applied to the charge.
 - b. All housing costs such as rent and Council Tax will be allowable expenses in 'couple's adjustment' and will be apportioned between the Service User and partner. Proof of liability to pay and actual payment of rent will be required.
 - c. Income of the partner from the following sources will be disregarded in apportioning income for the purposes of the couple's adjustment:
 - i. Earnings
 - ii. Armed Forces Compensation Scheme
 - iii. Armed Forces Independence Payments
 - iv. Attendance Allowance, including Constant Attendance Allowance and Exceptionally Severe Disablement Allowance

- v. Disability Living Allowance
 - vi. Personal Independence Payment
- d. Where a partner has capital in their own right:
- i. Up to £14,250 of capital will be disregarded.
 - ii. Above £14,250 and up to £23,250, 'tariff income' at a rate of £1.00 per week for each £250 or part thereof above £14,250 will be applied to the couple's adjustment.
 - iii. Above £23,250 no couple's adjustment will be applied.
4. The basic rate of Pension Credit will be used in the Couples Adjustment calculation when applied to a mixed age couple.
5. Where the service user is the younger member of a mixed age couple (where one partner has reached State Retirement Age) they will continue to qualify for the amount where Regulation 7(4)(b) of the Care and Support (Charging and Assessment of Resources) Regulations 2014.

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51. Disability-related Expenditure

1. Where Attendance Allowance, Disability Living Allowance or Personal Independence Payment is taken into account as income, the Council will allow the service user to keep enough of the benefit to meet the costs of necessary disability-related expenditure which is incurred to meet needs which are not being met by the local authority.
2. Disability-related expenditure can include any reasonable additional costs directly related to a person's age, medical condition or disability, examples will include:
 - a) Extra heating costs
 - b) Community alarm system
 - c) Special dietary needs
 - d) Costs of basic garden maintenance, cleaning, or domestic help

- e) Additional costs of bedding, for example, because of incontinence
 - f) Extra laundry costs
 - g) Incontinence aids
 - h) Privately arranged care services
 - i) Prescription charges
 - j) Chiropody
 - k) Reasonable transport costs, only costs over and above the mobility component of DLA or PIP where one of these is in payment.
 - l) Special clothing or footwear
 - m) Purchase, hire, maintenance, and repair of disability-related equipment
3. The Council operates a 'self-assessment' approach to disability-related expenditure. Service Users specify which of three threshold bands the cost of their disability-related expenditure falls within, currently:
- a. No disability-related expenditure
 - b. under £5.00 per week
 - c. between £5.00 to £10.00 per week
 - d. between £10.00 to £15.00 per week
4. If a service user has disability-related expenditure over £15.00 per week they can request a full assessment of their costs. The Council will require proof of the expenses incurred.
5. The lowest cost alternative should usually be utilised e.g. NHS prescription prepayment, Severn Trent's 'WaterSure Scheme'. All allowable costs will be divided by the number of adults in the household who receive a benefit from the purchased item or service. Exceptional circumstances will be considered on their merits.
6. The outcome of the full assessment will be the amount of disability-related expenditure allowed per week whether this is more than or less than £15.00 per week.

7. More information is available in the Council's [Disability-related Expenditure Factsheet](#)

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52. Calculation of Actual Charge for non-residential care services

1. The actual charge for each Service User will be the lower of:
 - a. The individual assessed weekly amount calculated from the financial assessment and
 - b. The agreed Personal Budget.

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53. Absence

1. *Non-Residential Services* - If an absence from 'all chargeable services' covers a complete day or days a credit will be applied to the next possible invoice.
2. *Permanent Shared Lives* - If there is an absence from the Shared Lives Placement and no other chargeable service occurs a 100% remission of assessed charge will be applied for up to 21 days during a year (April– March) a 50% reduction will apply to any further absences, over 21 days, in the same year.
3. *Extra care well-being service charge* - the council's Extra Care Wellbeing Service charge will continue to apply during any absence where the tenancy/licence to occupy the Extra care housing remains in place.
4. *Residential Services – Permanent - Leave Remission* – A 100% remission of assessed charge will be applied for up to 21 days during a year (April– March) a 50% reduction will apply to any further absences, over 21 days, in the same year.
5. *Hospital Admissions* – The full residential assessed charge will continue to apply except for service users who are full cost or have a deferred payment agreement in place where the charge will reduce to the amount payable to the care home under the council's contract.

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54. Cancellation of service due to the charging policy

1. If a Service User wishes to cancel their service due to the level of the charge an operational worker will contact the Service User to discuss the matter.

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55. Right to appeal and waivers

1. If the Service User disagrees with the assessed contribution calculation because they feel the council has not applied it's policy correctly or is not compliant with the Care Act Regulations and Guidance, they have the right to appeal against the amount of their assessed contribution.
2. An appeal may result in one of three outcomes:
 - a) The maximum weekly charge is increased; or
 - b) The maximum weekly charge remains the same; or
 - c) The maximum weekly charge is decreased.
3. The Service User can request that the assessment is reviewed by the council. This review will be undertaken by an officer who wasn't involved in the original decision. The outcome of the review will be notified in writing.
4. The request to review should identify the element of the assessment that has not been calculated in accordance with the Council's Policy or legislation.
5. If the Service User is still not satisfied with the outcome, they can lodge an appeal against the decision.
6. The appeal will be determined by the Council's Complex Case and Appeal Panel. This Panel consists of the Head of Service – Access and Digital, Adult & Communities and an Operational Service Manager. The panel can seek advice from other council officers and external sources. The Service User can meet the panel to explain why they think the decision is incorrect, if they wish to.

7. If the decision appealed against was previously referred to the Complex Case and Appeal Panel e.g. a discretionary disregard, the panel members will be replaced by the Assistant Director Integration, Access and Prevention & an Operational Head of Service.
8. The decision on the appeal will be sent in writing to the Service User.
9. If the Service User agree that the assessment is correct but they feel it is unaffordable they can request that the charge, or part of it, is waived. A waiver is usually only agreed where there are exceptional circumstances which mean that the charge would have a significant detrimental impact on the service user or their dependents.
10. A request for a waiver will be determined under the Council's Waiver process. A request for a waiver must be referred by a Social Care Worker in the locality.
11. If a waiver is agreed it can be for part or all of the assessed charge, for a specific period of time and subject to review as part of the social care annual review of needs for care and support.
12. The decision on the request for a waiver will be sent in writing to the Service User or their representative.

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56. Complaints

1. If the Service User wishes to complain about this policy this will be considered by the Council under the Council's statutory complaints procedure.
2. All disagreements and concerns about the assessed contributions will be dealt with through the appeals process.
3. Should the 3rd Party wish to make a complaint about the top-up arrangement this will be considered by the Council under the Council's statutory complaints procedure.
4. Any complaints should be addressed to the Customer Relations Manager, Corporate Resources Department, County Hall, Glenfield, Leicester, LE3 8RL. Tel: 0116 305 7422. Email complaints@leics.gov.uk

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Appendix A: Third Party Top Up Factsheet



Third party top up
payments factsheet J:

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2022/1/24/Third-party-top-up-payments-factsheet.pdf>

Appendix B: Deferred payment Scheme Information Sheet



Deferred Payment
Scheme Information S

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2021/11/1/Deferred-Payment-Scheme-Information-Sheet.pdf>

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Appendix B: Synopsis of the High Court judgement in *SH v Norfolk County Council*

1. In *SH, R (On the Application Of) v Norfolk County Council & Anor* [2020] EWHC 3436 Mr Justice Griffiths concluded that the application of the Council's charging policy was discriminatory in its outcome for severely disabled residents who are unable to work and so fell foul of Human Rights and Equality legislation. The application was made by SH a twenty-four-year-old severely disabled young woman who would never be in a position of having earnings from paid work.
2. The policy changes that Norfolk planned to phase in were not dissimilar to those operated by other councils, including Leicestershire County Council in that it followed the Care Act 2014, associated regulations and statutory guidance.
3. The Regulations require any earned income to be disregarded when calculating a person's contribution towards the cost of their care and support services, if any. This reflects a public policy decision to encourage and enable those who wish to stay in or take up employment to do so and was made at the time of drafting the regulations. Despite this disregard being required by law, the Regulations were not considered in the judgment. Some legal opinion considers this a failing and the case wrongly decided for this and other reasons.
4. Whatever legal opinion might be, until overturned by the courts the decision remains good law and local authority monitoring officers have been asked to review their charging policy for social care and support in force and to consider whether any changes should be made.
5. Although local authorities have a discretion in relation to most social security benefits as to whether or not they are fully taken into account, the combined effect of decisions made under Norfolk's charging policy unfortunately gave rise to an unintended and unforeseen consequence of risk of falling foul of discrimination and equality legislation.
6. Mr Justice Griffiths concluded that Norfolk had "exercised its discretion to charge SH the maximum permissible (disregarding only those elements it is required to disregard by law)" and that alongside proposing to apply only the statutory minimum income guarantee the combined effect meant that proportionately more of SH's income was taken into account when calculating her contribution. This caused SH to be at a disadvantage compared to other service users that Norfolk was unable to justify.
7. The judge found that SH was at a distinct disadvantage being severely disabled and unable to work as against her peers being charged for care services and who are also disabled but able to work. Not having earned income that could be disregarded SH found herself in the position of having proportionately more of her income taken into account than a working disabled person allowed to keep their earnings. The proposed application of the minimum statutory minimum income guarantee would aggravate the disadvantage that had arisen. The judge considered that this was discriminatory and put her on a less equal footing to other disabled people being charged for care services particularly as her need for care and support was likely to be greater by reason of the limitations of her disability.

8. Mr Justice Griffiths also considered that Norfolk had not demonstrated compliance with the government's guidance (paragraph 8.46 & 8.47) that a local authority should consider how to protect a person's income. "The government considers that it is inconsistent with promoting independent living to assume, without further consideration, that all of a person's income above the minimum income guarantee (MIG) is available to be taken in charges (paragraph 8.46) and "Local authorities should therefore consider whether it is appropriate to set a maximum percentage of disposable income (over and above the guaranteed minimum income) which may be taken into account in charges." (paragraph 8.47).
9. This reflects also the public sector equality duty of the County Council in the exercise of its functions under Section 149 of the Equality Act 2010 to have regard to eliminate discrimination victimisation, harassment etc, advance equality of opportunity between those who have a protected characteristic such as disability and those who do not and to foster good relations between those who have a protected characteristic and those who do not.
10. Norfolk County Council decided not to appeal the judgement but have made interim changes to its policy to mitigate the effects of unintended discrimination. These included disregarding the difference in the amount received under the Standard Rate and the Enhanced Rate of the Daily Living Component of Personal Independence Payment and not implementing the proposed reduction in the rate of minimum income guarantee.

**CABINET - 29 MARCH 2022****LEICESTERSHIRE COUNTY COUNCIL'S STRATEGIC PLAN 2022 - 2026****REPORT OF THE CHIEF EXECUTIVE****PART A****Purpose of the Report**

1. The purpose of this report is to present the outcome of consultation on the County Council's draft Strategic Plan (2022-26) and to seek approval for the Plan to be submitted to the County Council for approval.

Recommendation

2. It is recommended that:
 - a) The outcome of the consultation on the draft Strategic Plan (2022-26) be noted;
 - b) The draft Strategic Plan (2022-26) be submitted to the County Council for approval on 18 May 2022.

Reason for Recommendation

3. The Strategic Plan (2022-26) will provide an important strategic planning framework for the Council which will ensure that all service plans and strategies contribute to delivery of the Council's vision for Leicestershire.

Timetable for Decisions (including Scrutiny)

4. The results of the engagement process and the revised draft Strategic Plan were considered by the Scrutiny Commission on 9 March 2022. Its comments are summarised in Part B of this report.
5. It is intended that the Strategic Plan (2022-26) will be submitted to the County Council for approval on 18 May 2022.

Policy Framework and Previous Decisions

6. The Strategic Plan is complemented by the Medium Term Financial Strategy (MTFS) which sets out a financial plan supporting the priorities in the Strategic Plan, as well as by the Strategic Change Portfolio which outlines how the Council will transform local services in response to national and local drivers for change whilst seeking to maintain

or improve outcomes. The Plan is also underpinned by departmental business plans and strategies which provide further detail on how the Council will deliver the aims and actions in the Plan. This includes, for example, the Council's Communities Strategy 'Our Communities Approach' (which is also on the agenda for the Cabinet meeting on 29 March 2022) which sets out in detail the Council's approach to collaborating and working in partnership with communities.

7. On 6 December 2017, the County Council approved the Strategic Plan (2018-22). A revised version of that Plan, reflecting the Council's declaration of a climate emergency, was approved by the County Council on 8 July 2020. On 26 October 2021, the Cabinet approved the draft Strategic Plan (2022-26) for consultation.

Resource Implications

8. All actions in the Plan are from existing service plans and strategies. As such, there should not be any additional investment required to deliver it. Existing officer resources will be used to implement and monitor delivery of the Plan and ensure that the outcomes in the Plan are supported by all service plans and strategies.
9. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the draft Strategic Plan (2022-26).

Circulation under the Local Issues Alert Procedure

10. A copy of this report will be sent to all members of the County Council.

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PART B

Background

11. The Strategic Plan sets out the Council's long-term vision for Leicestershire and its priorities over a four-year period. It is a key strategy which shapes how the Council plans and delivers services.
12. The Plan summarises the Council's vision for Leicestershire through five strategic outcomes and a single line vision statement. The outcomes represent long-term aspirations for Leicestershire which may not be achieved in full during the four-year course of the Strategic Plan. Therefore, the Plan also includes specific aims for the Council to achieve by 2026 in order to progress towards each outcome. It also sets out some of the key actions which the Council will deliver to achieve these aims.
13. The five outcomes are:
 - **Clean, green future:** The environment is protected and enhanced, and we tackle climate change, biodiversity loss and unsustainable resource usage
 - **Great communities:** Leicestershire has thriving, inclusive communities in which people support each other and participate in service design and delivery
 - **Improving opportunities:** Every child gets the best start for life with access to a good quality education and everyone has the opportunities they need to fulfil their potential.
 - **Strong economy, transport and infrastructure:** Leicestershire has a productive, inclusive and sustainable economy and infrastructure which meets the demands of a growing population and economy.
 - **Keeping people safe and well:** The people of Leicestershire are safe and protected from harm and have the opportunities and support they need to take control of their health and wellbeing.

Public Consultation

14. The Cabinet, at its meeting on 26 October 2021, approved a 12-week public consultation on the draft Strategic Plan to run from 1 November 2021 to 21 January 2022. The consultation period was subsequently extended to 18 February 2022 to enable further direct engagement with County Council officers and members.
15. The consultation sought the views of a wide variety of stakeholders including residents, community groups and partners. It consisted of a public survey which received 259 responses, in addition to direct engagement of the Council's Scrutiny Committees, the Scrutiny Commission and key partnership boards including the Health and Wellbeing Board, Children and Families Partnership Board and Educational Excellence Partnership Strategic Board. There was also engagement with community groups and partners including Leicestershire Equality Challenge Group, the Council's Youth CYCle groups and town and parish councils (via two briefing sessions facilitated by Leicestershire and Rutland Association of Local Councils). Additionally, there was engagement of Council staff groups such as the BAME Network and LGBT Network in addition to three staff briefings which used an interactive presentation to obtain the views of a further 200 officers.

16. A detailed report on the consultation responses and changes made to the Plan as a result is attached as Appendix B and a summary is provided below.

Format and Structure

17. During consultation, there was a view that the Plan was too long and that detail about the Council's actions could be set out separately. Some also commented that whilst the Plan identified what success would look like, it did not adequately quantify this or set a benchmark against which performance could be measured.
18. In addition, some stated that the Plan included aspirations which were outside the Council's control. Recognising that the Council often has a broader role as a partner, enabler and facilitator, it was suggested that the Plan should more clearly differentiate between those aspirations for which the Council would have lead responsibility, and those where it would have a contributing/partnership role; specifying which partners it would work with to deliver the actions in the Plan. Some also challenged the lack of reference to district councils.

Vision

19. There was a high level of support for the Council's vision (79% of public survey respondents agreed with the outcomes and only 10% disagreed). The outcome with the least, albeit still substantial, support was the 'Strong Economy, Transport and Infrastructure' outcome (68% survey respondents agreed and 17% disagreed). The reasons for this are set out in paragraph 30 of this report.

Clean, Green Future

20. The 'Clean, Green Future' outcome aims for the environment to be protected and to address climate change, biodiversity loss and unsustainable resource usage. There was a high level of support for this outcome, as well as for the specific aims which the Council intended to achieve by 2026 to progress towards it. Over 90% of survey respondents rated each of the aims as either 'fairly important' or 'very important'.
21. There were, however, concerns that the outcome may not be compatible with the Council's aims to support housing and infrastructure development. Some also requested that the Plan include further detail on how the Council would enable and promote sustainable transport and attract environmentally-friendly businesses.

Great Communities

22. The 'Great Communities' outcome aims for inclusive communities in which people support each other and participate in service design and delivery. Whilst most agreed with the outcome, there was varied support for the Council's aims by 2026.
23. The following aims were considered to be very important:
- Ensure Council services are accessible and inclusive
 - Support the Voluntary, Community and Social Enterprise (VCSE) sector
 - Increase community cohesion and tackling hate crime
 - Increase the percentage of residents who feel they can influence Council decisions

24. However, the following aims were considered to be less important:

- Increase engagement in cultural and heritage activities
- Sustain the increase in volunteering seen during the pandemic
- Increase the number of Neighbourhood Plans adopted
- Increase the number of active Community Response Plans

25. The aim to sustain a high rate of volunteering was perceived by some to indicate the Council attempting to shift its responsibilities onto volunteers. There was also a view that the action under sub-outcome 5.2 (public participation) to support town and parish councils indicated insufficient acknowledgement of 'non-parished' areas.

Improving Opportunities

26. The 'Improving Opportunities' outcome aims for every child to get the best start for life with access to a good quality education and for everyone to have the opportunities they need to fulfil their potential. It was the most popular outcome, with each of the Council's aims to deliver it rated as either fairly or very important by over 90% of survey respondents, and over 60% rating each aim as 'very important'.

27. However, some suggested that the outcome may not be achievable due to reductions in youth and education services. There was also a view that to deliver the outcome mainstream schools would need more resources to support children with special educational needs who have an Education, Health and Care Plan.

28. Although the emphasis on children and families was welcomed, there was a view that the outcome should also focus on supporting young people and adults to access education and employment opportunities. Some also suggested that the aims under sub-outcome 6.4 (post-16 outcomes) were insufficiently ambitious. Finally, there was a view that the outcome title should be revised to 'Improved Opportunities' so it is consistent with the other outcomes and represents an 'end state' rather than a journey.

Strong Economy, Transport and Infrastructure

29. The 'Strong Economy, Transport and Infrastructure' outcome aspires for Leicestershire to have a productive, inclusive and sustainable economy and infrastructure which meets the demands of a growing population and economy.

30. As outlined previously, it was the least popular of the five outcomes. During both the public survey and the three County Council staff briefings on the Plan, the aim around housing was considered to be the least important of all aims in the Plan. This seemed to be due to concerns that housing development in greenfield areas would undermine delivery of a 'Clean and Green' future in Leicestershire. Some requested clarification on which is a greater priority to the Council between 'green' and 'growth'. There were also concerns that new houses may not be supported by necessary infrastructure (for example, schools, health facilities and public transport).

31. There was also relatively low support for the aims to support Research and Development (R&D), increase the number of businesses in Leicestershire and ensure there are sufficient employment sites for growth. However, there was a high level of support for increasing labour market opportunities for young people, addressing skills

shortages, supporting inclusive economic growth, and ensuring infrastructure supports growth and net zero emissions.

32. There was also a frequent theme around the need to better enable and promote sustainable transport, such as cycling and walking as well as affordable and frequent buses and trains. It was suggested that achieving the aims for this outcome would require investment in this area to avoid excessive congestion.

Keeping People Safe and Well

33. The 'Keeping People Safe and Well' outcome aims for the people of Leicestershire to be safe and protected from harm and to have the opportunities and support they need to take control of their health and wellbeing.
34. There was a high level of support for this outcome and for all the Council's aims to progress towards it by 2026, with over 90% public survey respondents agreeing with each aim and the majority 'strongly agreeing'. There was significant support for each aim, particularly those focused on community safety, vulnerable people, mental wellbeing, unpaid carers and care experiences. The aim with the least support was for more residents to be a healthy weight.
35. Some questioned the level of influence which the County Council has over areas such as crime levels, preventing young people from engaging in criminal activity and increasing the proportion of residents with a healthy weight. It was highlighted that achieving these aims would require partnership-working with other public agencies such as the NHS, Police and district councils and that the aim around healthy weight would rely on individuals taking responsibility for their own wellbeing.
36. There was also a view that the Plan should outline how the Council is intending to support road safety, such as through education and highway design. Further, some requested clarification on how the Council would address substance misuse. Additionally, there was a request to highlight how the Council would promote access to green space in order to support its aims around wellbeing. Finally, there was a view that the outcome title should be revised to 'Safe and Well' so that it too represents an 'end state' and is consistent with the other outcomes.

Strategic Change Portfolio

37. The Strategic Plan includes a section on the Council's internal transformation programme, the Strategic Change Portfolio, which outlines the purpose, aims and actions of the 'four pillars' of this programme: Sustainable Finances, Carbon Reduction, Customer and Digital and Ways of Working.
38. During the consultation, there was a concern that increased adoption of digital services through the Customer and Digital Programme may lead to 'digital exclusion' whereby some people are unable to access services due to lack of digital technology and/or digital skills. It was suggested that this could exacerbate social and economic inequalities. There was a request to reflect how the Council will support digital participation for all and to include actions to ensure everyone can access reliable broadband and learn how to use digital technology.

Comments of the Scrutiny Commission

39. The level of support for the vision/outcomes was welcomed. Members were pleased to see its previously made comments and that those of the other Overview and Scrutiny Committees had been considered and largely addressed in the revised draft. Members supported the shortening of the Plan, which was now more focused and reader friendly and agreed that this was a much improved document.
40. The commission noted that the response rate, whilst higher than usual, was not vast. Members acknowledged that consultations on strategic documents often generated less feedback as residents could find it difficult to relate their purpose to their own circumstances and day to day lives. A Member challenged whether the number and style of questions asked in such consultations struck the right balance to encourage residents to respond. The Commission was reassured that the questions and those targeted were carefully considered by the Council's specialist consultations team to ensure these were appropriate and followed best practice. However, it was acknowledged that lessons could always be learnt and the potential for further improvements would be considered.
41. The reference to Neighbourhood Plans was queried. It was noted that the language in the Plan now made clear that the County Council had a supporting role in this area, and that district councils were ultimately responsible for their development. A Member commented, however, that a Neighbourhood Plan might not be suitable for all areas and questioned therefore the Council's action to support communities to develop these Plans. It was suggested that support should be targeted to those areas where such a Plan was considered locally to be appropriate and beneficial.

The Revised Strategic Plan (2022-26)

42. Following the consultation process, a number of changes have been made to the Plan which are summarised below and detailed in full at Appendix B.
43. Changes have been made to the outcome titles in order to ensure they are consistent with each other and represent an 'end state':
 - 'Improving Opportunities' revised to 'Improved Opportunities'
 - 'Keeping People Safe and Well' revised to 'Safe and Well'
 - 'Clean, Green Future' revised to 'Clean and Green'
44. The length of the Plan has been reduced by removing unnecessary text (wordcount reduced by 25%) and images have been added to enhance the visual appeal of the document.
45. Specific, quantitative targets tend to be set through annual departmental business plans and strategies as this allows for the targets to reflect current service capacity and pressures. However, where quantitative targets exist, these have now been added to the Plan, such as for the aims around CO2 emissions and the Supporting Families Programme. Further, to help clarify what the Council is aiming to achieve by 2026, each sub-outcome now includes, under 'how we will measure success', the performance indicators which will be monitored to identify if each aim is being achieved. Each sub-outcome also includes a summary of current performance which provides a benchmark against which to measure future progress.

46. The Plan reflects that in order to deliver its vision for Leicestershire, the Council will need to use both its own direct service delivery and its significant capacity to influence and support others. It differentiates between areas over which the Council has lead responsibility and those where it has a contributing/partnership role by highlighting where the Council will need to 'work with partners' to deliver specific aims and actions. The Glossary also now includes a definition of 'partners'.
47. The Plan also now refers to specific partners which the Council will need to work with to deliver certain actions – for example work with bus operators and Midlands Connect to improve passenger transport and work with district councils through the Environment Group to coordinate environmental programmes. Additionally, the Plan highlights examples of effective collaboration which the Council intends to build on, such as work with district councils during the Covid-19 pandemic to establish community hubs to support the most vulnerable people.
48. The sub-outcome around housing has been removed, with the Council's actions to support housing development shown instead to support the sub-outcome around infrastructure (7.2). This reflects the low popularity of the aim around housing development, as well as that the planning of housing is a responsibility of district councils rather than the County Council. Further, listing the Council's actions to support housing delivery in sub-outcome 7.2 highlights that the Council considers the wider infrastructure requirements of housing developments.
49. The Introduction / Foreword now acknowledges the challenges involved in supporting economic growth whilst achieving a 'Clean and Green' future for Leicestershire and highlights how the Council intends to achieve this. Additionally, further actions have been added to the Plan to show how the Council intends to work with partners to enable and promote sustainable transport and encourage and support environmentally-friendly businesses and the development and adoption of low-carbon technologies.
50. Sub-section 9.2 of the Plan (the Customer and Digital Programme) includes an action to understand and mitigate the impact of digitalisation and channel development on groups with protected characteristics. A new action has been added to ensure services are accessible through multiple channels (for example mediated digital access, telephone support and face-to-face channels) so that no groups are excluded. A further action has been added to develop a community-based programme to support residents to learn how to use digital technology.

Delivery of the Strategic Plan (2022-26)

51. Council departments will be responsible for implementing the actions set out in the Strategic Plan. Additionally, through their annual service plans, departments will identify further actions for each forthcoming year to help achieve the aims set out in the Plan. To embed the Plan in Council decision-making processes, officers will be required to set out, in reports to Council bodies, the potential impact of their proposals on delivery of the Strategic Plan. Further, Council strategies will be required to contribute to delivery of the outcomes in the Plan, where possible.
52. The Council's progress and performance in delivering the Plan will be monitored by officer Outcome Boards, which will provide six-monthly highlight reports to senior management outlining key achievements and challenges in the delivery of the Plan as

well as priorities for the following six months. Overview and Scrutiny Committees will receive quarterly updates on performance for the areas they cover. The Scrutiny Commission will receive the Annual Performance Report which will summarise overall progress each year in delivering the Strategic Plan. Outcome Boards will also ensure that all Council strategies align with and support their outcomes.

Equality and Human Rights Implications

53. An Equality and Human Rights Impact Assessment Screening concluded that the Plan is likely to have a positive equalities and human rights impact. The Plan promotes Equality and Human Rights, primarily by including within the section on the '*Great Communities*' outcome, aims and actions for the Council to deliver sub-outcome 5.1: 'diversity is celebrated, and people feel welcome and included'.

Other Relevant Impact Assessments

Crime and Disorder Implications

54. There are no direct crime and disorder implications arising from this report. However, the Plan promotes community safety by including aims and actions to deliver sub-outcomes 8.1 'people are safe in their daily lives' and 8.2 'people at the most risk are protected from harm' of the 'Safe and Well' outcome.

Environmental Implications

55. The Plan raises the profile of environmental issues by including, within the section on the 'Clean and Green' outcome, aims and actions to protect the environment and tackle climate change. The Plan also sets out, in the section on the 'Strong Economy, Transport and Infrastructure' outcome (see sub-outcome 7.2), how the Council intends to ensure local infrastructure supports net zero carbon emissions.

Background Papers

Report to the Cabinet – Draft Strategic Plan (2022-26) – 26 October 2021

<https://politics.leics.gov.uk/documents/s164242/Strategic%20Plan%202022-26.pdf>

Report to the Scrutiny Commission – Engagement on the Draft Strategic Plan (2022-26) – 17 November 2021

<https://politics.leics.gov.uk/documents/s164629/Engagement%20on%20the%20Councils%20Strategic%20Plan%20-%20Final.pdf>

Report to the Scrutiny Commission – Outcome of Consultation on the Draft Strategic Plan (2022-26) – 9 March 2022

<https://politics.leics.gov.uk/documents/s167002/Outcome%20of%20Consultation%20on%20the%20Strategic%20Plan%20final.pdf>

Appendices

Appendix A - Leicestershire County Council's Strategic Plan (2022-26)

Appendix B – Consultation Responses and Revisions to the draft Strategic Plan (2022-26)

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Strategic Plan

2022-26



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1. Glossary

Term	Definition
LLEP	Leicester and Leicestershire Enterprise Partnership
Partners	Tends to refer to other public bodies such as NHS, Police, Fire and Rescue Service, district councils, parish and town councils, but can also include private and third sector organisations
VCSE sector	Voluntary, Community and Social Enterprise sector
SEND	Special Educational Needs and Disability
EHCP	Education, Health and Care Plan
EHE	Elective Home Education
NEET	Not in Education, Employment or Training
GVA	Gross Value Added
STEM	Science, Technology, Engineering and Mathematics
R&D	Research and Development
SMEs	Small and Medium-Sized Enterprises
GDHI	Gross Disposable Household Income
PM2.5	Fine Particulate Matter
CO2e	Carbon Dioxide Equivalent

2. Foreword



Cllr Nick Rushton

Leader of Leicestershire County Council

This Strategic Plan sets out our long-term vision and priorities for the next four years (2022-26).

Our vision is based on five strategic outcomes which are aspirational; they outline the end results that we want to see for Leicestershire. For each outcome, we have identified specific aims which we will focus on achieving over the next four years, with corresponding actions. The actions in this Plan are not exhaustive; further detail on how we will deliver our priorities is set out in supporting Council and partnership strategies.

Whilst the outcomes are in separate sections, there are significant interdependencies between them. For example, reducing our carbon footprint supports both our aims to tackle climate change and to improve health outcomes. Additionally, improving children's development supports both our aims to ensure everyone can achieve their full potential and to increase skills supply and economic productivity. Links such as these are highlighted throughout the Plan and some actions are shown to support multiple outcomes.

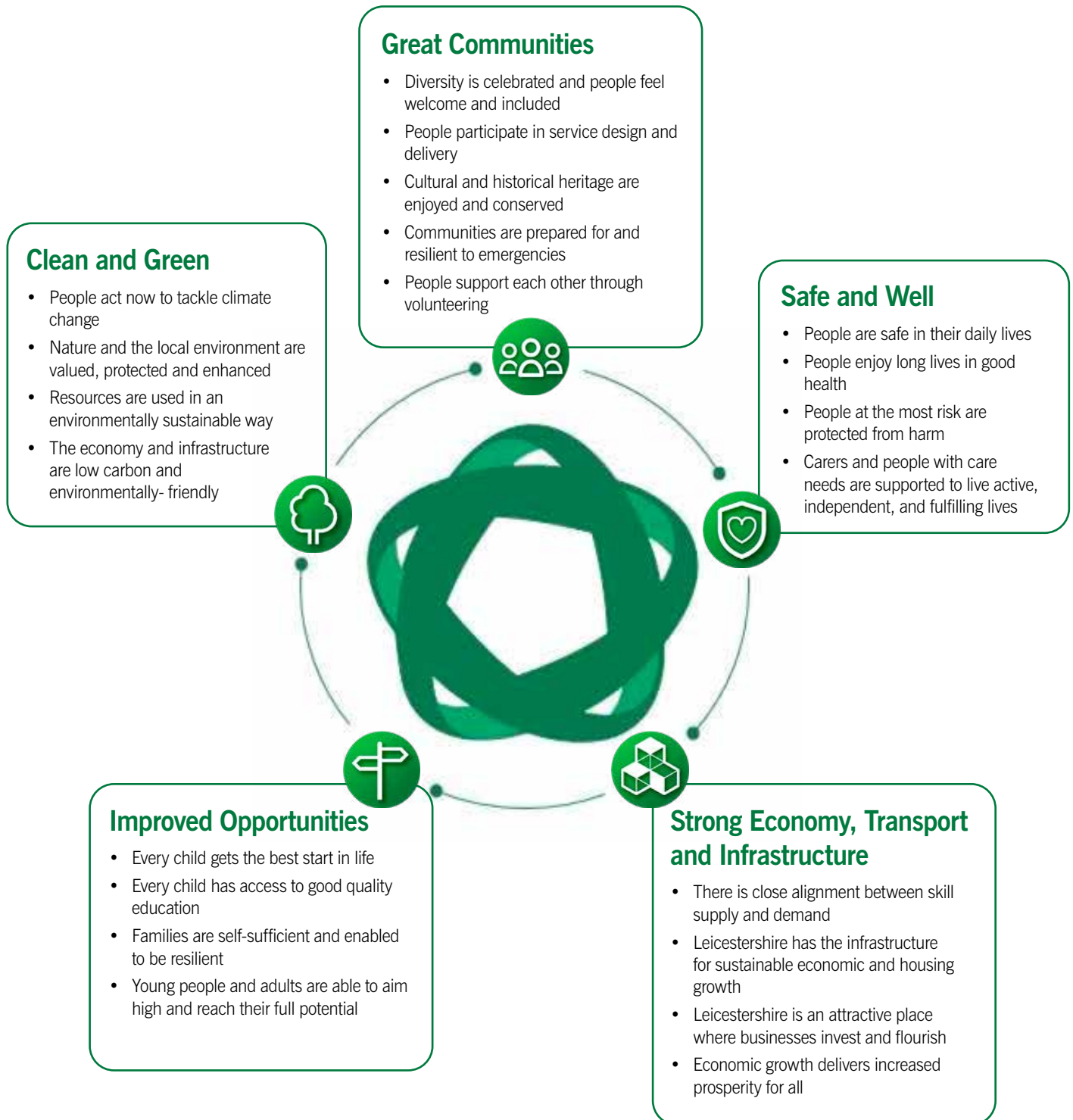
We recognise that our aspiration for a 'Clean and Green' future may seem at odds with our desire for 'Strong Economy, Transport and Infrastructure'. However, we are confident that through actions such as enabling sustainable transport, promoting business action on climate change and ensuring infrastructure developments are low or zero carbon, we can strike the right balance between 'green and growth'.

We will deliver this Plan by building upon our previous achievements, such as being recognised by Impower as the most productive Council in England and Wales, whilst being the lowest funded County Council in the UK. However, the Council alone cannot deliver all the change that will be needed. Through continued collaboration with our partners to coordinate and integrate our plans we hope to make the maximum impact on the most pressing issues that we face and celebrate and build on the success of this great county.

Nicholas Rushton



3. Strategic Outcomes (Our Vision for Leicestershire)



4. Clean and Green

This outcome reflects the need to protect and enhance the environment and tackle climate change. Global warming is increasing the frequency and intensity of flooding and heatwaves. It will affect social and environmental determinants of health including clean air, safe drinking water, food supply and secure shelter.

There is increasing recognition of the need to protect and enhance the environment. The 2015 Paris Agreement requires countries to limit temperature rise to below 1.5 to 2°C. Government has committed to reducing the UK's net emissions of greenhouse gases to zero by 2050. The County Council has declared a climate emergency and is committed to achieving net zero carbon emissions from its own operations by 2030 and to work with partners to achieve net zero carbon emissions in Leicestershire by 2045.

The County Council has various levels of control and influence in protecting the environment and addressing climate change. It is responsible for managing the environmental impacts of its own activities (e.g. heating and powering offices, using vehicles and generating waste) and is able to help minimise the impacts of residents and businesses (e.g. by enabling and promoting sustainable transport, managing household waste in an environmentally-sustainable way and enforcing environmental legislation on businesses). It also has capacity to influence wider action by working with partners and lobbying Government.

We will help to tackle climate change by embedding environmental sustainability into everything we do. We will minimise the environmental impact of our activities and use our influence in areas such as transport, planning, economic development and community engagement to protect the environment.

4.1 People act now to tackle climate change and protect the environment

To achieve net zero carbon emissions in Leicestershire we need communities to take action to reduce their environmental impacts, such as by being more resource-efficient and travelling by sustainable modes.

99% of residents think that protecting the environment is important and from 2005-2019, there was a 36% reduction in domestic CO2 emissions. Leicestershire performs well in the energy efficiency of new build homes, but poorly in the efficiency of existing homes. It also has below average rates of electrical vehicle ownership and cycling and walking.



Our aim by 2026

- More residents actively involved in tackling climate change

Our actions

- Raise environmental awareness amongst local communities, schools and businesses to promote positive action
- Support people to be more resource efficient in their energy and water use
- Work with bus operators to deliver our Bus Service Improvement Plan which will promote affordable, frequent, and high-quality passenger transport services
- Work with the region's transport body, Midlands Connect, to improve passenger rail services
- Work with partners to enable and encourage electrical vehicle usage, such as by expanding charging points
- Enhance the infrastructure that supports cycling and walking, such as segregated infrastructure, cycle parking, pedestrian crossings and traffic reduction measures to create healthy streets and spaces
- Provide cycle training and work with schools and workplaces to provide people with the required skills and information to cycle and walk

How we will measure success

- Percentage of domestic properties (new build / existing) with Energy Performance Rating C+
- Percentage of residents who report having made lifestyle changes to help tackle climate change
- Rate of electrical vehicle ownership
- Percentage of adults walking for travel, 3 days a week
- Percentage of adults cycling for travel, 3 days a week
- Number of volunteers helping to tackle climate change

4.2 Nature and the local environment are valued, protected and enhanced

Biodiversity describes the enormous variety of life on Earth. Biodiversity and the eco-system clean our water, purify our air, regulate the climate and provide us with food and resources for medicines. Loss or damage of natural environments is among the biggest threats to wildlife.



Intensively managed farmland, with applications of chemical fertiliser, pesticides and herbicides, is poor for wildlife. In Leicestershire, where more than 80% of the land is farmed, our wildlife continues to decline due to a lack of good habitats. Leicestershire has relatively few sites of recognised nature conservation value compared to other counties, with the best sites representing only about 1% of the land in Leicestershire.

Our aim by 2026

- Increase the percentage of county land which promotes diversity of habitat and species

Our actions

- Create, protect and enhance sustainable green space and waterways on Council managed land and assets
- Promote and support environmentally sustainable farming practices which maintain and enhance biodiversity
- Work with the LLEP to develop a Natural Capital Investment Plan to minimise the loss of habitats

How we will measure success

- Hectares of Council land in better management for nature
- Percentage of suitable Council land in better management for nature
- Number of trees planted by the Council

4.3 Resources are used in an environmentally sustainable way

We are using the planet's resources at a faster rate than they are being replenished and in a way which does not allow them to be reused. In order to address this crisis, we need to move to a circular economy model. This is a more efficient alternative to a traditional linear economy (make, use, dispose) where resources are used for as long as possible, then recovered, regenerated, or recycled.

Compared to other county areas, Leicestershire has a lower rate of household waste which is recycled and a significantly higher percentage of waste which is landfilled.

Our aim by 2026

- Increase in the percentage of household waste sent for reuse, recycling and composting and reduction in the percentage landfilled

Our actions

- Work with partners to reduce the volume of waste produced in Leicestershire, such as by supporting the national Love Food Hate Waste campaign, delivering education around food waste prevention and enabling communities to conduct their own waste prevention activities
- Manage waste in the priority order of prevention, reuse, recycling, other recovery and disposal
- Encourage appropriate use of our Recycling & Household Waste Sites service
- Provide an efficient and sustainable trade waste recycling, treatment and disposal service

How we will measure success

- Percentage of municipal waste sent to landfill
- Percentage of household waste sent by local authorities for reuse, recycling, composting

4.4 The economy and infrastructure are low carbon and environmentally friendly

Decarbonising the economy and infrastructure is one of the key solutions to addressing the climate emergency, as nearly 70% of Leicestershire's emissions come from commercial, industrial and transport sources. This will require action from the Council, partners and businesses.

From 2005-2019, there was a 54% reduction in commercial CO₂ emissions in Leicestershire and a 40% reduction in industrial CO₂ emissions. However, transport emissions fell by only 8%.

A survey of local businesses from March-June 2021 (LLEP Business Tracker) found that 35% had taken action to reduce their carbon impact in the past 2 months and 50% planned to do so over the next 6 months.

Our aims by 2026

- Net-zero carbon emissions from the Council's own operations by 2030, with an interim 64% reduction by 2025
- Work with partners to ensure Leicestershire is on track to achieve net zero carbon emissions by 2045

Our actions

- Develop and implement a Net Zero Carbon 2030 Plan for the Council
- Reduce our demand for energy and increase our generation and use of renewable energy
- Through the Environment Group, collaborate with district councils and the LLEP to coordinate development and implementation of environmental programmes and promote a green recovery
- Own and manage efficient and sustainable properties through our Corporate Asset Investment Fund
- Work with partners to develop the training and skills routes required for zero carbon development
- Encourage businesses to reduce their carbon impact and promote business opportunities arising from net-zero transition
- Work with partners to support the capacity of SMEs to supply low-carbon products and services, expand links between businesses and universities to enhance low-carbon research and development and develop a central integrated hub for demonstration of low-carbon technology
- Reduce pollution and contamination through our Trading Standards service
- Investigate and pursue opportunities to increase carbon sequestration through natural solutions such as tree planting
- Work with bus operators to deliver our Bus Service Improvement Plan which will promote affordable, frequent, and high-quality passenger transport services
- Work with the region's transport body, Midlands Connect, to improve passenger rail services
- Work with partners to enable and encourage electrical vehicle ownership and walking and cycling, including through provision of infrastructure

How we will measure success

- Total CO2e emissions from the Council (buildings, sites, street lighting and traffic signs, fleet)
- Amount of renewable energy generated as a percentage of consumption by the Council
- CO2 emissions in the local area within the scope of local authority influence
- Percentage of businesses taking action to reduce their carbon impact



5. Great Communities

This outcome aims for Leicestershire to have active and inclusive communities in which people support each other and participate in service design and delivery. It reflects our aspiration to have frequent dialogue with communities about local priorities, how well services are working and how they could be improved. Communities also need to be resilient; able to avoid, prepare for, respond to and recover from emergencies.

The communities we live in and the relationships we have are the primary source of our physical and mental health – which in turn influence the kind of life we are able to live and the part we play in society. Our communities are key assets and by investing in them we can cultivate the conditions for people to flourish.

We will support communities to take advantage of and build on the assets within their local area (e.g. buildings, people, skills and networks) to solve local challenges. We will strengthen community capacity by supporting the VCSE sector and building upon successful partnerships which have been shown to deliver better outcomes for residents, such as our work with district councils during the Covid-19 pandemic to establish community hubs to support the most vulnerable people in our County.

We will use a wider range of engagement methods to ensure residents can have their say in decisions affecting their local areas. Building on the exceptional collaborative work undertaken during the Covid-19 pandemic with partners such as district councils, Police and the NHS, we will support communities to minimise the impact of any emergencies and ensure a seamless return to normal life.

5.1 Diversity is celebrated and people feel welcome and included

We are committed to equality and diversity because we believe that everyone deserves to be treated fairly and that people are happier when they can be themselves without fear of discrimination or inequality.

There has been a decrease in the percentage of residents who feel that their local area is a place where people from different backgrounds get on well together (from 96% in 2019/20 to 91% in 2021/22). The rate of hate crime has also increased since the EU referendum and during the pandemic.

Our aims by 2026

- Work with partners to increase community cohesion and tackle hate crime
- Council services are more accessible and inclusive

Our actions

- Deliver our Equalities Strategy to improve service accessibility and equity in employment opportunities
- Fulfil the Race at Work Charter, Disability Confident Scheme and the Stonewall Workforce Equalities Index
- Organise and promote civic events throughout the county to celebrate our diverse communities
- Support the Inter Faith Forum to promote greater understanding and awareness of faith and religion
- Support the Equality Challenge Group to scrutinise our service accessibility and inclusivity
- Work with partners through the Safer Communities Strategy Board to help prevent and tackle hate crime

How we will measure success

- Percentage of residents who feel that in their local area, people from different backgrounds get on well
- Rate of hate crime incidents
- Percentage of residents who agree the Council treats all types of people fairly
- Percentage of the Council workforce who feel that the Council is committed to equality & diversity

5.2 People participate in service design and delivery

Residents should feel that they can get involved in decisions about public services and policies which affect their lives. County Councillors have a key role in representing the needs and interests of residents, however the Council aims to improve how it engages residents in service design and delivery so that more residents feel they can influence Council decisions. Currently, 50% of residents feel well informed about the Council and 69% state that they trust the Council. However, only 32% feel that they can influence Council decisions.

Neighbourhood Plans enable residents to develop a shared vision which shapes development in their local areas. There are now 125 active Neighbourhood Planning group and 35 communities managing their local library, with many of these being community hubs which support the needs of local people.

Our aim by 2026

- Increase in the proportion of residents who feel that they can influence Council decisions

Our actions

- Improve how we engage residents in service design by using a wider range of engagement methods and applying the best practice principles from the Consultation Institute Charter
- Support the development of Neighbourhood Plans by communities which seek to establish them
- Support the Voluntary, Community and Social Enterprise (VCSE) sector and town and parish councils in their roles as providers of community-managed services and as community leaders
- Support communities to plan and deliver services, such as libraries and heritage sites



How we will measure success

- Percentage of residents who feel well-informed about the Council
- Percentage of residents who feel that they can influence Council decisions
- Number of Neighbourhood Plans adopted
- Number of communities running their own library

5.3 Cultural and historical heritage are enjoyed and conserved

Culture is our past, present and future. It's what we have inherited, what we are experiencing now and what we would like to see remembered. We want to preserve and make accessible our local cultural and historic heritage to enhance the wellbeing of local residents.

From 2018/19-2019/20, there was an 8% reduction in visits to heritage sites between 2018/19 and 2019/20. Covid-19 has had a significant impact, with the county's heritage sites and libraries having closed during the restrictions. However, services have adapted through digital delivery including virtual museum tours, whilst libraries have seen an 89% increase in the number of e-loans from 2019/20-2020/21.



Our aim by 2026

- Increase in the number of Leicestershire residents and visitors engaging in cultural and heritage activities

Our actions

- Our libraries, heritage, country parks and adult learning programmes will provide accessible community facilities, exhibitions and parks and outdoor activities with a wide range of learning opportunities
- Support communities to engage in cultural and heritage activities and develop their own bespoke programmes of cultural events and activities
- Support schools with a wide range of resources, pupil sessions and professional help to stimulate reading for pleasure and creative learning across the curriculum
- Preserve and provide access to resources which can be used to research Leicestershire's history
- Maintain the County's natural history, artefacts, specimens, information and objects as well as the stories of the people who have made Leicestershire their home for thousands of years
- Offer a wide range of online adult learning courses in venues across Leicestershire

How we will measure success

- Library site and website visits and loans
- Museum and heritage site and website visits

5.4 Communities are prepared for and resilient to emergencies

Covid-19 has highlighted the importance of communities being able to respond to, withstand and recover from adverse situations. Developing a Community Response Plan enables a community to identify the skills, knowledge and resources in their local area which can be mobilised during a crisis. There are currently 53 Community Response Plans across Leicestershire.

Our aim by 2026

- Increase in the number of active Community Response Plans

Our actions

- Work with the local Resilience Partnership to prepare for, respond to and recover from emergencies
- Support communities to prepare for emergencies by developing Community Response Plans
- Provide business continuity information and advice to businesses and VCSE sector organisations
- Support resilience to changes in climate, such as by fulfilling our duties as Lead Local Flood Authority
- Maintain our Resilient Highways Network to ensure traffic keeps moving despite disruptive events
- Work with partners to provide emergency short-term food and fuel support to those in need

How we will measure success

- Number of active Community Response Plans

5.5 People support each other through volunteering

Volunteers perform a key role in supporting local communities and delivering our vision for Leicestershire. We want to support volunteering opportunities and activity because we recognise the significant contribution which volunteers make in delivering wider community benefit beyond the Council's direct service provision.



Leicestershire has a dynamic and diverse Voluntary, Community and Social Enterprise (VCSE) sector, ranging from small grassroots groups to national charities. During the Covid-19 pandemic, VCSE organisations supported vulnerable people whilst experiencing significant financial pressures and increases in demand. There was also a surge in volunteering with over 1,000 volunteers supporting vulnerable people and a further 1,250 assisting with vaccinations. However, pre-pandemic there was a long- term downward trend in volunteer numbers.

Our aims by 2026

- There is a wide variety of volunteering opportunities and activity across Council services
- VCSE organisations remain financially viable and maintain their service delivery

Our actions

- Develop and maintain volunteering opportunities across Council services
- Provide communities with up-to-date information and advice to support and promote volunteering
- Encourage Council staff to volunteer to build links with communities and support local initiatives
- Support volunteers to maintain their health and wellbeing
- Support the growth and development of VCSE organisations by providing targeted grants and funding
- Support VCSE organisations in areas such as governance, income generation and commissioning

How we will measure success

- Percentage of residents who have given unpaid help in the past 12 months
- Number of volunteering enquiries received by Voluntary Action Leicestershire
- Number of volunteering opportunities across Council services
- Number of hours of volunteering by Council-managed volunteers
- Amount of SHIRE Community Grants awarded to VCSE organisations
- Feedback from VCSE organisations regarding current and future challenges



6. Improved Opportunities

This outcome aims to ensure that all children and young people get the best start for life and have the opportunities they need to fulfil their potential, regardless of their circumstances. We believe children are best supported to grow within their own families and as such the outcome reflects our aspiration for families to be self-sufficient. It also aims to ensure that disadvantaged adults, such as those with learning disabilities, autism and/or mental health conditions, are able to aim high and achieve their aspirations.

The impact of disadvantage is felt before a child enters school and can have a significant impact on their future prospects. Whilst the term 'disadvantage' is usually linked to a family's income, it can also be linked to vulnerability in the context of the child's family. For example, children living in a home where there is domestic abuse, poor mental health and/or problematic usage of drugs or alcohol, are at greater risk of experiencing mental illness and engaging in harmful behaviours. Children with special educational needs and/or disabilities may also be disadvantaged, and some children face multiple disadvantages.

Education has the potential to drive social mobility and improve outcomes for the next generation. It is estimated that people with five or more good GCSEs have average lifetime productivity gains of £100,000, compared to those with qualifications below this level. It is therefore essential that children arrive at school ready to learn. High quality care in the early years of a child's life supports better readiness for school, stronger cognitive skills and speech and language development. Investing in children's development in the early years therefore benefits children, communities and the wider economy.

Our services will be flexible and responsive to the needs of children and families, providing the right level of support at the right time. Wherever possible children's and families' needs will be met by universal services, however we will also invest in effective, targeted services that identify and support vulnerable families at an early stage. We will work closely with partners, including through Leicestershire's Children and Families Partnership, to help ensure children and young people can reach their full potential.

6.1 Every child gets the best start in life

The first 1,001 critical days from pregnancy to the age of two set the foundations for an individual's cognitive, emotional and physical development. We want to improve how we support families during these 1,001 days.



Leicestershire generally performs well in child and maternal health. However, it is similar to the national average in the percentage of children achieving a good level of development at foundation stage and it ranks in the worst 25% of counties for the percentage of children achieving the expected level of development at age 2-2.5yrs. It also performs poorly in terms of the percentage of eligible 2 year olds taking up free early education (an initiative for low-income households) and the percentage of children eligible for free school meals who achieve a good level of development at age 5.

There are 2 tiers of support for children with special educational needs (SEND): 'SEN Support' and 'Education, Health and Care Plan' (EHCP). EHCPs are the higher level of support. In Leicestershire, the percentage of children with SEND who have an EHCP and achieve a good level of development by age 5 is significantly higher than national average. However, for children on SEN Support, performance is below the national average.

For the past 10 years there have been year-on-year increases in the rate of children looked after in our care. These children are consistently working at below age related expectations when they start school.

Our aims by 2026

- Increase in the percentage of children achieving the expected level of development at age 2-2.5yrs
- Increase in the percentage of children achieving a good level of development at foundation stage

Our actions

- Develop an integrated communication strategy to promote the 1001 Critical Days Children's Manifesto
- Strengthen collaboration with partners to improve education and health outcomes for pre-school children
- Work with partners across education, health and care to promote breastfeeding initiation and continuity
- Inform staff in education, health and care about the needs of children with SEND and available support
- Develop an integrated Early Years Pathway to ensure vulnerable children are identified and supported
- Encourage and support eligible families to access free early education (FEEE)
- Support childcare providers to offer sufficient high-quality early education places
- Protect and strengthen the services provided by our Children and Family Wellbeing Centres
- Support children's development through learning opportunities in libraries (e.g. reading sessions)

How we will measure success

- Percentage of eligible families taking up free early education (FEEE) for their child
- Percentage of children achieving a good level of development at ages 2-2 ½ years
- Percentage of children achieving a good level of development at foundation stage
- Percentage of looked after children achieving age-related expectations when they start school

6.2 Every child has access to good quality education

As of August 2021, Leicestershire had a similar proportion of primary and secondary schools rated either good or outstanding to the national average. The vast majority of children and families are offered their first preference of school placement. However, there is a growing need for school places.



Demand for the higher level of support (EHCPs) for children with SEND has also increased significantly, leading to rising demand for specialist SEND provision. We believe however that most children with SEND should have their needs met in a mainstream school setting at the lower level of support (SEN Support).

Leicestershire has better educational attainment rates than the national average at primary level, however, at secondary level attainment is similar to the national average. Whilst children in our care have significantly poorer educational outcomes than their peers, Leicestershire performs well in this area compared to other counties. Additionally, educational attainment for children with SEND on the higher level of support (EHCP) is better locally than the national average.

However, Leicestershire consistently performs below comparator levels in the educational attainment of children with SEND on the lower level of support (SEN Support). Further, at key stages 2 and 4, educational attainment of children in receipt of free school meals is consistently lower locally than the national average.

Our aims by 2026

- Sufficient, high quality mainstream school places and specialist SEND provision to meet demand
- Improved educational attainment amongst pupils who are more disadvantaged (i.e. those who are in receipt of free school meals, are in our care and/or have special educational needs)

Our actions

Sufficient, high quality mainstream school places and specialist SEND provision to meet growing demand

- Work with partners to ensure that admissions arrangements promote diversity and choice
- Monitor school capacity and extend or build new schools where required
- Implement an ambitious programme to develop SEND provision across the local area, including resources in mainstream schools to promote inclusion and expansion of existing special schools
- Maintain our school buildings and strengthen our relationships with academies to ensure that all school buildings (irrespective of their designation and funding arrangements) are fit for purpose

Improved educational attainment amongst pupils who are more disadvantaged

- Ensure that all children in our care and care leavers access appropriate, stable education placements and positive educational experiences, such as through our Virtual School
- Work with partners through the SEND and Inclusion Board to ensure that all mainstream schools and providers are inclusive, with staff able and supported to meet the learning needs of those with SEND
- Work with further education colleges to develop individualised learning for young people with SEND
- Improve the quality of EHCPs, the EHCP process and Annual Reviews both within the local authority and between the local authority, clinical commissioning group and provider services
- Ensure that when a child or young person needs move to a different educational provision or service, this is done in a timely manner with the appropriate information available

How we will measure success

- Percentage of pupils offered first choice of school (primary / secondary)
- Percentage of schools rated good or outstanding (primary / secondary / special)
- Percentage of pupils achieving the expected level of attainment from Key Stages 1-4

6.3 Families are self-sufficient and enabled to be resilient

Many families have complex needs which require support to enable their children to achieve good outcomes in life. We need to identify issues early and work directly with families in collaboration with other services.

Leicestershire County Council has a strong track record of supporting families experiencing multiple disadvantages to achieve significant and sustained progress through the Supporting Families programme.

Disruption in family lives can lead to children missing education, with the impacts felt by children, families and wider society. Leicestershire has low rates of children missing education. However, the number of children electively home-educated (EHE) has increased significantly in recent years. We need to ensure that families opting for EHE are aware of what is expected of them and able to provide a good quality education.

Our aim by 2026

- Families are able to deal with issues as they arise, and the Council achieves its targets for the number of families achieving progress through the Supporting Families Programme (set at 464 families in 2022/23)

Our actions

- Develop the Leicestershire Information and Support Directory and Local Offer to help families access information, guidance and support
- Support the delivery of Citizens Advice services and crisis and hardship support for people in need
- Work positively with families opting for EHE, offering support to ensure statutory duties are met
- Work across the early help partnership to ensure all agencies are able to identify families who may require additional support at the earliest possible opportunity and provide the best response
- Help avoid children becoming looked after by prioritising investment in early help / preventative services and ensuring children at risk of family breakdown receive timely, and if necessary intensive, support
- Develop our support for young people experiencing emotional and behavioural difficulties

How we will measure success

- Percentage of families achieving positive progress through the Supporting Families Programme (Education and learning / Progress to work / Home and money)
- Number / percentage of families achieving significant and sustained progress through the Supporting Families Programme

6.4 Young people and adults are able to aim high and reach their full potential

To fulfil their potential, young people need access to relevant, good quality post-16 education, training and employment opportunities. It is also critical that adults who may be disadvantaged due to learning disabilities and/or mental health issues are able to live as independently as possible and access suitable employment.

Leicestershire performs better than the national average for the percentage of children aged 16-17 who are not in Education, Employment or Training (NEET), at 2.4% in Leicestershire compared to 2.8% nationally, and ranks in the best performing 50% of county areas. Those most likely to be NEET include care leavers, young carers, young offenders and those with learning and/or other disabilities. Leicestershire is in the best performing 25% of county areas for the percentage of care leavers who are in education, employment, or training as well as for the percentage of care leavers who are living in suitable accommodation.



The percentage of young people aged 19 with at least a level 2 qualification is consistently higher locally (better) than the national average, however for those from low-income households who claimed free school meals during school, performance is consistently lower locally than the national average.

Leicestershire is in the best performing 25% of counties for the proportion of people aged 18-64 with a learning disability who are in paid employment and the proportion who are living independently. However, it is in the worst 25% of counties for the proportion of those in contact with secondary mental health services who are in paid employment, and for the proportion living independently.

Our aims by 2026

- Leicestershire performs in the best 25% of counties for the rate of young people aged 16-17 who are NEET

- Leicestershire remains in the best 25% of counties for the percentage of adults with a learning disability who are in paid employment, and the percentage who are living independently
- The percentage of adults in contact with secondary mental health services who are in paid employment, and the percentage who are living independently, increase to be above the national average

Our actions

Preventing young people from becoming NEET

- Support schools to develop statutory individualised careers guidance for vulnerable groups'
- Monitor the progress of learners beyond age 16 to ensure good progress and identify those at risk of becoming NEET in order to target them for additional support to participate in education or training
- Deliver our 'promise' to care leavers (launched in collaboration with district councils, the Office of the Police and Crime Commissioner and the Combined Fire Authority) to support care leavers to access employment or training through measures such as qualifications and ring-fenced apprenticeships
- Through our Teenagers with Babies Group, deliver actions to reduce NEET amongst teenage parents, such as by ensuring seamless support pathways and improving access to educational opportunities
- Provide children in contact with our Youth and Justice Service with dedicated Education Workers and Careers Advisors to ensure they are actively engaged in education, training or employment
- Support the range of alternative providers for children and young people for whom formal educational placements are not suitable
- Be an active partner with the Enterprise Adviser Network which inspires and prepares young people for the world of work, by linking business/ employer volunteers (Enterprise Advisers) with local schools and colleges
- Be a delivery partner with the European Social Fund Employment Hub (until 2023) which promotes apprenticeship opportunities to businesses. The project brings together businesses and young people.
- Maintain a person-centred process to support transition from childhood to adulthood

Supporting disadvantaged adults to access paid employment and live independently

- Offer engaging 'first steps' learning opportunities through our Adult Learning Service as to increase participation by disadvantaged learners and prepare them for more formal learning
- Work with partners to promote and extend opportunities for supported employment for disadvantaged people
- Support people to live in the least restrictive environments possible by developing more supported accommodation, including 'step down' temporary accommodation, and exploring the benefits of single accommodation units with on-site shared support for adults with mental ill-health

How we will measure success

- Percentage of young people aged 16-17 who are not in Education Employment or Training (NEET) or whose activity is not known
- Percentage of care leavers in education, employment or training (EET)
- Percentage of care leavers in suitable accommodation
- Percentage of young people with special educational needs who are in education or training
- Percentages of adults who live independently (learning disabilities / mental health)
- Percentages of adults who are in paid employment (learning disabilities / mental health)

7. Strong Economy, Transport and Infrastructure

This outcome aims to use local innovation and skills to build a productive, inclusive and sustainable economy at the cutting edge of science, technology and engineering. It reflects the need for our transport, housing and digital infrastructure to meet the demands of a growing population and economy.

Our economy is primed for success. We have unrivalled assets such as a world-class university with one of the UK's largest science parks, a central location with the largest distribution park in Europe and the UK's largest freight airport. Recently, the East Midlands Airport Gateway Industrial Cluster site in North West Leicestershire was selected for Freeport Status. This will provide a significant boost to our strong and growing manufacturing and logistics industries and create up to 60,000 additional jobs.

However, our economy faces significant challenges including lower productivity than the UK. The Covid-19 pandemic has also challenged businesses in terms of their resilience and financial health. Before Covid-19, the Leicester and Leicestershire economy generated £24.5bn in Gross Value Added (GVA). Testament to its resilience and growth potential, we still expect this to increase to £30.2bn by 2030.

We will support people to develop the skills they need to access employment, particularly in our growth sectors. We will help to ensure that our infrastructure provides excellent connectivity – enabling access to opportunities and opening up sites for development – whilst supporting net zero carbon emissions by 2045.

7.1 There is close alignment between skill supply and demand

It is important to ensure that education and skills are well-aligned to the needs of employers as this will drive economic growth and ensure people are able to get good jobs and make progress in their careers.



Local skills needs are driven by the needs of our key sectors (manufacturing and logistics) and other growth sectors such as life sciences, low carbon technologies, creative industries and aerospace. In 2021, a LLEP survey of local businesses found 21% were experiencing recruitment difficulties due to skills issues, 60% needed more basic work-based skills and 33% needed digital skills. The shortfall in overseas workers caused by Covid-19 and EU-Exit may further increase demand for skills, particularly in sectors such as social care.

Leicestershire performs well in the percentage of working-age adults qualified to Levels 2+ and 3+ . It also has a strong further education sector and good supply of graduates to the labour market. However, our growth sectors need for more young people to pursue careers in Science, Technology, Engineering & Mathematics (STEM) and there are challenges in retaining young people and graduates in Leicestershire.

Our aims by 2026

- Reduction in the proportion of employers reporting skills shortages or gaps
- Increased opportunities in the labour market for young people

Our actions

Reduction in the proportion of employers reporting skills shortages

- Work with partners to:
 - Capture and analyse labour market information to identify growth sectors and skills shortages
 - Support the Further Education sector to expand and improve their facilities and links to growth sectors
 - Develop Skills Plans for growth sectors to help businesses meet their recruitment and skills needs
 - Be an active member of the Digital Skills Partnership to address digital skills deficiencies
 - Provide flexible leadership and management development programmes
 - Promote enterprise skills programmes to support self-employment, start-ups and existing businesses
 - Provide opportunities for learning and skills development through libraries and Adult Learning

Increased opportunities in the labour market for young people

- Work with partners to provide information, advice and guidance on the labour market to parents, teachers and young people
- Work with partners to identify and promote youth pathways into employment in emerging sectors
- Work with partners to provide youth career services such as Careers Hub
- Work with partners to support the graduate retention initiatives of local universities and businesses
- Work with partners to produce an Apprenticeship Strategy and Delivery Plan
- Be a delivery partner with the European Social Fund Employment Hub (until 2023) which promotes apprenticeship opportunities to businesses. The project brings together businesses and young people.
- Through the Kickstart scheme, provide employment for young people at risk of unemployment
- Through our Work and Skills Leicestershire scheme, provide free one-to-one support, advice and information to help people access secure paid employment or training
- Be an active partner with the Enterprise Adviser Network which inspires and prepares young people for the world of work, by linking business/ employer volunteers (Enterprise Advisers) with local schools and colleges

How we will measure success

- Working age population qualification rates
- Unemployment and employment rates
- Percentages of businesses experiencing recruitment issues or skills shortages
- Apprenticeship start and achievement rates

7.2 Leicestershire has the infrastructure for sustainable economic and housing growth

We need our housing, transport and digital infrastructure to support economic and population growth, whilst helping to deliver net zero carbon emissions.



Leicestershire's population is projected to rise by 19% from 2021-2043. There is therefore a need for 96,580 new houses by 2031, which will need to be low carbon and include affordable housing. The number of older people living in Leicestershire is forecast to increase significantly, which will necessitate development of specialist housing suitable for those who are frail and/or disabled. These houses need to be supported by new roads, schools, transport and other infrastructure.

Road networks in Leicestershire are in fair condition with a low percentage of roads requiring structural maintenance. However, there are unreliable journey times caused by congestion on roads in local towns and on parts of the strategic road network. Further, rurality presents challenges for medium and long-distance public transport, meaning it can be difficult to enable opportunities to travel by sustainable modes.

To drive economic growth, we also need an additional 367-423 hectares of land for employment use by 2031. Since 2010, there has been a transformation in the provision of world class business locations in Leicestershire with new office, technology and manufacturing premises accommodating 5,000 jobs. We need to continue to support existing employment areas and identify where further growth should be directed.

Expanding digital connectivity will accelerate economic growth. The Covid-19 pandemic has accelerated digital transformation, with employers expecting digital skills to become increasingly important. Whilst this has enhanced business efficiency, productivity and resilience, it has also exposed the 'digital divide' in society with some lacking access to digital technology and connectivity.

Our aim by 2026

- Infrastructure capacity and capability supports growth and net zero carbon emissions

Our actions

- Support district councils in their roles as local housing authorities to improve existing housing stock and maximise opportunities for development of low carbon and affordable houses
- Deliver the Social Care Investment Plan to secure specialist accommodation choices for social care service users, including those who are frail and/or disabled
- Secure financial contributions from developers to support infrastructure (e.g. schools, highways)
- Work with partners to renew existing employment sites and premises where there is demand
- Work with partners to maintain momentum in the development of strategic sites and the Freeport
- Through our Corporate Asset Investment Fund, own and manage a diverse portfolio of property and other investment assets which support economic growth and environmental sustainability
- Provide safe and well-maintained highways which support housing development and economic growth
- Maximise opportunities from technological innovations; utilising evidence gathered on the Major Road Network and key radial routes to support end to end journey planning and better traffic management
- Work with bus operators to deliver our Bus Service Improvement Plan which will promote affordable, frequent, and high-quality passenger transport services
- Engage the logistics sector to better understand its transport infrastructure needs and support the efficient movement of freight into, within and out of Leicestershire
- Work with the sub-national transport body, Midlands Connect, to improve passenger rail services
- Engage HS2 Ltd to ensure that Leicestershire's interests are addressed throughout construction
- Work with partners to enable and encourage electrical vehicle usage, including through infrastructure
- Enhance the infrastructure that supports cycling and walking, such as segregated infrastructure, cycle parking, pedestrian crossings and traffic reduction measures to create healthy streets and spaces
- Work with partners through the LLEP to improve broadband, Wi-Fi and 5G connectivity across Leicestershire and define and implement the Council's first digital connectivity strategy

How we will measure success

- Number of new houses completed
- Number of affordable houses delivered
- Percentage of principal and non-principal roads where structural maintenance should be considered
- Levels of public and business satisfaction with traffic levels
- Rates of travelling by, and public satisfaction with, public transport
- Rates of electrical vehicle ownership and cycling and walking
- Percentage of premises with gigabit-capable broadband

7.3 Leicestershire is an attractive place where businesses invest and flourish

89% of businesses in Leicestershire are micro-sized (employing 9 or fewer people). The number of businesses has increased significantly (+18% between 2014 and 2019), with improvements in start-up and survival rates.

However, productivity rates are lower locally than the national average. This may be partially driven by low investment in research and development (R&D) – a key driver of innovation and productivity. In 2016 R&D expenditure was equivalent to 1.5% GVA in Leicestershire, Rutland and Northamptonshire – below the UK average (1.7%) and government target of 3%. This highlights the need to increase investment and activity in R&D and innovation and to lever existing R&D capabilities from our leading corporations.



Leicester and Leicestershire are in a prime location for international businesses; 18% of local businesses exported in 2020, with 83% selling to EU markets. However, businesses need to adapt to the challenges posed by Covid-19 and EU-Exit; the value of goods exported from the UK declined by 16% in 2020.

Our aims by 2026

- Increased investment in Research and Development
- Increase in the number of businesses and business survival rates

Our actions

Growth and expansion of existing innovation and R&D strengths

- Work with partners through the LLEP Innovation Board to drive forward innovation priorities
- Work with partners to ensure the R&D sector has the skills and support to attract new programmes
- Support R&D funding bids and knowledge transfer initiatives to promote investment in R&D
- Support collaboration between businesses and universities to help translate research into innovations
- Work with businesses to develop a culture of innovation and awareness of the performance benefits
- Support our traditional strengths in manufacturing and logistics in addition to growth sectors such as advanced manufacturing and engineering, life sciences, low carbon technologies and aerospace
- Work with partners to encourage foreign and domestic inward investment and expansion into the County, including in the Freeport site
- Develop and implement the Freeport strategy and support for international business
- Advise businesses to assist recovery from Covid-19 and adaptation to new EU trading relationships

How we will measure success

- Rates of businesses and new enterprises per 1,000 population
- Research and Development (R&D) expenditure as a share of Gross Value Added (GVA)
- Gross Value Added (GVA) per job
- Business confidence levels

7.4 Economic growth delivers increased prosperity for all

Inclusive economic growth does not just contribute to Gross Value Added (GVA) in the local economy; it improves living standards by reducing levels of deprivation and creating opportunities for everyone.

Leicestershire is ranked 137th out of 152 upper tier authorities in deprivation (where 1st is the most deprived). It also has a low rate of households at risk of homelessness. However, pockets of deprivation exist, with four neighbourhoods in the county falling within the most deprived 10% in England.

The percentage of school pupils eligible for free school meals is below the national average but has risen significantly in recent years. Gross Disposable Household Income (GDHI) – the amount of money which households have available for spending or saving – is lower than the average amongst county authorities.

Our aim by 2026

- Growth in Gross Value Added (GVA) in the local economy corresponds with a reduction in deprivation

Our actions

- Through the Kickstart scheme, provide employment for young people at risk of unemployment
- Through Work and Skills Leicestershire, provide free information and advice to help people access employment or training
- Deliver gigabit broadband in rural areas to help ensure equality of digital opportunity

How we will measure success

- Gross Value Added (GVA) per head
- Index of Multiple Deprivation
- Percentage of households in fuel poverty
- Percentage of school pupils in receipt of free school meals
- Gross Disposal Household Income (GDHI) per head
- Rates of homelessness and rough sleeping



8. Safe and Well

This outcome aims to ensure that people are safe and protected from harm, live in a healthy environment and have the opportunities and support they need to live active, independent and fulfilling lives.

Good health is a basic precondition for people to take an active role in family, community and work life. Leicestershire performs well across a range of health indicators and has higher average life expectancies than England. However, there are persistent health inequalities; life expectancy is 6.3 years lower for men and 5.0 years lower for women in the most deprived areas of Leicestershire compared to the least deprived areas.

Health and wellbeing outcomes are influenced by a range of social, economic and environmental factors, known as the 'wider determinants of health'. These include factors such as early childhood experiences, social support and community inclusivity, crime rates, income levels, educational opportunities, availability of transport, access to nutritious food and safe drinking water and the quality of housing and infrastructure.

The Council can influence these factors in various ways such as by working with partners to build community capacity, support community safety, protect vulnerable people, facilitate skills development and job creation, enhance the quality of housing and infrastructure and promote healthy lifestyles.

We will embed a 'Health in all Policies' approach to systematically consider the health implications of all decisions. We will provide information and advice to support people to take control of their wellbeing and plan for their future. We will identify people who may be at risk of needing social care support and help them to gain or regain the skills they need to live independently. We will also support carers and those with care needs to live active, independent, and fulfilling lives through easy access to person-centred care and support.

We will also help keep people safe by working with partners such as district councils, NHS, Police and Fire and Rescue services to raise awareness of and prevent crime and to identify and protect vulnerable people. This will include work to review and improve our safeguarding practices.

8.1 People are safe in their daily lives

Crime levels are relatively low in Leicestershire compared to other areas. The number of people killed or seriously injured on the County's roads is also low and public satisfaction with road safety is high.

However, crime levels have shown an upward trend and there has been a reduction in the percentage of residents who feel safe when outside in their local area after dark, from 88% in 2019/20 to 79% in 2020/21.

From 2018/19 to 2020/21, there has been a year-on-year reduction in referrals to child safeguarding for child sexual exploitation. However, the rate of referrals for child criminal exploitation is increasing.

Our aims by 2026

- Increase in the percentage of residents who feel safe in their local area
- Fewer children and young people involved in and impacted by criminal behaviour

Our actions

Increase in the percentage of residents who feel safe in their local area

- Work with partners including the Police to raise awareness of and tackle all forms of hate crime
- Help to tackle modern slavery and trafficking by ensuring our suppliers adhere to ethical standards and working with the Modern Slavery Action Group to raise awareness, disrupt crimes and safeguard victims
- Work with partners through the Violence Reduction Unit to help prevent serious violence
- Raise awareness of and tackle scammers and rogue traders who exploit vulnerable consumers

- Work with the Road Safety Partnership to support the Safety Camera Scheme and delivery of Driver Education Workshops as well as speed reduction initiatives including Community Speed Enforcement
- Ensure road safety audits are undertaken during our own projects and those undertaken by others
- Develop a Road Safety Strategy

Fewer children and young people involved in and impacted by criminal behaviour

- Deliver a whole-family approach to prevent children and young people from engaging in crime
- Deliver preventative street-based work in areas with high levels of anti-social behaviour
- Identify and address the exploitation of children and young people and support victims

How we will measure success

- Percentage of residents who feel safe in their local area
- Resident perceptions of the level of anti-social behaviour in the community
- Detriment to consumers prevented by Trading Standards
- Number of people killed or seriously injured on our roads
- Road safety satisfaction levels
- Rate of referrals to child safeguarding for child sexual or criminal exploitation
- Rate of first time entrants to the criminal justice system aged 10-17
- Hospital admissions for assault with a sharp object amongst under-25s

8.2 People at the most risk are protected from harm

There is a long-term upward trend in demand for child safeguarding, with an increase in the rate of safeguarding investigations and children on child protection plans. The rate of children looked after by the Council has also increased year-on-year for the past 10 years.



Whilst the rate of reported domestic abuse-related incidents remains below the national average, it has increased in Leicestershire from 21.1 per 1,000 population in 2017/18 to 23.1 in 2019/20. The Leicestershire Needs Assessment undertaken by Safelives in 2021 shows a year-on-year increase in under-18s becoming victims of domestic abuse. In 2020/21 this equated to almost a doubling on the previous year.

Our aim by 2026

- Vulnerable children and adults are identified and protected from harm and abuse

Our actions

Vulnerable children and adults are identified and protected from harm and abuse

- Risk assess and quality assure care providers to ensure services are safe and protect vulnerable children and adults
- Work with partners to review the lessons from the Covid-19 pandemic regarding safeguarding
- Improve how we safeguard babies by establishing robust procedures and raising awareness of risk factors
- Develop a communications strategy to deliver universal safety messages to children and young people
- Combat sexual violence and domestic abuse by delivering our Domestic Abuse Reduction Strategy (2022-5) – protecting survivors and their families in safe and appropriate accommodation and improving our understanding of perpetrators and how to respond to them
- Develop trauma-informed practices across the Leicestershire Children and Families Partnership to support children to recover from Adverse Childhood Experiences (ACEs)
- Raise awareness amongst communities to prevent people becoming victims and ensure they know how to seek help and have the confidence to do so
- Improve our understanding of the impact of equality and diversity issues on access to safeguarding

How we will measure success

- Percentage of safeguarding enquiries where the desired outcome was fully or partially achieved
- Percentage of service users who say that services make them feel safe
- Domestic crime and incident rate
- Number of safe accommodation spaces for domestic abuse victims
- Children's placement stability rates
- Rates of re-referrals to Children's Social Care within 12 months

8.3 People enjoy long lives in good health

As highlighted previously, the health of people in Leicestershire is generally better than the England average. However, healthy life expectancy (an estimate of how many years people might live in a 'healthy' state) is only marginally higher than the national average and there are significant health inequalities in the county.

Health outcomes are influenced by a wide range of social, economic and environmental factors, known as the 'wider determinants of health'. For example, air pollution, particularly fine particulate matter (PM2.5), is a significant health hazard. PM2.5 is the 3rd leading cause of preventable deaths in Leicestershire.

We are living in an obesogenic environment, with an abundance of energy dense food, motorised transport and sedentary lifestyles. Two thirds of adults, and one third of children in year 6, are either overweight or obese. There has been an increase in physically inactive adults, from 19.5% in 2018/19 to 21.9% in 2019/20. Some areas of the county have higher rates of overweight/obesity and physical inactivity than England. There is a need to improve the healthy weight environment such as by promoting sustainable/active travel, reducing the number of fast food outlets and providing people with skills and resources to cook and eat healthily.



Leicestershire has high rates of people reporting low happiness and high anxiety. Although there is a low rate of suicides in Leicestershire compared to other counties, the county has a high rate of excess deaths amongst those aged under 75 with a severe mental illness. These excess deaths are explained not only by suicides and accidents but also physical illnesses; studies show that that all-cause mortality in people with severe mental illness is 2 to 3.5 times higher than in the general population.

Our aims by 2026

- Improved healthy life expectancy and reduced health inequalities
- Increased proportion of residents with a healthy weight
- Improved mental wellbeing and reduced prevalence of mental ill health

Our actions

Improved healthy life expectancy and reduced health inequalities

- Deliver a wider determinants programme of work to address the social, economic and environmental factors which influence health outcomes, thereby improving health and reducing health inequalities
- Embed a Health Equity in All Policies approach to help ensure our decisions improve health outcomes
- Through Healthy Together 0-19, provide Health Visiting and School Nursing to support the health and wellbeing of children and young people
- Provide information and advice to enable people to access health and wellbeing services and resources
- Identify those at risk of needing social care support and intervene early to maintain wellbeing
- Deliver our Substance Misuse Strategy (2020-23) to support people to make informed healthy lifestyle choices to reduce the harm caused by alcohol and drug misuse and improve their wellbeing

Increased proportion of residents with a healthy weight

- Work with partners to create an environment which facilitates healthy choices
- Support people to achieve and maintain a healthy weight through prevention, self-management and weight management support
- Prioritise healthy weight through systems leadership, creating a workforce that are confident to promote healthy weight

Improved mental wellbeing and reduced proportion of residents experiencing mental ill health

- Promote positive mental health and awareness of risk factors for poor mental health
- Sustain excellent customer satisfaction with our cultural, wellbeing and adult learning services; promoting and facilitating access to libraries, museums and learning centres to promote wellbeing
- Support communities to engage in cultural and heritage activities and develop their own bespoke programmes of cultural events and activities
- Ensure that our residential planning applications for our own land enable public access to green space, and support district councils to develop plans to improve public access to green space
- Implement 'Making Every Contact Count Plus' to deliver brief interventions which enhance wellbeing
- Work with partners such as the NHS to ensure the early detection and treatment of mental health and wellbeing needs and improve access to mental health services for all ages

How we will measure success

- Average healthy life expectancy
- Percentages of adults walking / cycling for travel at least 3 days per week
- Levels of air pollution – fine particulate matter
- Percentage of residents with access to green space within a 10 minute walk
- Percentages of children / adults who are physically active
- Percentages of children / adults classified as overweight or obese
- Rate of school pupils with social, emotional and mental health needs
- Rates of hospital admissions for mental health conditions (under 18s)
- Self-reported wellbeing measures
- Rate of excess under 75 mortality rate in adults with serious mental illness

8.4 Carers and people with care needs are supported to live active, independent, and fulfilling lives

Leicestershire ranks in the best 25% of county areas for the performance of its reablement services, which support those with physical or mental health needs to maintain or regain their independence and avoid unnecessary admissions to hospital or residential care. Leicestershire also has low rates of adults being admitted into residential or nursing care which is important as research suggests that people tend to prefer alternative accommodation options.

Further, in Leicestershire, a high proportion of people with social care needs receive personalised care and support through direct payments or personal budgets which enable them to choose the services they receive.

However, there is a need for improvement in the proportion of people who find it easy to access information about adult social care services and in the quality of life and overall satisfaction of those who receive care and support. As highlighted previously, the number of older people, and those living with dementia and/or mobility problems, is forecast to increase significantly. Some will require housing adaptations and others will need specialist housing and support.

Our aims by 2026

- Increase in the proportion of people who find it easy to access information and advice about adult social care services
- Improvements in the experiences of those who receive adult social care and support
- Carers feel more recognised, valued and supported to undertake their caring role

Our actions

Increase in the proportion of people who find it easy to access information and advice about adult social care services

- Improve access to information and advice through digital channels including the Directory of Services
- Work with partners to proactively provide advice and information about housing, including development of social prescribing and encouraging people to plan for their future housing needs
- Provide quality information, advice and guidance for those living with dementia and their carers

Improvements in the experiences of those who receive adult social care and support

- Respond to customer feedback to improve satisfaction with our adult social care services
- Recruit and train a skilled and resilient social care workforce, whilst inspiring more people to work in the sector and improving job satisfaction through rewarding careers and opportunities
- Work with the NHS to deliver integrated services at the point of delivery with seamless transitions between health and social care
- Enable people to be self-reliant and independent through crisis support and reablement services
- Work with partners to provide carers and/or those with care needs with the right equipment and technology to enable them to live independently for longer
- Review progress on the Living Well with Dementia Strategy (2019-22) and co-produce a new strategy
- Explore solutions to transport issues to enable older people to remain active and independent
- Support people receiving direct payments to choose the provision suitable to meeting their outcomes
- Deliver the Social Care Investment Plan to secure specialist accommodation choices for social care service users, including those who are frail and/or disabled

Carers feel recognised, valued, and supported to undertake their caring role

- Work with partners to identify carers and ensure they are signposted to information and services
- Provide opportunities for carers to inform and shape service development
- Develop carer-friendly communities by raising awareness about the needs of carers
- Promote health checks for carers to help them to maintain their own physical and mental health
- Work with housing providers and others to ensure carers can access equipment and adaptations
- Ensure carers can access assessments which determine if they require further social care support



How we will measure success

- Percentages of service users / carers who find it easy to find information about support
- Percentages of service users / carers receiving self-directed support
- Percentage of service users who have control over their daily life
- Percentages of service users / carers who have as much social contact as they would like
- Percentage of people who had no need for ongoing services following reablement
- Percentages of service users / carers who are satisfied with their care and support



9. Strategic Change Portfolio

The Council's Strategic Change Portfolio (SCP) outlines how it will transform operational service delivery to maintain or improve outcomes. It consists of four key programmes:

- Sustainable Finances
- Customer & Digital
- Carbon Reduction
- Ways of Working

Overseen by the Council's Transformation Delivery Board, and managed through Departmental Change and Programme Boards, the SCP contains targets and deliverables for each programme as described below.



9.1 Sustainable Finances Programme

The savings requirements contained within the Council's annually refreshed Medium Term Financial Strategy (MTFS) remain a central driver for the Council's change portfolio. However, the scale of the financial and transformation challenge is increasing, with the simple changes having been made and the straightforward savings long-since delivered. What remains is complex change, often involving multiple partners and many risks. The body of work contained within the portfolio, refreshed annually, currently represents future savings targets in excess of £48m, including £21m for services supporting those with special educational needs (SEND).

9.2 Customer & Digital Programme

The Covid-19 pandemic has changed customer expectations of how our services should be delivered and the need for more immediate access to information and support via a broader range of channels is greater than ever before. In response to the changing needs of our citizens we will focus on developing and delivering against an improved, council-wide customer and channel strategy which supports the delivery of modern and effective services in the most efficient and sustainable way. By promoting innovative, digital ways of working, we will seek to shape the Council's interaction with its customers as part of our digital revolution and to enable improved customer journeys leading to an enhanced customer experience and faster, first time resolution of customer needs.

Our aims by 2026

- Customers directed to the right channel, at the right time, in the most efficient way
- Council service access channels maximise citizen value whilst reducing costs
- A whole system approach is taken to designing our customer journey and back-office processes

Our actions

Customers directed to the right channel, at the right time, in the most efficient way

- Develop and implement Customer and Digital strategies to support high-quality, consistent customer experience through improved digital services
- Increase our understanding of customers and actively involve them in our channel development
- Ensure services are accessible through multiple channels (e.g. digital access, telephone and face-to-face channels) so no groups are excluded and engage with Leicestershire Equality Challenge Group to further identify and mitigate the impact of digitalisation on those with protected characteristics
- Develop a community-based programme to support residents to learn how to use digital technology
- Improve front-end communications interfaces to ensure enquiries are directed to the right channel
- Deliver a new target operating model for our Customer Service Centre

Our customer channels maximise citizen value whilst reducing the cost of service

- Increase the amount of automation for repetitive, low value activities and integrations
- Increase service user adoption of digital solutions by driving a cultural shift to “digital by choice”
- Improve our ability to resolve queries on first contact using the optimal channel

A whole system approach is taken to designing our customer journey and back-office processes

- Work with Council Departments to develop and deliver improved customer journeys
- We will improve our contact and system data to inform continuous improvement activity
- We will seek to exploit emerging technologies and system integration where possible to enable more streamlined end-to-end working



How we will measure success

- Customer satisfaction levels
- Cost reduction and avoidance
- Response handling rates
- Application of digital tools and processes
- Rates of channel shift to automated and self-serve processes

9.3 Carbon Reduction Programme

The Carbon Reduction Programme aims to achieve net zero carbon from the Council's own operations by 2030, with an interim target of 64% reduction in greenhouse gas emissions by 2025 (compared to 2016/17).

Leicestershire County Council is ahead of target in the delivery of net-zero emissions by 2030. From 2008/09-2020/21, the Council reduced the greenhouse gas emissions from its own operations by 74%. This may have been further supported by impact of Covid-19 in reducing business mileage and emission from our estate.

There are also increasing opportunities to secure external funding and investment to reduce our carbon emissions. The most recent success has been in our bid for decarbonisation funding, securing £3.6m towards works on our key buildings, including expansion of the biomass heating system across County Hall.

However, meeting the ambitious net-zero 2030 target remains a significant challenge, particularly due to the challenging financial position of the council and demands on resources. Our aims and actions to deliver this programme are set out in the section on the 'Clean and Green' outcome ([see here](#)).

9.4 Ways of Working Programme

The Covid-19 pandemic saw a huge shift in organisational culture – with many working from home for the first time. This led to a change in how we work with each other and provide services. There is now a need for greater flexibility and remote working which will be delivered through our Ways of Working Programme.

Our aims by 2026

- All staff have the technology and training needed to do their job effectively
- The way we work embodies continuous improvement, innovation, and ambition
- Council-operated workplaces are a shared resource based on need, where people can collaborate

Our actions

All staff are provided with the technology and training needed to do their job effectively

- Provide all staff with an assigned 'worker style' and the IT kit they need
- Ensure all IT equipment is replaced in good time to ensure technology is effective and productive
- Ensure all staff can work remotely through specialist technology, software and remote access
- Staff meetings to be 'digital by default' - hybrid and face-to-face meetings will be supported

The way we work embodies continuous improvement, innovation, and ambition

- Focus on objectives and outputs not on presenteeism for office-based staff
- Empower staff to choose where they work, whilst prioritising service and customer needs
- Senior leaders and managers to lead by example – champion > role model > challenge

Council-operated workplaces are a shared resource based on need, where staff and customers can collaborate

- Set up workplaces to support collaboration, productivity, wellbeing and customer service
- Prioritise space for activities - flexibility to be the norm with fixed desks kept to minimum
- Encourage staff to work as flexibly as possible, using a mix of workplaces (offices, working from home, remote working) to best meet service and customer needs and support staff wellbeing.



How we will measure success

- Productivity levels
- Business mileage costs
- Property costs and income generation
- Staff wellbeing indicators and sickness absence rates
- Recruitment and retention indicators
- Environmental impact



10. Medium Term Financial Strategy

Delivery of this Strategic Plan is enabled by the Medium Term Financial Strategy (MTFS) which sets out a credible financial plan supporting the aims and actions in the Plan.

The Council is operating in an extremely challenging financial environment following a decade of austerity and spending pressures, particularly from social care. This has been further exacerbated by the Covid-19 pandemic and there is significant uncertainty around future funding levels. Despite this, we will deliver this Strategic Plan by focusing our available resources on the key priorities set out in previous sections.

Our aims by 2026

- Delivered a revenue budget and capital programme which reflected the Council's key priorities
- Maintained a sustainable financial position that ensures the Council is resilient to financial shocks
- An improved financial position for Leicestershire arising from progress on Fair Funding

Our actions

- Raise awareness of our financial position and maintain transparency around our savings proposals
- Target efficiency savings and new income generation before service reductions
- Regularly update assumptions to support the efficient flow of resources to Council priorities
- Promote a culture of forward planning to ensure there is time for corrective action
- Embed financial discipline in decision-making to increase value for money for taxpayers
- Through our Corporate Asset Investment Fund, invest in commercial schemes to generate income



How we will measure success

- Level of risk in the Chartered Institute of Public Finance and Accountancy (CIPFA)'s Financial Resilience Index
- Avoidance of unplanned in-year budget cuts or short-term, reactive actions to resolve unforeseen financial issues

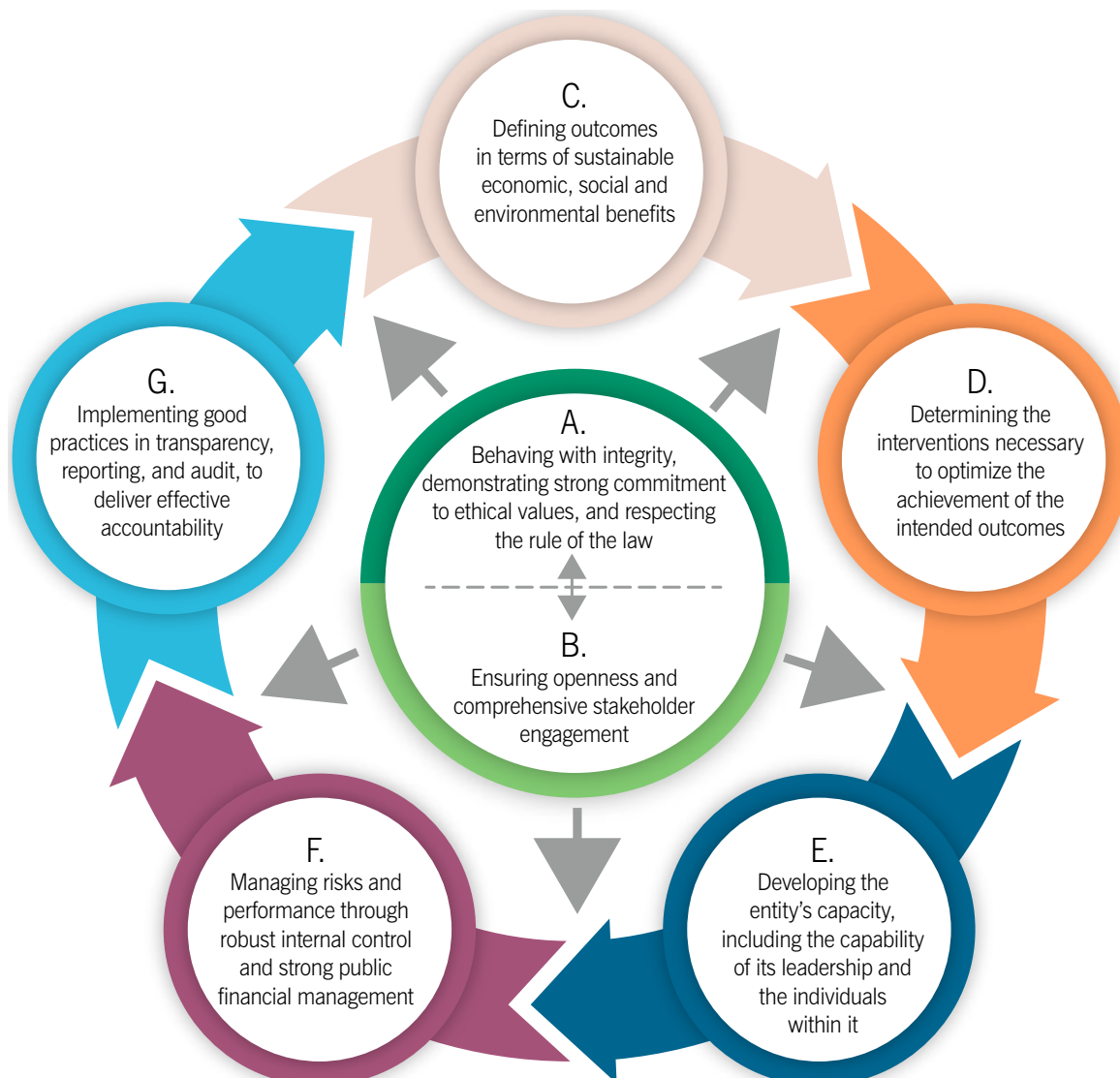
11. Enabling Services

Delivery of this Plan is dependent on a wide range of 'back-office' services such as Finance, IT, HR, Legal, Communications, Property Services, Strategy and Business Intelligence, Democratic Services and Business Support. These organisation-wide functions support frontline services by providing business support based on specialised knowledge, best practice and technology. They also support good governance, ensuring that:

- Resources are directed in accordance with agreed policy and according to priorities
- There is sound and inclusive decision making
- There is clear accountability for the use of those resources

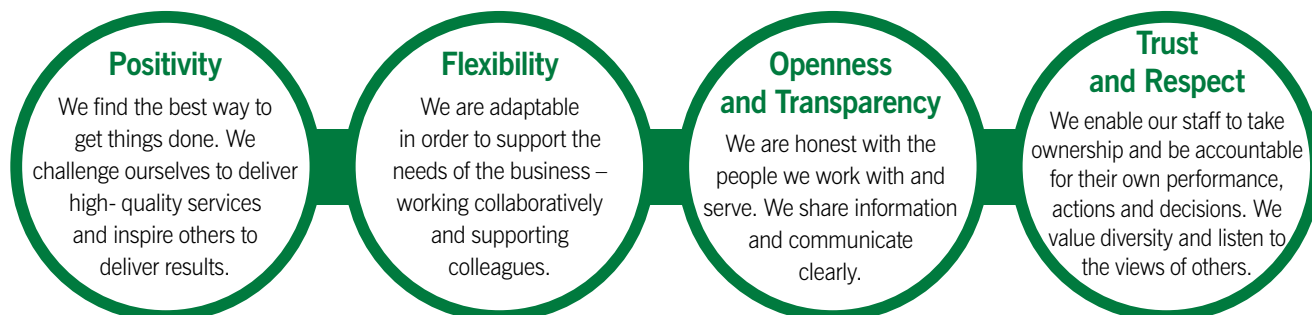
Good governance is about ensuring the Council is doing the right things, in the right way and for the benefit of the communities it serves. It leads to high standards of management, strong performance, effective use of resources and positive outcomes. The diagram to the right illustrates the core principles of good governance which the Council is committed to and how they relate to each other: Principles A and B permeate implementation of principles C to G.

Back-office services have a key role in ensuring that the Council adheres to these principles and achieves positive outcomes for service users. For example, Strategy and Business Intelligence support principle C by assisting decision-makers in defining the Council's overall vision and outcomes. Additionally, Finance support Principle F by enforcing financial discipline, strategic resource allocation and efficient service delivery.



11.1 Leicestershire County Council Values and Behaviours

Good governance flows from shared values and culture. Our values, set out below, underpin everything we do and describe how we will deliver this Plan.



12. Performance Management

The Council's progress and performance in delivering this Plan will be monitored by Outcome Boards.

Council Departments will be required, through their annual service planning processes, to identify actions for each forthcoming year which will help to achieve the aims set out in this Plan. The Outcome Boards will monitor progress in the delivery of these actions, as well as other actions already set out in this Plan. They will also ensure that all Council plans and strategies align with and supports the aims in this Plan.

Outcome Boards will provide 6-monthly highlight reports to our Corporate Management Team in order to inform strategic decision-making and resource allocation. The Council's Scrutiny Committees will receive quarterly updates and our Annual Performance Reports will provide a summary of progress each year.

Consultation Responses and Revisions to the Strategic Plan (2022-26)

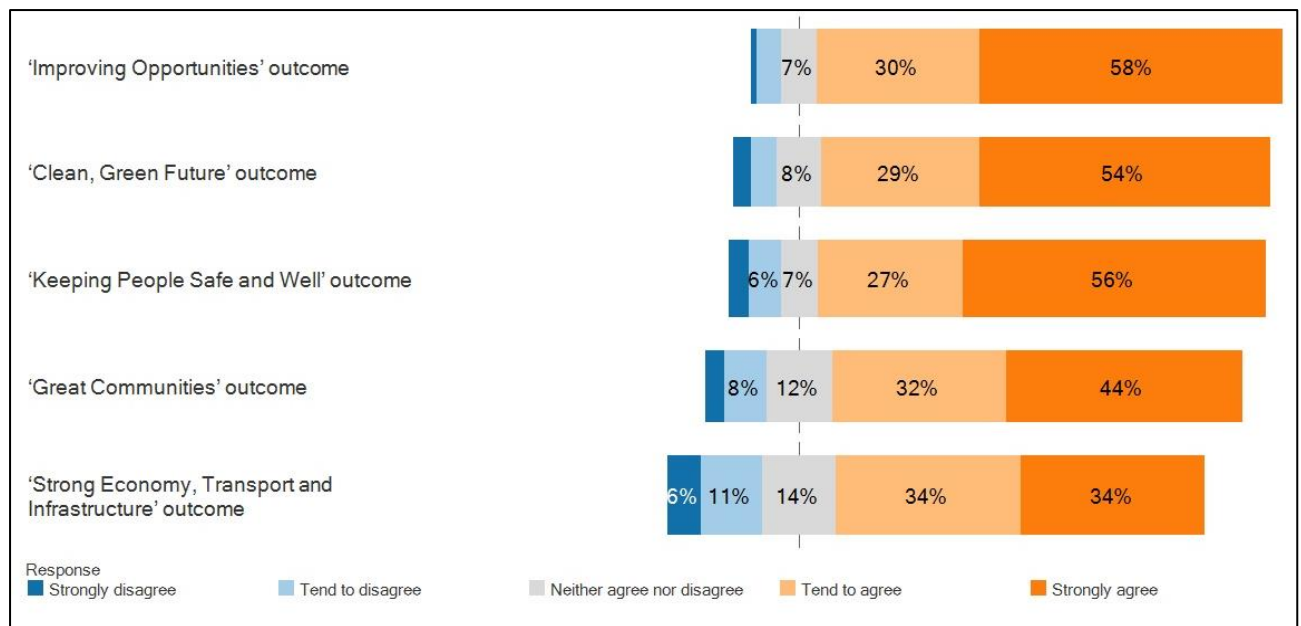
Format and Structure

1. During consultation, there was a view that the Plan was too long and that detail about the Council's actions could be set out separately. Some also commented that whilst the Plan identified what success would look like, it did not adequately quantify this or set a benchmark against which performance could be measured.
2. In addition, some stated that the Plan included aspirations which were outside the Council's control. Recognising that the Council often has a broader role as a partner, enabler and facilitator, it was suggested that the Plan should more clearly differentiate between those aspirations for which the Council would have lead responsibility, and those where it would have a contributing/partnership role; specifying which partners it would work with to deliver the actions in the Plan. Some also challenged the lack of reference to district and borough councils.
3. Response to this feedback:
 - The length of the Plan has been reduced by cutting down on unnecessary text and merging or removing aims and actions where appropriate. Further, images have been added to improve the visual appeal of the document.
 - Quantitative targets tend to be established through annual service planning processes and supporting strategies, as this allows for the targets to reflect current service capacity and pressures. However, quantitative targets have now been added for some aims in the Plan such as those around CO2 emissions and the supporting families programme. Additionally, to provide greater clarity on what the Council is aiming to achieve by 2026, the Plan also now includes, under 'how we will measure success', the key performance indicators which will be monitored to identify if each aim is being achieved. Finally, it should be noted that each sub-outcome in the Plan includes a summary of current performance, which can be used as a benchmark against which to measure future progress.
 - The Plan refers to the need for the Council to 'work with partners' to deliver certain actions and now includes a definition (in the glossary) of 'partners'. It also now refers to collaboration with specific partners, such as district councils, to deliver specific actions. Further, the Plan highlights effective collaboration with district councils. For example, the introduction to the '*Great Communities*' outcome sets out the Council's desire to build upon successful partnerships, such as work with district councils during the Covid-19 pandemic, to establish community hubs to support vulnerable people.

Vision

4. There was a high level of support for the Council's vision. Of the 259 public survey respondents, 79% agreed with the outcomes, with 42% strongly agreeing. Similarly, 79% agreed with the vision statement, with 39% strongly agreeing. Only 10% disagreed. There was particularly strong support for the following outcomes:
 - *'Improving Opportunities'*: 88% agreed, of which 58% strongly agreed
 - *'Clean, Green Future'*: 83% agreed, of which 54% strongly agreed
 - *'Keeping People Safe and Well'*: 83% agreed, of which 56% strongly agreed
5. However, there was less, albeit still substantial, support for the following outcomes:
 - *'Great Communities'*: 76% agreed, of which 44% strongly agreed
 - *'Strong Economy, Transport and Infrastructure'*: 68% agreed, of which 34% strongly agreed (notably 17% disagreed)
6. As will be shown in the relevant sub-section below, it appears that the primary reasons for the lower level of support for the *'Strong Economy, Transport and Infrastructure'* outcome were concerns that housing development would have a negative impact on the environment and may not be accompanied by necessary infrastructure (e.g. schools and public transport networks).
7. Whilst there was significant support for the vision statement (particularly the references to inclusivity, greener living and healthy communities), some stated that it did not add value, as the vision was already summarised by the five outcomes.

Chart 1: The extent to which public survey respondents agreed or disagreed with each outcome



8. Response to this feedback:

- See relevant sub-sections below for response on specific outcomes.
- Removed the single-line vision statement

Clean, Green Future

- The '*Clean, Green Future*' outcome aims for the environment to be protected and to tackle climate change, biodiversity loss and unsustainable resource usage. There was a high level of support for this outcome, as well as for the specific aims which the Council intended to achieve by 2026 to progress towards it. Over 90% of survey respondents rated each of the aims as either 'fairly important' or 'very important'.
- There were, however, concerns that the outcome may not be compatible with the Council's aims to support housing and infrastructure development.

Other requests included:

- Enable and promote sustainable transport
- Attract 'green' / environmentally-friendly businesses
- Educate residents on climate change
- Reduce the volume of waste produced locally
- Work with farmers to tackle climate change
- Remove reference to installation of new gas boilers

11. Response to this feedback:

- Outcome name revised to '*Clean and Green*' to ensure consistency following changes to the names of other outcomes (set out in sub-sections below).
- The Introduction / Foreword now acknowledges the challenges involved in supporting economic growth whilst achieving a '*Clean and Green*' future for Leicestershire and highlights how the Council intends to achieve this.
- Further actions have been added to sub-outcomes 4.1 (community action to tackle climate change), 4.4 (low carbon economy) and 7.2 (sustainable infrastructure) to show how the Council will enable and promote cycling and walking through enhanced infrastructure, cycle information and training, as well as and work with partners to improve bus and rail services.
- An action has been added to sub-outcome 4.4 (low carbon economy) to work with partners to enhance the capacity of SMEs to supply low-carbon products and services, expand links between businesses and universities to enhance low-carbon research and development and develop a central integrated hub for demonstration of low-carbon technology.
- The Plan includes an action (sub-outcome 4.1) to raise environmental awareness amongst communities and businesses to promote positive action.
- The Plan now includes under sub-outcome 4.3 (sustainable resource usage) actions to reduce the volume of waste produced in Leicestershire, including supporting the national Love Food Hate Waste campaign, delivering food waste prevention classes and providing a SHIRE Environment Grant scheme to enable communities to conduct their own waste prevention activities.
- The Plan includes an action under sub-outcome 4.2 (nature) to support sustainable farming practices which maintain and enhance biodiversity.
- Removed the reference under sub-outcome 4.1 (community action to tackle climate change) to installing new gas boilers through Warm Homes. The action is now to support people to be more efficient in energy and water use.
- Further detail on how the Council will deliver the actions above will be set out in relevant supporting strategies such as the Council's Environment Strategy.

Great Communities

12. The '*Great Communities*' outcome aims for inclusive communities in which people support each other and participate in service design and delivery. Whilst most agreed with the outcome, there was varied support for the Council's aims by 2026.
13. There was significant support for the aims to:
 - Ensure Council services are accessible and inclusive

- Support the Voluntary, Community and Social Enterprise (VCSE) sector
- Increase community cohesion and tackling hate crime
- Increase the % of residents who feel they can influence Council decisions

14. However, there was less support for the aims to:

- Increase engagement in cultural and heritage activities
- Sustain the increase in volunteering seen during the pandemic
- Increase the number of Neighbourhood Plans adopted
- Increase the number of active Community Response Plans

15. Similarly, during the 3 staff briefings on the draft revised Strategic Plan, the aim around cultural and heritage activities was consistently seen as the least important.

16. Feedback suggested that the aim to sustain a high rate of volunteering was perceived by some to indicate the Council attempting to shift its responsibilities onto unpaid volunteers. Some requested that the Plan highlight the role of Councillors in enabling residents to influence Council decisions. There was also a view that the action under sub-outcome 5.2 (public participation) to support town and parish councils indicated insufficient acknowledgement of 'non-parished' areas.

17. Response to this feedback:

- A sentence has been added under sub-outcome 5.4 (volunteering) to clarify that the Council aims to support volunteering opportunities and activity as it recognises the significant contribution which volunteers make in delivering wider community benefit beyond the Council's direct service provision.
- Revised wording of the aim for a 'sustained increase in volunteering post-pandemic' to read 'There is a wide variety of volunteering opportunities and activity across Council services'. This reflects feedback that the aims should be more focused on areas over which the Council has direct control.
- The aim under sub-outcome 5.2 (public participation) to 'increase the number of Neighbourhood Plans adopted' has been removed, as feedback suggests that this was not seen as important, and it was challenged on the basis that it is not a County Council function. The Plan still, however, includes an action for the Council to support development of Neighbourhood Plans as this helps to achieve the aim of 'increasing the proportion of residents who feel they can influence Council decisions'.
- The Plan now refers in sub-outcome 5.2 (public participation) to the role of County Councillors in representing the needs and interests of residents. However, it sets out the Council's desire to improve how it

engages with residents in service design and delivery so that more residents feel they can influence Council decisions.

- The actions in sub-outcome 5.2 (public participation) show how the Council intends to engage all residents in service design and delivery – not just those from areas with a Town or Parish Council. To further emphasise this, the action to support town and parish councils in their roles as providers of community-managed services and community leaders has been expanded to include supporting the Voluntary, Community and Social Enterprise (VCSE) sector, which covers both ‘parished’ and ‘non-parished’ areas.

Improving Opportunities

18. The *‘Improving Opportunities’* outcome aims for every child to get the best start for life with access to a good quality education and for everyone to have the opportunities they need to fulfil their potential. It was the most popular outcome, with each of the Council’s aims to deliver it rated as either fairly or very important by over 90% of survey respondents, and over 60% rating each aim as ‘very important’.
19. However, some suggested that the outcome may not be achievable due to reductions in youth and education services. There was also a view that to deliver the outcome mainstream schools would need more resources to support children with special educational needs who have an Education, Health and Care Plan.
20. Although the emphasis on children and families was welcomed, there was a view that the outcome should also focus on supporting young people and adults to access education and employment opportunities.
21. Other requests included:
 - Promote alternative career paths to university (e.g. vocational routes)
 - Highlight the role of libraries (e.g. reading sessions for children)
 - Add more detail on how families will be supported to be self-sufficient
 - Revise targets around post-16 outcomes to be more ambitious
 - Revise outcome name to ‘Improved Opportunities’ to support consistency
22. Response to this feedback:
 - The name of the outcome has been revised to *‘Improved Opportunities’*.
 - The Council’s aims to progress towards this outcome by 2026 are considered realistic and attainable, despite funding pressures.
 - The Plan highlights the Council’s intention for most children with special educational needs (SEND) to have their needs met in a mainstream school setting at the lower level of support (SEN Support). It also includes an action to help ensure mainstream schools have the resources to promote inclusion.

- Sub-outcome 6.4, 'everyone is able to aim high and reach their full potential', has been revised to read 'young people and adults are able to aim high and reach their full potential' to reflect that it is focused on ensuring people can access education and employment from age 16 onwards.
- The Council is keen to promote youth pathways into employment including academic and vocational routes. The Plan includes under sub-outcome 6.4 actions to ensure young people receive individualised careers guidance and can access alternative education providers if formal education is not suitable. There are also actions under sub-outcome 7.1 (skills) to help improve further education facilities and promote apprenticeships. An action has been added to this sub-outcome to 'be a delivery partner with the European Social Fund Employment Hub (until 2023) which promotes apprenticeship opportunities to businesses'. Additionally, an action has been added to sub-outcome 6.4 (post-16 outcomes) to work with partners through the Local Enterprise Partnership to support the Enterprise Adviser Network which inspires and prepares young people for the world of work, by linking business/employer volunteers (Enterprise Advisers) with schools and colleges.
- The aims to progress towards sub-outcome 6.4 (post-16 outcomes) by 2026 have been revised to be more ambitious. They now aim for Leicestershire to be in the best performing 25% of counties for the rate of young people who are not in education, employment or training (NEET), to remain in the best performing 25% of counties for the percentage of people with learning disabilities who in paid employment and the percentage who are living independently. The sub-outcome also includes an aim for the percentages of people in contact with secondary mental health services who are in paid employment / living independently to be above the national average – this is because Leicestershire performs below the national average in this area currently, so it is considered realistic and achievable (i.e. not too ambitious) to aim for above the national average in this specific area by 2026
- The Plan now includes under sub-outcomes 6.1 (early years) and 7.1 (skills) actions to provide learning opportunities through libraries and adult learning.
- The Plan sets out under sub-outcome 6.3 (family resilience) how the Council will support families to be resilient and self-sufficient. This includes providing information and advice, supporting families in a crisis, early identification and prevention and assisting families who decide to educate their child at home.

Strong Economy, Transport and Infrastructure

23. The '*Strong Economy, Transport and Infrastructure*' outcome aspires for Leicestershire to have a productive, inclusive and sustainable economy and infrastructure which meets the demands of a growing population and economy.

24. As outlined previously, it was consistently the least popular of the 5 outcomes. Public survey feedback considered the aim around housing development to be the least important, with 42% respondents describing it as either not at all important (23%) or not very important (19%). During both the public survey and the 3 County Council staff briefings on the Plan, this aim was consistently rated as the least important of all aims in the Plan.
25. There was also relatively low support for the aims to support Research and Development (R&D), increase the number of businesses in Leicestershire and ensure there are sufficient employment sites for growth. However, there was a high level of support for increasing labour market opportunities for young people, addressing skills shortages, supporting inclusive economic growth, and ensuring infrastructure supports growth and net zero emissions.
26. It seems that the aim to support housing development was least popular due to concerns that it would undermine delivery of a 'Clean and Green' future in Leicestershire due to the building of new houses in greenfield areas. This led some to request clarification on which is a greater priority to the Council between 'green' and 'growth'. There were also concerns that new houses may not be supported by necessary infrastructure (e.g. schools, health facilities and public transport).
27. There was also a frequent theme around the need to better enable and promote sustainable transport, such as cycling and walking as well as affordable and frequent buses and trains. It was suggested that achieving the aims for this outcome would require investment in this area to avoid excessive congestion.
28. Other requests included:
 - Highlight the role of libraries in supporting skills and employment
 - Clarify how the Council will support green technologies
 - Build networks between schools and employers to address skills gaps
 - Encourage businesses to commit to more apprenticeships
 - Focus less on supporting logistics sector and more on growth sectors
29. Response to this feedback:
 - Removed the sub-outcome around housing, with the key actions to support housing development shown instead to support the infrastructure sub-outcome (7.2). This reflects the low popularity of the aims around housing, as well as the fact that the planning of housing is a district council responsibility rather than the County Council. Further, listing the actions to support housing provision in the sub-outcome around infrastructure highlights that the Council considers the wider infrastructure requirements of housing developments.
 - Removed the aim 'sufficient employment sites and premises for growth'
 - The Introduction / Foreword now acknowledges the challenges involved in supporting economic growth whilst achieving a 'Clean and

Green' future for Leicestershire and highlights how the Council intends to achieve this.

- Actions have been added to sub-outcome 7.2 (infrastructure) for the Council to enable and promote cycling and walking through enhanced infrastructure and to deliver a Bus Service Improvement Plan as well as work with Midlands Connect to improve passenger rail services.
- Sub-outcome 7.1 (skills) highlights the role of libraries in supporting skills.
- Sub-outcome 4.4 (low carbon economy) includes an action to work with partners to develop the training and skills routes required for zero carbon development. It also includes a new action to work with partners to enhance the capacity of SMEs to supply low-carbon products and services, expand links between businesses and universities to enhance low-carbon research and development and develop a hub to demonstrate low-carbon technology
- Sub-outcome 7.1 (skills) includes an action to provide information, advice and guidance on the labour market to parents, teachers and young people – this may help to build networks between schools and businesses. This sub-outcome also includes an action to help develop an Apprenticeship Action Plan which will help increase apprenticeship opportunities in the county. A further action has been added to sub-outcome 6.4 (post-16 outcomes) for the Council to work with partners through the Local Enterprise Partnership to support the Enterprise Adviser Network which inspires and prepares young people for the world of work, by linking business/ employer volunteers (Enterprise Advisers) with local schools and colleges.
- Logistics and manufacturing are key economic sectors in Leicestershire. The Council aims to support these sectors and other growth sectors such as life sciences, low carbon technologies, creative industries and aerospace.

Keeping People Safe and Well

30. The '*Keeping People Safe and Well*' outcome aims for the people of Leicestershire to be safe and protected from harm and to have the opportunities and support they need to take control of their health and wellbeing.
31. There was a high level of support for this outcome and for all the Council's aims to progress towards it by 2026, with over 90% public survey respondents agreeing with each aim and the majority 'strongly agreeing'. There was significant support for each aim, particularly those focused on community safety, vulnerable people, mental wellbeing, unpaid carers and care experiences. The aim with the least support was for more residents to be a healthy weight.
32. Some questioned the level of influence which the County Council has over areas such as crime levels, preventing young people from engaging in criminal activity and increasing the proportion of residents with a healthy weight. It was highlighted that achieving these aims would require

partnership-working with other public agencies such as the NHS, Police and district councils and that the aim around healthy weight would rely on individuals taking responsibility for their own wellbeing.

33. There was also a view that the Plan should outline how the Council is intending to support road safety, such as through education and highway design. Further, some requested clarification on how the Council would address substance misuse. Additionally, there was a request to highlight how the Council would promote access to green space in order to support its aims around wellbeing.
34. Other requests included:
 - Revise outcome name to '*Safe and Well*' for consistency
 - Involve unpaid carers in service design and support them to make their views known by advocating for them
 - Highlight how sustainable transport supports wellbeing
 - Invest in the training of the social care workforce
 - Refer to tackling scammers and fraud
 - Strengthen reference to meeting accommodation needs of frail and/or disabled people; and making properties accessible during development
 - Increase reference to usage of assistive digital technology
35. Response to this feedback:
 - Outcome name revised to '*Safe and Well*' – note this change also led to the '*Clean, Green Future*' outcome being re-named to '*Clean and Green*'
 - Highlighted the specific partner agencies which the Council will need to work with to deliver the aims for this outcome and removed the aim for 'less crime and fear of crime', recognising that this is a Police responsibility. This aim is now instead focused on ensuring more residents feel safe in their local area.
 - Actions added to sub-outcome 8.1 (community safety) to support road safety such as delivering the Safety Camera Scheme, Driver Education Workshops, Community Speed Enforcement and develop a Road Safety Strategy
 - An action has been added to sub-outcome 8.3 (public health / wellbeing) to 'Deliver our Substance Misuse Strategy (2020-23) to support people to make informed healthy lifestyle choices to reduce the harm caused by alcohol and drug misuse and improve their wellbeing'.
 - An action has been added to sub-outcome 8.3 (public health / wellbeing) to 'Ensure that residential planning applications by the County Council for its land enable public access to green space, and support district and borough councils to develop plans to improve public access to green space'. Also added under 'how we will measure success' is a new performance indicator showing levels of public access to green space.

- An action under sub-outcome 8.4 (care experiences) has been revised to 'Provide opportunities for carers to inform and shape service development'.
- Highlighted in sub-outcome 8.3 (public health / wellbeing) that we are living in an obesogenic environment, with an abundance of energy dense food, motorised transport and sedentary lifestyles. Added that there is a need to work with partners to improve the healthy weight environment such as by promoting sustainable/active travel, reducing the number of fast food outlets and providing people with skills and resources to cook and eat healthily
- A further action has been added to sub-outcome 8.4 (care experiences) for the Council to 'Recruit and train an appropriately skilled and resilient social care workforce, whilst inspiring more people to work in the sector and improving job satisfaction through rewarding careers and opportunities'
- Sub-outcome 8.1 (community safety) includes actions to work with partners to raise awareness of and tackle scammers and rogue traders who exploit vulnerable consumers and to enforce food and product safety standards
- Sub-outcome 7.2 (infrastructure) now highlights that the number of older people living in Leicestershire is forecast to increase significantly and that this will necessitate the development of housing which is accessible for those who are frail and/or disabled. It also includes a revised action to deliver our Social Care Investment Plan to secure suitable accommodation choices for social care service users, including those who are frail and/or disabled.
- Sub-outcome 8.4 (care experiences) includes an action to 'provide effective crisis response, reablement services, equipment, and technology to enable people to be self-reliant' and a new action has been added to 'work with partners to develop an outcomes-led technology service which provides carers and/or those with care needs with the right technology and guides people to technology which can enable them to live independently for longer'

Strategic Change Portfolio

36. The Strategic Plan also includes a section on the Council's internal transformation programme, the Strategic Change Portfolio. This outlines the purpose, aims and actions of the 'four pillars' of this programme: Sustainable Finances, Carbon Reduction, Customer and Digital and Ways of Working.
37. During the consultation, there was a concern raised by the Leicestershire Equality Challenge Group (LECG) and others that increased adoption of digital services through the Customer and Digital Programme may lead to 'digital exclusion' whereby some people are unable to access services due to lack of digital technology and/or digital skills. It was suggested that this could exacerbate social and economic inequalities. There was a request to reflect how the Council will support digital participation for all and to include actions to ensure everyone can access reliable broadband and learn how to use digital technology.

38. Response to this feedback:

- Increased adoption of digital services through the Customer and Digital Programme is about making the online customer journeys easy to use so that services are easier to access. Sub-section 9.2 of the Plan (the Customer and Digital Programme) includes an action to understand and mitigate the impact of digitalisation and channel development on groups with protected characteristics. A new action has been added to ensure services are accessible through multiple channels (e.g. mediated digital access, telephone support and face-to-face channels) so that no groups are excluded. A further action has been added to develop a community-based programme to support residents to learn how to use digital technology.
- The Strategic Plan also highlights under sub-outcome 7.2 (infrastructure) the 'digital divide' caused by differential access to reliable broadband. There is an action to work with partners through the Local Enterprise Partnership to improve broadband, Wi-Fi and 5G connectivity across Leicestershire and define and implement the Council's first digital connectivity strategy.

**CABINET – 29 MARCH 2022****LEICESTERSHIRE COUNTY COUNCIL COMMUNITIES
STRATEGY -
OUR COMMUNITIES APPROACH 2022-26****REPORT OF THE CHIEF EXECUTIVE****PART A****Purpose of Report**

1. The purpose of this report is to present to the Cabinet the outcome of engagement on the draft Leicestershire County Council Communities Strategy - Our Communities Approach 2022-26 and to seek approval for the revised draft Strategy to be submitted to the County Council for approval.

Recommendation

2. It is recommended that;
 - a. The outcome of engagement on the draft Communities Strategy: Leicestershire County Council - Our Communities Approach 2022-26 be noted:
 - b. The revised draft Communities Strategy: Leicestershire County Council - Our Communities Approach 2022-26 (appended to this report) be submitted to the County Council for approval on 18 May 2022.

Reason for Recommendation

3. To note feedback from engagement and how this has informed the final draft of the revised Leicestershire County Council Communities Strategy - Our Communities Approach 2022-26.
4. Approval of the draft Strategy will enable implementation of the Communities Approach which will support delivery of the Council's Strategic Plan.

Timetable for Decisions (including Scrutiny)

5. The results of the engagement process and the revised draft Communities Strategy were considered by the Scrutiny Commission on 9 March 2022 (the Appendix and paragraphs 21 and 22 below refer).

6. It is intended that the final Communities Strategy will be submitted to the County Council for approval on 18 May 2022.

Policy Framework and Previous Decisions

7. The Cabinet approved the current Communities Strategy 2017-21 on 12 December 2017. The draft refreshed Leicestershire County Council Communities Strategy: - Our Communities Approach 2022-26 (henceforth referred to in the report as 'The Communities Approach') was approved for engagement with stakeholders by the Cabinet on 26 October 2021.
8. The Communities Approach will continue to enable delivery of all outcomes of the Council's revised Strategic Plan (which is the subject of a separate report on this agenda) and will set out how (through the Communities Approach) the Council will seek to achieve its priority outcomes.
9. The Communities Approach will complement and support government objectives to "build back better" after the pandemic and to "level-up" prosperity and opportunity by enabling and supporting communities to achieve their goals through co-production and collaboration with communities and building community capacity and assets.

Resource Implications

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

Circulation under the Local Issues Alert Procedure

A copy of this report will be sent to all members of the County Council.

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PART B

Background

Development of the revised Communities Approach 2022-26

12. The existing Communities Strategy 2017-21 sets out the Council's continuing commitment to work in partnership to support, strengthen and empower communities. It adopted 'a glass-half full' approach to build on and develop new relationships, values and culture within the County Council and with communities that could support and enable 'how' the Council operates.
13. Since the adoption of the existing Strategy there has been a notable shift amongst commentators, think-tanks, policy developers and the Government to change how the public sector operates, with a greater emphasis on how it collaborates with communities and where and how decisions are made. The shift towards greater community involvement and collaboration is reflected in the revised Communities Approach which should be viewed as the model for 'how' solutions can be achieved.
14. The work to develop the draft Communities Approach has been guided by the following key influences:
 - Recognising and learning from the difference made from the various approaches embedded within the County Council.
 - The role and significance of civil society (communities and the voluntary, community and social enterprise sector) prior to and during Covid-19 (including social action and community responses).
 - A focus on recovery and how the County Council can support and enable the Government's levelling up/build back better agenda with communities.

Engagement feedback

15. The Cabinet, at its meeting on 26 October 2021, approved engagement with stakeholders on the draft Communities Approach between 1 November 2021 and 21 January 2022. This engagement period was subsequently extended to 18 February 2022 to coordinate with the extended timescale for consultation on the draft revised Strategic Plan and to allow time for additional input to development of the revised Approach. Engagement was used to gather insight and understanding about Leicestershire Communities and the approach that the Council proposes.
16. The engagement process invited contributions the Leicestershire Equalities Challenge Group, parish and town councils, other public sector partners and the voluntary and community sector including Voluntary Action Leicestershire and the RCC (previously known as the Rural Community Council) and colleagues. The methods of engagement included a survey and dissemination of information through newsletters

and briefings, with opportunities to feedback via group discussions, email responses and an on-line questionnaire. The engagement process was promoted via web articles and newsfeeds, social media and briefing meetings with stakeholder groups and organisations.

17. The questionnaire survey on the Leicestershire Communities website was the focus for community feedback and 97 responses were received. In addition to the survey, feedback was also received through meetings, letters, and stakeholder briefings.
18. Feedback from the engagement process showed support for the principles identified in the Communities Approach (73% agreeing, 24 % undecided and 3% disagreeing) including community empowerment, the role and potential of communities and the individuals, groups, and buildings within them. Other feedback received included calls for prioritisation of principles and actions, more clarification and information on how principles translate to action, recognition of the continuing value of the public as well as voluntary service delivery and broad and early co-production engagement starting with issues definition.
19. The engagement identified support for the objective to help communities to design and deliver solutions (60% agreeing, 19% undecided and 21% disagreeing) with suggestions for increased support in areas such as community buildings and mental health and wellbeing. A number of comments also promoted enhanced engagement with communities, including the most disadvantaged, and openness to community ideas and initiatives. Others called for the principles to be embedded across the Authority and highlighted the value of providing advice and support for communities and community groups.
20. There was a broad spread of opinion on the strength of local assets with 40% rating local resources as strong, 36% rating them as neither weak or strong and 24% rating them as weak. Views on how the Council could collaborate with communities to further strengthen community assets centred on support for enhancement of physical assets such as community centres and village halls and an identified need for improved and sustained communication and deepening trusting relationships with stakeholders. There were also suggestions for increased recognition/funding of, and collaboration with, communities and increased devolution of power to communities and parish councils. Feedback highlighted the value of joint working with parish and town councils, district councils and communities in non-parished areas. Many positive examples of community collaboration were put forward as part of the engagement, with many people highlighting valuable community services delivered by/from community venues including community managed libraries, church halls, community cafes, community centres/village halls and heritage centres.

Comments of the Scrutiny Commission

21. The engagement draft Communities Approach was considered by the Scrutiny Commission at its meeting on 17 November 2021 and points

made by Members at that meeting have been taken into account in the revised Communities Approach as follows;

- The Council should continue to support communities to come together and address local issues – the revised Approach has an increased focus on supporting empowerment, participation and enabling social action.
- Prevention will continue to be of critical importance – there is a continuing focus on prevention in the revised Approach.
- Unparished areas and the issues affecting them are not adequately represented in the draft Approach – the revised Approach highlights that the Council will continue to work with a wide range of voluntary and other groups that operate in non-parished areas.
- There should be increased clarity around infrastructure support available via the RCC and the Leicestershire and Rutland County Association for Town and Parish Councils – delivery of the revised Approach will include a focus on enhanced communication including on how support services complement each other.
- The vital role of volunteers should be further supported – support for volunteering is a focus of the revised Approach.

22. The outcome of engagement and the revised Communities Approach were considered by the Scrutiny Commission at its meeting on 9th March 2022 and arising from discussion, the following points were made:

- Members welcomed the broad level of engagement undertaken and the conversations held with communities to seek their views on the Council's proposed Approach. It was acknowledged that the process had focused on ensuring good quality feedback and that this had provided some useful insights and helped to shape and inform the planned way forward.
- The Commission was pleased that there was overall support for the Approach but acknowledged requests for further embedding existing practices and building on partnership working and what people were already doing within their communities.
- The Members were satisfied that its comments and concerns previously made had been addressed and complimented the revised Strategy, which was clear and focused, easy to follow and engaging. Members also welcomed the inclusion of hyperlinks which easily signposted communities to useful information and support available.
- A Member commented that the Strategy would be a valued document and support elected members in their role as community leaders.

23. The Scrutiny Commission resolved:

- That the revised draft Communities Strategy: Leicestershire County Council– Our Communities Approach 2022-26 be welcomed and supported;
- That the comments now made by the Commission be reported to the Cabinet at its meeting on 29th March 2022.

The revised Communities Approach

24. The engagement draft of the Communities Approach was designed specifically to promote co-production of the Council's approach to working with communities and to encourage consideration, debate and feedback on the background, context and emerging direction of a future Approach. The revised Communities Approach retains the format of the engagement draft but has been restructured. The narrative and emphasis on previous work, policy development and context has been revised while the principles, themes and implementation objectives have been enhanced.
25. Engagement feedback has been taken into account and the revised draft includes increased explanation of the meaning of key concepts, and the mechanisms for embedding the principles within the Authority and for promoting them to partners.
26. The principles of the revised Communities Approach build on the priorities of the existing Strategy and cut across all Outcomes of the revised Strategic Plan. The principles, revised in light of engagement feedback, are outlined below;
 - **Prevention:** Supporting and enabling citizens to help themselves and others. This is about how the Council works towards this and how the Authority communicates this with communities. Focus must be on how the information and advice produced underpins prevention and reduces demand, ensuring that it is accessible, relevant, and timely.
 - **Participation:** The Council will work across services, departments and with partners and will be led by its work with citizens and communities. Through listening and conversations and by building trusting relationships solutions will be collaboratively defined and designed locally.
 - **Catalysts:** Voluntary and community sector organisations, social enterprises and parish and town councils are supported and empowered to collaborate and provide a range of effective services and activities for individuals and communities.
27. The principles of the Approach will be supported by the Strategic Plan and associated Council plans and the delivery model will be underpinned by the themes of an asset-based approach centred on the strengths of local communities, and social action.
28. This change has also led to the replacement of the Principle of Engagement with one centred on Participation that better reflects the ambition to work with and alongside partners and communities in collaboration and reflects the partnership sub-objective of the Strategic Plan.
29. To augment the Communities Approach whilst retaining a shorter document, a dedicated resource has been developed on the Leicestershire Communities Website (www.leicestershirecommunities.org.uk). This focuses on asset-based thinking and doing and features local and national examples, academic

research and case studies that identify and demonstrate how activities can support the principles of the Communities Approach and the Outcomes of the revised Strategic plan.

Equalities and Human Rights implications

30. An Equality and Human Rights Impact Assessment Screening has been carried out on the revised Communities Approach. The screening assessment concluded that the implementation of the Communities Approach 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.

Background Papers

Report to the Cabinet – Working Together to Build Great Communities in Leicestershire: The Leicestershire Communities Strategy 2017-21 - 12 December 2017

<http://politics.leics.gov.uk/documents/s134009/FINAL%20Communities%20Strategy%20report.pdf>

Report to the Cabinet – Draft Communities Strategy: Leicestershire County Council Collaborating with our Communities- Our Communities Approach 2022-26 – 26th October 2021

<http://politics.leics.gov.uk/documents/g6447/Public%20reports%20pack%20Tuesday%2026-Oct-2021%2014.00%20Cabinet.pdf?T=10>

Report to Scrutiny Commission - Draft Communities Strategy: Leicestershire County Council Collaborating with our Communities- Our Communities Approach 2022-26 – 17th November 2021

<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=137&MId=6747&Ver=4>

Report to the Scrutiny Commission – 9 March 2022 – Draft Communities Strategy – Leicestershire County Council Collaborating with our Communities, our Communities Approach 2022-26

<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=137&MId=6868&Ver=4>

Appendix

Draft Communities Strategy: Leicestershire County Council, our Communities Approach 2022-26

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Leicestershire Communities

Leicestershire County Council

Communities Strategy

Our Communities Approach 2022 - 26 Final Draft



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Foreword



Mrs Pam Posnett, CC,
Cabinet Lead Member Community and Staff Relations

It is heartening to see that collaboration and working alongside Leicestershire Communities is at the forefront of the way in which the county council makes its plans and delivers its services. This approach has guided our work for many years, and there are many inspiring examples of what has been jointly achieved, but there are also opportunities to go further and I am delighted that this strategy makes a strong commitment to fully embed a way of working centred on an asset-based approach and the value of social action.

Every community has a tremendous supply of assets including people, skills, land and buildings and networks that can be used to build the community and solve the challenges that require a shared commitment and a willingness to come together.

The approach of communities and the council to the Covid 19 pandemic is testament to this and has also informed our Communities Approach.

This document, sets out a way of working for the council over the coming years. I would like to thank everyone for their contributions in the development of this revised strategy and I look forward to working with you all as we take our next steps and make plans to embed the Approach.

“I am delighted that this draft strategy makes a strong commitment to fully embed a way of working centred on an asset-based approach and the value of social action.”



Introduction

Our Communities Approach sets out our aspirations to strengthen and further embed Leicestershire County Council's approach to decision making and to designing and delivering public services in Leicestershire. Formerly known as the Leicestershire Communities Strategy, this refreshed and updated Our Communities Approach has been informed by:

Recognising and learning from the difference made by approaches to working with communities that have become embedded within the county council and growing these,

The role and significance of civil society (communities and the Voluntary, Community and Social Enterprise Sector [VCSE]) prior to and during covid-19 (including social action and community responses)

A focus on recovery from the pandemic and the plans for levelling up.

Our first Communities Strategy 2014-17 was delivered against the backdrop of austerity measures and at a time when making efficiencies, within a market-led, transaction-based public service framework was required. The impact of these measures meant that adopting new models of delivery and relationships with citizens was needed to mitigate the impacts of reduced resources on Leicestershire communities.

New models were beginning to be adopted and during this period we saw the establishment of Community Managed Libraries, the creation of Local Area Coordinators within Leicestershire and, with more savings needed, a continued commitment to support our communities and voluntary sector through grants and commissioned activities, albeit within a reduced resource envelope.

The aim of the Communities Strategy 2017-21 'Working Together to Build Great Communities' was to move away from the dire warnings of the previous few years and to look at 'what can be done.' This aim was underpinned by 4 Key Priorities:

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 & Town 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, and open to new ways of working

The Strategy introduced asset-based approaches to support and enable 'how' we do things. It has helped change our thinking and provided the impetus to collaborative solutions that have developed new relationships, values and culture within the county council and with our communities.



Our Communities Approach 2022-26

Principles of the Strategy

The principals outlined in this refreshed Strategy build on and incorporate the Priorities of the Communities Strategy 2017-21.

Prevention - (Priority 1 - Helping people to help themselves and others)

Supporting and enabling citizens to help themselves and others. This is about how the whole council works towards providing preventative and self-help support and how we communicate this with our communities.

Participation - (Priority 2 - Work in collaboration & Priority 4-Be outward focused)

The Council will work across services, departments and with partners including districts, health, blue light services and businesses but will be led by our work with our citizens and communities.

Catalysts - (Priority 3 - Supporting Voluntary and Community Sector organisations, Social Enterprises (VCSE) & Town & Parish Council service provision)

Voluntary and Community Sector organisations, Social Enterprises and Parish & Town Councils are supported and empowered to collaborate and provide a range of effective services and activities for individuals and communities.

Model

The Principles of our Communities Approach are underpinned by asset-based thinking and doing and social action. These concepts were introduced in our Strategy 2017-21 and we want to reiterate and emphasise them as the model for delivery for the county council over the next 4 years.

(Please see Pages 13-16 for further information on the Principles and Model)



Key Achievements 2017-21

Supporting Voluntary, Community Social Enterprise (VCSE) infrastructure and community organisations

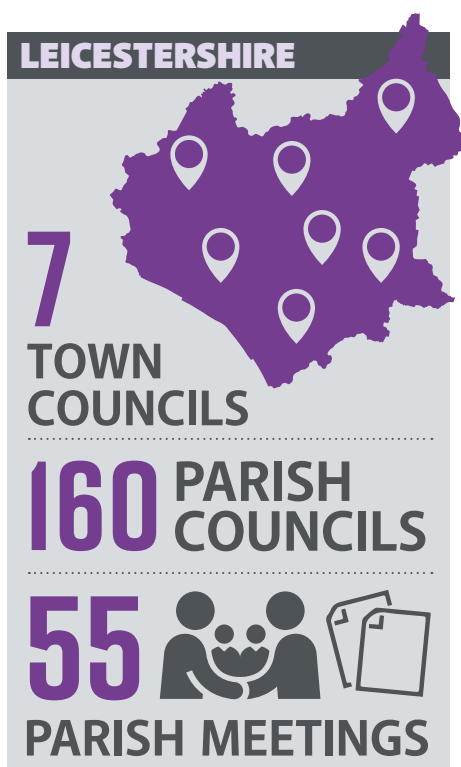
*Leicestershire has a dynamic and diverse VCSE, with **over 3,000** different organisations operating across the county, ranging from **small grassroots groups**, to **social enterprises** and **national charities**.*

These organisations have a strong track record of innovation and responsiveness to communities and are an essential part of improving the lives of people across the county.

Support for the VCSE in Leicestershire is provided by an infrastructure services contract that is delivered by Voluntary Action Leicestershire (VAL) <https://valonline.org.uk/> The service is jointly commissioned with West Leicestershire Clinical Commissioning Group and East Leicestershire and Rutland Clinical Commissioning Group. It is aligned to the shared objectives of the county council and CCGs around managing demand through early/ community level intervention and prevention, increasing community resilience and more effective delivery of services by community groups. The Service brings together commissioners and sector groups in information, advice and learning events, provides advice and support around topics such as governance, group development and funding and promotes, develops and supports volunteering.

In addition to the infrastructure contract, support for the VCSE in Leicestershire is also enabled by a contract with CASE (Cooperative and Social Enterprise Development Agency) <https://case.coop/> to provide support for social enterprise development and a grant to the RCC to provide assistance for Community Buildings; an invaluable resource where community activities take place, where people meet and from where services are delivered.





Supporting Town & Parish Councils

Leicestershire has a total of 7 Town Councils, 160 Parish Councils and 55 Parish Meetings. The council works closely with the Leicestershire & Rutland Association of Local Councils (LRALC) to support Town and Parish Councils and Meetings and has a Grant Agreement with the Association to help enable this support.

The key elements of the agreement are around engagement with the Sector and enhancing the role of the local councils.

A new website – A-Roads to Zebras’ – has been developed to support Parish & Town Councils with Highways related queries and applications. Meetings, briefings, and training sessions have taken place on the ‘Climate Emergency’. These will help shape the support we offer to Parish & Town Councils in responding to our Net Zero goal.

Embedding Asset Based Approaches

An asset-based approach is one that harnesses the skills, knowledge, connections and potential which already exist within communities. Through a combination of influencing and direct delivery a range of asset-based projects and programmes have been supported and delivered working with peers and colleagues, local, regional and national partners and Leicestershire communities and citizens.

With partners from health and the VCSE we have designed and delivered a long-term asset-based development programme running over 6 months that has resulted in a number of collaborative, practical new initiatives. We have also facilitated sessions with partners such as Town and Parish Councils and, by invitation, delivered workshops to partner conferences.

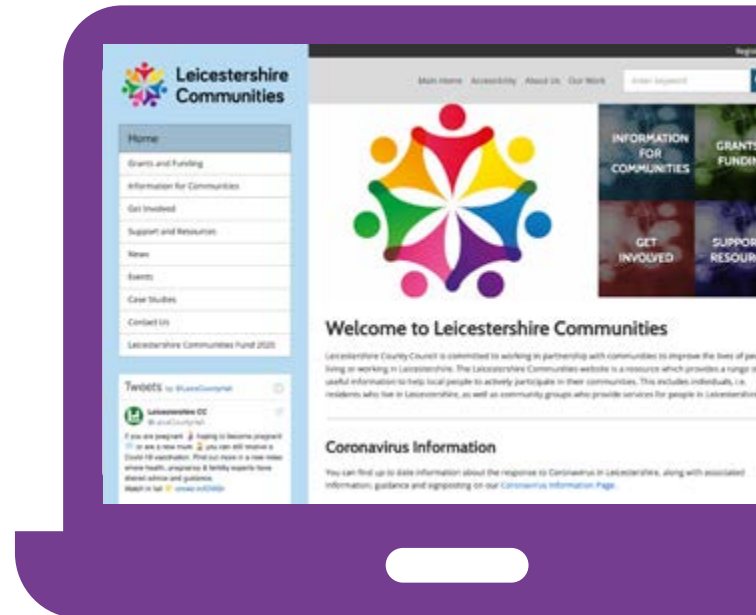
Within communities themselves we have hosted events such as Community Roadshows to put asset-based approaches into practice and enable whole geographical communities to come together. We have also worked with communities of interest such as Community Managed Libraries, collecting and developing tools and resources to be made available to all.



Website

The Leicestershire Communities website is a resource which provides a range of useful information to help local people to actively participate in their communities. It continues to be a place where our communities can find information and support. The website has dedicated pages for the Neighbourhood Planning Network and Community Managed Libraries where volunteers can manage and update their own pages.

www.leicestershirecommunities.org.uk/



SHIRE Community Grants Fund

Leicestershire County Council's SHIRE Community Grants programme provides grant funding to charities and other voluntary/community organisations and social enterprises, to support the delivery of services, projects and activities which improve the lives of vulnerable and disadvantaged people and groups.

www.leicestershirecommunities.org.uk/grants/

The Communities Board

The Communities Board was established in August 2016 to co-ordinate delivery of the Communities Strategy across the Council by developing active, resilient and inclusive communities. Progress and proposals are overseen and driven forward by the internal Board which meets bi-monthly and includes senior representatives from across the Council.

The Communities Strategy acts as a key enabler across the work of all Council departments and all five Outcomes of the **Strategic Plan**, although it is acknowledged that it has a strongest connection to the Great Communities Outcome. The Communities Strategy aims to facilitate and drive culture change within the Council and identifies opportunities to do things differently by:

Encouraging, enabling and supporting volunteers and volunteering

Creating the conditions and commissioning for social action and asset-based thinking and doing

Working with communities, town & parish councils, the VCSE and businesses.



Covid-19 – Since March 2020

Since March 2020...

Leicestershire County Council had a leading role in the response for our communities to the Covid-19 pandemic. As the host for the Local Resilience Forum (LRF) there was a clear line of responsibility within the Council for the initial set-up and support for the crisis response. Structures were quickly established across Leicestershire, Leicester and Rutland (LLR) to identify issues and co-ordinate support. This included the establishment and leadership of partnership response 'cells' that were tasked with dealing with all aspects of the response.

Whilst specialists for health, care and blue light services were drawn into the planning for their responsibilities, LCC established and led the

Voluntary, Faith and Community Engagement Cell and the sub-cells that were tasked with supporting our communities.

Within the LRF a Community and Volunteering group was established and has been responsible for supporting and driving forward work linked to:

The multiple community responses that were happening across LLR in support of neighbours and communities within local areas.

The role and impact on voluntary and community sector organisations in supporting communities and those that were shielding, how these organisations were operating and could continue.

The establishment and co-ordination of volunteering and volunteers in support of delivering the response to requests for help from both individuals and public services as consequence of the pandemic.

.....

*At this time, our ongoing work, informed by the **Communities Strategy 2017-21**, and our role in supporting the Voluntary and Community Sector, Town and Parish Councils, communities and working with partners, was invaluable.*

.....





Communities Fund

In March 2020 the Council announced a £1 million fund to support voluntary and community sector organisations in the county to manage the financial impacts of the pandemic. This hardship fund was established to enable local groups, impacted by reduced income from sales/trading, room rental or donations, to keep on providing essential support to vulnerable people, including those isolating and with reduced social contact.

The grant fund was subsequently increased in value and extended through further rounds of funding to help voluntary groups to manage the impacts of the pandemic and to continue to deliver services for vulnerable and disadvantaged people and communities. In total, over 3 rounds of funding, 379 grants were awarded, totalling nearly £2.6m of funding from the county council.

Recovery

Optimistically, the LRF and county council took its first steps towards thinking about recovery in the early summer period of 2020. Whilst there had been a need to retain a focus on responding to the impacts of the Covid-19 this has been accompanied by looking at what could be learnt from the pandemic to help us shape how we recover.

This learning concentrated on the vital role that civil society (communities, voluntary sector, local groups) had, and continues to have, in providing services and support to individuals and communities and how

this can be built upon. The Communities Approach is part of the councils wider work and plans for recovery.



Policy Developments

Financial pressures and the implications of ongoing reductions in funding for the public sector accompanied by rising demand for public services has meant that there has been, and continues to be, a need to focus on how the county council can best achieve its outcomes.

Locally the Council's Strategic Plan and Outcomes have been reviewed and updated.

One of the five strategic outcomes that the Plan seeks to achieve is Great Communities; thriving, inclusive communities in which people support each other and take responsibility for their local area.

Our Communities Approach is reflected in the Great Communities Outcome through the enabling commitments that;

- People participate in service design and delivery,
- People support each other through volunteering.

The Communities Approach does however support all aspects of every Outcome and all elements of the Strategic Plan and should be viewed as 'how' the county council can deliver 'what' (all the Outcomes) we want to achieve.

Since the adoption of the 2017-21 Communities Strategy there has been a notable shift amongst commentators, think-tanks, policy developers and politicians that has promoted a change in how the public sector operates; with a greater emphasis on how it collaborates with communities and where and how decisions are made.

The greater emphasis on collaboration and involvement for our citizens and communities, supporting and empowering them to have autonomy and agency over their lives and in their interactions with public services, is not without its challenges.

However, this shift towards greater community involvement and collaboration should be viewed as model of 'how' we can achieve solutions.

New Local* advocate that the public sector needs to recognise and acknowledge 'that the solutions to an area's biggest challenges are to be found outside in the community not inside the institution...' and that this can be achieved though:

Community decision-making:

Using deliberative and participatory tools to involve citizens more meaningfully in local decision-making.

Collaboration with communities:

Public services shifting from hierarchical and siloed ways of working, to more collaborative approaches which deeply involve communities as equal partners with essential insights.

Building community capacity and assets:

Equipping communities with the resources and skills they need.

*New Local (formerly the New Local Government Network) is an independent think tank and network with a mission to transform public services and unlock community power.
COMMUNITY POWER: THE EVIDENCE Grace Pollard, Jessica Studdert and Luca Tiratelli Published by New Local February 2021 www.newlocal.org.uk/research/publications/



This way of working is related to, and can be viewed alongside, associated calls and lobbying for regional and local devolution and changes to local governance and our aspiration to learn from the pandemic and 'Build Back Better' by 'Levelling Up our Communities.'

Levelling up our communities: proposals for a new social covenant - A report for government by Danny Kruger MP, September 2020

www.dannykruger.org.uk/sites/www.dannykruger.org.uk/files/2020-09/Kruger%202.0%20Levelling%20Up%20Our%20Communities.pdf,

set out a series of recommendations 'to give civil society a greater role in levelling up the country.' He advocated that 'What is missing in our current model [of public service] is community power: the role of local people, acting together spontaneously or through enduring institutions, to design and deliver the kind of neighbourhood they want to be part of.'

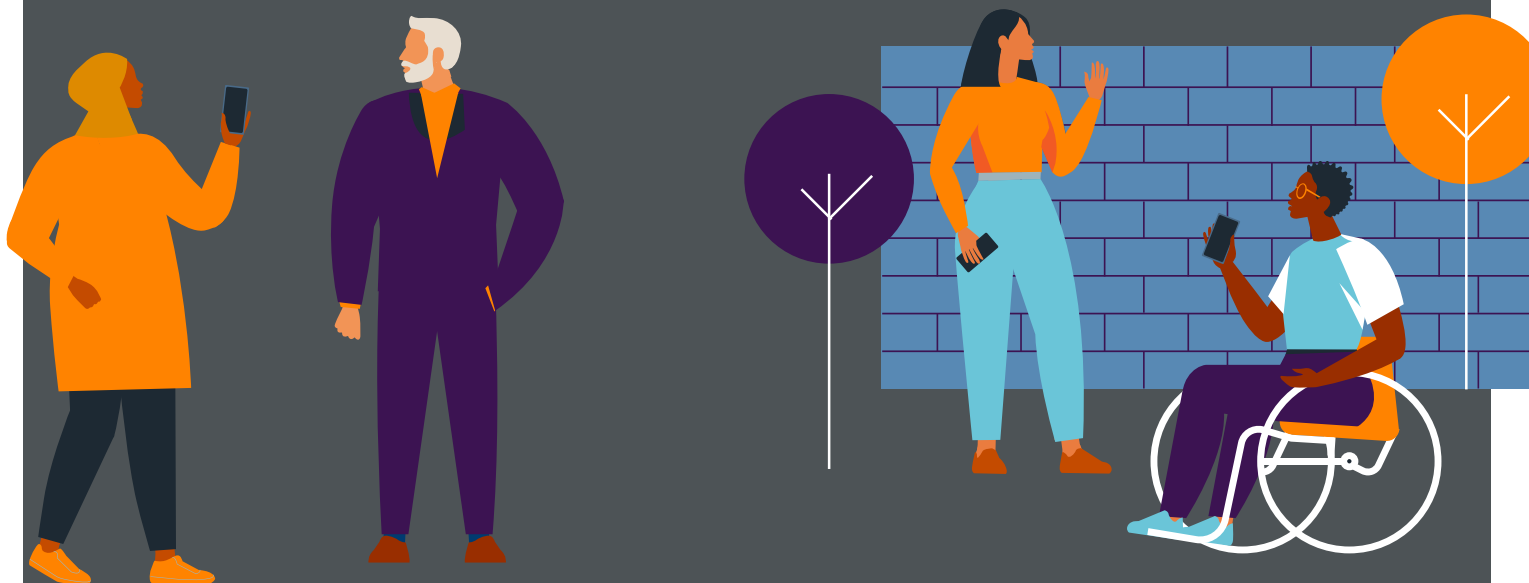
.....
*The report has informed the Levelling Up White Paper (Levelling Up the United Kingdom www.gov.uk/government/publications/levelling-up-the-united-kingdom) sets out how the Government proposes to spread opportunity more equally across the UK.**

As New Local note, 'This principle [Community Power] is not just a theory. It already exists in neighbourhoods, in local networks, and in voluntary and community organisations where people come together to overcome challenges and support each other. This comes to the fore in times of crisis, such as with the sudden flourishing of mutual aid during the Covid-19 pandemic but has endured for decades in many forms. It is also rapidly influencing practice in the public sector and local government. Public services are seeing the benefits of moving towards practices which involve actively collaborating with communities. New methods of enabling community insights to shape action are increasingly being developed: from councils trialling participatory and deliberative democracy; to frontline professionals using asset-based practice and co-production.'

www.newlocal.org.uk/publications/the-community-paradigm/

This refreshed Communities Approach aims to act as a catalyst to further develop and strengthen the achievements of collaboration and community involvement and move this approach 'From the Margins to the Mainstream'. This will be achieved by enhancing and embedding the mindset, values, behaviours, relationships and infrastructure creating '...the conditions for new operating models to thrive.' From the Margins to the Mainstream-Nesta -Collaborate Published September 2020.

https://media.nesta.org.uk/documents/Margins_to_Mainstream.pdf



*Specific Government responses to the principal recommendations of the Kruger report have been published in a policy paper at www.gov.uk/government/publications/government-response-to-danny-kruger-mps-report-levelling-up-our-communities-proposals-for-a-new-social-covenant/government-response-to-danny-kruger-mps-report-levelling-up-our-communities-proposals-for-a-new-social-covenant

Our Communities Approach 2022-26

An ongoing focus over many years, and in the lead up to and learning from the pandemic, was not to focus solely on what communities have done or can do. Rather, it is to look at the role the county council has and how it operates in supporting and enabling individuals and communities to help themselves.

Our refreshed and updated Communities Approach 2022-26 reflects this not only in its title but in its ethos, principles, and model of delivery.

Principles of the Strategy

Prevention

Supporting and enabling citizens to help themselves and others. This is about how the whole council works towards providing preventative and self-help support and how we communicate this with our communities.

Prevention has often been used in health and social care settings, however for the Approach we use it to cover a full range of self-help, care, wider wellbeing and community impacts. This could be anything from planning for life changes, thinking about the waste you produce through to climate change and preparing for emergencies.

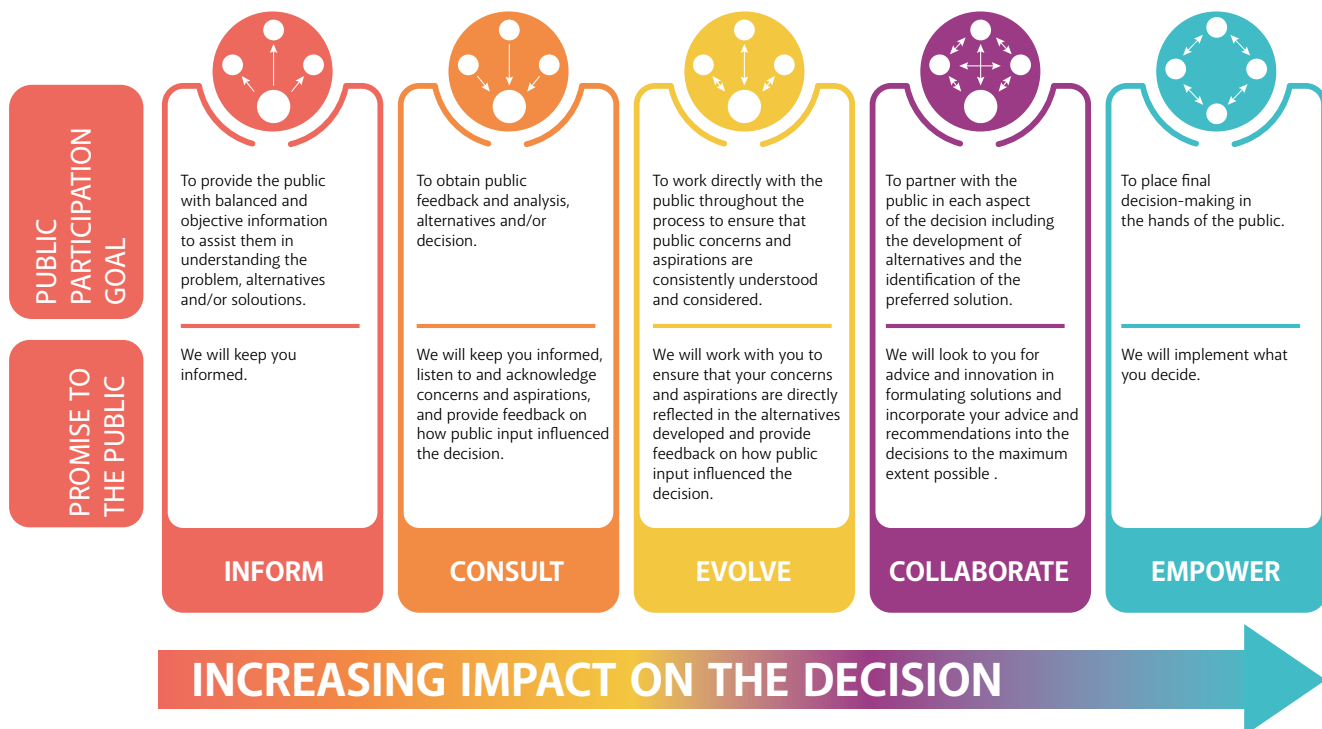
We must focus on how the information and advice we produce underpins prevention and reduces demand, ensuring that it is accessible, relevant, and timely.

Participation

The Council will work across services, departments and with partners including districts, health, blue light services and businesses but will be led by our work with our citizens and communities. Through listening and conversations and by building trusting relationships and encouraging participation we will inform our decisions and define and design our solutions locally.



An example of a Participation Spectrum Model adapted from <https://iap2canada.ca/foundations>



The Participation Spectrum Model demonstrates that through a range of engagement methods different outcomes can be achieved. One, many or all methods can be understood as participation, and we will continue to provide information and consultations, however a move towards greater collaboration and coproduction in decision making is advocated here.

Catalysts

Voluntary and Community Sector organisations, Social Enterprises and Parish & Town Councils are supported and empowered to collaborate and provide a range of effective services and activities for individuals and communities.

This will require a focus on not only how we work with our communities but also how our 'catalysts' as providers of activities that are either commissioned by, or support our plans are enabled to support our communities too. This will include a focus on disadvantage, rurality, communities of interest and protected characteristics.

The Principles of the Strategy will be supported by the Strategic Plan and associated plans; the Council's Engagement Strategy; VCSE Partnership Statement; Strategic Volunteering Vision; Social Value Policy and others.



Model

The Principles of our Communities Approach are underpinned by asset-based thinking and doing and social action. These concepts were introduced in our Strategy 2017-21 and we want to reiterate and emphasise them as the model for delivery for the county council over the next 4 years.

Asset Based Thinking and Doing

Asset Based Approach – working with the skills, knowledge, connections and potential that exists within a community.

The asset-based approach starts by making visible and explicitly valuing the strengths that exist in people and places rather than starting from the perspective of the problems in a community, or what a community needs (a 'deficit-based' model).



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 and parks.

An asset-based approach develops connections, builds relationships, and mobilises social action at the local level, helping to prevent the need for more formal services and helping communities to develop and flourish. 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. As evidenced clearly through the responses from local communities within the pandemic.

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 continue to focus on this approach by:

- Embedding the 'asset-based' approach amongst our staff, service departments and partners, understanding that is 'how' we think and do things such commissioning and service planning that will help achieve change.
- Supporting communities to recognise their own and local assets, ensuring that all can take full advantage of what is available.
- Providing a dedicated resource on the Leicestershire Communities Website, which will include guides, practical examples and information to help embed the Approach.
www.leicestershirecommunities.org.uk/sr/assetbased.html

Social Action

A focus on social action acknowledges that when people come together and act, they can improve their lives and solve the problems their communities face. Social Action can be best understood 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.'

(adapted and updated from Leicestershire Communities Strategy 2017-21)



Next Steps...

The aim of this Communities Approach is not to present a complete 'plan', mapping out the specifics of what can be achieved; rather it is intended as guide to shape 'how' we should work to fulfil the ambitions of the council and of communities. It should be understood as a live document wherein we further develop and enhance the approach over the next 4 years as we implement and learn.

Through the principles and model, we believe that we are creating the conditions to provide services and support that will benefit all of Leicestershire. This will be underpinned by continued oversight by the Leicestershire County Council Communities Board, working with our communities to help shape how we do things locally.

We will provide briefings, training, and resources to support this Approach.

We will work with all partners to help to embed the Approach.

We will work to establish effective participation methods developing our engagement activities.

We will commission activities that support the Approach.

We will seek to provide timely, relevant and accessible information that will help people to help themselves and their communities.

If you would like us to have a conversation with your community or would like to find out how else you can get involved please see: www.leicestershirecommunities.org.uk/getinvolved/communitiesapproach.html

or email us at leicestershirecommunities@leics.gov.uk

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**CABINET – 29 MARCH 2022****RESPONSE TO THE HINCKLEY NATIONAL RAIL FREIGHT
INTERCHANGE CONSULTATION****REPORT OF THE CHIEF EXECUTIVE****PART A****Purpose of the Report**

1. The purpose of this report is to advise the Cabinet of the County Council's comments, as the Local Highway Authority (LHA), in response to the consultation concerning the proposed Hinckley National Rail Freight Interchange (HNRFI) being undertaken by Tritax Symmetry, the applicant.
2. The detailed comments are set out in the Appendix to this report and key comments are highlighted at paragraph 26 of the report.

Recommendations

3. It is recommended that:
 - a) The comments set out in the Appendix to the report to be submitted to Tritax Symmetry as the views of the County Council on the proposed Hinckley National Rail Freight Interchange be noted;
 - b) It be noted that minor amendments may be made to the County Council's comments by the Director of Environment and Transport in consultation with the Director of Law and Governance (using their delegated powers) to reflect, for example, comments of the Cabinet, prior to their submission on 8 April.

Reasons for Recommendation

4. The proposed response sets out key comments for consideration by the applicant, Tritax Symmetry in preparing its application to the Planning Inspectorate.
5. The Director of Environment and Transport will use their delegated powers to submit the comments, however it is being presented to the Cabinet as the LHA has concerns regarding the applicant's transport, data and evidence use to inform the modelling.

Timetable for Decisions (including Scrutiny)

6. The Consultation response will be submitted by the deadline of 8 April 2022.

Policy Framework and Previous Decisions

7. The 2021 Midlands Connect Strategy refresh advocates the movement of more goods by rail rather than road, reducing carbon emissions by up to 76%.
8. The non-statutory Strategic Growth Plan (SGP) for Leicester and Leicestershire which sets out a vision for growth to 2050, was approved by the Cabinet in November 2018, and by partners in December of the same year. The SGP sets out employment land that is needed between 2011 and 2031/2036 in addition to housing need. The SGP includes the Leicestershire International Gateway concept where there are major employment opportunities, directly referring to East Midlands Airport and the East Midlands Gateway Strategic Rail Freight Interchange (SRFI).
9. The 'Warehousing and logistics in Leicester and Leicestershire: managing growth and change' study (April 2021) specifically focuses on strategic warehousing (units over 9,000sqm of floorspace) such as the proposed interchange. This provides updated evidence for road and rail based strategic warehousing provision and in the period to 2041 looks for one further SRFI in Leicester and Leicestershire. Broad 'Areas of Opportunity' are identified in the study to steer future strategic warehousing and logistics proposals. The HNRFI sits within one of these broad 'Areas of Opportunity'.
10. In November 2021 the County Council became a signatory to the Leicester and Leicestershire Statement of Common Ground (SoCG) relating to Strategic Warehousing and Logistics needs (September 2021). The SoCG will help to inform an approach to meeting the Leicester and Leicestershire need which maintains an appropriate supply across the Areas of Opportunity in terms of geography and trajectory. This is required to help demonstrate a collective Duty to Co-operate on this matter.
11. A report was considered by the Cabinet on 5 February 2021 which set out the Council's initial concerns and views with regard to the proposed HNRFI , in particular
 - the applicant's planned timetable;
 - the need for a Planning Performance Agreement with the applicant that provided certainty regarding both the HNRFI project programme, and the financial contributions required to cover the Council's costs in responding to the developer's proposals
 - the applicant's proposed approach to providing evidence in respect of highways and transport issues for consideration by the Planning Inspectorate.

Resource Implications

12. The County Council is required to provide advice to the Applicant in its capacity as statutory consultee as the Local Highway Authority.
13. National Significant Infrastructure Projects (NSIP), of which the HNRFI is one, and the associated planning processes often lead to a level of workload that is outside of business as usual for the Environment and Transport Department and will therefore have a significant draw on the Department's resources at a time when it is already managing other strategic and local planning matters. It may therefore be necessary to secure additional resource in order for the Authority to provide the necessary level of advice.
14. The County Council will do its utmost to recover the costs of transport and environmental consultation and advice given by the County Council to the applicant (including related legal costs). These will be recovered through a Performance Planning Agreement (PPA) between the Authority and the applicant.
15. The PPA will seek to recover costs already incurred and any further costs up to the date the applicant submits their application to the Planning Inspectorate. Any costs after this date will be the subject of an additional PPA.
16. Costs incurred to date are estimated to be £71,000. In addition, further estimated costs in the region of £160,000 are expected to be incurred by the County Council up to the date the applicant submits their application to the Planning Inspectorate.
17. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

18. This proposed development is in Blaby District Council. This report will be circulated to Mrs Maggie Wright CC as the local member and in addition, all Members of the County Council.

Officers to Contact

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PART B

Background

The principle of Strategic Rail Freight Interchanges (SRFI)

19. Strategic Rail Freight Interchanges (SRFI) are large multi-purpose rail freight interchange and distribution centres linked into both the rail and trunk road system. They have rail-connected warehousing and container handling facilities and may also include manufacturing and processing activities.

Hinckley National Freight Interchange proposal

20. The Hinckley National Freight Interchange (HNFRI) is a SRFI to include railway sidings and freight transfer area alongside a two-track railway between Hinckley and Leicester. The line forms a part of Network Rail's freight route between Felixstowe to Nuneaton as part of a wider network to link major cargo terminals at Southampton, Liverpool and the Humber estuary.
21. The development as proposed would include the construction of south facing slip roads at junction 2 of the M69 motorway and a new link road between M69 and the B4668 Leicester Road, Hinckley – generally known as the A47 link road. The Applicant also proposes land for landscape and planting works, ecological mitigation, drainage balancing ponds and footpath and cycleway links.
22. HNFRI has been designated a Nationally Significant Infrastructure Project (NSIP). NSIPs are major infrastructure projects and include power stations, pipelines and transport infrastructure. NSIPs are outside of local plans and planning authority processes. The relevant Secretary of State is responsible for making the final decision to approve an NSIP.
23. The applicant of HNFRI, Tritax Symmetry (Hinckley) Limited is required to follow a six-stage process set out by the Planning Inspectorate. This process is called the Development Consent Regime. The Applicant is currently working toward Stage 1 of the process which is the submission of their pre-application to the Planning Inspectorate.

The other stages are:

- 2: The application stage when the Applicant submits to the Planning Inspectorate. The Inspectorate has up to 28 days in which to accept or reject the application.
- 3: The pre-examination determines the examination process. This can take up to 28 days.
- 4: The examination stage when interested parties can make written and oral representations to the Planning Inspectorate in its capacity as the examining authority. This can last a maximum of six months.

- 5: The Inspectorate makes its recommendation to the relevant Secretary of State who decides whether to approve the project. This can last a maximum of six months.
- 6: The post decision stage when the Applicant or other interested party can appeal any decision via a legal challenge. This is a six-week window.

24. The County Council's role in this process is as a consultee. At this first stage of the process, called the pre-application stage, the County Council is only responding in its statutory consultee capacity as the Local Highway Authority

Pre-Application Consultation process.

25. The applicant's formal consultation process runs from 12 January 2022 to 8 April 2022, consisting of the following

- published data and assessment reports available on the applicant's website: www.hinckleynrfi.co.uk
- two webinars. Recordings available on the applicant's website.
- nine public exhibitions, took place in: Elmhurst (2), Burbage, Stoney Stanton, Narborough, Barwell, Hinckley (2), Sapcote.

Response to the Hinckley National Rail Freight Interchange consultation

26. The County Council's response is in its capacity as a statutory consultee as the LHA and the full response is included as the Appendix and summarised below

- The Interim Transport Assessment (ITA) is based on outputs and assumptions from Leicestershire County Council's Pan-Regional Transport Model (PRTM) that have not been agreed/have been superseded and therefore the findings in the ITA are not accepted (including mitigation proposals). This could mean that the information being presented to the public in the form of impact and mitigation proposals is subject to change following a revised modelling exercise which is currently being undertaken
- There is currently insufficient robust evidence to eliminate the need for a Sapcote Bypass at this stage.
- The applicant has not engaged on the Public Right of Way proposals, and consequently these cannot be agreed.
- The LHA welcomes the development of a Sustainable Transport Strategy (STS) but to date the applicant's engagement on this has been limited.
- HGV Route Management Plan and Strategy - there are concerns with regards to the deliverability, legality and enforceability of the Strategy as currently drafted.

- Framework Site Wide Travel Plan - the relationship between this plan and the STS is unclear.
- Further work is required to ensure that the analysis of rail impacts takes proper account of the Midlands Engine Rail proposals being promoted through Midlands Connect, which includes proposals to enhance passenger rail connectivity between Leicester and Birmingham and to reinstate direct services to Coventry.
- The LHA welcomes further and continued engagement with Tritax to address the above.

Equality and Human Rights Implications

27. There are no equality and human rights implications for the County Council arising from the recommendations in this report. The applicant is required to submit a Statement of Community Consultation and include a Consultation report as part of their application setting out how they consulted and took account of consultation responses.

Environmental Implications

28. The environmental implications of the development are a matter for Government as part of the Nationally Significant Infrastructure Project regulation.

Partnership Working and Associated Issues

29. The County Council continues to engage with Blaby District Council and Hinckley and Bosworth Borough Council and the applicant regarding the proposals.
30. Blaby District Council and Hinckley and Bosworth Borough Council will be submitting responses to the consultation.
31. The scope of the County Council's response is restricted to the Highway Authority's statutory consultation however, feedback on areas where the County Council has expertise including in ecology and archaeology, has been shared with the district councils in support of any wider response they may submit.

Background Papers

Report to the Cabinet – 5 February 2021 - HNRFI

<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6440&Ver=4>

Tritax Symmetry: Hinckley National Rail Freight Interchange Formal Consultation documentation www.hinckleynrfi.co.uk

Appendix

Leicestershire County Council response as the Local Highway Authority to the
Hinckley National Rail Freight Interchange formal consultation

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Ms Sinead Turnbull
Planning Director
Tritax Symmetry
c/o Lexington Communications
3rd Floor
Queens House
Queen Street
Manchester
M2 5HT

Date: 8th April 2022
My Ref: RH/NRFIPUBCON
Your 15/EL06LEX_2_R
Ref:
Contact: Rebecca Henson
Phone: 0116 305 7198
Fax:
Email: Rebecca.henson@leics.gov.uk

Dear Sinead

Proposals for a strategic rail freight interchange-including warehousing-on the land south of Elmesthorpe, between the Leicester to Hinckley railway and the M69 motorway (known as the Hinckley National Rail Freight Interchange, (HNRFI)) and associated highway works.

Notice pursuant to Section 42 of the Planning Act 2008 and Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

Thank you for your letter dated 8th February 2022 consulting Leicestershire County Council (LCC) in its statutory role as Local Highway Authority (LHA) on the above proposals.

As you will be aware, LCC in its role as LHA entered into pre-application discussions for a Rail Freight Interchange in this location with DB Symmetry and their appointed transport consultant Hydrock in 2018. Following a lack of contact from the Applicant team for a significant period of time, the LHA were approached by Tritax Symmetry (TS) in late 2020 to engage in alternative proposals. The LHA has actively engaged with TS and their appointed transport consultants BWB since that time and has been an active member of the Transport Working Group (TWG).

The LHA has reviewed the PEIR, and in particular Appendix 8.1 Interim Transport Assessment, and has the following Observations to make:

<u>Appendix 8.1 Interim Transport Assessment (ITA) (January 2022 public consultation)</u>		
Section	ITA statement	LHA observations
Access infrastructure	The ITA at section 4 identifies the proposed access infrastructure	The ITA states that M69 J2 circulatory is proposed to be signalised. The LHA understands that the signalisation of this junction was not included in the model run on which the outputs of this ITA are based. In addition, the LHA have requested sensitivity tests of the A47 link dualled in its entirety. On this basis the LHA has not reviewed the proposed access designs in any detail.
Public Rights of Way (PROW)	The ITA at section 4 cross references a PROW Strategy (Also PEIR Appendix 11.2)	The LHA would welcome engagement with the Applicant's appointed consultants EDP on the PROW proposals including vertical and horizontal alignment, routeing, surfacing, and ongoing maintenance, ideally through the TWG as previously requested. At this stage limited engagement has taken place, and therefore there is currently no agreement on treatment of

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		<p>existing/future PROW. It is also worth noting that the submitted plans as presented do not appear to marry across the various documents resulting in some confusion.</p> <p>It would also be helpful for the LHA to have sight of Network Rail requirements where PROW's cross the rail line.</p>
Sustainable Transport Strategy	The ITA at section 4 states that a "Sustainable Transport Strategy" is being developed for the proposed development with the TWG.	The LHA welcomes the development of a Sustainable Transport Strategy given the substantial predicted trip generation to this site. The ITA states that the Sustainable Transport Strategy is being developed and does not appear to form part of the formal consultation documentation. It is noted that to date engagement and progress on this element has been limited. The LHA will continue to work with BWB (and the wider TWG) in this regard, noting that safe and appropriate access to the development for all users by sustainable modes should be prioritised.
PRTM v2.2 model	The ITA identifies the use of Leicestershire County Council's Pan Regional Transport Model (PRTM) to assess the impact of the proposed development on the local and strategic highway networks	<p>The use of PRTM v2.2 to assess the impact of the development on the local and strategic highway networks is agreed by the LHA.</p> <p>The LHA have agreed trip generation and distribution inputs.</p> <p>However, the ITA is based on other key input assumptions that have not been agreed by the TWG/have been subsequently superseded.</p> <p>For the avoidance of doubt, the following inputs have been identified as requiring updating:</p> <ul style="list-style-type: none"> • Planning assumptions and trajectories • Network assumptions • Network coding (e.g. routes through the eastern villages not meeting DfT WebTag criteria, signal timing changes at Narborough level crossing) • Model brief (including signal timings at Narborough level crossing subsequently revised by Network Rail) • Access assumptions (M69 J2 previously modelled as priority junction i.e., not signalised) <p>Based on the above, the findings in the ITA are not accepted by the LHA. For the avoidance of doubt, the LHA does not accept the impacts of development as defined in the ITA, nor therefore does it accept the proposed mitigation measures identified in the ITA.</p>

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		The LHA continues to work with BWB (and the wider TWG) to agree input assumptions ahead of new model runs and will follow the agreed formal "sign off procedure" developed by BWB.
Baseline traffic surveys	The ITA states that a range of traffic surveys have been collected between 2017 and 2019	The appropriateness of these traffic surveys for use in local junction models will be considered by the LHA at the appropriate time in the assessment process. Normally, traffic surveys should be no older than 3 years and carried out in a neutral period. However, relaxations have been applied during the Covid-19 pandemic. On the basis that the impacts of the development are not agreed (see comments above and below), it remains unclear if all junctions requiring further assessment have been surveyed.
Assessment years	The ITA proposes assessment years of opening year 2026 and future year 2036.	The LHA agrees with these assessment years. However, it is noted that additional interim assessment years may need to be agreed with the TWG to allow for phased testing to be carried out.
Assessment scenarios	<p>The ITA identifies the following scenarios for both assessment years:</p> <ul style="list-style-type: none"> • Without development • Without development with proposed access infrastructure • With development with proposed access infrastructure 	The LHA agrees with these principal scenarios. However, it is noted that additional interim assessment scenarios may need to be agreed with the TWG to allow for phased testing to be carried out.
Area of Influence (AOI)	The ITA identifies a series of parameters to identify the AOI at paragraph 6.28.	The LHA (and wider TWG) will agree the AOI at the appropriate time i.e., once revised forecast modelling (based on agreed assumptions) has been undertaken.
Furnessing methodology	The ITA states that the furnessing methodology used in the assessment is "largely accepted" by LCC	The LHA await responses to queries raised on the proposed methodology and will continue to work with BWB (and the wider TWG) to agree an appropriate approach. Agreement to furnessing methodology must be reached prior to flows being inputted into local junction models on the basis that PRTM does not validate at turning count level.
Highway Impact	The ITA at section 7 identifies the predicted impact of the	As above, on the basis that the input assumptions to this modelling exercise were not agreed/have subsequently been superseded, the highway

	development on the local and strategic highway networks	impacts as set out are not accepted/agreed by LCC as LHA. The LHA will of course review the identified highway impacts in detail at the appropriate time.
Highway mitigation	The ITA at section 8 identifies schemes of mitigation on the local and strategic highway networks	As above, on the basis that the input assumptions to this modelling exercise were not agreed/have subsequently been superseded, and the highway impacts as set out are not accepted/agreed, the LHA has not reviewed the proposed mitigation measures in any detail at this stage. However, there is currently insufficient robust evidence to eliminate the need for a Sapcote bypass at this stage. The LHA will of course review any proposed mitigation in detail at the appropriate stage in the assessment process.
HGV Route Management Plan & Strategy	Included in the ITA at Appendix 12	The LHA has raised concerns with this Strategy not least of which include its deliverability, legality and enforceability. The LHA will continue to engage with BWB (and the wider TWG) on this Strategy, noting that it is awaiting a response to comments dated April 2021.
Framework Site Wide Travel Plan	Included at PIER Appendix 8.2	It is stated in the ITA that the Framework Site Wide Travel Plan sits alongside the Sustainable Transport Strategy. The relationship between the two documents remains unclear. The ITA states that the Sustainable Transport Strategy is being developed and does not appear to form part of the formal consultation documentation. It is noted that to date engagement on this element has been limited. The LHA will continue to work with BWB (and the wider TWG) in this regard, noting that safe and appropriate access to the development for all users by sustainable modes should be prioritised.

Any Transport Assessment submitted would be expected to reference and explain all agreed inputs and outputs to the assessment process in full, as opposed to simply appending technical documents to a summary report. This will allow all readers to fully understand the technical assessment that has taken place.

Hinckley Strategic Rail Freight Interchange Rail Report December 2021

Whilst the LHA has no direct rail responsibilities, through its [Rail Strategy](#) (developed jointly with Leicester City Council) it does have priorities that seek to promote modal shift from road to rail (including freight), but also priorities to significantly enhance Leicester and Leicestershire's rail passenger connectivity to cities elsewhere across the UK, including in the West Midlands (which would use the same rail corridor as the HNRFI). In that context, the LHA has the following Observations to make on the above report:

- Further work is required to ensure that the analysis of rail impacts takes proper account of the Midlands Engine Rail proposals being promoted through Midlands Connect, which include

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proposal to enhance passenger rail connectivity between Leicester and Birmingham and to reinstate direct services to Coventry

- It is understood that the signalling system between Hinckley and Croft (the section on which the HNRFI would be located) is a relatively low capacity one. A more thorough assessment is required to identify to what extent additional signalling capacity would be required to accommodate the HNRFI proposals
- The development of the HNRFI proposals should be considered alongside the Midlands Engine Rail proposals to ensure that they can be jointly accommodated, including a detailed review of timetabling
- The geographical scope of any analysis should include the Leicester City area, which is a known capacity rail capacity constraint for accommodating both increased passenger and freight services.

The Hinckley National Rail Freight Interchange Order (Draft DCO)

Neither the LHA, nor LCC Legal Services were invited to input into the development of the Draft DCO. Whilst in general terms the Draft DCO contains the general headline provisions required, the detail is subject to further comment and the LHA would welcome engagement from Eversheds. Amendments will be required to align the document with the standard requirements of LCC to ensure no risk to LCC and the wider public, financial or otherwise, from the development proposals.

It should be noted that based on the comments on the PEIR submission above, none of the site-specific details in the Schedules can be agreed at this stage.

We trust that you find the above information helpful in the further development of any proposals for this site, and we look forward to continued and further engagement with you and your team in this regard.

Yours sincerely,

Rebecca Henson
Team Manager – Highway Development Management

On behalf of the Director of Environment and Transport

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**CABINET – 29 MARCH 2022****RESPONSE TO THE HINCKLEY AND BOSWORTH BOROUGH
COUNCIL PRE-SUBMISSION LOCAL PLAN (2020-2039)
REGULATION 19 CONSULTATION****REPORT OF THE CHIEF EXECUTIVE****PART A****Purpose of the Report**

1. The purpose of this report is to advise the Cabinet on the content of Hinckley and Bosworth Borough Council's Pre-submission Regulation 19 Local Plan consultation and set out the response submitted to the Borough Council as the views of the County Council.
2. The detailed comments are set out in the Appendix to this report, whilst key comments are highlighted in paragraphs 36 to 67 below.

Recommendations

3. It is recommended that:
 - (a) The County Council's response to the Hinckley and Bosworth Borough Council (H&BBC) Pre-submission Regulation 19 Local Plan consultation, set out in paragraphs 36 to 67 inclusive, and the Appendix to the report be noted;
 - (b) The County Council at this stage considers insufficient evidence has been provided to demonstrate that the Local Plan meets the tests of soundness as set out in paragraph 35 of the National Planning Policy Framework and strongly discourages H&BBC from submitting its Local Plan while relevant significant issues are still to be resolved;
 - (c) Should H&BBC proceed with the submission of its Local Plan to the Planning Inspectorate at this stage without addressing the concerns raised by the County Council, the County Council will object at H&BBC's Local Plan Examination;
 - (d) The County Council continues to work with H&BBC to resolve issues to help develop a Local Plan that is sound (in planning terms) and deliverable.

Reasons for Recommendation

4. H&BBC's Regulation 19 consultation took place from 9 February to 23 March 2022. The Chief Executive was authorised by the Cabinet at its meeting on 11 February 2022 to submit comments on behalf of the County Council to enable a response to be submitted within the statutory timeframe. HBBC's new Local Plan will set out the Borough Council's development strategy to 2039. Given its location close to Leicester and close functional connectivity to communities living and working in Blaby, Charnwood, and North West Leicestershire, the content of the emerging Local Plan is particularly important to this area and the wider Leicester and Leicestershire Housing Market Area (L&L HMA).
5. The planning system requires that a local planning authority may only submit its Local Plan for examination if it is confident it will meet the tests of soundness. H&BBC has indicated that the Local Plan will be submitted without an accompanying up-to-date Sustainability Appraisal on the Pre-Submission Regulation 19 Local Plan, without proper consideration of the transport impacts of the intended growth strategy and without setting out how the impacts of the strategy will be mitigated. The County Council has raised concerns at both Regulation 18 and 19 stage about how the growth strategy impacts upon school places and how new and extended schools will be delivered (and any associated transport impacts). There are also concerns about the lack of information about the viability of the Local Plan.
6. The County Council is therefore concerned that submission of the Local Plan for examination by H&BBC at this stage conflicts with the requirement to only submit a plan that the council believes is sound. This places significant burden on the County Council to try to resolve these issues in an unreasonable timescale before the matter is considered at Local Plan Examination. The approach being taken means that the County Council reluctantly has to advise the Inspector that it believes that the Local Plan is not sound.
7. For the County Council in its role as a key infrastructure provider for transport and education the lack of evidence and certainty (in terms of understanding mitigation, viability and deliverability), presents significant risk to the County Council. The focus needs to be on resolving these issues where possible and minimising this risk through closer partnership working to prepare a sound Local Plan for Hinckley and Bosworth Borough.

Timetable for Decisions (including Scrutiny)

8. The County Council's consultation response was submitted to H&BBC by 23 March 2022 deadline. Any additions or amendments arising from consideration by the Cabinet will be submitted to H&BBC following the Cabinet meeting.

Policy Framework and Previous Decisions

9. In 2018, the County Council, Leicester City Council, the seven district councils in Leicestershire, and the Leicester and Leicestershire Enterprise Partnership, approved the Leicester and Leicestershire Strategic Growth Plan (SGP) which provides the long-term vision for planned growth for the area up to 2050.

10. For the south west parts of Leicestershire, which includes Hinckley and Bosworth Borough, the foci for growth set out in SGP are:
 - Managed growth for Hinckley, further sustainable development consistent with the need to support local growth (in particular, aspirations for continued town centre regeneration and better services) and;
 - the A5 improvement corridor
11. The essential infrastructure to support the delivery of growth shown on the SGP strategy diagram for south west parts of Leicestershire are:
 - M1 Leicester Western Access and M1 North Leicestershire extra capacity;
 - A46 Priority Growth Corridor;
 - A5 improvement corridor
 - Rail improvements.
12. In March 2019 the Cabinet agreed a response to H&BBC relating to an early stage consultation as part of its Local Plan Review. The County Council raised a number of concerns, including about the lack of consultation with the County Highway Authority and insufficient reference to the policy framework provided by the agreed Strategic Growth Plan (SGP) which provides the long-term vision for planned growth for Leicester and Leicestershire up to 2050.
13. The Council's Strategic Plan (2018 to 2022) "Working together for the benefit of everyone" was approved by the County Council in July 2020 (having been revised in light of the Council's declaration on climate change). It has five strategic outcomes, with the delivery of 'Affordable and Quality Homes' and 'Strong Economy' most directly affected by H&BBC's emerging Local Plan.
14. The Council's updated Strategic Plan (covering the period 2022-2026) is being presented to the Cabinet for approval at its meeting on 29 March 2022. The proposed strategic outcomes include 'Strong Economy, Transport and Infrastructure' and a 'Clean, Green Future' to ensure Leicestershire has the infrastructure to meet the demands of a growing population, whilst looking to tackle climate change, biodiversity loss and unsustainable resource usage.
15. The Leicester and Leicestershire Strategic Transport Priorities were approved by the Cabinet in November 2020. They were developed jointly by the County and Leicester City Councils alongside the SGP to ensure the long-term development needs and associated transportation requirements were coordinated.
16. In June 2021 the Cabinet received a report regarding the Leicester and Leicestershire Statement of Common Ground Relating to Housing and Employment Land Needs. The Statement was prepared to accompany the Charnwood Local Plan process and also provides context for the Hinckley and Bosworth Local Plan.
17. In September 2021 the Cabinet agreed a response to consultation from H&BBC relating to its Regulation 18 Local Plan. That report expressed the need for

closer partnership working with H&BBC across key disciplines and at a senior officer level in recognition of:

- the challenges presented by the Strategic Road Network (SRN) in the Borough and wider area;
- the lack of capacity on the Local Road Network;
- the need to take a strategic approach to education and other infrastructure provision; and
- the need to secure deliverable planned growth supported by infrastructure rather than 'unplanned' speculative development.

The report noted that, at that time, the level of partnership working needed to understand the strategy of the proposed Local Plan, how it would be delivered and how the impacts would be mitigated, had not been achieved. It further set out that the County Council was of the view that in order to achieve the required level of partnership working, a revised timetable would be needed (and agreed with relevant stakeholders) to build in time for appropriate dialogue and to share and consider technical evidence.

18. In October 2021 the Cabinet considered a further report regarding H&BBC's emerging Local Plan. The Cabinet agreed that the County Council would continue to work with the Borough Council to develop a Local Plan that was sound and deliverable, but that if H&BBC decided to publish a Regulation 19 Local Plan that did not satisfactorily address the County Council's concerns, it would raise a formal objection as part of the statutory Regulation 19 consultation process, and at Examination in Public.
19. On 11 February 2022 the Cabinet authorised the Chief Executive, following consultation with the Lead Cabinet Member, to submit comments on behalf of the County Council, prior to the end of the H&BBC Regulation 19 Local Plan consultation period. The report reiterated that to date, insufficient evidence had been provided to demonstrate that the Local Plan meets the tests of soundness as set out in paragraph 35 of the National Planning Policy Framework and as a result, this was likely to form the basis of the County Council's response.

Resource Implications

20. Local plans inevitably come with significant infrastructure requirements for the County Council with highways and education being the key concerns. A Local Plan in an individual district can typically have a public sector infrastructure investment requirement exceeding £100 million. A good Local Plan is essential if the associated financial risks are to be managed:
 - Cost can be minimised through the co-ordination of infrastructure design and development across individual developments.
 - Opportunities for Government funding can be maximised through clear justification.
 - The risk of not securing the right amount of funding from developers is reduced.
 - Sound modelling ensures developments are viable and can fund their share of infrastructure costs.

21. When a Local Plan is in place, the County Council remains heavily dependent on district councils, as the local planning authority, to secure the section 106 developer contributions needed to deliver the capital investment. Without significant assurance in this regard the risk of entering into forward funding arrangements, which allow infrastructure to be developed in advance of housing, would not be feasible were the County Council wishing to do so. And, if this were to be the case, even if such significant assurance could be secured, decisions would need to be taken against the backdrop of the wider pressures on the Council's finances, including those from other local plans, rather than each being considered in isolation. The H&BBC Local Plan needs to be seen in the context of established and emerging plans across Leicestershire which is compounding the risks that the County Council and ultimately the taxpayer bears.

Circulation under the Local Issues Alert Procedure

22. This report will be circulated to all Members.

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PART B

Background

23. H&BBC's new Local Plan seeks to set out the Borough Council's development strategy to 2039, and covers the protection and enhancement of environmental assets as well as guiding the locations for new development. The preparation of Local Plans involves various stages and this consultation from H&BBC is known as a Regulation 19 consultation on the Pre-Submission Local Plan (2020 to 2039). The focus is on whether the plan has been prepared in accordance with all legal and procedural requirements, and whether the plan meets the prescribed tests of soundness. H&BBC's Local Development Scheme outlines the intention to submit the Local Plan to the Secretary of State in March 2022, with the Examination (part of the statutory process) expected to be held in August 2022, prior to adoption in March 2023. The Government's Planning White Paper, considered by the Cabinet on 18 September 2020, proposes 'end to end' reform of the current planning system in England'; however, specific details of any reform and when they might be introduced remains uncertain. The Levelling Up White Paper (February 2022) does however, suggest that local plans will be made simpler and shorter and that improved data will ensure that they are increasingly transparent and understandable, with more of a focus on housing delivery on brownfield sites and the ability for communities to have a meaningful say on individual planning applications being retained.

24. In December 2020 the Government announced a new Standard Method for the calculation of local housing need, which included a 35% uplift for the 20 largest cities and urban areas in England, including Leicester. For the Leicester and Leicestershire Housing Market Area this gives an indicative housing need figure of 5,520 per year 2020-2036. Whilst the figures in the districts remain largely the same, the need in Leicester has increased by about 10,000 homes (600 homes per year). The Government has however, indicated it may make further changes to its methodology for calculating local housing need requirements. Against this uncertain context, H&BBC have chosen to proceed with its Pre-Submission Local Plan (2020 to 2039) due to the need to put in place an up-to-date Local Plan, reduce speculative development and help rectify its five-year housing land supply shortfall.

Duty to Cooperate

25. It is recognised that should a Housing Market Area (HMA) authority identify, quantify and provide robust evidence to demonstrate an unmet need, it is incumbent upon the HMA authorities to jointly resolve any cross-boundary matters with HMA partners under the Duty to Co-operate.

26. Whilst it is acknowledged that Government intends to reform the planning system and consulted on a White Paper – Planning for the Future, there is as yet no timetable for such reforms. The Duty to Cooperate is a key to the ongoing success of the SGP. Without the SGP and without a clear aligned approach to delivery, Leicestershire faces high levels of

speculative/indiscriminate development with the consequent high risk of inadequate highway and education infrastructure. To avoid this, ongoing commitment from all the local authorities to the SGP is therefore crucial, as is their support for a collaborative and coordinated approach to the defining and allocating of infrastructure funding requirements of local plans.

27. All ten partners to the SGP also agreed to a Joint Position Statement relating to Leicester's Housing and Employment Land Needs in September 2020. This sets out how the local authorities and the Leicester & Leicestershire Enterprise Partnership (LLEP) will continue to work together to accommodate unmet need for housing and employment land identified in the draft City of Leicester Local Plan.
28. In April 2021, the County Council became a signatory to a Statement of Common Ground (SoCG) prepared by the Leicester and Leicestershire local planning authorities and the County Council, guided by the Strategic Planning Group and Members' Advisory Group to support the Charnwood Local Plan process. In becoming a signatory to the SoCG, the County Council was not necessarily giving support to the content of the emerging Charnwood Local Plan. The key strategic matters covered in the SoCG under the Duty to Cooperate are; Leicester and Leicestershire Housing and Employment Needs to 2036; Unmet Need to 2036; and the process of apportioning unmet need to 2036. Signatories have subsequently agreed that the SoCG produced for the Charnwood Local Plan remains the most up to date position on unmet need (in the absence of any published evidence) and so also applies to Hinckley and Bosworth Borough Council's emerging Local Plan. H&BBC has included a trigger policy for an early review of its Local Plan in its Pre-Submission Regulation 19 Local Plan.
29. A future SoCG for Leicester and Leicestershire dealing with the apportionment of unmet need from the City to the district councils will be informed by strategic evidence work currently being undertaken by partners in Leicester and Leicestershire to inform future infrastructure and growth, and work the City Council is undertaking to maximise the growth it is able to accommodate without adversely affecting the environment and quality of place. It is expected this will be available mid-2022 and will be the subject of a report to the Cabinet.
30. In November 2021, the County Council became a signatory to a separate Statement of Common Ground relating to Strategic Warehousing and Logistics Need. This builds on the Strategic Warehousing and Logistics Need Study (April 2021) and helps to inform an approach to meeting the Leicester and Leicestershire need and to maintain an appropriate supply across the area. This includes an Area of Opportunity in and around Hinckley and Bosworth Borough.

Overview of content of H&BBC Pre-Submission Local Plan document

31. H&BBC's new Local Plan sets out the Borough Council's development strategy to 2039. It outlines 55 Strategic Policies and 16 Non-Strategic Policies, with policy areas covering Spatial Strategy, Climate Change, Place Making and

Design, Housing Economic Prosperity, Town Centres, Communities, Leisure and Tourism, Heritage and Conservation, Natural Environment, Transport, and Infrastructure.

32. The Plan's Vision and Objectives are at the core of the Local Plan and are shaped by H&BBC's Corporate Plan 2017-2021, Community Plan 2018-2022 and Rural Strategy 2020-2023. The Vision describes Hinckley and Bosworth Borough as a place supporting sustainable growth and maximising opportunities from new infrastructure, with development primarily focused in the urban area, closest to key services, transport links and facilities. The Vision has been amended since the Regulation 18 consultation considered by the Cabinet in September 2021 to make much stronger references to the natural environment, particularly around improving biodiversity, increasing natural capital and being resilient to climate change. The Vision now highlights direct H&BBC emissions becoming carbon neutral by 2030 and overall Borough emissions becoming net zero by 2050, however it is seen as a missed opportunity to not bring this forward to 2045 to align with the County target.
33. The Plan highlights a total supply of around 9,124 homes in the Borough during the plan period of 2020 to 2039, above the need identified of 8,436 which has been established through the standard method for assessing local housing need as set out in the National Planning Practice Guidance. The Plan outlines new housing allocations of 3,852 homes across 23 sites, with 2,770 directed to the urban area (of which 1,990 is directed to the two strategic Sustainable Urban Extension sites at Barwell and Earl Shilton), 738 to key rural centres and 344 to rural villages.
34. There is a provision for a minimum supply of 105.97 hectares of employment land over the Plan period, with 43.1 hectares of employment land allocations across Barwell and Earl Shilton Sustainable Urban Extensions, the Hinckley Sewage Treatment Works at Burbage and a small allocation South of Station Road, Market Bosworth.
35. There are specific policies seeking to protect and enhance the vitality and viability of town centres, whilst the historic environment and heritage assets in the Borough are sought to be conserved and enhanced. Policies are included to ensure that the future infrastructure needs of the Borough's new and existing communities are appropriately met, however the details of this are still to be borne out through an Infrastructure Delivery Plan which will need to identify the infrastructure required to support the proposed level of growth, including indicative costs and potential funding streams.

Response to the H&BBC Pre-Submission Local Plan document

36. At this stage of local plan making the comments of the County Council need to focus on compliance and tests of soundness. Paragraph 35 of the National Planning Policy Framework sets out that for a Local Plan to be found 'sound' it needs to be Positively Prepared, Justified, Effective, and Consistent with National Policy. An overview of the conclusions reached is provided prior to

reference being made to the difficulties of identifying key modifications at this stage given the concerns of the County Council.

37. The County Council's full response and further comments are provided in the Appendix to this report. It is hoped that this report and appendix will provide useful and constructive information for H&BBC, the Planning Inspectorate and other interested parties and individuals in working towards a sound plan.

Overarching response: Legal Compliance and 'Tests of Soundness'

38. Although many of the County Council's previous comments at Regulation 18 stage have been taken on board, some of the more fundamental concerns have not been addressed; and it is these outstanding fundamental concerns plus the omission of the latest sustainability appraisal which have informed the County Council's consideration of compliance and tests of soundness.

Legal Compliance

39. The Planning and Compulsory Purchase Act (2004) requires a local planning authority to carry out a sustainability appraisal (SA) for the documents that form part of a local plan (including core strategies, site allocation documents and area action plans). SAs incorporate the requirements of the Strategic Environmental Assessment Regulations 2004. A Habitats Regulation Assessment (HRA) may also be required.
40. An SA can be used to test the evidence underpinning the local plan and help to demonstrate how the tests of soundness have been met. SAs should be applied as an iterative process informing the development of the Local Plan.
41. Given that the SA should be submitted with the Local Plan for examination and it should help to integrate different areas of evidence and demonstrate why the proposals in the local plan are the most appropriate, it would be expected for a SA on the current iteration of the local plan to be the subject of consultation at the same time. This would enable a clearer understanding of the impact of the preferred strategy and the likely impacts on the provision of infrastructure and services.
42. Unfortunately, this is not the case and the Sustainability Appraisal is still awaited. The most recent SA on the local plan was published in September 2020. A Site Assessment Methodology was published in October 2020 on the methodology for how potential land allocations will be assessed through the preparation of the SA and Local Plan but the actual appraisal of proposed site allocations through the SA process has not yet been published.
43. As a consequence, it is considered that in the absence of an up-to-date SA on the preferred spatial strategy and proposals set out in the draft Local Plan, the draft local plan is not legally compliant.

Tests of Soundness

44. For Local Plans to be 'justified' they need to be based on an appropriate strategy, taking into account reasonable alternatives and based on proportionate evidence. Given the Plan has no underpinning transport evidence base (the preferred housing strategy has not been modelled in transport terms), the present transport policies are generic and no Infrastructure Delivery Plan has been prepared at this time. It is therefore not possible for the Local Highway Authority (LHA) to be able to determine the nature of highways and transport measures and the infrastructure required to enable the Local Plan's delivery, nor to understand whether the costs of such can be funded or to what extent a funding gap might exist. As such the Local Plan cannot be described as being justified.
45. Work to develop a transport evidence base to underpin the Plan, identify required mitigation measures and infrastructure is likely to involve not just Leicestershire County Council as the Local Highway Authority (LHA) for roads in the Borough, but also Warwickshire County Council as the LHA for the adjoining Boroughs of Rugby, and Nuneaton and Bedworth, and National Highways as the Highway Authority for the A5. At present there is no defined position between these parties, such as a Statement of Common Ground, to provide a platform for taking the required work forward.
46. In the development of the transport evidence base, it is necessary to include the testing of the preferred housing strategy; identification and assessment of mitigation measures and infrastructure, not just site specific but also, as necessary, to address cumulative impacts; assessment of broad costings; inclusion of appropriate policies in the Local Plan to link development proposals to the required mitigation measures/infrastructure, including to provide robust basis for securing developer contributions; and development of an Infrastructure Delivery Plan. It is extremely questionable as to whether there is sufficient time available now to conclude the required actions ahead of the date in the Local Development Scheme for the Local Plan Examination (August 2022), and assumes that the evidence will conclude the Local Plan is deliverable.
47. Assessing site specific and cumulative impacts at a later date runs risks that opportunities could be missed or lost to ensure that the submitted Plan's overall highways and transport impacts are appropriately mitigated (e.g. because when judged at a later time, in isolation and without an appropriate, evidenced-based Plan policy(ies) it would be unreasonable in planning terms to seek the developer of a site to contribute towards or to deliver a piece of cumulative impact mitigation).
48. The Regulation 19 submission draft does not introduce any material changes in relation to education compared with the Regulation 18 version of the Plan. Reference to schools, SEND and early years provision remains extremely limited, including those sections referencing education and skills development. In this respect the importance of good education provision, whether through schools, early years or other specialist settings appears to have not been

properly thought through. Such educational settings have an important role to play in the development of thriving and sustainable communities.

49. The Local Plan does not set out a clear strategy or any objective assessments to clarify how the education needs arising from new housing will be delivered. For example, there is no explanation of expected housing trajectories, how land will be secured, or how new school developments or school expansions will be funded, particularly where dependent on several developers to contribute to a specific solution.
50. Neither does the Local Plan recognise or consider the delivery challenges that may exist for the development of new schools or school expansions, for example where these might be placed in conservation areas or rural settlements where small schools may have limited space or other restrictions on expansion.
51. The discussions so far on education matters with HBBC officers have not addressed these concerns.
52. Furthermore, in the absence of the latest Sustainability Appraisal it is challenging to come to the view whether the residential and employment allocations in the Local Plan represent the most sustainable locations in the Borough for future development.
53. Without the detailed transport evidence on the preferred strategy, the Infrastructure Delivery Plan and Viability Assessment it is challenging to come a view as to whether the Local Plan contains policies that positively propose ways of securing and delivering infrastructure.
54. For a Local Plan to be 'effective' it needs to be deliverable over the Plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by a Statement of Common Ground. The extent to which the lack of evidence base to identify measures and infrastructure to enable delivery of the Plan might hamper (or even thwart) the progress of sites moving forward at the planning application stage is unclear. This may be due to lack of earlier evidential understanding of the sites' impacts at the Local Plan stage or viability issues that only become apparent at the time of the application. Similarly, it is unclear to what extent this could affect 5 year housing land supply during the lifetime of the Plan.
55. In the absence of the Local Plan not setting out a clear strategy or any objective assessments to clarify how the education needs arising from new housing will be delivered (no housing trajectories, how land will be secured, or how new school developments or school expansions will be funded, particularly where dependent on several developers to contribute to a specific solution) it is not possible to say if the proposals and ambitions set out in the Local Plan are deliverable over the Plan period.

56. Neither is it possible to say if the infrastructure needed to satisfy the County Council's statutory duty for the planning of school places will be affordable by developers/promoters and in this context the question of viability may arise.
57. To have confidence in the Local Plan there should have been a stronger emphasis on joint working to address the strategic and operational delivery matters and this should have been considered at an early stage. It would also have been helpful if agreed principles could have been set out in a Statement(s) of Common Ground and/or strategic delivery document for the various developments.
58. The Local Plan has not been supported by a viability appraisal, which makes it difficult to understand how decisions can have been reached about the deliverability of site allocations. This is likely to be due to the underpinning evidence having not been undertaken yet to inform the viability appraisal. As such, it is difficult to demonstrate compliance with the NPPF (paragraph 68) which advises that planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. It is extremely difficult to know whether developer contributions will be able to fund school places (including early years and SEND) without understanding the viability implications of what is proposed.
59. Most of the Local Highway Authority's previous comments at the Regulation 18 stage have not been addressed in the draft Plan, which amongst other things still appears weak in reflecting the Government's decarbonising transport policies and in some cases uses phraseology that is inconsistent with that used in national policy.
60. Paragraph 11 of the National Planning Policy Framework (NPPF) on the presumption in favour of sustainable development sets out the expectations for plan-making; this includes Local Plans promoting a sustainable pattern of development that seeks to meet the development needs of the area, align growth and infrastructure, improve the environment, mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects.
61. The Local Plan sets out a scale of development which seeks to meet the development needs of the Borough area (as the Leicester and Leicestershire SoCG dealing with the distribution of unmet need from the City has not yet been published the additional amount to be directed to Hinckley and Bosworth Borough cannot yet be planned for); however, the County Council cannot yet come to a view as to whether growth and infrastructure are aligned in the absence of several pieces of evidence (detailed transport modelling work, mitigation measures, mitigation strategy, Infrastructure Delivery Plan and whole plan Viability Assessment).

Conclusion

62. In conclusion the Local Plan is not considered to be 'justified', 'effective' or 'consistent with national policy', and given the concerns identified under these

tests of soundness it is difficult to substantiate that it has been 'positively prepared'. As a consequence, the County Council reluctantly has to advise the Inspector that it considers the Local Plan is not sound.

63. For the County Council in its role as a key infrastructure provider for transport and education the lack of evidence and certainty (in terms of understanding mitigation, viability and deliverability), presents significant risk to the County Council. The focus needs to be on resolving where possible and minimising this risk through closer partnership working to prepare a robust sound Local Plan for Hinckley and Bosworth Borough.
64. Owing to the lack of suitable evidence and engagement, it is extremely difficult for the County Council to set out the range of modifications to the Plan that are needed to make the Plan sound. Until the evidence has been completed and is available to inform consideration of the changes needed to the Local Plan it is difficult to suggest key modifications.
65. One key modification the County Council is able to request at this time is for H&BBC to consider the introduction of a policy within the Local Plan on the provision and placement of new schools and acquisition/reservation of land for either new schools or the significant expansion of existing schools. Education will work with H&BBC to advise on specific content.
66. Furthermore, H&BBC should consider moving early years provision from a category of 'essential' infrastructure to one of 'critical' (Policy INF 01), and develop a sub-category for Post-16 provision as a discrete requirement (reference is currently only made to Secondary or Further Education).
67. A potential benefit of a delay for evidence to be completed and inform the Local Plan is that the SoCG setting out the distribution of unmet need to the Leicestershire districts is likely to have been published and the opportunity can be taken to consider the additional scale and likely distribution of growth.

Equality and Human Rights Implications

68. There are no equality and human rights implications arising from the recommendations in this report.

Environmental Implications

69. The County Council will continue to work closely with H&BBC and other partners to minimise the impact planned growth has on the environmental assets of Leicester and Leicestershire.
70. The impact upon the environment is a key consideration in all planning decisions made within the context of an approved or emerging Local Plan, and the County Council will seek to ensure that opportunities are taken to enhance the environment through biodiversity net gain and sustainable forms of development.

71. The lack of a Sustainability Appraisal to accompany the draft Local Plan at this Regulation 19 stage is a strong concern.

Partnership Working and Associated Issues

72. The County Council works closely with the Leicester and Leicestershire Strategic Planning Partnership, which includes NWLDC, the County Council, Leicester City Council, the other six district councils in Leicestershire and the Leicester and Leicestershire Enterprise Partnership. A strengthening of partnership working is sought to deal with the transport challenges which require a strategy led approach with multiple partners in the borough and wider area.

Background Papers

Report to the Cabinet on 29 March 2019: Response to Consultation on Hinckley and Bosworth Borough Council's Local Plan Review: New Directions for Growth

<https://bit.ly/36aXXF2>

Report to the Cabinet on 20 November 2020: Leicester and Leicestershire Strategic Transport Priorities 2020 to 2050

<https://bit.ly/3Bvimk0>

Report to the Cabinet on 22 June 2021: Urgent action taken by the Chief Executive in relation to the Leicester and Leicestershire Statement of Common Ground relating to housing and employment land needs (March 2021)

<https://bit.ly/3JDQRaL>

Report to the Cabinet on 17 September 2021: Response to the Hinckley and Bosworth Borough Council's Draft Local Plan (Regulation 18) Consultation

<https://bit.ly/3pAliXw>

Report to the Cabinet on 26 October 2021: Development of Hinckley and Bosworth Borough Council's New Local Plan – Latest Position'

<https://bit.ly/3FTTQti>

Report to the Cabinet on 11 February 2022: Hinckley and Bosworth Borough Council's New Local Plan - Response to Regulation 19 Consultation

<https://bit.ly/3uXjlrG>

Appendix

Leicestershire County Council Officer Comments on Hinckley and Bosworth Borough Council Pre-Submission Local Plan (2020-2039) Regulation 19 Consultation

Appendix – Leicestershire County Council Officer Comments on Hinckley and Bosworth Borough Council Pre-Submission Local Plan (2020-2039) Regulation 19 Consultation

1. At this stage of local plan making the comments of the County Council need to focus on compliance and tests of soundness. Paragraph 35 of the National Planning Policy Framework sets out that for a Local Plan to be found 'sound' it needs to be Positively Prepared, Justified, Effective, and Consistent with National Policy. An overview of the conclusions reached is provided prior to reference being made to the difficulties of identifying key modifications at this stage given the concerns of the County Council.
2. The County Council's full response and further comments are provided in this appendix. It is hoped that the report and appendix will provide useful and constructive information for H&BBC, the Planning Inspectorate and other interested parties and individuals in working towards a sound plan.

Overarching response: Legal Compliance and 'Tests of Soundness'

3. Although many of the County Council's previous comments at Regulation 18 stage have been taken on board, some of the more fundamental concerns have not been addressed; and it is these outstanding fundamental concerns plus the omission of the latest sustainability appraisal which have informed the County Council's consideration of compliance and tests of soundness.

Legal Compliance

4. The Planning and Compulsory Purchase Act (2004) requires a local planning authority to carry out a sustainability appraisal (SA) for the documents that form part of a local plan (including core strategies, site allocation documents and area action plans). SAs incorporate the requirements of the Strategic Environmental Assessment Regulations 2004. A Habitats Regulation Assessment (HRA) may also be required.
5. An SA can be used to test the evidence underpinning the local plan and help to demonstrate how the tests of soundness have been met. SAs should be applied as an iterative process informing the development of the Local Plan.
6. Given that the SA should be submitted with the Local Plan for examination and it should help to integrate different areas of evidence and demonstrate why the proposals in the local plan are the most appropriate, it would be expected for a SA on the current iteration of the local plan to be the subject of consultation at the same time. This would enable a clearer understanding of the impact of the preferred strategy and the likely impacts on the provision of infrastructure and services.
7. Unfortunately, this is not the case and the Sustainability Appraisal is still awaited. The most recent SA on the local plan was published in September 2020. A Site Assessment Methodology was published in October 2020 on the methodology for how potential land allocations will be assessed through the preparation of the SA and Local Plan but the actual appraisal of proposed site allocations through the SA process has not yet been published.
8. As a consequence, it is considered that in the absence of an up-to-date SA on the preferred spatial strategy and proposals set out in the draft Local Plan, the draft local plan is not legally compliant.

Tests of Soundness

9. For Local Plans to be 'justified' they need to be based on an appropriate strategy, taking into account reasonable alternatives and based on proportionate evidence. Given the Plan has no underpinning transport evidence base (the preferred housing strategy has not been modelled in transport terms), the present transport policies are generic and no Infrastructure Delivery Plan has been prepared at this time. It is therefore not possible for the Local Highway Authority (LHA) to be able to determine the nature of highways and transport measures and the infrastructure required to enable the Local Plan's delivery, nor to understand whether the costs of such can be funded or to what extent a funding gap might exist. As such the Local Plan cannot be described as being justified.
10. Work to develop a transport evidence base to underpin the Plan, identify required mitigation measures and infrastructure is likely to involve not just Leicestershire County Council as the Local Highway Authority (LHA) for roads in the Borough, but also Warwickshire County Council as the LHA for the adjoining Boroughs of Rugby, and Nuneaton and Bedworth, and National Highways as the Highway Authority for the A5. At present there is no defined position between these parties, such as a Statement of Common Ground, to provide a platform for taking the required work forward.
11. In the development of the transport evidence base, it is necessary to include the testing of the preferred housing strategy; identification and assessment of mitigation measures and infrastructure, not just site specific but also, as necessary, to address cumulative impacts; assessment of broad costings; inclusion of appropriate policies in the Local Plan to link development proposals to the required mitigation measures/infrastructure, including to provide robust basis for securing developer contributions; and development of an Infrastructure Delivery Plan. It is extremely questionable as to whether there is sufficient time available now to conclude the required actions ahead of the date in the Local Development Scheme for the Local Plan Examination (August 2022), and assumes that the evidence will conclude the Local Plan is deliverable.
12. Assessing site specific and cumulative impacts at a later date runs risks that opportunities could be missed or lost to ensure that the submitted Plan's overall highways and transport impacts are appropriately mitigated (e.g. because when judged at a later time, in isolation and without an appropriate, evidenced-based Plan policy(ies) it would be unreasonable in planning terms to seek the developer of a site to contribute towards or to deliver a piece of cumulative impact mitigation).
13. The Regulation 19 submission draft does not introduce any material changes in relation to education compared with the Regulation 18 version of the Plan. Reference to schools, SEND and early years provision remains extremely limited, including those sections referencing education and skills development. In this respect the importance of good education provision, whether through schools, early years or other specialist settings appears to have not been properly thought through. Such educational settings have an important role to play in the development of thriving and sustainable communities.
14. The Local Plan does not set out a clear strategy or any objective assessments to clarify how the education needs arising from new housing will be delivered. For example, there is no explanation of expected housing trajectories, how land will be secured, or how new school developments or school expansions will be funded, particularly where dependent on several developers to contribute to a specific solution.

15. Neither does the Local Plan recognise or consider the delivery challenges that may exist for the development of new schools or school expansions, for example where these might be placed in conservation areas or rural settlements where small schools may have limited space or other restrictions on expansion.
16. The discussions so far on education matters with HBBC officers have not addressed these concerns.
17. Furthermore, in the absence of the latest Sustainability Appraisal it is challenging to come to the view whether the residential and employment allocations in the Local Plan represent the most sustainable locations in the Borough for future development.
18. Without the detailed transport evidence on the preferred strategy, the Infrastructure Delivery Plan and Viability Assessment it is challenging to come a view as to whether the Local Plan contains policies that positively propose ways of securing and delivering infrastructure.
19. For a Local Plan to be 'effective' it needs to be deliverable over the Plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by a Statement of Common Ground. The extent to which the lack of evidence base to identify measures and infrastructure to enable delivery of the Plan might hamper (or even thwart) the progress of sites moving forward at the planning application stage is unclear. This may be due to lack of earlier evidential understanding of the sites' impacts at the Local Plan stage or viability issues that only become apparent at the time of the application. Similarly, it is unclear to what extent this could affect 5 year housing land supply during the lifetime of the Plan.
20. In the absence of the Local Plan not setting out a clear strategy or any objective assessments to clarify how the education needs arising from new housing will be delivered (no housing trajectories, how land will be secured, or how new school developments or school expansions will be funded, particularly where dependent on several developers to contribute to a specific solution) it is not possible to say if the proposals and ambitions set out in the Local Plan are deliverable over the Plan period.
21. Neither is it possible to say if the infrastructure needed to satisfy the County Council's statutory duty for the planning of school places will be affordable by developers/promoters and in this context the question of viability may arise.
22. To have confidence in the Local Plan there should have been a stronger emphasis on joint working to address the strategic and operational delivery matters and this should have been considered at an early stage. It would also have been helpful if agreed principles could have been set in a Statement(s) of Common Ground and/or strategic delivery document for the various developments.
23. The Local Plan has not been supported by a viability appraisal, which makes it difficult to understand how decisions can have been reached about the deliverability of site allocations. This is likely to be due to the underpinning evidence having not been undertaken yet to inform the viability appraisal. As such, it is difficult to demonstrate compliance with the NPPF (paragraph 68) which advises that planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. It is extremely difficult to know whether developer contributions will be able to fund school places (including early years and SEND) without understanding the viability implications of what is proposed.

24. Most of the Local Highway Authority's previous comments at the Regulation 18 stage have not been addressed in the draft Plan, which amongst other things still appears weak in reflecting the Government's decarbonising transport policies and in some cases uses phraseology that is inconsistent with that used in national policy.
25. Paragraph 11 of the National Planning Policy Framework (NPPF) on the presumption in favour of sustainable development sets out the expectations for plan-making; this includes Local Plans promoting a sustainable pattern of development that seeks to meet the development needs of the area, align growth and infrastructure, improve the environment, mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects.
26. The Local Plan sets out a scale of development which seeks to meet the development needs of the Borough area (as the Leicester and Leicestershire SoCG dealing with the distribution of unmet need from the City has not yet been published the additional amount to be directed to Hinckley and Bosworth Borough cannot yet be planned for); however, the County Council cannot yet come to a view as to whether growth and infrastructure are aligned in the absence of several pieces of evidence (detailed transport modelling work, mitigation measures, mitigation strategy, Infrastructure Delivery Plan and whole plan Viability Assessment).

Conclusion

27. In conclusion the Local Plan is not considered to be 'justified', 'effective' or 'consistent with national policy', and given the concerns identified under these tests of soundness it is difficult to substantiate that it has been 'positively prepared'. As a consequence, the County Council reluctantly has to advise the Inspector that it considers the Local Plan is not sound.
28. For the County Council in its role as a key infrastructure provider for transport and education the lack of evidence and certainty (in terms of understanding mitigation, viability and deliverability), presents significant risk to the County Council. The focus needs to be on resolving where possible and minimising this risk through closer partnership working to prepare a robust sound Local Plan for Hinckley and Bosworth Borough.
29. Owing to the lack of suitable evidence and engagement, it is extremely difficult for the County Council to set out the range of modifications to the Plan that are needed to make the Plan sound. Until the evidence has been completed and is available to inform consideration of the changes needed to the Local Plan it is difficult to suggest key modifications.
30. One key modification the County Council is able to request at this time is for H&BBC to consider the introduction of a policy within the Local Plan on the provision and placement of new schools and acquisition/reservation of land for either new schools or the significant expansion of existing schools. Education will work with H&BBC to advise on specific content.
31. Furthermore, H&BBC should consider moving early years provision from a category of 'essential' infrastructure to one of 'critical' (Policy INF 01), and develop a sub-category for Post-16 provision as a discrete requirement (reference is currently only made to Secondary or Further Education).
32. A potential benefit of a delay for evidence to be completed and inform the Local Plan is that the SoCG setting out the distribution of unmet need to the Leicestershire districts

is likely to have been published and the opportunity can be taken to consider the additional scale and likely distribution of growth.

Further comments

33. The following comments form part of the County Council's wider response and do not necessarily relate to matters constituting compliance or soundness of the Pre-Submission Local Plan.

Transport

34. To put in place a Statement of Common Ground (SoCG) for transport, albeit at this time it would only be possible to identify areas where agreement has yet to be reached; set out the evidential work that is required; and reflect realistic timeframes for progressing the required work. Though it is noted this could be a moot action if the timeframes do not align with the anticipated timing of the Local Plan Examination.
35. Note a SoCG for transport will involve not just Leicestershire County Council as the Local Highway Authority (LHA) for roads in the Borough, but also Warwickshire County Council as the LHA for the adjoining Boroughs of Rugby, and Nuneaton and Bedworth, and National Highways as the Highway Authority for the A5. At present there is no defined position between these parties, such as a SoCG, to take the required work forward.

Education

36. The submission Draft Plan, provides insufficient information to provide a meaningful response regarding education infrastructure needs. That is to say that although the Plan provides detail of expected development sites, in the absence of detailed information to clarify the housing mix, expected dates for development and build trajectories it is extremely difficult to comment on education solutions. In this respect the County Council has sought the opportunity for early discussion with HBBC to help understand the draft site allocations. Although these discussions have now commenced, and initial findings are outlined further in this document, there still remains ambiguity about the above matters, and by implication the obligations and risks this may place on the County Council.
37. It should be noted that as a general point, the Regulation 19 draft Local Plan does not introduce any material changes from the Regulation 18 draft Local Plan in relation to education, and reference to schools, SEND or Early Years provision remains extremely limited, including within those sections referencing Education and Skills development. In this respect the importance of good education provision, whether through schools, early years or other specialist settings appears to be under-valued. Such educational settings have an important role to play in the development of thriving and sustainable communities, although referenced in the Reg 19 document as 'critical' or 'essential' infrastructure more should be said about why this is the case.

Developing additional school places

38. In accordance with the Education Act 1996 the County Council has a statutory duty to ensure a sufficient supply of school places, this may be interpreted as a duty to ensure that a school place is available in all localities for every child that needs one and mindful of their specific needs. The County Council also has a duty to ensure the

sufficiency of early years and childcare provision under the Childcare Act 2006 and 2016.

39. In the context of the above duty it should be noted that a number of existing schools within the Borough are currently operating at the upper limit of their site capacity and may not be readily able to provide school places which would arise from the allocation of substantial housing growth, particularly some of the schools in small, villages or rural centres. This might suggest that the Plan should make provision to either secure land for the expansion of schools, if available next to the school site or alternatively consider relocating housing development elsewhere, or in certain circumstances the development of a new school. The Borough Council are advised to exercise caution when considering the development of new schools as the cost for these may be disproportionate to the scale of development (it should be noted that the County Council is unlikely to be able to meet any funding gaps, unless there is evidence of increasing 'basic need' in the area for which DfE grant may have been secured). Developing new schools may also introduce surplus place capacity if not carefully planned, which will have a bearing to other developments, speculative or otherwise, in the given area.
40. For the avoidance of doubt singular or multiple developments of collectively 700 homes would ensure the viability of a 1 form entry, 210 place primary school, whereas for secondary developments would need to comprise circa 4500 homes to justify a 750 place school (excluding post 16 provision).
41. It is noted that paragraph 4.13 makes specific reference to a "minimum of 1500 homes" for a Garden Village or New Town, this would require a 420 place primary school, however, a settlement of this size would not sustain a new secondary school provision. Early discussion regarding potential location of any new settlement would therefore be welcomed in order to identify potential secondary education and Post 16 requirements and solutions.
42. In terms of SEND provision for pupils having an Education Health and Care Plan (EHCP) it is expected that provision will be attached to existing or new primary or secondary schools in the locality, accepting there will be circumstances where pupils with specialist needs may need to attend schools further afield, and which in some circumstances may be outside of the Borough.
43. From an Early Years perspective, the DfE encourage provision to be developed as part of new school, and placed in each locality to minimise travel and disruption to families. Where such provision cannot be developed on existing or new school sites, or where demand exceeds that which could be met via a school based solution then early years provision should also be considered for community hubs or similar buildings.
44. Where new school sites are proposed it is important to ensure that they are where possible placed central to developments they will serve (or at the centre of a single development), but mindful of any future need for expansion that may require additional land, in locations that are fully accessible and on sites that are of suitable gradient (avoiding excessive slopes/inclines), well drained, free from excessive noise, light, or air pollutants, so can take maximum benefit from their environments. Further details on site suitability for new or expanded schools can be found within the Leicestershire Planning Obligations Policy.
45. Any reserved sites for expansion of existing school, or the construction of new schools will need to reflect statutory guidance from the Department for Education regarding

statutory 'walking' distances from home to school of two miles for primary pupils and three miles for secondary pupils, and County Council policy relating to safe/available routes.

46. It should be noted that introducing further development sites not identified within the Local Plan can sometimes tip the balance when it comes to provision of new schools rather than the provision of extra places, therefore some flexibility should be built into the plan to address this.
47. It is suggested that HBBC consider the introduction a policy statement(s) within the Local Plan to deal with the provision and placement of new schools and acquisition/reservation of land for either new schools or the significant expansion of existing schools.
48. The Borough Council should further consider moving early years provision from a category of 'essential' infrastructure to one of 'critical' (Policy INF 01), and to develop a sub category for Post 16 provision as a discrete requirement (reference is currently only made to Secondary or FE).

Capital Funding Strategy for additional school places – new or expanded schools including land acquisition.

49. The report to the County Cabinet of 17th September 2021 in response to the Reg 18 consultation stated;

'the proposals from the emerging and updated district council Local Plans will lead to a demand for further schemes to be delivered, and as such further substantial pressures on the County Council's financial resources.

Further schemes can only be accommodated when sufficient confidence can be obtained that developer funding will be forthcoming to repay the County Council's investment.

The scale of the infrastructure, and the need for much of it to be needed in advance of development, will put pressure on the County Council to cash flow it in advance of funding being received from developers. However, given the wider pressures on the County Council's financial position, there is limited scope for this and there will inevitably be a need for prioritisation.

It is of paramount importance that early engagement and close working is undertaken between the County Council and other partners in the delivery of infrastructure and related proposals to help to partially mitigate some of these risks.

It is also crucial that there is flexibility wherever possible around timing of spend and what money is spent on as well as ensuring developer contributions to local infrastructure costs can be secured in a coordinated and equitable manner.

The Government's ambitions in the Planning White Paper (August 2020) will also need to be factored into the delivery of emerging Local Plans, necessitating adjustment and perhaps major changes to the mechanisms used to secure and deliver infrastructure.'

50. The report to the County Cabinet of 17th September 2021 in response to the Reg 18 consultation also stated;

- In terms of education matters a number of issues arise; New schools or significant expansion works will be expected to be progressed in parallel with new housing developments, to ensure that school places are available as new homes are occupied. The County Council will not have capacity to forward fund all new infrastructure works, this therefore places emphasis on developers not only meeting the full cost of all new schools or expansions but ensuring that S106 funds are released at a sufficiently early stage to allow works to progress. If this cannot be achieved then this may introduce a requirement for pupils from new developments to be transported to other schools nearby, in such circumstances the developer would be required to meet not only the costs off transport to alternative schools, but potentially also the costs of additional temporary accommodation if surplus places were not available. The County Council would seek to avoid such circumstances arising given the disruptive impact this will have to families and the continuity of pupil's education.
- It is expected that some new schools or expansions will be dependent on S106 funding drawn from several developments, this could introduce a significant funding risk that either developments do not progress simultaneously or consecutively, or possibly that a particular development does not progress at all introducing a funding gap.
- It is known that delivery of the Local Plan will be contingent on the expansion of schools in rural locations, often conservation areas, or on constrained sites, where normal design solutions cannot be applied. In such circumstances it is expected that developers will be required to meet the full costs of construction, and any additional works necessary to mitigate any other planning requirements.
- The Local Plan makes no reference to the impact of EU exit or the Covid pandemic both of which have served to influence significant construction cost increases e.g labour shortages, materials availability and transport costs etc. It is too early to say how the construction market may be impacted longer term, this places an emphasis on the importance of frequent review and dialogue between the County and Borough Councils and other delivery partners to ensure that the full costs of schools development and any expected change to these are fully understood and mitigated for.
- Where land is provided by a developer to enable the provision of a new school (or significant expansion) this is considered in addition to the cost of adapting or constructing school buildings to provide additional places. Where land is given by a single developer in circumstances where multiple developments contribute to the construction of a new school, then the contributions to be sought from the developer providing the land will be offset by the agreed educational value of the land, or alternatively matters relating to land costs will be agreed between the respective developers and without involvement of the County Council.

51. In view of the above it is suggested that the Borough Council consider including within the Local Plan a policy setting out expectations specifically in relation to the funding of additional school places and other education infrastructure, such that this mitigates financial risk to the County Council.

Education - Other policy matters

Policy statement CLT 01

52. This policy statement defines expectations for community facilities and states;
- *Community facilities are identified and defined through the Community, Cultural and tourism Facilities Review¹ and include the following:*
 - *A community, village, parish or church hall*
 - *Places of Worship*
 - *Educational facilities including primary schools (Infants and Juniors); secondary schools; grammar schools; independent schools and colleges / further education facilities including training facilities*
 - *Healthcare Facilities including Health/medical Centres and GP Surgeries*
 - *Libraries*
53. The County Council recognises the value of schools as a focus for community use (predominantly outside of school hours and during school holidays). All new schools to be developed as part of the Local Plan delivery will be established as academy (free) schools meaning they will be operated by Academy Trusts (as charitable companies/commercial entities) directly controlled by the DfE. In practice schools will seek to make their facilities available to the community via normal lettings procedures.
54. The Borough Council are therefore advised that is very unlikely that academies will be able to enter into agreements with the District or other organisations regarding shared use or joint management agreements for facilities located on school sites, where such are deemed to present (in view of the Trust, the County Council or the DfE) a financial risk to the effective operation of any school. Such arrangements should therefore be avoided.

Policy statement NAT 02

55. The County Council welcomes the intention set out within clause 12.12; *The Green Infrastructure Strategy (2020) identifies that the southern green wedge could benefit from enhancement in regard to its function of providing a 'green lung' to the local community through encouraging and facilitating the use of land for allotments/community gardens, community woodlands and orchards and an environmental education centre for children*
56. Such environmental education centre would support the work of Forest Schools and play an important role in raising awareness of the natural environment for children and young people.

Specific Site Allocations

57. Although specific site details are not referenced in the Local Plan discussions with Borough Council policy and planning officers have productively helped to give consideration of potential delivery challenges. It is noted that the list of sites provided in the Scrutiny list is less comprehensive than information subsequently provided nevertheless the following matters should be noted;
-

Ratby 20-00462/20-00711

58. Site allocation for 210 dwellings plus existing planning application will cause issues. Local primary school is not able to be extended. A new school would require a minimum of 700 dwellings, the nearest available schools would be those in Groby or Kirby Muxloe but neither are considered to be ideal alternatives.

Barlestone BARL01H/O2H/20-00470

59. Whilst it may be possible to extend this school, due to the confined nature of the site the cost of the extension is likely to be over and above the normal cost multiplier used for extending schools. This could mean that there could be viability issues particularly on one of the sites which is understood to be 100% affordable housing. As any extension is dependent on contributions from a number of developments there is real concern about the availability of sufficient funds to enable work to commence early on the school extension – the County Council would not be able to forward fund such works.

Newbold Verdon 20-0043/NEW01H

60. The school has potential to extend by 105 places which is the equivalent of 350 dwellings it may however require extra land to do this and this should be investigated further as should any cost implications due to Sport England requirements and possible issues with the proximity of the scheduled monument. Unfortunately, the school is too far from Barlestone to accommodate pupils unable to be accommodated at that school.

Market Bosworth 21-00379/MKBOS02H/20-01187

61. There is limited scope for expansion at this school, possibly catering for c350 dwellings. As with other areas if there were to be development of a minimum of 700 dwellings there may be scope for a new school provided that the land for this is provided at no cost to Leicestershire County Council i.e. the cost of land acquisition should be apportioned between the various developments, and contributions reduced where provided by a particular developer.

Sheepy Magna SHE01H/SHE02H

62. Although this is a confined site there could be potential for pupils to be accommodated at the primary school however this could entail push back from pupils from out of catchment and consideration would have to be given as to the need for section 106 contributions to address any issues caused by this. There may also be transport implications for the Secondary pupils at this village.

Stoke Golding 19-01324/STG01H/20-00779/21-00656

63. The primary school has a limited site with no potential for expansion. The school takes some out catchment pupils therefore it is anticipated that any new housing would have to be dealt with by accommodations elsewhere for pupils displaced by the new houses and may require the extension of a school in Hinckley including the proposed new school at Normandy Way. Subject to the school identified there may also be a need for transport costs as it is not expected that an 'available' walking route will exist.

Hinckley HIN01H/HIN02H/15-00188/18-00563/20-00527/20-00765/19-00982/19-01320/18-01237/17-00772/20-01317/19-00445/21-00225/18-00302

64. The majority of the schools in Hinckley have now been extended to their sites capacity which leaves the proposed new school in Normandy Way as a potential for expansion. The necessity for this was considered at the time that the planning application was received for the current housing development and provision was made for the recreational land, believed to be owned by Hinckley and Bosworth Borough Council, to be sited next to the school thus allowing a swap with any future development to enable the school site to be extended to two hectares with the playing field land to be allocated elsewhere on the additional site thus making one coherent playing field provision together with the school provision being two hectares.

Burbage BUR01H/BUR02H/19-01405/App K2420

65. This has been an area of significant growth. Sketchley Hill Primary School at 630 is at the limits of its site and the largest size Primary School we would wish to see in Leicestershire. The Infant School is on a confined site and not suitable for extension. The complexity of extending the Junior School to meet needs in this area should not be underestimated as it may require significant changes to both Infant and Junior Schools.
66. Dependent upon the number of dwellings proposed it may be worthwhile considering the provision of a new Primary School in the area, however the issue of timing of contributions would need to be addressed at a very early stage identifying how the funding for the school could be accumulated prior to the building of the school and possibly prior to the commencement of development of some of the sites which will ultimately contribute towards the cost of the school.

Secondary School places

67. This would appear to be far less complex as most sites have the ability to extend, although the effects of other local districts plans may be significant. For example we have asked for a new Secondary School at Stoney Stanton should a large development in Blaby District proceed. If this is agreed it would be our intention that places would be provided to enable pupils currently living in Stoney Stanton and Sapcote to attend that school rather than be transported to Hinckley or Earl Shilton. This would require a mechanism to divert S106 funds for extra places at Hinckley or Earl Shilton to the new school at Stoney Stanton on the basis that the withdrawal of the Stoney Stanton and Sapcote pupils will provide places for the pupils from the new housing in those areas.
68. This strategy is a sustainable solution reducing traffic and the environmental impact.
69. It should be particularly noted that in terms of Hinckley town, the only school currently having places is the Hinckley Academy, nevertheless this school is shortly to commence a major re-development programme, which when complete is likely to reduce the overall capacity of the buildings. Further details are being sought from the academy trust responsible for the school to establish the full impact of the DfE funded re-development works.

Strategic Planning

70. The publication of an up-to-date Sustainability Appraisal (SA) to accompany the Regulation 19 Local Plan is required (legal compliance). Recognising the iterative

relationship between the Sustainability Appraisal and the draft Local Plan there could be adjustments required to the draft Local Plan as part of this process. An up-to-date SA should also help in the process of understanding and reducing risk.

71. Due to the further time that will be taken for the consultation required on an up-to-date SA, it is likely it will provide the opportunity to consider in this draft Local Plan a higher scale of housing provision which takes into account the unmet need to be directed to Hinckley and Bosworth Borough from the City. This is because the Leicester and Leicestershire Statement of Common Ground (SoCG) setting out the distribution of unmet need to districts is expected to be published in mid 2022.
72. An Infrastructure Delivery Plan and Viability Assessment need to be prepared for the Local Plan. It is recognised that until the detailed transport modelling work is completed on the preferred strategy and allocations in the Local Plan (understood to be currently underway) the mitigation measures and subsequent mitigation strategy are not available to inform an Infrastructure Delivery Plan and Viability Assessment. Once this work is complete these two pieces of further work need to be progressed and made available.
73. An up-to-date assessment of Gypsy and Travellers' housing needs is required to inform gypsy, traveller and travelling showpeople accommodation in the Borough. The evidence base for the Local Plan refers to the 2016 Gypsy and Traveller Accommodation Needs Study which although embraced the updated definition of gypsies and travellers for the purposes of planning policy the evidence is now over five years old. It is noted the Local Development Scheme refers to a Gypsy and Traveller Allocations and Site Development, Development Plan Document being prepared, with consultation on scope, issues and options in September/October 2023 through to a programmed date for adoption of November 2025. Working jointly with other districts in Leicestershire to expedite this work is encouraged.
74. Aware of the five-year housing land supply situation in the Borough (4.46 years supply at 1 April 2021) and the need to progress an up to date Local Plan to guide future development and protect and enhance the environment; however, there are omissions in the Local Plan evidence base which means the Local Plan is not considered to be currently underpinned by a proportionate evidence base.
75. Support the inclusion of Policy SS03 Local Plan Review within the Local Plan, which specifies that within six months of the publication for consideration through respective governance processes of the Statement of Common Ground dealing with the distribution of unmet housing and employment need to the districts H&BBC will publish a review of their Local Plan.
76. The spatial strategy, urban/rural split for future housing and employment growth and allocations are now defined in the Regulation 19 Local Plan. The absence of the detailed transport modelling work at this time places more emphasis on an urban focus within the Local Plan, as these areas are generally more sustainable locations for growth (containing services and facilities) and provide more opportunities for sustainable forms of travel.
77. The reliance on the two Sustainable Urban Extensions (SUEs) at Barwell and Earl Shilton is noted for the delivery of urban focused growth. However; what happens if either of the two SUEs are unable to deliver during the plan period? This could result in a reliance on smaller non-strategic sites not in or adjacent to urban areas and

pressures for unplanned infrastructure and associated increased risk to the County Council.

78. With regards to employment land it is noted the Employment Land and Premises Study 2020 indicates the Borough has a sufficient supply of employment land to meet needs up to 2036 and that the majority of this future supply is strategic scale distribution and warehousing, with a more limited supply of smaller scale local needs employment land. The protection of existing employment sites in three categories (Key Employment Areas, Fit for Purpose Employment Areas and Lower Quality Employment Areas) is supported, though it appears no allowance has been made to make good the shortfall created by sites falling into alternative uses thereby reducing the net land available for employment. To provide further resilience and flexibility consideration should be given to allocating further smaller scale local needs employment land.
79. Reference to the Strategic Warehousing Statement of Common Ground (November 2021) is sought and the commitment to work with partners in Leicester and Leicestershire to be on the 'front foot' in guiding the provision of future strategic warehousing.
80. It is suggested that a free-standing paper is prepared, similar to that prepared by Charnwood BC, outlining the journey that has taken place to date, which would provide clarity on how the spatial strategy has evolved from the evidence base.
81. It would be useful to know the view of National Highways on the content of the Regulation 19 Local Plan.

Ecology

82. The latest consultation from DEFRA on the secondary legislation needed for Biodiversity Net Gain contains some proposals that could not have been taken into account in previous Local Plan drafts however there are some instances where policies could be out of sync with legislation in the future.
83. The Plan Vision for Places - Environmental Objectives: 6. Natural Environment is "*To conserve and enhance the natural environment, protect biodiversity and deliver a network of green infrastructure that connect and contribute to the Nature Recovery Network.*" The reference to the NRN is new, and welcome, but the national policy is stronger than this and I think a better wording would be: "*To conserve and enhance the natural environment, ensure developments bring about net-gains in biodiversity, protect wildlife and irreplaceable habitats, and deliver a network of green infrastructure where natural open space is integrated within development and which connects and contributes to the Nature Recovery Network..*" At the moment it is not considered to be in accordance with national policy.
84. The policy NAT01 Green Infrastructure refers to the "latest Borough Council Green Infrastructure Strategy" but there is reference in the text to the GI strategy 2020, which has omissions on biodiversity importance and some inappropriate recommendations (e.g. management of private gardens, and 're-wilding' of highways verges – the latter is still referred to in the text, but is fairly meaningless as a concept.) It is not felt that this is an acceptable evidence base for biodiversity elements of GI.
85. NAT03 has been amended to include mature plantation woodlands and offsetting woodland planting, and makes more sense now. The text still doesn't have reference to the fact that tree-planting schemes should be informed by ecology surveys of the

intended site, and that trees and woodlands should not be planted on habitats of local biodiversity value, such as species-rich grasslands, as described in the local BAP.

86. NAT07 – all seems OK although DEFRA are intending to publish guidance on what constitutes as irreplaceable habitat as far as BNG is concerned. This may be different to what we feel is irreplaceable as far as local biodiversity is concerned. In view of this I think it would be best to amend this part of the policy: *“Irreplaceable Habitats. Proposals which are likely to result in the loss or deterioration of an irreplaceable habitat (such as ancient woodland, ancient or veteran trees, old species-rich grassland, including that marked by ridge and furrow, and species-rich hedgerows that meet Hedgerow Regulations ecological criteria, and habitats defined for Biodiversity Net-gain purposes as irreplaceable. . . etc. “*
87. NAT08 – The phrase ‘Biodiversity net gain should be additional to any habitat creation required to mitigate or compensate for impacts on protected local/national BAP priority species’ isn’t in accordance with the latest information in the current DEFRA consultation on the secondary legislation for BNG. This info wasn’t available for earlier consultation on the Local Plan. DEFRA indicate that habitats protected, enhanced or created as part of mitigation for protected species can also (under certain conditions) ‘count’ towards the required net-gains. See the ‘Additionality’ text in the consultation, pp71 et sq. <https://consult.defra.gov.uk/defra-net-gain-consultation-team/consultation-on-biodiversity-net-gain-regulations/>. If this proposal is taken through into the secondary Regulations, which appears likely, this statement in the Local Plan policy would not be in accordance with legislation.
88. NAT08 – **Recommend wording as follows:** ‘Within a BNG plan, impacts on irreplaceable habitats or those flagged as of high or more distinctiveness within the standard metric should be avoided, or mitigated to reduce the impacts to negligible. In exceptional circumstances, compensation may be acceptable, and will require a bespoke solution of creating or enhancing habitats of equal or more distinctiveness off-site or off-site, to the quantity and quality required to satisfy the conditions within the metric’. This principle is covered in the Regulations consultation referred to above – and irreplaceable habitats are now proposed to be excluded from the metric (see pp30 et seq.: “When exempted from mandatory biodiversity net gain, development, or parts of development proposals, on irreplaceable habitats would still require bespoke compensation to be agreed with the relevant decision maker.” It’s difficult to know how to include this in the policy as the Regulations are still not drafted, but I think the intention is clear, and I suggest that it would be in accordance with national policy and emerging legislation if my recommended text was included.

Public Health

89. Life expectancy figures are now very outdated and on Page 15 of the Local Plan there is reference to health generally being good (with some challenges) and “most recent data suggests that the life expectancy at birth for males is 81.06 and for females is slightly higher at 83.9 (2016-2018). These are slightly higher than England’s averages of 79.6 and 83.2 respectively over the same time period”. There is no reference to inequality within this life expectancy, which (using 16-18 data) shows that there is a difference of 9.5 years in males and 7.7 years in females between H&B Borough’s most and least deprived communities.
90. Suggest addition to PMD07 - “Leicestershire County Council are working to establish a standard Health Impact Assessment (HIA) procedure for Leicestershire around health considerations in planning which HBBC will align with”.

91. There is no reference to HIA under Policy TDC02.

Communities

92. Vision; suggest adding a sentence to the first para relating to communities – e.g. “It is welcoming and inclusive and a place with strong local resources where people are friendly, active in the community and support their neighbours.”
93. Social objective 3 – Infrastructure – a reference could be made to building social capital – community interaction and mutual support including between different communities which can be supported by good design and local infrastructure that encourages contact and mixing.
94. The Community Facilities and public house policies are welcomed. Is there a role for an allotments policy/designations to support community capital, active lifestyles/health and wellbeing, sustainable development?
95. Suggest that a Social Value Statement is made a requirement for major developments. <https://socialvalueportal.com/social-value-in-planning-paper/> The local plan could include a social value policy including requirements for submitting proposals to maximise social value associated with development and for reporting on implementation/delivery.

Minerals and Waste

96. Policy PMD08 has no regard to impacts of waste facilities or links to Leicestershire Minerals and Waste Local Plan.

Multi Agency Travellers Unit

97. The Gypsy and Traveller Accommodation Needs Study is now 5 years old and should be considered out of date now. In the study new pitches were counted that have not been built and the assessment itself recommended a review of the data sets in 2018 that I am not aware took place.
98. The Transit issue is not addressed in the evidence base, we have a joint working group to identify Transit sites in Leicestershire. The broad aim of the working group is to provide between 1 and 3 transit sites across the whole of Leicestershire strategically one in the north one in the south and one in the City. It would be useful for the Local Plan to reflect this rather than relying on the evidence documents saying there is no local need in Hinckley Borough.

Adults and Communities

99. Under Town Centres, libraries are not included in the list of cultural and leisure uses, this needs to be amended.

Environment

100. The target date for carbon neutrality in the Borough remains as 2050 and it seen as a missed opportunity to not bring this forward to 2045 to align with the County target.

101. Energy capacity study remains dated at 2014 - so it is unlikely to reflect current and future energy needs of the borough given the transition to electricity for heating and transport.

Comments from the County Council as a landowner

102. The Hinckley & Bosworth Local Plan (Regulation 19) is not considered to be legally compliant on the basis that it is not accompanied by a compliant Sustainability Appraisal and is not consistent with the regulatory requirements for consultation, there is no viability appraisal to support the Local Plan. Paragraph 68 of the National Planning Policy Framework (NPPF) advises that planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability.
103. The Local Plan is also not considered to be sound, it is considered not to meet the 'justified', 'effective' and 'consistent with national policy' tests of soundness.
104. Whilst the vision's statement to focus development on the urban area is supported, as currently framed the vision statement is not sufficiently clear and should specifically reference the urban area as forming the settlements of Hinckley, Burbage, Barwell and Earl Shilton as set out in the proposed settlement hierarchy at Table 4. This would provide important clarity about where future development over the period to 2039 will be directed.
105. The thirteen Spatial Objectives covering social, environmental and economic objectives are broadly supported, however, it is considered that the spatial strategy and proposed allocations set out in the plan fail to deliver on these objectives in not taking the opportunity to allocate land north of Hinckley on land east and west of Stoke Road as part of the plan's strategy. It is considered Economic Objective 11 should be amended to include reference to both deliverable and developable sites to be consistent with the NPPF.
106. The approach to affordable housing is considered inconsistent with guidance set out at paragraph 008 Reference ID: 67-008-20190722 of the Planning Practice Guidance, which is clear that once the total affordable need has been established, this can then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, and an increase in the total housing requirement included in the plan may need to be considered where it could help to deliver the required number of affordable homes.
107. It is understood the Housing Market Area (HMA) authorities will soon issue the Statement of Common Ground confirming the agreed distribution of unmet needs (mid 2022). This could have significant implications for the plan. The Council should therefore not progress the plan to submission until the implications of the Statement of Common Ground are considered. It would then be more appropriate to address the implications of any identified unmet need being directed towards Hinckley and Bosworth through a revised Regulation 19 consultation.
108. The Plan should also make appropriate provision for a flexibility allowance to deal with uncertainties in delivery. It is considered that a flexibility allowance of some 15% would represent a reasonable approach to dealing with uncertainty and ensuring the delivery of housing requirements over the plan period.

109. Any additional provision should be directed towards the Hinckley urban area as the most sustainable location for further growth, and this could be achieved through the allocation of a strategic housing site north of Normandy Way Hinckley capable of delivering a sustainable mixed-use development of at least 1,500 homes. This would be policy compliant with Policy SS04 Strategy for Hinckley, to support its role as a sub-regional centre and key market town, and the most sustainable location for strategic level growth and Policy HO01 on the Provision for New Housing.
110. To reflect these factors several amendments to policies and paragraph wording in the Local Plan are suggested, and include:
- Paragraph 1.10 and 1.11: Consult on a compliant Sustainability Appraisal together with an appropriate Viability Appraisal;
 - Paragraph 3.7: Amend the Vision Statement to clarify the urban area consists of Hinckley, Burbage, Barwell and Earl Shilton as set out in the proposed settlement hierarchy;
 - Section 4: Increase the scale of development;
 - Policy HO01 of the Local Plan: Include an additional allocation under Policy HO01 on land north of Normandy Way, Hinckley;
 - Policy HO 03 National Space Standards: In order not to be a constraint on delivery the policy ought to include transitional arrangements in respect of previously allocated sites where the site's viability and associated land values have already been established;
 - Policy HO 06 Self Build: The provisions outlined within paragraph 7.23 should be included within the main policy in order to provide more clarity;
 - Policy HO 10 Rural Exception Sites: Whilst generally supported, it is considered that there is an inconsistency within the policy, as drafted, in that any available plots within smaller settlements are likely to be brought forward as windfall market housing and would not meet the affordable needs of the locality;
 - Policies EP 02 and TDC 01: It is noted in policy EP 02 that no land will be allocated for out of town offices. Accordingly any office development will be directed to town centre locations. However, Policy TDC 01 is silent on the future office requirements, allocations or guidance as to design etc.

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**CABINET – 29 MARCH 2022****RESPONSE TO THE NORTH WEST LEICESTERSHIRE LOCAL PLAN
REVIEW: DEVELOPMENT STRATEGY AND POLICY OPTIONS
(REGULATION 18) CONSULTATION****REPORT OF THE CHIEF EXECUTIVE****PART A****Purpose of the Report**

1. The purpose of this report is to advise the Cabinet on the content of North West Leicestershire District Council's (NWLDC) Development Strategy and Policy Options Regulation 18 Local Plan consultation and set out the response as the views of the County Council.
2. The detailed comments are set out in the Appendix to this report, whilst key comments are highlighted in paragraphs 39 to 92 below.
3. As the consultation period ended on 14 March 2022, it was agreed with NWLDC that comments would be submitted by this date as the County Council's views. Any additions or amendments arising from consideration by the Cabinet will be submitted to NWLDC following the Cabinet meeting.

Recommendations

4. It is recommended that:
 - (a) The County Council's response to the North West Leicestershire District Council's (NWLDC) Development Strategy and Policy Options consultation, set out in paragraphs 39 to 92 inclusive, and the appendices to the report be approved;
 - (b) The Chief Executive, following consultation with the Cabinet Lead Member, be authorised to submit further NWLDC Regulation 18 consultation responses as the views of the County Council unless there are substantive issues raised which need to be considered by the Cabinet;
 - (c) NWLDC be advised that the County Council considers that partnership working arrangements between the District Council, the County Council and other partners are vital in the preparation of its new Local Plan and the ongoing commitment to the Growth Collaboration Agreement between the County Council and NWLDC is encouraged.

Reasons for Recommendation

5. The response sets out key comments for consideration by NWLDC in the early stage of developing its new Local Plan. It seeks to ensure alignment with the outcomes of the County Council's current Strategic Plan (and the emerging Strategic Plan 2022-26) and the Leicester and Leicestershire Strategic Growth Plan (SGP), and to influence the content of the Local Plan in the interests of local communities, including to ensure that the Local Plan provides as robust as possible policy framework for securing the provision of the infrastructure and services required to support its successful delivery.
6. NWLDC's approach to developing its Local Plan involves three Regulation 18 consultations which each time will build on consideration of previous consultation findings. It is not deemed necessary to return to the Cabinet at successive meetings unless there are substantive issues needing to be considered and therefore a delegation is sought to enable the Chief Executive, following consultation with the lead Cabinet Member, to submit responses as the views of the County Council.
7. In the current financial climate, the risk to the County Council needs to be minimised. Therefore, a joint commitment to developing a strategy for how infrastructure will be funded in the NWLDC Local Plan is essential and it is vital that developer contributions are secured to support mitigation strategies and to facilitate growth. The Growth Collaboration Agreement established between NWLDC and the County Council in spring 2021 will help to oversee the effective delivery of growth whilst protecting and enhancing the communities, economy and environment of North West Leicestershire.

Timetable for Decisions (including Scrutiny)

8. The County Council's consultation response was submitted to NWLDC in line with the deadline of 14 March 2022. Any additions or amendments arising from consideration by the Cabinet will be submitted to NWLDC following the Cabinet meeting.

Policy Framework and Previous Decisions

9. In 2018, the County Council, Leicester City Council, the seven district councils in Leicestershire, and the Leicester and Leicestershire Enterprise Partnership, (LLEP) approved the Leicester and Leicestershire Strategic Growth Plan (SGP) which provides the long-term vision for planned growth for the area up to 2050.
10. For the north west parts of Leicestershire, the foci for growth set out in SGP are:
 - Managed growth for Coalville and further sustainable development consistent with the need to support local growth (in particular, aspirations for continued town centre regeneration and better services) and;

- The Leicestershire International Gateway, focused around the northern parts of the A42 and M1, where there are the major employment opportunities.
11. The Council's Strategic Plan (2018 to 2022) "Working together for the benefit of everyone" was approved by the County Council in July 2020 (having been revised in light of the Council's declaration on climate change). It has five strategic outcomes, with the delivery of 'Affordable and Quality Homes' and 'Strong Economy' most directly affected by NWLDC's emerging Local Plan.
 12. The Council's updated Strategic Plan (covering the period 2022-2026) is being presented to the Cabinet for approval at its meeting on 29 March 2022. The proposed strategic outcomes include 'Strong Economy, Transport and Infrastructure' and a 'Clean, Green Future' to ensure Leicestershire has the infrastructure to meet the demands of a growing population, whilst looking to tackle climate change, biodiversity loss and unsustainable resource usage.
 13. The Leicester and Leicestershire Strategic Transport Priorities (LLTSTP) was approved by the Cabinet in November 2020. This document was developed by the County and City councils alongside the SGP to ensure the long-term development needs and associated transportation requirements are co-ordinated.
 14. On 22 June 2021, the Cabinet received a report regarding the Leicester and Leicestershire Statement of Common Ground Relating to Housing and Employment Land Needs (SoCG). This SoCG was prepared to accompany the Charnwood Local Plan process but also provides context for the current stage of the NWLDC Local Plan process.
 15. On 19 November 2021, the Cabinet agreed that the County Council would become a signatory to the Leicester and Leicestershire Statement of Common Ground Relating to Strategic Warehousing and Logistics needs (September 2021) to help inform an approach to meeting the Leicester and Leicestershire need and to maintain an appropriate supply across the area. This includes several potential Areas of Opportunity in and around North West Leicestershire.

Resource Implications

16. Local plans inevitably come with significant infrastructure requirements for the County Council with highways and education being the key concerns. A Local Plan in an individual district can typically have a public sector infrastructure investment requirement exceeding £100 million. A good Local Plan is essential if the associated financial risks are to be managed:
 - Cost can be minimised through the co-ordination of infrastructure design and development across individual developments.
 - Opportunities for Government funding can be maximised through clear justification.
 - The risk of not securing the right amount of funding from developers is reduced.

- Sound modelling ensures developments are viable and can fund their share of infrastructure costs.
17. When a Local Plan is in place, the County Council remains heavily dependent on the district council, as the local planning authority, to secure the developer contributions needed to deliver the capital investment. Without significant assurance in this regard the risk of entering into forward funding arrangements, which allow infrastructure to be developed in advance of housing, would not be feasible. And even if such significant assurance could be secured, decisions would need to be taken against the backdrop of the wider pressures on the Council's finances, including those from other local plans, rather than each being considered in isolation.
 18. The NWLDC Local Plan needs to be seen in the context of established and emerging plans across Leicestershire which is compounding the risks that the County Council and ultimately the taxpayer bears.

Circulation under the Local Issues Alert Procedure

19. This report will be circulated to all Members.

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PART B

Background

20. The preparation of Local Plans involves various stages of consultation. This consultation from NWLDC is known as a “Regulation 18” consultation and forms an early stage in local plan making. Comments received will inform the District Council’s policy recommendations ahead of a further Regulation 18 consultations on potential site allocations, and draft policies, expected in April-May 2022 and October-November 2022, respectively. A Pre-Submission Consultation known as a “Regulation 19” is due by summer 2023 and adoption of the Local Plan is anticipated by summer 2024.
21. The North West Leicestershire Local Plan 2011 to 2031 was adopted by the District Council on 21 November 2017. Whilst a Partial Review was undertaken and adopted in March 2021, this did not include any review of the need for development in the District, or the allocation of land to meeting it. This ‘substantive’ Local Plan Review will cover the period to 2039.
22. The Government’s Planning White Paper, considered by the Cabinet on 18 September 2020, proposed ‘end to end’ reform of the current planning system in England, however specific details of any reform and when they might be introduced remains uncertain. The Levelling Up White Paper (February 2022) does however, suggest that local plans will be made simpler and shorter and that improved data will ensure that they are increasingly transparent and understandable, with more of a focus on housing delivery on brownfield sites and the ability for communities to have a meaningful say on individual planning applications being retained.
23. In December 2020 the Government announced a new Standard Method for the calculation of local housing need, which included a 35% uplift for the 20 largest cities and urban areas in England, including Leicester. For the Leicester and Leicestershire Housing Market Area this gives an indicative housing need figure of 5,520 per year for the period 2020-2036. Whilst the figures in the districts remain largely the same, the need in Leicester has increased by about 10,000 homes (600 homes per year). The Government has however, indicated it may make further changes to its methodology for calculating local housing need requirements.
24. Despite this uncertain context, NWLDC have chosen to proceed with its Local Plan Review as it would otherwise result in unacceptable delay to the Local Plan’s preparation. NWLDC will re-evaluate the position as and when further Government announcements are made.

Duty to Cooperate

25. It is recognised that should a Housing Market Area (HMA) authority identify, quantify and provide robust evidence to demonstrate an unmet need, it is incumbent upon the HMA authorities to jointly resolve any cross-boundary matters under the Duty to Co-operate.

26. Whilst it is acknowledged that Government intends to reform the planning system there is as yet no timetable for such reforms. The Duty to Cooperate is a key to the ongoing success of the SGP. Without the SGP and without a clear aligned approach to delivery, Leicestershire faces high levels of speculative/indiscriminate development with the consequent high risk of inadequate highway and education infrastructure. To avoid this, ongoing commitment from all the local authorities to the SGP is therefore crucial, as is their support for a collaborative and coordinated approach to the defining and allocating of infrastructure funding requirements of local plans.
27. All ten partners agreed to a Joint Position Statement relating to Leicester's Housing and Employment Land Needs in September 2020. This sets out how the local authorities and the LLEP will continue to work together to accommodate unmet need for housing and employment land identified in the draft City of Leicester Local Plan.
28. In April 2021, the County Council became a signatory to a Statement of Common Ground (SoCG) prepared by the Leicester and Leicestershire local planning authorities and the County Council, guided by the Strategic Planning Group and Members' Advisory Group to support the Charnwood Local Plan process. In becoming a signatory to the SoCG, the County Council was not necessarily giving support to the content of the emerging Charnwood Local Plan. The key strategic matters covered in the SoCG under the Duty to Cooperate are; Leicester and Leicestershire Housing and Employment Needs to 2036; Unmet Need to 2036; and the process of apportioning unmet need to 2036. Signatories have subsequently agreed that the SoCG produced for the Charnwood Local Plan remains the most up to date position on unmet need (in the absence of any published evidence) and so also applies to Hinckley and Bosworth's emerging Local Plan.
29. A future SoCG for Leicester and Leicestershire dealing with the apportionment of unmet need from the City to the district councils will be informed by strategic evidence work currently being undertaken by partners in Leicester and Leicestershire to inform future infrastructure and growth, and work the City Council is undertaking to maximise the growth it is able to accommodate without adversely affecting the environment and quality of place. It is expected this will be available mid-2022 and will be the subject of a report to the Cabinet.
30. In November 2021, the County Council became a signatory to a separate Statement of Common Ground relating to Strategic Warehousing and Logistics Need. This builds on the Strategic Warehousing and Logistics Need Study (April 2021) and helps to inform an approach to meeting the Leicester and Leicestershire need and to maintain an appropriate supply across the area. This includes a number of potential Areas of Opportunity in and around North West Leicestershire.

Growth Collaboration

31. Some of the most high-profile and politically sensitive development initiatives in the County are located on land in North West Leicestershire. The East Midlands Development Corporation, proposed Freeport and potential new town-scale residential developments will place considerable focus on the County Council in respect of its statutory infrastructure responsibilities (particularly delivery of transport and education), and other impacts including those on the environment, public health and adult social care.
32. A Growth Collaboration Agreement was established between NWLDC and LCC in spring 2021 to oversee the effective delivery of structural and economic growth whilst protecting and enhancing the communities, economy and environment of North West Leicestershire. Focussing on the following major themes will enable both the County and District to consider the holistic impact of growth:
 - **Economic Growth**
 - Supporting development of the economy in NWL, so it is responsive, adaptable, diverse and high performing
 - Helping to deliver supportive infrastructure including transport, employment space and digital connectivity
 - Nurturing and supporting a talented, creative and productive population
 - **Sustainable Growth**
 - Enables achievement of environment and net zero commitments
 - The Growth Collaboration has the ability to present a clear, coordinated position to the climate emergency, net zero and political manifesto commitments, enabling achievement of policy and strategic objectives
 - **Transport**
 - Identifying need, funding mechanisms and supporting delivery of transport infrastructure to underpin the delivery of growth
 - **Strategic Planning**
 - NWL's Local Plan enables the County Council to understand the full extent of risk arising from its requirements from a statutory authority perspective
 - The authorities collaborate, sharing knowledge and expertise where appropriate and agreed, to enable growth delivery
 - **Aligning External Approach / Ensuring Stakeholder Awareness**
 - Building strong and supportive external relationships / networks
 - Communicating effectively both internally and externally
33. NWLDC's Local Plan has the ability to underpin and support growth and delivery of supporting infrastructure. However, ad-hoc development (creating

cumulative impacts) and the cost of delivering infrastructure (particularly highways and education infrastructure) is considered to be one of the greatest financial risks to the public sector. To compound existing issues, recent market trends have seen project cost estimates increase significantly. In order to identify, mitigate and manage these risks, the County Council welcomes NWLDC's commitment to supporting infrastructure delivery through early and consistent engagement with the County Council.

34. It is vital that developer contributions to housing and infrastructure projects are set accurately and continually reviewed to ensure increasing project costs can be recovered, reducing financial exposure to the public sector. Where shortfalls exist or risks are identified, the Growth Collaboration work must focus on these areas in order to create innovative solutions and mitigations.
35. The County Council has established a range of policies and made political manifesto commitments to support the achievement of net zero carbon emissions in Leicestershire by 2045. The Growth Collaboration Agreement has the ability to aid achievement of these targets, alongside the establishment of supporting Biodiversity Net Gain requirements.

Overview of content of North West Leicestershire Local Plan document

36. This is an early stage consultation dealing with a select number of key issues including development strategy options for housing and employment, as well as additional specific policy topics.
37. At this point, the consultation is somewhat exploratory however some preferred options and draft policy wording is presented. NWLDC is seeking views from partners, other stakeholders, businesses and communities to inform the development of the Local Plan.
38. NWLDC intends to carry out two further Regulation 18 consultations prior to the end of 2022 which will include consideration of sites proposed for allocation, policies for affordable housing and housing mix, and infrastructure requirements, including for transport.

Response to the North West Leicestershire Local Plan document

39. The County Council welcomes the opportunity to comment on NWLDC's Development Strategy and Policy Options Consultation at this early stage of the plan making process.
40. The close working NWLDC has with other partners in the Leicester and Leicestershire Housing Market Area is recognised, supported and commended.
41. The comments of the County Council in response to the 26 questions posed in the consultation are set out in the Appendix to this report. A summary of the key issues raised is set out below, covering:
 - Overarching Response

- Local Plan Review Objectives
- Settlement Hierarchy
- Housing and Strategy Development Options
- Employment and Strategy Development Options
- Health and Wellbeing
- Renewables and Low Carbon
- Comments from the County Council as a landowner

Overarching response

42. The consultation document provides a clear structure with well explained content providing a narrative which helps the reader to understand the thinking behind the approach being taken to the preparation of the Local Plan Review. The approach involves three early consultations (the first of which is this current consultation) which each time will build on NWLDC's consideration of the consultation findings and is linked to key releases of information (the expected Leicester and Leicestershire Statement of Common Ground dealing with distribution of unmet need to the districts, and the full 2021 Census release). Following the three consultations NWLDC anticipates being in a position to prepare its draft Local Plan for submission (Regulation 19) in June 2023.
43. The Local Highway Authority (LHA) is supportive of the Development Plan however has had a relatively limited opportunity to input into the Local Plan's development to date. For example, whilst noting that this draft of the Local Plan contains no site allocations, the future housing numbers and employment land provision are/will be, presumably, informed by some considerations of potential sites available. It is unclear at this time how the LHA's comments on NWLDC's Strategic Housing and Employment Land Availability Assessment (SHELAA) sites might have informed the District Council's decisions to date.
44. The LHA looks forward to closer working with the District Council going forward, including to develop an appropriate transport evidence base and to identify any highways and transport measures and infrastructure required or enable the District's future growth, including to address cumulative impacts of growth (within and without the District). The LHA will expect the new Local Plan to provide a robust policy basis, one that links growth to the provision of highways and transport measures and infrastructure as appropriate and provides for the securing of developer contributions towards the delivery of such.
45. It is likely to be appropriate for the new Local Plan to reference the Interim Coalville Transport Strategy. Dependent on the outcome of the Local Plan evidence work, it may be necessary to reconsider the level of contributions paid by developers towards the Strategy's delivery under the Policy position previously adopted by NWLDC and to consider whether the scope of its Policy position should be extended in geographical and/or development type scope.
46. The settlement hierarchy is proposed for revision and the proposed renaming of 'Small Villages' to 'Local Housing Needs Villages' needs careful consideration. For example, with the growth in employment land and the associated increase

in the number of jobs, families and individuals are likely to relocate into the area and could bring fresh energy and support into a local community.

47. It is also suggested that consideration is given to whether Ashby-de-la-Zouch has a higher role in the settlement hierarchy in the future given the high level of services and facilities that exist in Ashby, and its accessibility off J13 of A42 and linked ability to access key services and facilities in Tamworth, Derby and Nottingham.
48. Given that the proposed Freeport and East Midlands Development Corporation are located on land which includes North West Leicestershire and are significant economic growth initiatives impacting on the County, it is surprising that there is no mention of this within the consultation. There is an expectation that this will be addressed in the next consultation.
49. It is of paramount importance that early engagement and close working is undertaken between the County Council and other partners in the delivery of infrastructure and related proposals to help to mitigate some of the risks that the provision of new school places may bring.
50. It is imperative that any new housing developments contribute to the provision of new school places but given that there is little reference to education provision from new housing development at this stage of the Local Plan, a more detailed response will be provided when the allocated sites list is circulated by NWLDC and information will be required on where expected development sites are located, what types of housing will be built, and the likely commencement date and time frame of completion.
51. In advance of that however, it is suggested that NWLDC considers specific policies within the Local Plan including dealing with the provision and placement of new schools or the significant expansion of existing schools to provide the required additional places from housing developments, and a policy setting out expectations relating to the funding of additional school places and other education infrastructure, such that this mitigates financial risk to the County Council.

Local Plan Review Objectives

52. The eleven objectives as set out are broadly seen as appropriate however given that this Local Plan has the potential to be key in the transition of Housing Market Area (HMA) wide housing spatial distribution from the former Regional Plan emphasis to one now driven by the Leicester and Leicestershire Strategic Growth Plan, it is recommended that there be a Strategic Objective relating to achieving this transition and setting out what that entails.
53. It is suggested that objectives on health and wellbeing be more aspirational, ideally around improving health and/or reducing health inequality given some of the sizeable inequalities in North West Leicestershire. There may also be opportunity to reference 'best start in life/childhood', which would align to the new Leicestershire Joint Health and Wellbeing Strategy.

54. Objectives should be stronger in respect of the climate emergency and decarbonisation agenda and expanded to refer to the circular economy and the efficient use of resources and minimising waste.
55. It would be beneficial to include a further objective related to ensuring the coordinated delivery of infrastructure required to support growth, whilst there is a notable absence of objectives related to the expansion of East Midlands Airport and Freeport proposals.
56. Objectives do not refer to tourism or the visitor economy specifically and should be included, with reference to improving and increasing the number of assets to attract and more visitors, with the associated benefits particularly in respect of health and wellbeing.

Settlement Hierarchy

57. There appears to be no alignment of the proposed hierarchy with the Strategic Growth Plan 'International Gateway', as development in this area is likely to transform the nature of the area and the economic /transport connectivity relationships within in it, and more widely. From a transport infrastructure/service provision and connectivity perspective, the understanding of economic and wider relationships is critical from a planning point of view as is the understanding as to how the roles of settlements might transition throughout the lifetime of the Local Plan.
58. It is suggested that Ashby-de-la-Zouch should be considered at a higher level in the settlement hierarchy as its nature is more akin to that of Coalville than Castle Donington, particularly given the high level of services and facilities that exist in Ashby and its accessibility off J13 of A42 with linked ability to access key services and facilities in Tamworth, Derby and Nottingham.
59. It should be noted that where a settlement is classed as a 'Sustainable Village' this does not necessarily mean that it is a location suitable for all types of development, nor that developer contributions would not be required towards the enhancement of sustainable transport measures.

Housing and Development Strategy Options

60. The interim conclusions that the District Council has come to in the absence of certainty in respect to national policy and redistribution of unmet housing need from Leicester being agreed by Leicester and Leicestershire partners, seems reasonable and considered.
61. From a point of view assessing requirements for and planning for the delivery of future highways and transport needs, it is easier to develop transport evidence and to identify required infrastructure and measures based on figures that provide for the City's unmet need from the outset, relative to undertaking assessment and planning work on an initial set of housing numbers which, at some future date, have to be updated to provide for the unmet need. However,

Option 7b (directing growth to a Principal Town (1,785 dwellings), New Settlement (1,785 dwellings), Key service Centre (765 dwellings), Local Service Centre (510 dwellings) and Sustainable Villages (255 dwellings)), represents a continuation of the existing strategy with the addition of a new settlement, offers most flexibility when taking into account possible redistribution of unmet need from Leicester City.

62. Given the various references in the consultation document to the Strategic Growth Plan, it is perhaps surprising that no consideration is given to the 'International Gateway' in developing and assessing the potential options of future housing distribution. It will be important to ensure an overall, coordinated strategy-led approach to the consideration of and planning for growth, including to seek to ensure a coordinated and balanced approach to the provision of housing, jobs, services and facilities across the area.
63. Inclusion of a specific policy on self-build and custom housebuilding is supported and is a key element of the Government's agenda to increase supply of housing and gives more people the opportunity to build their own home. However, if significant quantities of custom/self-build plots are to be included as part of wider allocations/permitted development sites, this will need to be taken into account in setting trigger points for infrastructure delivery and/or contributions. NWLDC will also need to be aware that such self-build and custom housebuilding schemes may still generate the need for a contribution towards the provision of new school places.
64. In reference to space standards, the inclusion of a specific policy is favoured as a lack of internal space and overcrowding is associated with negative implications on mental wellbeing, psychological safety and health outcomes.
65. The policy on accessible and adaptable housing is welcomed. Ensuring that future housing stock in the District is able to accommodate the increase in demand for accessible and adaptable housing has obvious public health benefits. If people are able to stay in their own (suitable) homes for longer it positively impacts on physical and mental health and supports healthy ageing, one of the priorities within the new Leicestershire Joint Health and Wellbeing Strategy.
66. Given the anticipated rise in persons requiring such adaptability in homes in future years, there is support for the policy ensuring wheelchair adaptable dwellings also applies to market housing.

Employment and Development Strategy Options

67. Given that this Local Plan has the potential to be key to the transition of HMA wide housing spatial distribution from the former Regional Plan emphasis to one now driven by the Leicester and Leicestershire Strategic Growth Plan, employment land provision should be considered in that context (regardless of whether it is to meet solely the district's needs or to meet wider HMA needs).

68. The preferred option for ensuring a continuity of employment land supply is to identify reserve employment site/s (Option 1). This would help to provide certainty and allow NWLDC control over site selection rather than leaving it to the market. It could also be appropriate to consider a combination of options, so identifying reserve employment site/s *plus* increase employment requirement figures given the Authority's understanding that the Freeport proposal is highly likely to accelerate demand for and delivery of employment sites. It would seem sensible to consider whether a policy approach should be adopted that supports the further expansion of employment provision in that area that is genuinely able to be served by the East Midlands Gateway Strategic Rail Freight Interchange as part of its logistic chain. This would help to maximise sustainability/ minimise additional HGV trips on the wider highway network.
69. All potential development strategy options for employment should have regard to mineral and waste safeguarding areas as set out in the Leicestershire Minerals and Waste Local Plan (adopted 2019). This would ensure that sustainable mineral and waste management within the County is not compromised by other forms of development or that any other development is adversely affected by existing minerals or waste management facilities.
70. There is agreement with the initial policy option for strategic warehousing in which 50% of the outstanding road-served requirement is to be met in North West Leicestershire. It is considered an appropriate response given the role of strategic warehousing in the District.
71. With regards local employment, Policy Option 2 to require local employment initiatives in new, large scale developments is preferred. There may be scope for flexibility however, if a business offers to include work placements and apprenticeships, rather than paid employment.

Health and Wellbeing

72. A standalone health and wellbeing policy is supported to allow for need, evidence-based action and recommendations to be clearly and concisely explored for those assessing the Local Plan and the community that it serves. If embedded throughout the Local Plan in small parts rather than as a standalone policy it provides opportunity for health, as a key component especially important to North West Leicestershire and its aims, to be diluted or weakened.
73. From a strategic transport perspective, it is suggested that it would be beneficial to explicitly reference provision of walking and cycling infrastructure designed where appropriate to Local Transport Note 1/20 as part of new development, both in terms of on-site and off-site provision. It is also suggested that the Policy should be expanded to reflect mental health, in e.g. in respect of social isolation.
74. Whilst green infrastructure is noted, the wider benefit of green spaces should have a stronger emphasis on the role it plays towards health and wellbeing, most notably mental and physical health.

75. The proposed Option 3 to 'require a form of Health Impact Assessment (HIA) for planning proposals that meet a specified threshold, including the use of a Health Impact Screening Statement as a systematic way of deciding whether a full HIA is required' is supported as it is the most viable and will result in potential improvements in health inequalities and healthy life years and a reduction in health inequalities within North West Leicestershire. HIAs will also have a positive impact on families moving into the new developments.

Renewables and Low Carbon

76. There is broad agreement with the proposed renewable energy policy however there is no mention of avoidance of harm to habitats or species only mitigation and enhancement.
77. The policy approach to the Lifecycle Assessment is understood and seems appropriate. However, if the intention is that Lifecycle Carbon Assessments should include highways and transport infrastructure associated with new developments, then this would become very wide ranging and complex; it is not clear how and where this would align with the planning application process nor current 'traditional' highway adoption processes; and would likely require additional training for Local Highway Authority officers.
78. With regards to the proposed policy for reducing carbon emissions, references to carbon and material efficiency should be strengthened and expanded upon and there should be greater emphasis on the use of materials already on site or from the deconstruction of buildings/elsewhere. There are sections on water efficiency but not enough on resource efficiency which is a topic in its own right. Additionally, there should be reference within the policy to incorporating infrastructure/technology required to support decarbonisation of transport, including electric vehicle charging points.
79. The wider role of green spaces and ecosystem services for carbon sequestration should have a stronger emphasis, in helping to offset carbon emissions.
80. There is agreement with the proposed policy for reducing carbon emissions but would encourage NWLDC to take the opportunity to adjust carbon net zero target to 2045.
81. The proposed policy for water efficiency standards is supported, particularly if it gives to opportunity to help lower energy bills as fuel poverty is associated with negative effects on mental wellbeing and stress.

Comments from the County Council as a landowner

82. The proposals limiting development to specific local needs criteria are broadly acceptable but should be caveated in a way that allows small scale infill development within the limits of development to be brought forward on an opportunity basis where no local identifiable need exists.

83. In terms of the level of housing growth, given the potential scale of shortfall for Leicester City amounting to some 18,000 dwellings, the 'High 2' scenario of 730 dwellings a year would appear to represent the most appropriate option at this stage, making suitable provision to enable the Local Plan to deal with unmet needs when the distribution is agreed between the HMA authorities. It is also important that the Local Plan allows for general flexibility to deal with changing circumstances and this allowance for flexibility should be reflected in the level of housing proposed.
84. The approach of considering a number of delivery options that can be tested through the Sustainability Appraisal is supported and the locational strategy (Option 7B) provides the greatest potential for some additional housing growth in a range of settlements, supporting the ongoing delivery of services and sustainability and therefore should be supported as the most appropriate distribution option.
85. It is agreed that housing should meet Nationally Described Space Standards as a minimum subject to the proviso that any impact on the viability of the scheme does not act as a constraint on delivery. Equally, the introduction of space standards could be phased in a way that allows market forces to determine land values that take account of their introduction.
86. The draft policy of ensuring all housing meets current Building Regulation standards is logical as is the need for a proportion of the dwellings to be wheelchair friendly.
87. In terms of development strategy options for employment, the Option 3 land strategy would provide greater opportunities for employment development across a range of settlements and is therefore supported. Provision should also be made for start-up and business development space to be provided in order to stimulate the local economy.
88. The proposed Strategic Warehousing policy is seen as very much an interim measure until such time as current needs have been accurately assessed. However, when determined, the needs figure should be increased by a minimum of 10% to reflect the attractiveness of the district for strategic warehousing and provide the Local Plan with greater resilience.
89. The deletion of existing Policy Ec2(2), which applies to proposals for employment development on unidentified sites in the countryside, is supported as applications for new employment floorspace on sites which are not allocated in the Local Plan would be considered against the strategy/general policies contained in the Local Plan Review and this would provide greater flexibility.
90. A policy to support the provision of start-up space to support small businesses on suitable sites and a policy that would allow start-up premises as an exception on sites where development would normally be restricted is encouraged for the development of rural businesses and the rural economy.

91. Large scale housing sites should be collocated with employment potential allocations should be considered on an individual basis taking account of the availability of employment nearby or the need to travel if none exists with appropriate site-specific requirements linked to any allocation.
92. Proposed policies and approaches regarding renewables and low carbon are broadly supported and opportunities to enforce and maximise standards on renewable energy and efficiency should be sought, though it should be noted that in respect of additional considerations for wind energy developments it is considered that the requirement for local community support at paragraph 3b) of the draft policy will act as a constraint to the delivery of otherwise policy compliant schemes and thereby limit the ability to meet the proposed production targets.

Equality and Human Rights Implications

93. There are no equality and human rights implications arising from the recommendations in this report. NWLDC is working with the County Council and with other partners in the Leicester and Leicestershire HMA to provide for the homes and jobs required in the future.

Environmental Implications

94. The County Council will continue to work closely with NWLDC and other partners to minimise the impact planned growth has on the environmental assets of Leicester and Leicestershire.
95. The impact upon the environment is a key consideration in all planning decisions made within the context of an approved or emerging Local Plan, and the County Council will seek to ensure that opportunities are taken to enhance the environment through biodiversity net gain and sustainable forms of development.
96. The County Council works closely with the Leicester and Leicestershire Strategic Planning Partnership, which includes NWLDC, the County Council, Leicester City Council, the other six district councils in Leicestershire and the Leicester and Leicestershire Enterprise Partnership. A strengthening of partnership working is being achieved through the Growth Collaboration Agreement which will assist with the transport challenges which require a strategy led approach with multiple partners in the District and wider area.

Background Papers

Report to full Council on 6 December 2017: Strategic Plan and Single Outcomes Framework

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=5104&Ver=4>

Report to the Cabinet on 23 November 2018: Leicester and Leicestershire Strategic Growth Plan – Consideration of Revised Plan for Approval

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4603&Ver=4>

Minutes of the County Council meeting held on 15 May 2019 (10 (a) Climate Emergency)

<http://cexmodgov1/ieListDocuments.aspx?CId=134&MId=5112>

Report to the Cabinet on 20 November 2020: Leicester and Leicestershire Strategic Transport Priorities 2020 to 2050

<http://politics.leics.gov.uk/ieListDocuments.aspx?MId=5999>

Report to the Cabinet on 22 June 2021: Urgent action taken by the Chief Executive in relation to the Leicester and Leicestershire Statement of Common Ground relating to housing and employment land needs (March 2021)

<http://politics.leics.gov.uk/ieListDocuments.aspx?MId=6444>

Report to the Cabinet on 19 November 2021: Leicester and Leicestershire Authorities- Statement of Common Ground Relating to Strategic Warehousing and Logistics Need

<https://politics.leics.gov.uk/ieListDocuments.aspx?MId=6448>

Appendix

Leicestershire County Council Officer Comments on North West Leicestershire District Council's Development Strategy and Policy Options Consultation

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APPENDIX

North West Leicestershire District Council Development Strategy and Policy Options Regulation 18 Local Plan Consultation Leicestershire County Council Officer Comments (March 2022)

Note: The composite views from the Children and Family Service are contained in their entirety in Question 26 and should be noted in conjunction with all other comments.

	Questions	Comments
Local Plan Review Objectives		
1.	Do you agree with these Local Plan Review Objectives? If not, why not?	<p>Broadly speaking there are no significant issues with the proposed objectives and they provide the basis of a positively prepared policy compliant plan, however there is scope for expansion.</p> <p>Given that this Local Plan has the potential to be key in the transition of Housing Market Area (HMA) wide housing spatial distribution from the former Regional Growth Plan emphasis to one now driven by the Leicester and Leicestershire Strategic Growth Plan, it is surprising that there is no Strategic Objective relating to achieving this transition and what that entails. Additionally, it would be beneficial to include a further objective related to ensuring the coordinated delivery of infrastructure required to support growth. E.g. <i>“Ensure the coordinated delivery of infrastructure required to enable the delivery of new development, including to help to mitigate the cumulative impacts of growth (which may in some cases be cross-boundary).”</i></p> <p>There are a range of objectives covering social, economic and environmental elements, however it is suggested that the objectives should be stronger in respect of the climate emergency and decarbonisation agenda. Whilst there should also be reference to the importance of tourism and hospitality and increasing the number of assets to attract more visitors. It is also queried as to why there is no mention of policies to deal with expansion of the Airport and proposed Freeport.</p> <p>More specifically, the wording of Objective 1 is unclear and should be more aspirational. Using ‘promote’, ‘improve’ or ‘enhance’ instead of ‘enable’ is suggested and there could be additional text around improving health and/or reducing health inequalities - there are sizeable inequalities within NWL based on deprivation around life expectancy (almost 10 years): https://fingertips.phe.org.uk/profile/health-profiles/data#page/7/gid/1938132696/pat/6/par/E12000004/ati/201/are/E07000134/iid/90366/age/1/sex/1/cat/-1/ctp/-1/yr/3/cid/4/tbm/1/page-options/car-do-0_ine-yo-3:2018:-1:-1_ine-ct-71_ine-pt-0</p> <p>Regarding Objective 7, is there an opportunity for the district to become carbon neutral by 2045, rather than 2050, in line with the County Council?</p> <p>Objective 10 could be expanded to refer to the efficient use of resources and minimising waste in a much wider sense e.g. the circular economy which captures all materials within its scope and not just those in the context of waste linked with minerals and land development.</p> <p>Within Objective 11 <i>‘Maintain access to services and facilities including jobs, shops, education, sport and recreation, green space, cultural</i></p>

	Questions	Comments
		<p><i>facilities, communication networks and health & social care and ensure that development is supported by the physical and social infrastructure the community needs and that this is brought forward in a co-ordinated and timely way’, this List could be expanded to include libraries.</i></p> <p>There may also be an opportunity to include a ‘best start in life/childhood’ type objective into one these 11 objectives. This would align to the new Leicestershire Joint Health and Wellbeing Strategy. Key areas of focus for child health in this district include:</p> <ul style="list-style-type: none"> • increasing the levels of GCSE attainment rates – currently 43.9 % attainment (average attainment 8 score) lower than the regional and national average. • Percentage of breastfeeding initiation currently 65.7% lower than regional value (69.7) and national (74.5) <p>(https://fingertips.phe.org.uk/static-reports/health-profiles/2019/E07000134.html?area-name=North%20West%20Leicestershire)</p> <p>Finally, paragraph 2.2 could reference that since the North West Leicestershire Local Plan was adopted in November 2017 the Leicestershire Minerals and Waste Local Plan was adopted in 2019.</p>
Settlement Hierarchy		
2.	Do you agree with the proposed settlement hierarchy? If not, why not?	<p>Given that this Plan has the potential to be key to the transition of Housing Market Area (HMA) wide housing spatial distribution from the former Regional Growth Plan emphasis to one now driven by the Leicester and Leicestershire Strategic Growth Plan, it is surprising that there appears to be no alignment of the proposed hierarchy with the Strategic Growth Plan ‘International Gateway’ (IG).</p> <p>Development in the IG area is likely to transform the nature of the area and the economic /transport connectivity relationships within in it and likewise such relationships more widely across Leicestershire and south Derbyshire and Nottinghamshire. (The relationship with place of living and place of work being one example.) From a transport infrastructure/service provision and connectivity perspective, the understanding of economic and wider relationships is critical from a planning point of view as is the understanding as to how the roles of settlements might transition throughout the lifetime of the Plan.</p> <p>There should be consideration of whether Ashby-de-la-Zouch should have a higher role in the settlement hierarchy (either as a Principal Town or Main Key Service Centre) given the high level of services and facilities that exist in Ashby are more akin to that of Coalville than Castle Donington, and its accessibility off J13 of A42 with linked ability to access key services and facilities in Tamworth, Derby and Nottingham.</p> <p>For the avoidance of doubt, where a settlement is classed as a ‘Sustainable Village’ this does not necessarily mean that it is a location suitable for all types of development from a highways and transport perspective, nor that developer contributions would not be required towards the enhancement of sustainable transport measures.</p> <p>A clear hierarchy is beneficial in continuing feelings of settlement and attachment to a particular area – more invested in creating links with the community. When people feel settled in an area it creates ontological security – this has a positive impact on a person’s psycho-social wellbeing. Hiscock et al argues that people need ontological security ‘in order to live happy and fulfilled lives’ (Hiscock et al 2001). This is also useful in terms of community cohesion and sense of ‘belonging’ which is associated with self-rated health at all ages and reducing mental health</p>

	Questions	Comments
		inequalities (Camilla et al 2020, Green et al 2019).
3.	Do you agree with the approach to Local Housing Needs Villages? If not, why not?	<p>With regards 'Local Housing Needs Villages', the intent is understood but this needs careful consideration. For example, with the growth in employment land and the associated increase in number of jobs, families and individuals are likely to relocate into the area and could bring fresh energy and support into a local community.</p> <p><u>Comments from the County Council as a landowner</u></p> <p>The proposals limiting development to specific local needs criteria are acceptable but should be caveated in a way that allows small scale infill development within the limits of development to be brought forward on an opportunity basis where no local identifiable local need exists.</p>
Development Strategy Options for Housing		
4.	Do you agree with our proposed approach to the amount of housing growth at this time? If not please explain why, including any specific evidence you think is relevant.	<p>The interim conclusions that the district has come to for housing growth under the High 1 and High 2 scenarios, in the absence of certainty in respect to the unmet need of Leicester City's housing seems reasonable and considered.</p> <p>From a point of view assessing requirements for and planning for the delivery of future highways and transport needs, it is easier to develop transport evidence and to identify required infrastructure and measures based on figures that provide for the City's unmet need from the outset, relative to undertaking assessment and planning work on an initial set of housing numbers which, at some future date, have to be updated to provide for the unmet need.</p> <p><u>Comments from the County Council as a landowner</u></p> <p>For the scale of housing to be planned for over the plan period to 2039, options considered range from 368 dwellings a year as the low scenario based on the standard method, to 730 dwellings a year as the 'High 2' scenario. The low scenario makes no provision for Leicester's unmet needs. For the 'High 2' scenario, a buffer of 362 dwellings a year above the standard method figure would be potentially available for unmet needs, with a need to allocate sites for an additional 5,000 dwellings. Under the 'High 1' scenario of 512 dwellings a year there would be a buffer of 144 dwellings per annum and a need for further allocations to provide 944 dwellings.</p> <p>For housing growth the preferred options are the High 1 or High 2 scenarios as they cover the most likely future requirements until such time as the redistribution of Leicester's unmet needs has been agreed. Accordingly, in terms of the level of housing growth, given the potential scale of shortfall for Leicester City amounting to some 18,000 dwellings, the 'High 2' scenario of 730 dwellings a year would appear to represent the most appropriate option at this stage, making suitable provision to enable the plan to deal with unmet needs when the distribution is agreed between the HMA authorities. It is also important that the plan allows for general flexibility to deal with changing circumstances and this allowance for flexibility should be reflected in the level of housing proposed.</p>
5.	Do you agree with our proposed	There is broad agreement with this approach and the logical, well-reasoned and clear explanation given. Option 7b represents a continuation of the existing strategy (with strong track record) with the addition of a new settlement and offers most flexibility when taking into account possible redistribution of unmet need from Leicester City.

	Questions	Comments
	<p>approach to the distribution of housing growth at this time? If not please explain why, including any specific evidence you think is relevant</p>	<p>As a general comment, given the various references in the consultation document to the Strategic Growth Plan, it is perhaps surprising that no consideration is given to the 'International Gateway' (IG) in developing and assessing the potential options of future housing distribution.</p> <p>It will be important to ensure an overall, coordinated strategy-led approach to the consideration of and planning for growth in the IG, including to seek to ensure a coordinated and balanced approach to the provision of housing, jobs, services and facilities across the area. This is in the best interests of seeking to deliver growth that is as sustainable as possible (in transport terms); as self-contained (from a travel perspective) as possible; and in seeking to coordinate the identification, funding and delivery of the transport measures and infrastructure required to enable the growth. Considering a particular site in isolation (whatever its scale) would otherwise make it challenging to assess likely levels of sustainability and self-containment other than based on its current locational context (e.g. it's assessed as a 'remote' location because in the present circumstances there is a lack of nearby jobs, services and facilities and/or sustainable transport provision) and is likely to result in a fragmented and disjointed approach to the identification and delivery of transport measures and infrastructure. In other words, a site that might be considered to be unsuitable from a transport perspective when viewed in isolation, might be considered more favourably when viewed in the context of an overall strategy for growth in or across a particular area, such as an overall strategy for growth in the IG area.</p> <p>More specifically, it is noted that the Option 7b to be taken forward includes a 'New Settlement' of 1785 dwellings. It is recognised that this might be of a scale that is appropriate to the timeframe of the Local Plan (i.e. in terms of housing requirement numbers and what is likely to be practically delivered with the new Plan's lifetime), but nevertheless it will be important that any new settlement is of a scale that ensures it will contain a range of economic and social services and facilities that means it is likely to function as a true 'free standing'/largely self-contained community; a development of 1785 dwellings is unlikely to be of sufficient scale in this regard. If of smaller scale, any new settlement should be located close to existing urban areas (and associated services and facilities) in locations accessible via sustainable modes of travel, as opposed to becoming a car-oriented dormitory housing estate.</p> <p>Bringing together the comments about the IG and the scale of any 'New Settlement', it may be appropriate to consider whether a separate Supplementary Development Plan (SDP) document is required, providing a strategic framework that sets out the overall vision and strategic masterplan for the IG area. Within the framework provided by any such SDP, the new Local Plan and its successors could then bring forward allocations and policies that deliver their own respective elements of the overall strategy. Whilst such an approach would not fully address the risk of early phases of development in the IG area perhaps not being as 'sustainable' and 'self-contained' as might ultimately be possible, nevertheless it would provide a robust platform: for the identification of the overall service and infrastructure needs of the IG area; for seeking to deliver the required infrastructure in 'one go' wherever possible; and for maximising opportunities for securing developer contributions and ensuring their most effective use.</p> <p>Regarding Para 4.27, the Sustainability Appraisal has regard to minerals and waste safeguarding under SA17 which states, 'Ensure minerals deposits and sites allocated for waste management are not sterilised through inappropriately located development'. However, the traffic lighted criteria only have regard to mineral safeguarding areas and not those waste sites which are safeguarded in the Leicestershire Minerals and Waste Local Plan (adopted 2019). Whilst we are working on the production of a waste safeguarding layer for GIS use, the criteria should still refer to waste safeguarding as it is spatially assessable from our Local Plan. This would ensure that sustainable waste management within the</p>

	Questions	Comments
		<p>county is not compromised by other forms of development or that any new residential, or other, development is adversely affected by existing waste management facilities.</p> <p><u>Comments from the County Council as a landowner</u></p> <p>The approach of considering a number of delivery options that can be tested through the Sustainability Appraisal is supported.</p> <p>Coupled with the High 2 scenario, the 'Option 7b' locational strategy proposes to distribute development to the Coalville Urban Area (1,785 dwellings) a new settlement (1,785 dwellings), Key Service Centres (765 dwellings), Local Service Centres (510 dwellings) and Sustainable Villages (255 dwellings). This distribution option provides the greatest potential for some additional housing growth in a range of settlements, supporting the ongoing delivery of services and sustainability and therefore should be supported as the most appropriate distribution option.</p>
Housing		
6.	Do you agree with the proposed self-build and custom housebuilding policy? If not, why not?	<p>There is agreement with inclusion of specific policy but there could be an opportunity to specify the provision for self-build and custom housebuilding plots.</p> <p>If significant quantities of custom/self-build plots are to be included as part of wider allocations/permitted development sites (as proposed through the draft policy), it will be important to ensure that this is taken into account in setting trigger points for infrastructure delivery and/or contributions – i.e. if reaching a trigger point is reliant on delivery of at least some self/custom build housing, there could be an increased risk that this will never happen? Conversely exclusion of self/custom build housing from the setting of trigger points could mean a considerable number of new homes coming forward without the delivery of the necessary infrastructure/contributions being triggered for the site as a whole.</p> <p>It is suggested that it would also be beneficial if either via this policy or via the general carbon reduction policy it is stipulated that custom built houses are sustainable and include infrastructure necessary for the future such as electric charging points.</p> <p>The District Council also needs to be aware that such schemes may still generate the need for a contribution towards the provision of new school places.</p> <p><u>Comments from the County Council as a landowner</u></p> <p>The delivery of self-build and custom houses is accepted. It is noted that the draft policy appears positive in its approach but importantly incorporates the proviso that deals with a lack of demand on larger sites enabling market housing to be delivered after a suitable period of marketing.</p>
7.	Do you agree with the proposed policy	<p>It is agreed that there should be the inclusion of a specific policy but policy wording could include 'change of use' as well as conversions.</p> <p>This approach is important as a lack of internal space and overcrowding is associated with negative implications on mental wellbeing,</p>

	Questions	Comments
	on Space Standards? If not, why not?	<p>psychological safety (due to a lack privacy/personal space) and health outcomes (https://www.hatc.co.uk/wp-content/uploads/GLA_Space_Standards_Report.pdf) Space shortage is also linked to lower educational attainment (overcrowding impacts on concentration levels, increase noise, lack of space to study). An Increase in internal space is linked to significantly reduced family tensions (University of Glasgow SHARP project) working from home more likely than ever before due to Covid-19. Maintaining the space standard will alleviate the negative health consequences associated with lack of space (<i>Ade Kearns (2022) Housing space and occupancy standards: developing evidence for policy from a health and wellbeing perspective in the UK context, Building Research & Information, DOI: 10.1080/09613218.2021.2024756</i>)</p> <p>It is important to note that there are likely to be other factors also that could impact on land supply, including the impacts of the Government's most recent cycle infrastructure design guide, Local Transport Note 1/20 and its general encouragement for segregated cycle routes. A reference to this would be good.</p> <p><u><i>Comments from the County Council as a landowner</i></u></p> <p>It is agreed that housing should meet NDSS Standards as a minimum subject to the proviso that any impact on the viability of the scheme does not act as a constraint on delivery. Equally, the introduction of space standards could be phased in a way that allows market forces to determine land values that take account of their introduction.</p>
8.	Do you agree with the proposed policy on accessible and adaptable housing? If not, why not?	<p>The proposed policy on accessible and adaptable housing is agreed.</p> <p>Ensuring that future housing stock in the district is able to accommodate the increase in demand for accessible and adaptable housing has obvious public health benefits, if people are able to stay in their own (suitable) homes for longer it positively impacts on physical and mental health. To expect this of all housing will therefore positively impact health and wellbeing across the lifecourse and support healthy ageing, one of the priorities within the new Leicestershire Joint Health and Wellbeing Strategy.</p> <p><u><i>Comments from the County Council as a landowner</i></u></p> <p>The draft policy of ensuring all housing meets current Building Regulation standards is logical as is the need for a proportion of the dwellings to be wheelchair friendly.</p>
9.	Should part M4(3)(a) wheelchair adaptable dwellings also apply to market housing? If not,	<p>M4(3)(a) wheelchair adaptable dwellings should also apply to market housing given the anticipated rise in persons requiring such adaptability in homes in future years.</p> <p><u><i>Comments from the County Council as a landowner</i></u></p> <p>In respect of market housing the proportion of housing that is required to meet M4(3)(a) should be no greater the need identified within the housing needs assessment for the District and take account of the level of provision delivered through affordable housing and supported housing</p>

	Questions	Comments
	why not?	schemes delivered across the overall scheme.
Development Strategy Options for Employment		
10.	Which option for ensuring a continuity of employment land supply do you prefer? Is there a different option which should be considered?	<p>Prefer Option 1 to identify reserve employment site/s as it would help to provide certainty and would provide NWLDC with control over site selection rather than leaving to the market.</p> <p>It could also be appropriate to consider a combination of options, so identify reserve employment site/s plus increase employment requirement figure given we understand the Freeport proposal is highly likely to accelerate demand for and delivery of employment sites.</p> <p>Given that this Local Plan has the potential to be key to the transition of Housing Market Area (HMA) wide housing spatial distribution from the former Regional Growth Plan emphasis to one now driven by the Leicester and Leicestershire Strategic Growth Plan, employment land provision should be considered in that context (regardless of whether it is to meet solely the district's needs or to meet wider HMA needs).</p> <p>Additionally, the drive to decarbonise transport will, to some degree, be an influencing factor on delivery and sites, too. The electrification of Light, Medium and Heavy Goods vehicle fleets during the lifetime of the Local Plan could, potentially, render some existing employment locations as obsolete (e.g. because of an inability to provide sufficient power supply/charging facilities and/or the 'last mile' is too long for an electric HGV once it has left the Strategic Road Network) or temporarily redundant (e.g. whilst issues of power supply, 'last mile' HGV operation are addressed).</p> <p>How the provision of appropriate power infrastructure is provided to enable growth may need to be a consideration in the new Local Plan in this regard.</p> <p>In addition, it is not clear how the Freeport proposals have influenced thinking in respect of the new Local Plan.</p> <p>With regard to each of the specific potential policy options:</p> <ol style="list-style-type: none"> 1. Identify reserve site(s): If this approach is adopted, it is important that any 'reserve sites' are assessed from a transport perspective as if they are full allocations, to ensure that any site specific and/or additional cumulative transport impacts/infrastructure requirements arising as a result are identified and addressed through the Local Plan. 2. Increase requirement figures by a factor: No particular comments from a strategic transport perspective. 3. Await the next review of the Local Plan: Potentially misses the chance to identify any additional cumulative transport impacts/infrastructure requirements arising as a result and to build this into the Local Plan at the earliest opportunity. Having to 'retrofit' for such additional requirements at a later stage could prove more costly and disruptive in the long run. 4. Rely on Policy Ec2(2) or its equivalent: This does not appear to be a preferable approach, for the reasons given in the document and also with regards to our wider comments in response to this question. <p><u>Comments from the County Council as a landowner</u></p>

	Questions	Comments
		Subject to there being sufficient land supply available to meet the next 5 years requirements the final choice of option could be delayed until the Statement of Common Ground has been agreed identifying the level of Leicester City's unmet need that will be delivered within NWL.
11.	Which general employment land strategy option do you prefer? Is there a different option which should be considered?	<p>See also response to Q10.</p> <p>Additionally, as a general comment given that the East Midlands Gateway Strategic Rail Freight Interchange (SRFI) facility is now complete and open for business, it would seem sensible to consider whether a policy approach should be adopted that supports the further expansion of employment provision in that area that is <u>genuinely able</u> to be served by the SRFI as part of its logistic chain. This would help to maximise sustainability/ minimise additional HGV trips on the wider highway network. Should further growth in this area be considered, then the comments in respect of the Strategic Growth Plan International Gateway (IG) made in response to Q5 apply, i.e. It will be important to ensure an overall, coordinated strategy-led approach to the consideration of and planning for growth in the IG.</p> <p>Option 1 – No particular comments from a strategic transport perspective.</p> <p>Option 2 – M42 J11 is much more isolated/remote from major settlements than established major employment areas across the district, and therefore likely to be significantly more car dependent/less 'sustainable' in transport terms. It also lacks the established infrastructure/benefits of the East Midlands Gateway area for strategic logistics, including the SRFI facility, meaning any additional logistics operations in the J11 area would be entirely HGV dependent. Finally, the specific opportunities for development in and around the M42 J11 are likely to be restricted by the planned HS2 Phase 2B 'East Midlands Spur', the preferred route of which is immediately to the east of the M42/A42, cutting across a number of potential employment sites that have previously been put forward through the SHELAA. Having said that, conversely this location may be suitable for consideration of a 'lorry park' (see response to Q26).</p> <p>Option 3 – This does not appear to be a particularly attractive option in transport terms – a scattered/ piecemeal approach is likely to result in impacts on less suitable parts of the highway network which could be harder to mitigate in transport terms and provide fewer opportunities for sustainable travel.</p> <p>Option 4 – No particular comments from a strategic transport perspective.</p> <p>All options should have regard to mineral and waste safeguarding areas as set out in the Leicestershire Minerals and Waste Local Plan (adopted 2019). This would ensure that sustainable mineral and waste management within the county is not compromised by other forms of development or that any other development is adversely affected by existing minerals or waste management facilities.</p> <p>Overall preference for Option 1 concentrating development in Coalville, Castle Donington and Ashby or Option 2 but include Measham/Appleyby. Issues are already being faced with getting employees to site by limited public transport and if locations are dispersed beyond the main settlements this will make it worse.</p>

	Questions	Comments
		<p><u>Comments from the County Council as a landowner</u></p> <p>For employment options, whilst not consistent with the Stantec Study, the Option 3 land strategy would provide greater opportunities for employment development across a range of settlements and is therefore supported. Provision should also be made for start up and business development space to be provided in order to stimulate the local economy. As occupiers are often unable to provide a significant track record this sector relies on niche providers willing to deliver dedicated schemes for the delivery of smaller starter units as well as a requirement within larger schemes.</p>
12.	Do you agree with the initial policy option for strategic warehousing? If not, why not?	<p>See also response to Q.10 and Q.11 but agree and consider it an appropriate response given the role of strategic warehousing in NWL.</p> <p><u>Comments from the County Council as a landowner</u></p> <p>From a strategic property perspective, the proposed policy is seen as very much an interim measure until such time as current needs have been accurately assessed. However, when determined, the needs figure should be increased by a minimum of 10% to reflect the attractiveness of the district for strategic warehousing and provide the plan with</p>
Employment		
13.	Which policy option for employment land proposals on unidentified sites do you prefer? Is there a different option which should be considered?	<p>See also response to Q.10 and Q.11 regarding potential employment provision in the vicinity of the East Midlands Gateway Strategic Rail Freight Interchange.</p> <p>Prefer Option 4 (or possibly Option 8 which is a combination of options 3 to 7) as this option ensures other suitable sites are explored with reasons given if they are discounted before an unidentified site could be deemed acceptable.</p> <p><u>Comments from the County Council as a landowner</u></p> <p>Option 1 is preferred as it provides the plan with greater flexibility</p>
14.	Which policy option for start-up workspace do you prefer? Is there a different option which should be considered?	<p>Support Option 4, but if this is unlikely to result in significant additional start up floorspace prefer Option 5 to allow start up premises as an exception on sites where development would normally be restricted</p> <p>If a new settlement is to be favoured as a development option, then some specific 'start up' provision may be needed as part of the employment provision for such a site, to ensure residents looking to start a business have 'on site' options rather than being forced to look/travel further afield (which would increase car-dependence).</p>

	Questions	Comments
		<p><u>Comments from the County Council as a landowner</u></p> <p>Options 4 and 5 are preferred as they support both start-up units and, in the case of Option 5, encourages the development of rural businesses and the rural economy.</p>
15.	Which policy option for local employment do you prefer? Is there a different option which should be considered?	<p>Option 2 ideally, as it provides the opportunity to engage with and influence employers at the early planning application stage, though acknowledge the difficulties with policy implementation. Recommendations and encouragement will only hold so much sway. Local employment is important to the prosperity of the local area, and due to reduced travel miles and therefore increased active travel options, can also impact on air quality and physical and mental health, if planned and executed well.</p> <p>Skill development is also a key wider determinant of health and contributes to a concept known as 'Good Work'. Good Work contributes to the health of employees, and healthy employees are more productive, improving economic prosperity of the area. A positive cycle for both residents and employees. There may be opportunity for wording to be added in regard employers who promote health and wellbeing of their staff, as well as skill development. Public Health are developing and widening the current offer to allow for more areas of support (i.e. financial wellbeing, wider mental health offer) and also so it supports more sizes of businesses in more sectors.</p> <p>As stated, option 2 also offers the potential for commuting incentives and potentially could bring down the 92% of commuting journeys by car to be in the line with the national rate of 78%.</p> <p>(Nb NWL has the lowest employment average rank vs other 6 districts when reviewing IMD data)</p> <p>From a strategic transport perspective, aside from economic and general benefits to peoples' lives, a policy that seeks to encourage/support the employment of people local to business brings about the greatest opportunities to minimise the need to travel by private car, with potential environmental benefits.</p> <p><u>Comments from the County Council as a landowner</u></p> <p>On the basis that large scale housing sites should be collocated with employment potential allocations should be considered on an individual basis taking account of the availability of employment nearby or the need to travel if none exists with appropriate site specific requirements linked to any allocation.</p>
Health and Wellbeing		
16.	Do you agree with the proposed health and wellbeing policy? If not,	<p>Yes. The previous feedback from emerging options consultation that <i>"such a policy could lead to the duplication of policy as this matter as dealt with throughout the Local Plan"</i> has weaknesses as an argument. If embedded throughout the plan in small parts rather than as a standalone policy it provides opportunity for health, as a key component especially important to NWL and its aims, to be diluted or weakened. A standalone policy will allow you to explore need, evidence-based action and recommendations clearly and concisely for the those assessing the plan and the community that it serves.</p>

	Questions	Comments
	why not?	<p>The policy could also make reference to access to healthy food. This can take the forms of restricting access to unhealthy choices, or also promoting access to sustainable, healthy food through design and the built environment.</p> <p><i>Other suggestions:</i></p> <p>Could the policy include a sentence about creating opportunities for social interactions? As per 92: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-and-safe-communities</p> <p>Consider anything around improving opportunities (reference made in above document) around 'All children get the best start for life', a key priority within the New Leicestershire Joint Health and Wellbeing Strategy, and so have access to a good quality education, and everyone has the opportunities they need to fulfil their potential. This could contribute to increasing the levels of GCSE attainment rates – currently 43.9 % attainment (average attainment 8 score for NWL), lower than the regional and national average. Education and skills are key wider determinants of health.</p> <p>Add in a demonstratable outcome that relates to health priorities for the area. For example, reduce the gap in percentage of physically active adults in North West Leicestershire – currently 61.1% which is significantly lower than the regional value of 65.7% and national value of 66.3% (https://fingertips.phe.org.uk/static-reports/health-profiles/2019/E07000134.html?area-name=North%20West%20Leicestershire)</p>
17.	Do you agree with the proposed Health Impact Assessment policy? If not, why not?	<p>There is agreement that option 3 is the most viable and will result in potential improvements in health inequalities and healthy life years and a reduction in health inequalities within North West Leicestershire, however there needs to be a clear policy on how the proposals are determined.</p> <p>A line could be added around “....any other proposal considered by the council to require one” as it covers other eventualities. There could be additional clarify around some points - Is there anything in place which would prevent the same builder put in multiple applications to come under the 30 limit to avoid HIA? What if multiple <30 applications came in but all concentrated in one area? What if an application came in with a certain proximity to HS2/trainline, or where a health facility had just closed/stopped taking on new patients, or close to a new AQMA?</p> <p>There is a simple, accessible solution for screening for a HIA that has been built on the LLR Healthy Placemaking Portal: https://www.healthyplacemaking.co.uk/health-impact-assessment/ developed by Active Together, with content provided by the Leicestershire Public Health Team.</p> <p>The screening tool is a simple form to be filled out based on a DoH template and is fully embedded into the website for ease of use. It has clear sections around what to consider, so that would negate the need to explore this within the Local Plan further, unless you would like to. There is also a set of slides and audio commentary on the why, what's and how's of HIA, recorded by a Consultant in Public Health.</p> <p>Use of the screening tool can take away some ambiguity, such as around the statement 'for developments where the screening assessment</p>

	Questions	Comments
		<p>indicates more significant health impacts, a more comprehensive, in-depth Health Impact Assessment will be required ', which could allow subjectivity. The tool allows a more rigorous approach, less open to bias.</p> <p>Screening is a key stage of HIA, it just needs to be managed as some feedback from other areas has been that screening has shown no health impacts from a wide range of developments. If we are also looking at positives in HIA, even these could be recorded and impacts on health and wellbeing explored. This would be a clear way to capture and positives to the community.</p>
18.	Do you agree that the policy should also indicate that an initial Health Impact Screening Statement could also be sought for any other proposal considered by the council to require one? If not, why not?	Agree, could also seek to provide guidance on what these other circumstances could be and more simpler assessments could be used that reflect scale of development
Renewables and Low Carbon		
19.	Do you agree with the proposed renewable energy policy? If not, why not?	<p>It is suggested that NWLDC strive for option 3 rather than option 2 (2045 rather than 2050 target?) to align with the County Council ambition.</p> <p>It might be appropriate to cover accessibility to a site for construction (including for 'abnormal loads' as necessary) and future maintenance purposes in the proposed criteria under item 2, especially in respect of sites for wind turbines.</p> <p>The policy should also refer to avoidance of harm to habitats or species, not just mitigation and enhancement.</p> <p>From a public health perspective, there is concern around fuel poverty, which is associated with poor physical and mental health outcomes- energy efficiency measures can reduce financial outgoings – most beneficial for people on lower incomes (Liddell C., C. Morris and S. Langdon (2011), <i>Kirklees Warm Zone. The Project and its Impacts on Well-being</i>, www.kirklees.gov.uk/community/environment/energyconservation/warmzone/ulsterreport.pdf.</p> <p><u><i>Comments from the County Council as a landowner</i></u></p>

	Questions	Comments
		The document should be updated to say that it would support opportunities to exceed these targets should the opportunity arise rather than stopping if the targets were met. I think more could be done to look into low-carbon heat forms too and this should be included in the document.
20.	Do you agree with the preferred policy approach for energy efficiency? If not, why not?	<p>Agree with the preferred policy approach for energy efficiency as the target demonstrates a proactive approach.</p> <p>Energy efficient policies can positively affect health and wellbeing through reducing the negative impact of fuel poverty. The cost of electricity and gas is rising, due to the global wholesale price of gas increased in 2021, the default energy tariff on gas and electricity has been lifted. Energy bills on average will increase by around £700 per household from April 2022 and could continue to increase going forwards. People are more likely to be working from home and in the house more but due to the increased costs may be at risk of not being able to adequately heat their home.</p> <p>Fuel poverty is associated with negative effects on mental wellbeing and stress. <i>“National Institute for Clinical Excellence (NICE) recognise the profound effects that cold housing can have on health and cite links to health problems, excess winter deaths and reduced quality of life, with the impacts being most acutely felt amongst the vulnerable including the elderly, children, and those with chronic conditions.” (Ambrose et al 2021).</i></p> <p><u>Comments from the County Council as a landowner</u></p> <p>it is far more effective to have mandatory energy requirements for buildings so that this forces higher standards. When voluntary it is too easy for these to be excluded for various reasons.</p>
21.	Do you agree with the preferred policy approach for Lifecycle Carbon Assessment? If not, why not?	<p>The sentiment of the preferred approach is understood. However, if the intention is that Lifecycle Carbon Assessments should include highways and transport infrastructure associated with new developments, then this would become very wide ranging and complex; it is not clear how and where this would align with the planning application process nor current ‘traditional’ highway adoption processes; and would likely require additional training for Local Highway Authority officers.</p> <p>The policy needs to recognise that new methods of assessing carbon may come forward in the future as this becomes more mainstream.</p>
22.	Do you agree with the preferred policy approach for overheating? If not, why not?	Agree with the preferred policy approach as it covers both small and large developments and will become more important in the future as climate change comes into play.
23.	Do you agree with the preferred policy	Agree with the preferred policy approach for the climate change assessment of development and seems appropriate and in-line with Q.21 and Q22.

	Questions	Comments
	approach for the climate change assessment of development? If not, why not?	
24.	Do you agree with the proposed policy for reducing carbon emissions? If not, why not?	<p>Agree with the policy on carbon emissions with funding being provided as the last resort option and that other methods are utilised first.</p> <p>Matters under Q.21 also apply here to a certain extent, and there should be reference within the policy to incorporating infrastructure/technology required to support decarbonisation of transport, including electric vehicle charging points.</p> <p>Point 3: <i>'demonstrate actions taken to reduce embodied carbon and maximise opportunities for reuse of materials'</i>; the reduction of carbon is an element of a much larger model, the 'circular economy' of which there is no mention. Any reference to carbon and material efficiency can be strengthened and expanded upon through reference to (for example); the reduction in the volume of materials brought onto site reducing material use, raw material extraction, associated environmental impacts ('externalities') and the transportation of materials to site. A considered supply chain approach by developers could be used to evidence this. There should be greater emphasis on the use of materials already on site or from the deconstruction of buildings/elsewhere; considered material choices to enable materials to stay in use ('cycle') for longer and be passed ('cascaded') to other uses (a second and third life cycle) after they come to the end of their first life cycle. Life cycle design is crucial in facilitating this and ensuring materials can be easily recovered through modular design and the inclusion of less hazardous materials etc.</p> <p>There are sections on water efficiency etc. but not enough on resource efficiency which is a topic in its own right.</p> <p>The wider role of green spaces and ecosystem services for carbon sequestration should have a stronger emphasis, in helping to offset carbon emissions. For e.g. hedgerows, trees etc</p> <p>The Low Carbon Energy Study by AECOM doesn't mention the need to integrate habitat into housing design in relation to achieving Net Zero.</p> <p>Agree with the proposed policy for reducing carbon emissions and would wish to take the opportunity to adjust carbon net zero target to 2045.</p> <p><u><i>Comments from the County Council as a landowner</i></u></p> <p>It is far more effective to have mandatory energy requirements for buildings so that this forces higher standards. When voluntary it is too easy for these to be excluded for various reasons. Concern that by mentioning that off-setting is an option when renewable energy generation is not viable; it can provide an easy way out for builders. This should be strengthened and made more specific to really enforce the use of on-site renewables. Offsetting should only be an option when renewables are not technically feasible. Leaving economic feasibility as a reason leaves it open to interpretation and many will opt to offset instead.</p>

	Questions	Comments
25.	Do you agree with the proposed policy for water efficiency standards? If not, why not?	<p>The proposed policy for water efficiency standards is agreed but there is also scope to consider water efficiency in change of use and conversions and ambition for water efficiency standards to extend beyond new stock to existing stock (beyond the planning function).</p> <p>From a public health perspective, the policy should ensure it enables opportunity to help lower energy bills and as noted above fuel poverty is associated with negative effects on mental wellbeing and stress. Section 9.67 NWL classification of a 'seriously water stressed' area has obvious concerns around health and wellbeing in long, dry, hot periods, especially for our more vulnerable populations.</p>
Next Steps		
26.	What additional comments do you have about the Local Plan Review not covered by the preceding questions?	<p>The Local Highway Authority (LHA) is supportive of the Development Plan process; whilst providing for the future growth of Leicester and Leicestershire will be challenging in many regards (including in respect of highways and transport), a Plan-led approach offers the greatest opportunities to address those challenges as compared to seeking to deal with the impacts of ad-hoc, 'unplanned' growth.</p> <p>The LHA would therefore wish to see the successful adoption of a new Local Plan for the district. However, it has had a relatively limited opportunity to input into the Plan's development to date. For example, whilst noting that this draft of the Plan contains no site allocations, the future housing numbers and employment land provision are/will be, presumably, informed by some considerations of potential sites available. It is unclear at this time how the LHA's comments on NWLDCs SHELAA sites might have informed the district council's decisions to date.</p> <p>The LHA looks forward to closer working with the district council going forward, including to develop an appropriate transport evidence base and to identify any highways and transport measures and infrastructure required or enable the district's future growth, including to address cumulative impacts of growth (within and without the district). The LHA will expect the new Local Plan to provide a robust policy basis, one that links growth to the provision of highways and transport measures and infrastructure as appropriate and provides for the securing of developer contributions towards the delivery of such.</p> <p>It is likely to be appropriate for the new Local Plan to reference the Interim Coalville Transport Strategy. Dependent on the outcome of the Local Plan evidence work, it may be necessary to reconsider the level of contributions paid by developers towards the Strategy's delivery under the Policy position previously adopted by NWLDC and to consider whether the scope of its Policy position should be extended in geographical and/or development type scope.</p> <p>Given the significance of the logistics sector in the district and the lack of available service facilities on the Strategic Road Network (SRN) in the area, it is suggested that consideration should be given through the development of the Local Plan as to whether land should be identified for a 'lorry park'.</p> <p>It is to be hoped that Government will soon make a decision on proposals for reopening the Ivanhoe Line to passenger traffic, and that this can be appropriately reflected in the new Local Plan.</p> <p>It is expected that the Local Plan will need to contain at least reference commentary to the HS2 Eastern Leg, but policies might also be required.</p>

	Questions	Comments
		<p>It is also suggested that the Plan should acknowledge early in the document the ongoing Covid-19 pandemic and current uncertainties over the long-term implications this will have on society, including on transport provision and travel behaviour (encompassing trends such as increased home working). It should also look at the roll that the Local Plan has in aiding the area's recovery.</p> <p>More emphasis could be placed on the provision of future emerging transport technologies within the document to support decarbonisation.</p> <p>With regards Page 55, Some of the Public Health data has been updated in Feb 2022 (i.e. childhood obesity https://fingertips.phe.org.uk/profile/health-profiles/data#page/1/gid/8000073/pat/6/par/E12000004/ati/201/are/E07000134/yr/3/cid/4/tbm/1). It might also a good idea to give specifics of percentages as it helps with accurate comparisons to other areas when using as evidence to back up decisions or potential policies.</p> <p>It isn't clear what this text means, <i>"Increasing levels of physical activity – Approximately one quarter of adults are not physically active and a further 11% are not meeting Chief Medical Officer guidelines of 150 minutes of physical exercise per week."</i> If this data is being used: https://www.active-together.org/researchandvidence/active-lives-adult-survey-may-202021-llr-headlines/download</p> <p>It is positive to read that "The Local Plan itself will be the subject of a HIA". The Leicestershire Public Health team will be delighted to help with this as part of the pilot work with NWL and Blaby to embed health into Planning processes within Leicestershire.</p> <p>With regards Page 60, there is reference to PHE <i>"It is anticipated that the work currently being undertaken with Public Health England, would also provide some form of guidance to assist with the application of the policy."</i> It needs to be clarified whether this is the Leicestershire Public Health Team? Or if it is PHE they are now a new organisation (OHID).</p> <p><u>The following paragraphs set out the Children and Family Service response to the North West Leicestershire Local Plan Review consultation.</u></p> <p>Given that there is little reference to Education provision from new housing development, it is difficult to comment on the specifics of what we would require. We expect to be able to provide a more detailed response when the</p> <p>allocated sites list is circulated by NWLDC. Therefore at this stage we wish to highlight to the district education matters that need to be taken into consideration as the Local Plan develops and potential sites evolve.</p> <p>It is of paramount importance that early engagement and close working is undertaken between the County Council and other partners in the delivery of infrastructure and related proposals to help to mitigate some of the risks that the provision of new school places may bring.</p> <p>Good schools have a significant impact on the communities which they serve. They are at the heart of the community and contribute towards thriving and sustainable areas of housing. Therefore, it is imperative that any new housing developments contribute to the provision of new school places.</p> <p><u>Developing additional school places</u></p>

	Questions	Comments
		<p>In accordance with the Education Act 1996 the County Council has a statutory duty to ensure a sufficient supply of primary, secondary and post 16 school places. This may be interpreted as a duty to ensure that a school place is available in all localities for every child that needs one and mindful of their specific needs. The County Council also has a duty to ensure the sufficiency of early years and childcare provision under the Childcare Act 2006 and 2016.</p> <p>In the context of the above duty it should be noted that a number of existing schools within the District are currently operating at the upper limit of their site capacity and may not be readily able to provide school places which would arise from the allocation of substantial housing growth, particularly some of the schools in small, villages or rural centres. This might suggest that the Plan should make provision to either secure land for the expansion of schools, if available next to the school site or alternatively consider relocating housing development elsewhere, or in certain circumstances the development of a new school. The District Council are advised to exercise caution when considering the development of new schools as the cost for these may be disproportionate to the scale of development (it should be noted that the County Council is unlikely to be able to meet any funding gaps, unless there is evidence of increasing 'basic need' in the area for which DfE grant may have been secured. Developing new schools may also introduce surplus place capacity if not carefully planned, which will have a bearing to other developments, speculative or otherwise, in the given area.</p> <p>For the avoidance of doubt singular or multiple developments of collectively 700 homes would ensure the viability of a 1 form entry, 210 place primary school, whereas for secondary schools developments would need to comprise circa 4500 homes to justify a 750 place school (excluding post 16 provision).</p> <p>It is noted within the consultation document 4.67 Table 6 that there are two preferred options to be taken forward. Option 3a High 1 scenario of 1,000 dwellings and Option 7b High 2 scenario of 5,100. However, developments of the size described, split over numerous sites may not sustain a new secondary school provision but would have a major impact on existing secondary provision in the NWLDC area. Early discussion regarding potential location of any new settlement would therefore be welcomed to identify potential secondary education and Post 16 requirements and solutions.</p> <p>In terms of SEND provision for pupils having an Education Health and Care Plan (EHCP) it is expected that provision will be attached to existing or new primary or secondary schools in the locality, accepting there will be circumstances where pupils with specialist needs may need to attend schools further afield, and which in some circumstances may be outside of the District.</p> <p>From an Early Years perspective, the DfE encourage provision to be developed as part of new school and placed in each locality to minimise travel and disruption to families. Where such provision cannot be developed on existing or new school sites, or where demand exceeds that which could be met via a school based solution then early years provision should also be considered for community hubs or similar infrastructure.</p> <p>Where new school sites are proposed it is important to ensure that they are placed central to developments they will serve (or at the centre of a single development), in locations that are fully accessible and on sites that are of suitable gradient (avoiding excessive slopes/inclines), well drained, free from excessive noise, light, or air pollutants, so and take maximum benefit from their environments. Further details on site</p>

	Questions	Comments
		<p>suitability for new or expanded schools can be found within the Leicestershire Planning Obligations Policy.</p> <p>Any sites identified for the expansion of existing, or the construction of new schools will need to reflect statutory guidance from the Department for Education regarding statutory available walking route distances from home to school of two miles for primary pupils and three miles for secondary pupils, and County Council policy relating to safe/available routes.</p> <p>It should be noted that introducing further development sites not identified within the Local Plan can sometimes tip the balance when it comes to provision of new schools rather than the provision of additional school places at existing schools, therefore some flexibility should be built into the plan to address this should it occur.</p> <p>It is also crucial that there is flexibility wherever possible around timing of spend from developer contributions to ensure that all monies are spent on the required infrastructure to ensure that school places are delivered in an equitable and coordinated manner.</p> <p><u>Proposal 1:</u> <i>It is suggested that NWLDC consider the introduction a policy statement(s) within the Local Plan to deal with the provision and placement of new schools and acquisition/reservation of land for either new schools or the significant expansion of existing schools to provide the required additional places from housing developments.</i></p> <p><u>Delivery of additional school places</u></p> <p>In terms of providing additional school places a number of issues may arise:</p> <ul style="list-style-type: none"> • New schools or significant expansion works will be expected to be progressed in parallel with new housing developments, to ensure that school places are available as new homes are occupied. The County Council will not have capacity to forward fund all new infrastructure works, this therefore places emphasis on developers not only meeting the full cost of all new schools or expansions but ensuring that S106 funds are released at a sufficiently early stage to allow works to progress. If this cannot be achieved then this may introduce a requirement for pupils from new developments to be transported to other schools nearby, in such circumstances the developer would be required to meet not only the costs off transport to alternative schools, but potentially also the costs of additional temporary accommodation if surplus places were not available. The County Council would seek to avoid such circumstances arising given the disruptive impact this will have to families and the continuity of a pupil's education. • It is expected that some new schools or expansions will be dependent on S106 funding drawn from several developments, this could introduce a significant funding risk that either developments do not progress simultaneously or consecutively, or possibly that a particular development does not progress at all introducing a funding gap. • It is known that delivery of the Local Plan will be contingent on the expansion of schools in rural locations, often conservation areas, or on constrained sites, where normal design solutions cannot be applied. In such circumstances it is expected that developers will be required to meet the full costs of construction, and any additional works necessary to mitigate any other planning requirements rather

	Questions	Comments
		<p>than the just the cost multiplier.</p> <ul style="list-style-type: none"> The Local Plan consultation makes no reference to the impact of EU exit or the Covid-19 pandemic both of which have contributed towards significant construction cost increases related to labour shortages, materials availability and transport costs. It is too early to say how the construction market may be impacted longer term, this places an emphasis on the importance of frequent review and dialogue between the County and District Councils and other delivery partners to ensure that the full costs of schools development and any expected change to these are fully understood and mitigated for <p><u>Proposal 2:</u> <i>In view of the above it is suggested that the District Council consider including within the Local Plan a policy setting out expectations specifically in relation to the funding of additional school places and other education infrastructure, such that this mitigates financial risk to the County Council.</i></p> <p><u>Community use of school facilities and sites</u></p> <p>The County Council recognises the value of schools as a focus for community use (predominantly outside of school hours and during school holidays). All new schools to be developed as part of the Local Plan delivery will be established as academy (free) schools meaning they will be operated by Multi Academy Trusts (as charitable companies/commercial entities) directly controlled by the DfE. In practice schools will seek to make their facilities available to the community via a standard letting procedure.</p> <p><u>Proposal 3:</u> <i>The District Council are therefore advised that is very unlikely that academies will be able to enter into agreements with the District or other organisations regarding shared use or joint management agreements for facilities located on school sites, where such are deemed to present (in view of the Trust, the County Council or the DfE) a financial risk to the effective operation of any school. Such arrangements should therefore be avoided.</i></p> <p><u>Renewables and low carbon</u></p> <p>The County Council policy on Zero Carbon outlines how we will achieve energy efficiencies and our carbon reduction targets.</p> <p>It is therefore expected that the County Councils policy on zero carbon should adequately meet the requirements set out in the Local Plan option 9.54.</p> <p><u>Specific Site Allocations</u></p> <p>Although specific site details are not referenced in the Local Plan, it is noted that the preferred options provided in the Local Plan consultation in Table 6 under point 4.67 provide enough high-level information for us to provide an indication of the number of new school places that may be required. However, at this early stage without further detail on site specifics and type of dwellings we can provide no further information with regard to capacities in existing schools, whether solutions would be expansions and/or new schools and the developer contributions we would</p>

Questions	Comments																																				
	<p>require from housing developers to provide the new school spaces.</p> <table><tr><th>Phase</th><th>Pupil Yield Per 100 Dwellings</th><th>Option 3a 1,000 Dwellings School Places Generated</th><th>Option 7b 5,100 Dwellings School Places Generated</th></tr><tr><td>Primary</td><td>0.3</td><td>300</td><td>1,530</td></tr><tr><td>Secondary</td><td>0.2</td><td>200</td><td>1,020</td></tr><tr><td>Primary Special</td><td>0.00363</td><td>3.63</td><td>18.51</td></tr><tr><td>Secondary Special</td><td>0.004</td><td>4</td><td>20.4</td></tr><tr><td>Early Years</td><td>0.085</td><td>85</td><td>433.5</td></tr></table> <p>All information on how we calculate developer contributions can be found in the Leicestershire Planning Obligation Policy published by the County Council in July 2019:</p> <p>https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2019/8/16/Planning-Obligations-Policy.pdf</p> <p>School forecast data complete with a narrative summary is provided to the District Council on an annual basis. This information gives details about school capacities, predicted numbers on roll and school sites. When sites for the Local Plan are identified we can provide updated forecast information and discuss further what the likely education provision will need to be to provide new school places.</p> <p><u>Consultation Question Education Responses</u></p> <p>Please find below the County Council’s responses to the specific questions set out in the consultation that apply to education:</p> <table><tr><th></th><th>Questions</th><th>Comments</th></tr><tr><td>27.</td><td>Do you agree with these Local Plan Review Objectives? If not, why not?</td><td>The objectives appear to be a logical approach in the continued development of the Local Plan.</td></tr><tr><td>28.</td><td>Do you agree with the proposed settlement hierarchy? If not, why not?</td><td>The hierarchy is in line with other Local Council’s that we have been consulted upon.</td></tr><tr><td>29.</td><td>Do you agree with the approach to Local Housing</td><td>Cannot comment without knowing specific details about the actual areas for housing</td></tr></table>	Phase	Pupil Yield Per 100 Dwellings	Option 3a 1,000 Dwellings School Places Generated	Option 7b 5,100 Dwellings School Places Generated	Primary	0.3	300	1,530	Secondary	0.2	200	1,020	Primary Special	0.00363	3.63	18.51	Secondary Special	0.004	4	20.4	Early Years	0.085	85	433.5		Questions	Comments	27.	Do you agree with these Local Plan Review Objectives? If not, why not?	The objectives appear to be a logical approach in the continued development of the Local Plan.	28.	Do you agree with the proposed settlement hierarchy? If not, why not?	The hierarchy is in line with other Local Council’s that we have been consulted upon.	29.	Do you agree with the approach to Local Housing	Cannot comment without knowing specific details about the actual areas for housing
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Questions		Comments	
		Needs Villages? If not, why not?	development.
	30.	Do you agree with our proposed approach to the amount of housing growth at this time? If not please explain why, including any specific evidence you think is relevant.	Cannot comment without knowing specific details about the actual areas for housing development. Estimated pupil yields provided in section 6 above based on number of proposed dwellings in options.
	31.	Do you agree with our proposed approach to the distribution of housing growth at this time? If not please explain why, including any specific evidence you think is relevant	Cannot comment without knowing specific details about the actual areas for housing development. Estimated pupil yields provided in section 6 above based on number of proposed dwellings in options.
	32.	Do you agree with the proposed self-build and custom housebuilding policy? If not, why not?	Whilst Education has no particular view on the policy, the District Council needs to be aware that such schemes may still generate the need for a contribution towards the provision of new school places.
	33.	Do you agree with the proposed health and wellbeing policy? If not, why not?	Yes, we agree with the health and wellbeing policy as it will have a positive impact on families moving into the new developments.
	34.	Do you agree with the proposed Health Impact Assessment policy? If not, why not?	Yes, we agree with the Health Impact Assessment as it will have a positive impact on families moving into the new developments.
	35.	Do you agree that the policy should also indicate that an initial Health Impact Screening Statement could also be sought for any other proposal considered by the council to require one? If not, why not?	Yes, we agree with the Health Impact Screening for other proposals providing there is a clear policy on how the proposals are determined.
	36.	Do you agree with the proposed renewable energy policy? If not, why not?	See Section 5 above.
	37.	Do you agree with the preferred policy approach for energy efficiency? If not, why not?	See Section 5 above.
	38.	Do you agree with the preferred policy approach for Lifecycle Carbon Assessment? If not, why not?	See Section 5 above.
	39.	Do you agree with the preferred policy approach for overheating? If not, why not?	See Section 5 above.
	40.	Do you agree with the preferred policy approach for the climate change assessment of development? If not, why not?	See Section 5 above.
	41.	Do you agree with the proposed policy for reducing carbon emissions? If not, why not?	See Section 5 above.
	42.	Do you agree with the proposed policy for water efficiency standards? If not, why not?	See Section 5 above.

Questions	Comments
	<p>43. What additional comments do you have about the Local Plan Review not covered by the preceding questions?</p> <p>See Section 8 below.</p> <p>8. <u>Next Steps</u></p> <p>To provide an accurate calculation of education provision needed to meet NWLDC's Local Plan the following information will be required:</p> <ul style="list-style-type: none"> • Where are the expected development sites? - Please provide a map to illustrate locality • Exactly what type of houses will be built? – Please provide numbers and types of dwellings that will be included. • What is the likely commencement date and time frame for completion? – Please provide dates and likely annual build rate.

[Interim Sustainability Appraisal Report of the Spatial Options](#)

Page/Section (if relevant)	Comments
Table 3.1: RAG Assessment Criteria, page 17.	The Sustainability Appraisal has regard to minerals and waste safeguarding under SA17 which states, 'Ensure minerals deposits and sites allocated for waste management are not sterilised through inappropriately located development'. However, the traffic lighted criteria only have regard to mineral safeguarding areas and not those waste sites which are safeguarded in the Leicestershire Minerals and Waste Local Plan (adopted 2019). Whilst we are working on the production of a waste safeguarding layer for GIS use, the criteria should still refer to waste safeguarding as it is spatially assessable from our Local Plan. This would ensure that sustainable waste management within the county is not compromised by other forms of development or that any new residential, or other, development is adversely affected by existing waste management facilities.
Table 4.1	It is noted that only one option (Option 8) has an effect for SA17 in relation to efficient use of natural resources and the rest are scored as 'uncertain'. For Option 8, we would welcome the reasons for the positive effect to be noted. It is understandable that other options cannot yet be allocated effects for SA17 owing to the unknown location and magnitude of development sites. We welcome further consultation once options and locations for potential development are narrowed further.