



*Meeting:* **Cabinet**

*Date/Time:* **Tuesday, 15 July 2025 at 2.00 pm**

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

*Contact:* **Miss G. Duckworth (Tel. 0116 305 2583)**

*Email:* **[gemma.duckworth@leics.gov.uk](mailto:gemma.duckworth@leics.gov.uk)**

### **Membership**

Mr. D. Harrison CC (Chairman)

Mr. J. Boam CC	Mr. V. Richichi CC
Miss. H. Butler CC	Mr. M. Squires CC
Mr. H. Fowler CC	Mr. A. Tilbury CC
Mr. C. Pugsley CC	Mr. C. Whitford CC

**Please note: this meeting will be filmed for live or subsequent broadcast via the Council's web site at [Cabinet meeting webcasts](#)  
– Notices will be on display at the meeting explaining the arrangements.**

### **AGENDA**

<u>Item</u>	<u>Report by</u>	<u>Key Decision</u>
1. Minutes of the meeting held on 3 July 2025.	(Pages 3 - 6)	No
2. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.		No
3. Declarations of interest in respect of items on the agenda.		No
4. Medium Term Financial Strategy Update - Spending Review and Fair Funding Consultation.	Director of Corporate Resources	(Pages 7 - 10) No



5.	Annual Treasury Management Strategy 2024/25.	Director of Corporate Resources	(Pages 11 - 18)	No
6.	Future of Beaumanor Hall and Park.	Director of Corporate Resources	(Pages 19 - 22)	Yes
7.	Latest Position and Response to Consultation on Further Main Modifications to the Charnwood Local Plan 2021-2037.	Director of Environment and Transport and Chief Executive	(Pages 23 - 34)	No
8.	Additional Highways and Transport Funding Awards 2025/26.	Director of Environment and Transport	(Pages 35 - 60)	Yes
9.	Leicestershire County Council's Approach to Flooding.	Director of Environment and Transport	(Pages 61 - 82)	Yes
10.	Proposal to Re-prioritise Net Zero Action Plans.	Director of Environment and Transport	(Pages 83 - 90)	Yes
11.	Home Care for Leicestershire Procurement.	Director of Adults and Communities	(Pages 91 - 112)	Yes
12.	Transitioning to a Banded Model for Education, Health and Care Plan (EHCP) Funding.	Director of Children and Family Services	(Pages 113 - 136)	No
13.	Items referred from Overview and Scrutiny.			No
14.	Any other items which the Chairman has decided to take as urgent.			No
15.	Exclusion of the Press and Public.			No
	<p><i>The press and public are likely to be excluded during the following item of business in accordance with Section 100(A) of the Local Government Act 1972:</i></p> <ul style="list-style-type: none"> <li>• <i>Operation of the School Food Service.</i></li> </ul>			
16.	Operation of the School Food Service.	Director of Corporate Resources	(Pages 137 - 140)	Yes



Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Thursday, 3 July 2025.

PRESENT

Mr. D. Harrison CC (in the Chair)

Miss. H. Butler CC  
Mr. H. Fowler CC  
Mr. V. Richichi CC

Mr. M. Squires CC  
Mr. A. Tilbury CC  
Mr. C. Whitford CC

Apologies

Mr. J. Boam CC and Mr. C. Pugsley CC

In attendance

Mr. A. Innes CC, Mr. J. McDonald CC and Mrs. D. Taylor CC

13. Minutes of the meeting held on 12 June 2025.

The minutes of the meeting held on 12 June 2025 were taken as read, confirmed and signed.

14. Minutes of the meeting held on 17 June 2025.

The minutes of the meeting held on 17 June 2025 were taken as read, confirmed and signed.

15. Urgent Items.

There were no urgent items for consideration.

16. 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.

No declarations were made.

17. Items referred from Overview and Scrutiny - Protocol for Flying Flags at County Hall.

The Cabinet considered a report of the Chief Executive which provided an opportunity for the Cabinet to respond to the request from the Scrutiny Commission that it reconsider the Protocol for Flying Flags at County Hall, which it had previously agreed at a meeting on 12 June. A copy of the report marked 'Agenda Item 5' is filed with these minutes.

The Scrutiny Commission had called in the decision taken by the Cabinet at its meeting on 12 June. Comments from the Scrutiny Commission, which had considered a report at its meeting on 24 June, were circulated separately and are also filed with these minutes.

Thanks were given to the Scrutiny Commission for the work it had undertaken and for the proposed revised resolutions for the Protocol. Thanks were also given to other parties who had commented on the Cabinet proposals. The Leader stated that, although it had not been possible to meet with the Staff Networks prior to this meeting, arrangements were being made to ensure that a meeting took place as soon as possible.

Members of the Cabinet gave assurance that whilst they understood the wishes of individual groups to have different flags flying to represent their interests, the proposed Protocol was intended to create unity.

#### (KEY DECISION)

#### RESOLVED:

- a) That this special meeting of the Cabinet was called in response to the requirements of the Constitution to meet within ten working days of the Scrutiny Commission, when the scheduled meeting of the Cabinet on 15<sup>th</sup> July would have been too late;
- b) That the Cabinet regrets through the unavailability of one staff group that it was not possible for the staff groups, who wanted a collective meeting, to meet with the Leader of the Council prior to this special meeting and notes that arrangements are in hand for the requested meeting to take place;
- c) That the Scrutiny Commission and other parties be thanked for their comments on the new Protocol;
- d) That, in regard to requests from the Scrutiny Commission to consider changes to the new Protocol for Flying Flags at County Hall, it is resolved:
  - i. To fly the Union Flag from the pole in the quadrangle at all times when specific flags to mark Armed Forces Day, Commonwealth Day and Armistice Day are not being flown;
  - ii. That the flying from that pole of other specific flags be restricted to a recognition of exceptional national or international events which may arise, such flags be determined in the circumstances by the Chief Executive in consultation with the Leader of the Council, with the other political group leaders to be notified at the time;
  - iii. That the above be written in to the Protocol;
  - iv. That, in all other respects, the decision of the Cabinet at its meeting on 12<sup>th</sup> June 2025 to introduce a new Protocol for Flying Flags at County Hall stands; and
  - v. That the new Protocol be confirmed as follows:

#### **Protocol for Flying Flags at County Hall**



1. The Union Flag and the County Flag will fly permanently from two of the three flag poles at the front of County Hall.
2. The third flag pole at the front of County Hall will fly the St George's flag, or the Lord Lieutenant's flag (when he is present at County Hall in an official capacity).
3. In the event of a Royal Visit to County Hall, advice from the Royal Household will determine if any other flag should be flown at the front of County Hall.
4. The fourth flag pole, within the Quadrangle at County Hall, will be utilised to mark Armed Forces Day, Commonwealth Day and Armistice Day. The Union Flag will be flown from this flag pole at all times when another specific flag is not being flown.
5. The flying of other specific flags from the fourth flag pole will be restricted to a recognition of exceptional national or international events which may arise, such flags be determined in the circumstances by the Chief Executive in consultation with the Leader of the Council, with the other political group leaders to be notified at the time.

12.30 - 12.39 pm  
03 July 2025

CHAIRMAN

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**CABINET – 15<sup>th</sup> July 2025**

**MEDIUM TERM FINANCIAL STRATEGY UPDATE – SPENDING  
REVIEW AND FAIR FUNDING CONSULTATION**

**REPORT OF THE DIRECTOR OF CORPORATE RESOURCES**

**Purpose of the Report**

1. The purpose of this report is to provide the Cabinet with an update on the Spending Review and Fair Funding consultation, both issued in June, and their potential impact on the County Council's financial position
2. The report also provides an update on the approach to updating the Council's Medium Term Financial Strategy ahead of the budget setting process for 2026/27
3. A supplementary report setting out a more detailed update is currently being finalised to ensure that it includes all the required information, particularly in relation to Fair Funding, and this will be circulated to members and published on the County Council's website as soon as it is available.

**Recommendation**

4. The Cabinet is asked to note this and the supplementary report.

**Reasons for Recommendation**

5. To inform the Cabinet of the key announcements arising from the Spending Review and Fair Funding consultation and, where possible, give indications of the likely impact on the County Council's financial position.
6. To enable the Council to continue to make progress in closing the current MTFS gap and maintaining a sustainable financial position.

**Timetable for Decisions**

7. The Cabinet will consider a further MTFS update in September ahead of draft budget proposals being submitted to the Cabinet in December.

**Policy Framework and Previous Decisions**

8. The County Council approved the 2025/26 to 2028/29 Medium Term Financial Strategy (MTFS) in February 2025. The key aim of the Strategy is to ensure

that the Authority has appropriate resources in place to fund key service demands over the next few years. The Strategy includes the establishment of earmarked reserves and the allocation of ongoing revenue budget and capital resources for key priorities. The Strategy is refreshed annually to take account of the most up to date information and assumptions.

9. The Spending Review sets out the Government's departmental spending plans over the current parliament to 2028/29. This gives an indication of local government funding at a national level, but does not provide any individual Council allocations. This will not be known until the Local Government Finance Settlement is announced, which in previous years has been in December.

### **Resource Implications**

10. The Medium Term Financial Strategy is the key financial plan for the Council. It currently shows an estimated deficit of £90m by 2028/29, of which nearly £40m falls in 2026/27. It is currently being updated to reflect latest information on costs, demand and funding implications.
11. Both the Spending Review and Fair Funding consultation will have a significant impact on the Council's financial position, although not all information is available to be able to assess the impact in any detail. MHCLG is due to issue a policy statement in September which may provide further information ahead of the Local Government Finance Settlement.
12. The Council will need to identify further savings opportunities at pace to ensure that a balanced budget can be set for 2026/27 and that the Council's financial position remains sustainable over the medium term.
13. The Director of Law and Governance has been consulted on the report.

### **Equality Implications**

14. There are no equality implications arising from this report.

### **Human Rights Implications**

15. There are no human rights implications arising from this report

### **Circulation under the Local Issues Alert Procedure**

16. The report will be circulated to all members.

### **Background Papers**

Report to the County Council on 21 February 2025 - Medium Term Financial Strategy 2025/26 – 2028/29

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=7391&Ver=4>

### **Officers to Contact**

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**CABINET – 15 July 2025****ANNUAL TREASURY MANAGEMENT REPORT 2024/25****REPORT OF THE DIRECTOR OF CORPORATE RESOURCES****PART A****Purpose of the Report**

1. The purpose of this report is to advise the Cabinet of the action taken and the performance achieved in respect of the treasury management activities of the Council in 2024/25.

**Recommendation**

2. The Cabinet is asked to note this report.

**Reason for Recommendation**

3. The Authority's full adoption of the CIPFA Code of Practice for treasury management requires an annual report on Treasury Management activity and performance to be considered by both the Cabinet and the Corporate Governance Committee before the end of September each year.

**Timetable for Decisions (including Scrutiny)**

4. Under the CIPFA Code of Practice it is necessary to report on treasury management activities undertaken in 2024/25 by the end of September 2025.
5. The Corporate Governance Committee considered the matter at its meeting on 23<sup>rd</sup> June 2025.

**Policy Framework and Previous Decisions**

6. The Authority has adopted the CIPFA Code of Practice for treasury management. Treasury management issues are reported to either the Corporate Governance Committee or the Cabinet. Approval of the Annual Treasury Management Strategy remains the responsibility of the full Council which it considers as part of the Medium Term Financial Strategy (MTFS) each year.

**Resource Implications**

7. Treasury management is an integral part of the Council's finances. Interest generated by treasury management activities (excluding private debt and bank risk sharing investments) for 2024/25 was £21.7m, and interest paid on external debts was £12.4m.

**Circulation under the Local Issues Alert procedure**

8. None.

**Officer to Contact**

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## **PART B**

### **Background**

9. The term treasury management is defined as: -

“The management of the organisation’s investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks”.

10. The Director of Corporate Resources is responsible for carrying out treasury management on behalf of the Council, under guidelines agreed annually by the Council.

### **Treasury Management 2024/25**

11. The Treasury Management Policy Statement for 2024/25 was agreed by the full Council on 21st February 2024, in relation to the sources and methods of borrowing and approved organisations for lending temporarily surplus funds.
12. The criteria for lending to Banks are derived from the list of approved counter parties provided by the County Council’s Treasury Management advisors, MUFG Pension & Market Services (formerly Links Asset Services). The list is amended to reduce the risk to the County Council by removing the lowest rated counterparties and reducing the maximum loan duration.
13. During the year all outstanding loans were repaid on time with the interest due.
14. In 2016 it was agreed that any counterparty that was downgraded whilst a loan was active, and where the unexpired period of the loan, or the amount on loan, would then breach the limit at which a new loan could be made to that counterparty, this would be included in the appropriate quarterly treasury management report to the Corporate Governance Committee. There was one such incident during 2024/2025.
15. On 15th November 2024 MUFG Pension & Market Services downgraded the suggested holdings for NatWest Group following changes to the government’s shareholding in the bank whereby it would now be treated in the same way as all other entities, with a limit of £35m (previously £75m). The Council had £75m invested across five loans with the bank at the time of the breach. £10m was repaid with full interest at the expiry of one loan on 25 November 2024, and £30m repaid with full interest at expiry in Q4 February 2025, bringing the total held down to £35m and within the revised limit.
16. Investment returns have steadily fallen throughout 2024/25 as interest rates have reduced.
17. Starting in April 2024 at 5.25%, the Bank Rate moved down in stepped increases of 0.25%, reaching 4.5% by March 2025, and to 4.25% in May 2025. MUFG Pension &

Market Services advise that rates will continue to fall to around 3.75% by the March 2026.

18. The Council has taken a cautious approach to investing and is fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the Financial Crisis of 2008/9. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions. Nonetheless caution still needs to be exercised and the council continues to monitor credit ratings and watches on a daily basis and confirm the counterparty list before any new loans are placed.

#### Debt Position at 31 March 2025

19. On the debt portfolio, no new loans were taken. A total of £44.5m was repaid in the year, comprising:
- £29.2m - Early repayment - PWLB debt on favourable terms
  - £10.0m – Early repayment - Market debt (Barclays) of £10m.  
*[n.b. these early repayments will generate an estimated £2.4m in annual interest savings for the Council.]*
  - £4.8m – PWLB maturity
  - £0.5m – PWLB Equal Instalment of Principal (EIP)
20. The Council's external debt position at the beginning and end of the year was as follows: -

	31 March 2024			31 March 2025		
	Principal	Average Rate	Average Life	Principal	Average Rate	Average Life
<b>Fixed Rate Funding</b>						
- PWLB	£116.0m	7.6%	27 yrs	£81.5m	7.78%	26 yrs
-Market	£ 10.0m	3.99%	42 yrs	£ 0.0m	0%	0 yrs
<b>Variable Rate Funding:</b>						
- Market (1)	£ 93.5m	4.41%	39 yrs	£ 93.5m	4.41%	38 yrs
<b>Total Debt</b>	<b>£219.5m</b>	<b>6.08%</b>	<b>32 yrs</b>	<b>£175.0m</b>	<b>5.98%</b>	<b>32 yrs</b>

(1) The majority of lenders have an option to increase the rates payable on these loans on certain pre-set dates, and if they exercise this option the Council can either repay or accept the higher rate.

21. The Authority has not raised any new external loans since August 2010 and external debt is around £180m lower than it was at its peak in November 2006. The most recent MTFs capital programme, for 2025-2029, includes a funding requirement of £83.6m to be funded from borrowing. However, due to the strength of the County

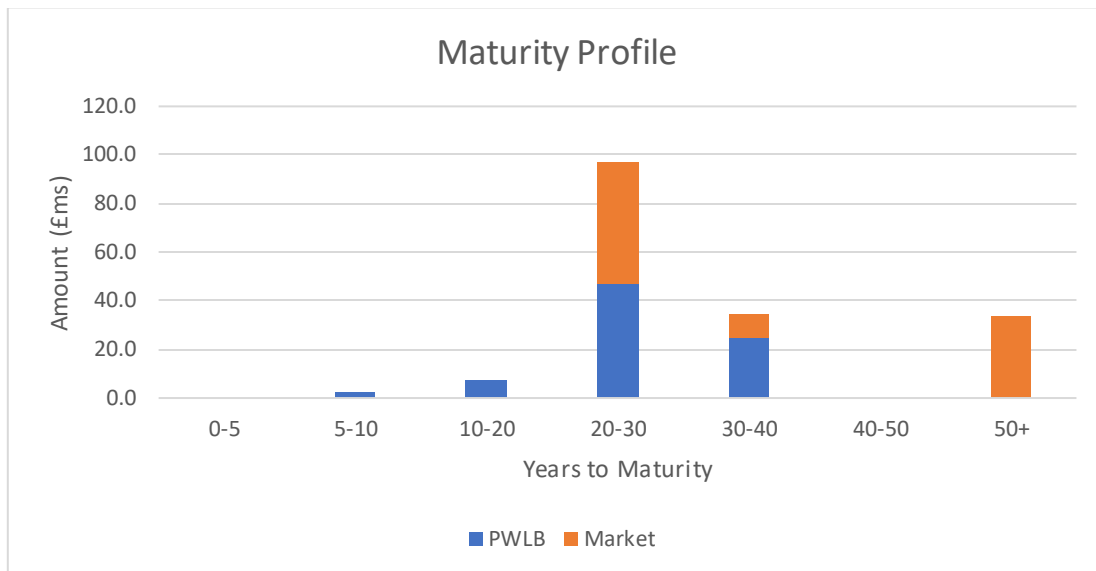
Council's balance sheet, it is expected to be possible to use internal balances to fund this on a temporary basis instead of raising new loans.

#### Investment Position at 31 March 2025

22. The position in respect of investments varies throughout the year due to the large inflows and outflows of cash that occur. Over the course of the year the loan portfolio (which includes cash managed on behalf of schools with devolved banking arrangements) varied between £408m and £501m and averaged £453m. Investments as at 31 March 2025 were £415m.

#### Debt Transactions

23. The Council began the financial year £18m over-borrowed (actual debt) compared with the Capital Financing Requirement (the amount required to fund the historic capital programme).
24. Although the term 'over-borrowed' suggests an unusual situation it is simply caused by the Council setting aside money each year so that when loans become due they can be repaid. Historically this situation did not arise because new borrowing was undertaken each year. For the last fifteen years, there has been no requirement to undertake new borrowing to fund the capital programme (which leads to a reduction in debt financing costs falling on the revenue budget). This is linked to the Government's change of approach since 2010 to award grants to fund the capital programme rather than the previous approach of supported borrowing (i.e. support for capital expenditure by providing revenue funding to cover borrowing costs). Ideally the situation would be remedied by repaying loans early.
25. To this end, during 2024/25 the over-borrowed position reversed due to the early repayment of debt as mentioned above.
26. At the end of the financial year, after the repayment of debt, and setting aside funding for the Minimum Revenue Provision (MRP) of £6.2m (to ensure that loans raised to finance capital expenditure are paid off over the longer term) the Council was £20m under-borrowed.
27. During the year, there were two favourable opportunities to reduce the Council's debt portfolio, as reported in quarterly treasury management updates. These opportunities arose due to the prevailing economic conditions at the time of repayment, with Gilt yields (which underpin PWLB rates) remaining at levels sufficient to consider long term debt rescheduling opportunities. The total debt repaid was £44.5m, of which £29.2m with the PWLB (and £10m with Barclays) was as a direct result of debt rescheduling activities. At the end of the financial year, the debt portfolio stood at £175.0m with an average pool rate of 5.98%, as shown in the table above.
28. The maturity profile of the Council's debt portfolio is shown in the chart below. This illustrates the long-term nature of the historic debt.



### Investments

29. The loan portfolio produced an average return of 5.15% in 2024/2025, compared to an average base rate of 4.95% and a Sterling Overnight Index Average (SONIA) of 4.90% published daily by the BoE. The SONIA rate is based on actual transactions and reflects the average of the interest rates that banks pay to borrow sterling overnight from other financial institutions and other institutional investors. It is therefore a good proxy for the risk-free rate of investing surplus cash.
30. The loan portfolio has outperformed both the average base rate and the average SONIA in four of the last five years. The average rate of interest earned on the portfolio in the last five years is 2.63% which compares favourably to average base rate and the SONIA which have reported returns of 2.51% and 2.47% respectively.
31. The variability of balances makes it difficult to calculate the excess interest that the over performance has achieved over the whole of the five-year period, but it is estimated to be at least £2.6m.
32. The above paragraphs exclude investments relating to private debt and bank risk sharing investments. The capital value of these investments as at 31<sup>st</sup> March 2025 was £32.7m. Since inception (January 2018) the Council has received interest payments totalling £11.2m from these investments and the current performance as measured by the internal rate of return is 8.49%.
33. The table below provides an overview of the Council's investments in private debt and bank risk sharing investments. As well as showing the current capital levels within each fund the table also shows the Net Asset Value (NAV), and Internal Rate of Return (IRR) for each fund.

Summary Private Debt and CRC:						During 2024/25	
	Total Commitment (£m)	Capital invested (£m)	NAV (£m)	IRR (Since Incep'n)	Total Income Rec'd	Capital Repaid (£m)	Income (£m)
2017 Mac IV	20.0	1.7	2.3	5.03%	-3.9	- 2.7	-
MAC VI	20.0	11.8	13.3	7.34%	-2.7	- 5.8	- 1.7
CRC CFR 5	15.0	12.5	12.7	11.11%	-4.7	-2.5	-3.5
MAC VII	10.0	6.7	7.5	-	-	-	-

## **Summary**

34. Treasury Management is an integral part of the Council's overall finances, and the performance of this area is very important. Whilst individual years obviously matter, performance is best viewed on a medium to long term basis. The action taken in respect of the debt portfolio in recent years has been extremely beneficial and has resulted in significant savings. Short term gains might, on occasions, be sacrificed for longer term certainty and stability.

## **Equality and Human Rights Implications**

35. There are no equality or human rights implications arising from the recommendations in this report.

## **Background Papers**

Report to County Council on 21 February 2024 – 'Medium Term Financial Strategy (MTFS) 2024/25 - 2027/28. Appendix N, 'TMS 2024-25:

<https://democracy.leics.gov.uk/documents/s181392/Appendix%20N%20-%20TM%20Strategy%20Statement%202024-25.pdf>

## **Appendices**

None.

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**CABINET – 15 JULY 2025****FUTURE OF BEAUMANOR HALL AND PARK****REPORT OF THE DIRECTOR OF CORPORATE RESOURCES****Purpose of the Report**

1. The purpose of this report is to note the historic and current performance of Beaumanor, as well as the likely future performance of the site.
2. A supplementary report is currently being prepared and will be circulated to members and published on the County Council's website as soon as it is available.

**Recommendations**

3. It is recommended that the Cabinet notes this report and considers the recommendations set out in the supplementary report.

(Key Decision)

**Reasons for Recommendation**

4. Beaumanor was reviewed by the previous Scrutiny Commission at its meeting in March 2025. At this meeting, the Commission asked for Beaumanor to be formally considered by the Cabinet at a future meeting.
5. Beaumanor has always required a financial subsidy from the County Council. If nothing changes, the long term outlook for the site does not suggest that this position will materially change.
6. The supplementary report will set out further details on the current and future performance of Beaumanor Hall and the Cabinet's acknowledgement of the comments of the previous Scrutiny Commission.

**Timetable for Decisions (including Scrutiny)**

7. The supplementary report will set out the timetable for decisions.

**Policy Framework and Previous Decisions**

8. With the continued financial pressure on the Council, the requirement to raise additional revenue has been specifically included in the County Council's Medium Term Financial Strategy (MTFS) for the past few years.
9. A Scrutiny Review Panel commenced a Review of Traded Services in June 2014, the findings of which were reported to the Cabinet on 19 November 2014. The then Cabinet accepted the recommendations of the Panel and asked the Chief Executive to ensure that they were acted upon. These included further development of the Council's Traded Services, consolidation of the portfolio, and establishing a dedicated marketing resource.
10. The Strategy was subsequently approved by the Cabinet on 6 July 2018 which further resolved that an Annual Report on performance against the Commercial Strategy be submitted to the Cabinet and the Scrutiny Commission each June.
11. Updates on the Strategy have been submitted to the Scrutiny Commission annually.
12. The Council's Strategic Plan (2022-26), sets out a long-term vision for Leicestershire and specific aims for the Council. The proposals in the supplementary report would need to be considered against delivery of the 'Improved Opportunities' outcome in the Strategic Plan (2022-26), specifically "Every child has access to good quality education".

### **Resource Implications**

13. The supplementary report will set out the resource implications.
14. The Director of Law and Governance has been consulted on this report.

### **Circulation under the Local Issues Alert Procedure**

15. None.

### **Equality Implications**

16. There are no equality implications arising from the recommendations in this report.

### **Human Rights Implications**

17. There are no human rights implications arising from the recommendations in this report.

### **Background Papers**

Scrutiny Commission – 4 September 2024 – Annual Report on the Traded Services Strategy

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=137&MId=7445&Ver=4>



Scrutiny Commission – 10 March 2024 – Leicestershire Traded Services Update  
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=137&MId=7833&Ver=4>

**Officer(s) to Contact**

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**CABINET – 15 JULY 2025**

**LATEST POSITION AND PROPOSED RESPONSE TO  
CONSULTATION ON FURTHER MAIN MODIFICATIONS TO THE  
CHARNWOOD LOCAL PLAN 2021-2037**

**JOINT REPORT OF THE CHIEF EXECUTIVE AND DIRECTOR OF  
ENVIRONMENT AND TRANSPORT**

**PART A**

**Purpose of the Report**

1. The purpose of this report is to provide an update on Charnwood Borough Council's emerging Local Plan ('the Local Plan'), to set out a proposed approach to the further Main Modifications consultation and to provide an update on the proposed implementation of a Community Infrastructure Levy ('CIL').

**Recommendations**

2. It is recommended the Cabinet:
  - a) Notes the latest position in respect of the Local Plan set out in paragraphs 27-30;
  - b) Approves the proposed approach to the County Council's response to the further Main Modifications consultation set out in paragraphs 31-34;
  - c) Notes the position, including the associated risks and concerns, with respect to the preparation and implementation of the proposed CIL and approves the further work and next steps set out in paragraphs 35-40;
  - d) Notes the continued implications for the Local Highway Authority in respect of the planning process and the continued position of the Local Highway Authority in its approach to planning consultations set out in paragraphs 43-45;
  - e) That in line with previous recommendations and delegations, the Chief Executive, the Director of Environment and Transport, and the Director of Law and Governance, following consultation with the appropriate Cabinet Lead Members, be authorised to:

- i) Participate appropriately in the development and implementation of a CIL charging schedule in line with national guidance and to seek to influence the adoption of a CIL as soon as possible, recognising the potential for work to be undertaken at risk ahead of possible further Local Plan examination sessions;
- ii) Seek to mitigate the impacts arising from the potential further delays to the adoption of the Local Plan as far as reasonably possible.

### **Reasons for Recommendation**

- 3. The County Council seeks to influence the content of the Local Plan in the interests of local communities, including ensuring that the Local Plan provides a robust as possible policy platform for sustainable development by securing the provision of the infrastructure and services required to support its successful delivery.
- 4. The substantial number of sites allocated in the emerging Local Plan that have been (or could be in the near future) granted planning permission without contributing to the delivery of the identified highways and transport measures, due to the lack of an agreed mechanism to secure strategic contributions, have the potential to undermine the delivery of the necessary infrastructure over the life of the Local Plan.
- 5. The current proposed Main Modifications to the Local Plan reflect the proposed implementation of a CIL. Main modifications are material changes to a submitted local plan which are necessary to make it sound and legally compliant. As previously identified, the expedient adoption of a CIL is the best way to mitigate the potentially negative impacts of a lack of strategic transport investment needed to support growth in Charnwood.
- 6. The County Council is therefore supportive of these further Main Modifications in principle and will continue to seek to mitigate these impacts as far as practically possible. These impacts include those associated with any further delays to the adoption of the Local Plan and approval of allocated sites in advance of an agreed mechanism to secure contributions to (and subsequent delivery of) strategic highways and transport measures.

### **Timetable for Decisions (including Scrutiny)**

- 7. The County Council's consultation response is required to be submitted to the Borough Council ahead of the close of the consultation on 4 August 2025.

### **Policy Framework and Previous Decisions**

- 8. Previous Cabinet decisions in relation to the emerging Local Plan were set out in a report to the Cabinet on 22 October 2024 which included:

- a) June 2022: approval of an area Transport Strategy based approach to deliver the Borough-wide transport mitigation package, through three area strategies.
  - b) September 2022: agreement that works towards an interim approach, prior to the Local Plan's adoption, would be taken by the Local Highway Authority ('LHA') dealing with planning applications in Charnwood and seeking approval of the Borough Council's support for implementation of this interim approach.
  - c) November 2022: approval of the approach and principles that the County Council would adopt to manage risks of delivering sustainable and inclusive growth.
  - d) February 2023: approval of an interim approach to planning issues in Charnwood, which aimed to provide an initial basis for how the LHA could seek transportation contributions.
  - e) December 2023: noting the position of the Local Plan, in particular the identified financial pressures associated with the strategy, including a major shortfall in funding of £120m.
  - f) February 2024: noting the overall approach to developing the Capital Programme set out in the Medium Term Financial Strategy 2024/25 and that a key determinant in generating sufficient developer contributions was the approach taken by district councils in their capacity as Local Planning Authority (LPA).
  - g) September 2024: approval of the County Council's National Planning Policy Framework (NPPF) consultation response, noting the amended NPPF.
9. On 22 October 2024 the Cabinet considered reports on the issues associated with the emerging Local Plan, including the outcome of consultation on the Charnwood Transport Contributions Strategy (CTCS) and the implications for the LHA and consideration of planning applications by the Borough Council's Plans Committee on 17 October 2024. The Cabinet noted a number of issues which were of significant concern, including the Borough Council's late submission to the Local Plan Inspectors regarding preparation of a CIL, apparent misrepresentation of the County Council's position, and four decisions made by the Borough Council's Plans Committee despite recommendations of the Local Highway Authority ('LHA') as statutory consultee.
10. The Cabinet agreed that, whilst the County Council would continue to work with the Borough Council to seek to have a sound Local Plan in place, Chief Officers were authorised, inter alia, to withdraw the proposed CTCS and take appropriate actions necessary to mitigate the impacts arising from the interim period between the likely Local Plan adoption and the adoption of a CIL. They were also authorised to address the concerns set out in the supplementary report, including continuing to bring those concerns to the attention of the Borough Council.
11. On 22 November 2024, the Cabinet considered a report on the issues associated with the emerging Local Plan, including the response of the Inspectors to the late submission by the Borough Council of a proposal to implement a CIL to support the delivery of the Local Plan, the approach to

reporting the issues associated with the Local Plan and dealing with planning applications prior to a clear route to adoption of the Local Plan being established. The Cabinet agreed that whilst the County Council would continue to work with the Borough Council to seek to have a sound Local Plan in place, Chief Officers were authorised to take appropriate actions necessary to mitigate the impacts arising from the interim period between the likely Local Plan adoption and the adoption of a CIL, and to address the concerns set out in the supplementary report. In addition, it was agreed that it was necessary for the Borough Council to provide a clear response to the issues raised in order for the County Council to assist in progressing the Local Plan.

12. On 17 December 2024, the Cabinet considered reports on the issues associated with the emerging Local Plan, including correspondence with the Local Plan Inspectors, work associated with implementing a CIL and implications for the County Council in its role as LHA. A number of actions were approved in respect of these matters and the ongoing concerns associated with the lack of strategic transport infrastructure arising from the Local Plan.
13. On 7 February 2025, the Cabinet was presented with an update on the issues associated with the emerging Local Plan, including actions taken to comply with the Cabinet's resolutions of December 2024 and resolving to participate appropriately in the development and implementation of a CIL charging schedule in line with national guidance and to seek to influence the adoption of a CIL as soon as possible.

### **Resource Implications**

14. The delay in the Borough Council's decision to implement and prepare a CIL and the consequential update to the Local Development Scheme means that there could be a significant lag between the adoption of the Local Plan and the adoption of the CIL charging schedule. This could result in further growth coming forward without providing contributions to the necessary highways and transport infrastructure. Viability evidence commissioned to support the previous work suggests that as much as £15m could be 'lost' in contributions whilst the Local Plan and CIL processes are undertaken. As consistently stated, the County Council is unable to meet this funding shortfall and so it remains a significant risk that highways and transport infrastructure will be under funded in Charnwood over the life of the Local Plan.
15. The County Council has committed significant resources to engaging in, and supporting, a collaborative approach to strategic planning in order to facilitate the delivery of growth within the County and to mitigate the negative impacts of development, to the extent that it is reasonably possible to do.
16. The extended Local Plan examination process, in addition to the urgent need to prepare a CIL, represents a significant draw on the County Council's limited resources to support the development and local plans across the Housing Market Area (a geographical area relatively self-contained in terms of housing

demand, covering the administrative areas of the Leicester and Leicestershire local authorities). It is unlikely that the County Council will be able to provide the resources which every LPA may require in order to progress their local plans, and the LHA will continue to discuss prioritisation with the relevant LPAs.

17. The Director of Corporate Resources and the Director of Law and Governance have been consulted on this report.

### **Legal Implications**

18. There are potential legal implications for the LHA in its role as statutory consultee. The Director of Environment and Transport is authorised to respond to planning applications in line with the responsibilities of this role. In consultation with the Director of Law and Governance, the Director of Environment and Transport will continue to review the approach and any associated risks.

### **Circulation under the Local Issues Alert Procedure**

19. A copy of this report will be circulated to all Members.

### **Officers to Contact**

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## **PART B**

### **Background**

20. The Borough Council submitted its Local Plan to the Planning Inspectorate for Examination in Public (EiP) in December 2021. There is therefore a considerable history to the Local Plan and examination process. Further detail can be found in the previous reports referenced in paragraphs 8-13.
21. The first EiP hearing session took place in June 2022, at which point a change in the way that the Borough Council were proposing to deal with providing for its apportionment of the City of Leicester's unmet housing need caused the examining Inspectors to pause the EiP. The EiP recommenced in February 2023, with a subsequent further two hearing sessions held in February 2024 and in April 2025 (see paragraph 24 for further details). The April 2025 hearing was chaired by Inspector Mr Baugh-Jones only due to the retirement of Mrs Housden who had also been examining the Local Plan.
22. Throughout the preparation stages of the Local Plan and the lengthy examination period, the LHA has consistently raised concerns regarding the cumulative impact of planned growth on the strategic and local highways and transport networks and the need for an appropriate mechanism to ensure the proposed development funds the necessary interventions to mitigate these impacts.
23. Throughout the EiP, County Council officer attendance has primarily been in respect of transport matters. Aside from the natural concerns expressed by communities about the adverse transport impacts of proposed new housing and employment sites, the issues raised by the LHA were recognised as a key challenge to the Local Plan's delivery. The Inspectors, as well as representatives from the development industry, were particularly concerned with how the package of transport measures required to support the Local Plan's delivery and to mitigate its overall transport impacts will be paid for. Therefore, following advice sought from Counsel by both the County Council and the Borough Council independently, the Borough Council is progressing the introduction of a CIL to secure developer funding towards the package of transport measures.
24. It was this addition to the Local Plan that was the focus of the most recent EiP hearings and further detail on this is provided below. It is important to note that the EiP does not close until the Inspector's report is issued.

### **What is a CIL?**

25. CIL is a charge which can be levied by LPAs on new development in their area in order to raise funds to help fund the infrastructure, facilities and services - such as schools or transport improvements - needed to support new homes and businesses. The process of putting in place a CIL includes a public examination of the LPA's proposed charging rates. Once in place, a CIL is a mandatory charge payable on all developments to which it is applied, and thus



it has potential implications as to whether a site is financially viable. A site would be deemed to be viable if the value generated by the development exceeds the costs of developing it and provides sufficient incentive (profit) for the land to come forward. An unviable site is where the converse applies, i.e. the costs of developing it exceed the value generated by developing it.

26. The CIL proposed by the Borough Council will only cover highways and transport related infrastructure. Other services such as education will be funded through other existing mechanisms such as planning conditions or section 106 obligations, as these mechanisms continue to provide the most appropriate methods for securing funding for these services.

### **Update on the Local Plan and Examination Process**

27. Since the last report was considered by the Cabinet on 7 February 2025, the EiP has progressed. A consultation took place between 17 February 2025 and 17 March 2025 on an initial CIL viability assessment. The purpose of that initial assessment was to demonstrate (to conclude) that it is possible to introduce a CIL of a sufficient level whilst at the same time not rendering the Local Plan and its proposed allocation sites unviable; it identified possible CIL levels, but its purpose was not to propose actual CIL levels as this will be dealt with through a separate process of CIL development and examination.
28. Further to the closing of the consultation, an EiP hearing session took place on 8 April 2025. A primary purpose of that session was to test the evidence as presented in the initial CIL Viability Assessment and its conclusion. Developers and their representatives (including a barrister) made strong arguments against many of the technical aspects of the assessment; those were largely dealt with by the consultant commissioned by the Borough Council to undertake the work. However, there was also strong challenge as to the amount of money a CIL could potentially raise in comparison to the estimated total cost of the transport package. These matters were largely addressed by the Borough Council, including through the introduction on the day of a note entitled '[Local Plan housing supply potentially liable for CIL as of March 2025 V1](#)' (which was subsequently annotated as Exam 96). Exam 96 states that a CIL would generate a total income of circa £48m, equating to the estimated total costs of the highway improvement aspects of the transport package.
29. The County Council had no involvement with the preparation of Exam 96 nor did the Borough Council give the County Council any prior notification as to its introduction at the hearing session. On the day County Council officers attending the EiP were given a brief explanation by Borough Council officers as to the methodology by which the figure in Exam 96 had been arrived at, including that it was based on the possible CIL levels as identified in the initial assessment work. Under subsequent questioning by the Inspector and other parties, County Council officers were only able to confirm that they understood the methodology as explained and recognised that the figure arrived at would, if achieved in reality, be sufficient to cover the costs of the highways elements of the transport package as estimated.

30. On 21 May 2025, the Inspector issued his post Hearing letter. In it the Inspector stated that the initial viability work indicates that there is a reasonable prospect of CIL coming forward in an acceptable timeframe as a viable mechanism to assist with the delivery of necessary infrastructure. The Inspector also acknowledged that the Borough Council recognises that the initial viability work is not the final detailed work that will be undertaken on viability, i.e. that any actual proposed CIL levels have yet to be established.

### **Consultation on Further Main Modifications**

31. In his letter, the Inspector also invited the Borough Council to prepare some further Main Modifications to the Local Plan to reflect the proposals to take forward the implementation of a CIL. These relate only to Chapter 9 of the Local Plan on Infrastructure and Delivery and are now being consulted on, with the consultation period running from 23 June to 4 August 2025.
32. These further Main Modifications predominately involve adding in references to the proposed development of a CIL. As the County Council has concluded that a CIL is the most appropriate way to support the delivery of highways and transport measures needed to support growth, the County Council is supportive of these amendments. The County Council has expressed a wish to work with the Borough Council to ensure the implementation, administration and monitoring of the CIL is managed in the most effective way.
33. There are no other material differences to the Local Plan's content that officers have any concerns about.
34. It is therefore proposed that the County Council respond to the further Main Modifications' consultation reflecting the above.

### **Ongoing Work and Next Steps in relation to the Plan and CIL**

35. As set out in previous reports, in its role as LHA, the County Council recognises that the only way to secure developer contributions towards mitigating the cumulative highways and transport impacts of the growth in Charnwood is through the implementation of a CIL. The LHA also recognises that there is a need to implement a CIL as soon as possible, given the significant proportion of development identified in the Local Plan that is coming forward ahead of the Local Plan's adoption and the introduction of a CIL and therefore not making any contribution to strategic transport mitigation. More information on the consequences of this and the LHA's approach to planning consultations is set out in paragraphs 41 –45.
36. Therefore, following the resolution of Cabinet in February 2025, County Council officers have agreed a revised governance arrangement with the Borough Council to manage the LHA's contribution to the development of CIL proposals. Through this arrangement officers continue to engage with the Borough Council on elements of CIL development work that it has commissioned. This includes

more detailed viability assessment work and the development of a CIL charging schedule, which will set out in broad terms the transport measures that are to be funded by the CIL and their costs. The conclusions of that work will ultimately identify actual proposed CIL levels, likely including by development type, scale and geographical location. These will then be subject to a public examination by an independent Inspector. (Note that this is not the same as, and is separate from, the Local Plan's EiP).

37. Only as and when that CIL examination process has been successfully completed will the actual CIL levels be confirmed, and it will also only become apparent at this stage whether the assumptions underpinning the figure identified in Exam 96 will manifest in reality. However, even in the event that the amount of developer funding generated by a CIL proves to be less than Exam 96 identified, the County Council accepts there would be no other lawful way by which a greater level of monies could be secured from developers towards the package of transport measures required to enable delivery of the Local Plan.
38. In respect of the implementation of the CIL, Borough Council officers confirmed at the EiP that a CIL would be adopted by the end of the calendar year 2025 in line with the published Charnwood Local Plan Local Development Scheme. However, County Council officers understand that this programme is already behind schedule although no revised timetable for implementation has been formally confirmed. Whilst delays to the implementation of a CIL will only exacerbate the issues set out in paragraphs 41-45, after several years of development and substantial development in train, there are no credible alternatives available at this stage.
39. With regard to the Local Plan EiP, following on from the close of the further Main Modifications consultation, the normal next step would be for the Inspector to prepare and submit his final report to the Borough Council. A positive report, i.e. that the Inspector is satisfied with the Local Plan as modified, would mean that the Borough Council could then proceed to adopt it and it would become a key, primary document in guiding decisions on proposals for new development, including planning applications.
40. Further reports will be presented to the Cabinet on the Local Plan, including CIL, as necessary.

### **Implications for the County Council as LHA**

41. As previously set out, the delays to the adoption of the Local Plan and confirmation of the appropriate mechanism for securing strategic contributions means an increased risk that planning applications will be approved without contributing to the strategic transport requirements identified as part of the Local Plan development. The longer this goes on, the more applications will be processed through the planning system and the greater the funding gap for identified infrastructure. The LHA estimates that up to £3.8m of contributions could have been secured towards strategic transport mitigation from relevant applications approved to date, if the applications had been determined with a

suitable mechanism in place. Furthermore, it estimates, based on available evidence, that a further £11.2m could be lost if a CIL is not adopted promptly.

42. In addition, it is likely that the County Council will be required to commit further resource to the examination process and the development of a CIL charging schedule.

### **Implications for the County Council as LHA in the Planning Process**

43. To date, the LHA has taken the view that for the LPA to determine further applications in advance of the examining Inspector's report would be premature, in light of the identified severe cumulative impact of the proposed Local Plan growth and a lack of a mechanism to secure contributions to mitigate this impact. This has been reflected in the formal responses made by the LHA to planning consultations received from the Borough Council in respect of sites that were tested as part of the Local Plan's evidence base.
44. Although the recent letter from the Inspector suggests the Local Plan examination process is able to continue, it is subject to further consultation. Similarly, whilst the Inspector has confirmed there is a reasonable prospect that a CIL could be implemented within an appropriate timeframe, this is still to be achieved by the Borough Council and is again subject to consultation, which it would be inappropriate to predetermine.
45. In light of the above, the LHA will maintain its position that for the Borough Council to determine further applications in advance of the examining Inspector's report is premature. The LHA will continue to review this position as the Local Plan's examination and CIL processes progress.

### **Conclusion**

46. Overall, it remains the County Council's position that it is in the best interests of Charnwood communities to have an up-to-date Local Plan in place underpinned by a CIL to support the delivery of infrastructure. The County Council will therefore continue to work with the Borough Council to seek to achieve this, recognising the inherent challenges associated with this approach.
47. However, it is also the responsibility of the LHA to ensure that the potentially negative impacts associated with the continued delays to the adoption of the Local Plan and an evolving position of the Borough Council with regard to CIL implementation are minimised, as far as possible. Therefore, the LHA will continue to take appropriate action to reflect this responsibility. The LHA considers that any further planning applications seeking to be determined in advance of the examining Inspector's report should be considered as premature and as such, should be deferred for the time being. The LHA will continue to review this position as the Local Plan's examination and CIL processes progress.

### **Equality Implications**

48. There are no equality implications arising from the recommendations in this report.

### **Human Rights Implications**

49. There are no human rights implications arising directly from the recommendations in this report.

### **Environmental Implications**

50. The Borough Council has produced several documents assessing the environmental impacts of the Local Plan and these have been considered as part of the Local Plan's examination process. However, it should be noted that a shortage of funding for sustainable travel may have longer term negative impacts for the environment.

### **Partnership Working and Associated Issues**

51. The County Council has worked collaboratively and with good faith with the Borough Council to support the development of the Local Plan.

### **Background Papers**

Exam 96 - Housing Supply Liable for CIL

[https://www.charnwood.gov.uk/files/documents/exam\\_96\\_housing\\_supply\\_liable\\_for\\_cil/EXAM%2096%20-%20Housing%20supply%20liable%20for%20CIL.pdf](https://www.charnwood.gov.uk/files/documents/exam_96_housing_supply_liable_for_cil/EXAM%2096%20-%20Housing%20supply%20liable%20for%20CIL.pdf)

Exam 97 – Inspector's Post Hearing Letter 21<sup>st</sup> May 2025

[https://www.charnwood.gov.uk/files/documents/exam\\_97\\_inspectors\\_post\\_hearing\\_letter\\_21\\_st\\_may\\_2025/EXAM%2097%20-%20Inspector%27s%20Post%20Hearing%20Letter%2021st%20May%202025.pdf](https://www.charnwood.gov.uk/files/documents/exam_97_inspectors_post_hearing_letter_21_st_may_2025/EXAM%2097%20-%20Inspector%27s%20Post%20Hearing%20Letter%2021st%20May%202025.pdf)

Exam 98 – Schedule of Further Main Modifications (CHP9 Infrastructure Delivery)

[https://www.charnwood.gov.uk/files/documents/exam\\_98\\_schedule\\_of\\_further\\_main\\_modifications\\_chp9\\_infrastructure\\_delivery\\_290525/EXAM%2098%20Schedule%20of%20Further%20Main%20Modifications%20%28Chp9%20Infrastructure%20%20Delivery%29%20-%20290525.pdf](https://www.charnwood.gov.uk/files/documents/exam_98_schedule_of_further_main_modifications_chp9_infrastructure_delivery_290525/EXAM%2098%20Schedule%20of%20Further%20Main%20Modifications%20%28Chp9%20Infrastructure%20%20Delivery%29%20-%20290525.pdf)

Charnwood Local Plan Local Development Scheme

[https://www.charnwood.gov.uk/files/documents/exam\\_90\\_local\\_development\\_scheme\\_dec\\_2024/EXAM%2090%20-%20Local%20Development%20Scheme%20Dec%202024.pdf](https://www.charnwood.gov.uk/files/documents/exam_90_local_development_scheme_dec_2024/EXAM%2090%20-%20Local%20Development%20Scheme%20Dec%202024.pdf)

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**CABINET – 15 JULY 2025****ADDITIONAL HIGHWAYS AND TRANSPORT FUNDING AWARDS  
2025/2026****REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT****PART A****Purpose of the Report**

1. The purpose of this report is to set out the proposed changes to the existing Highways and Transport Capital Programme delivery, including the North and East Melton Mowbray Distributor Road (NEMMDR), Section 106 (S106) programme and The Parade, Oadby Cycle Optimised Protected Signals (CYCLOPS) scheme.
2. The report also provides an update on the additional £22m highways and transport related funding awarded to Leicestershire County Council since the current Medium Term Financial Strategy (MTFS) was approved by the County Council in February 2025. The report also seeks approval for the development and delivery of the additional programmes in relation to these latest funding awards, in line with the relevant funding terms and conditions.

**Recommendations**

3. It is recommended that the Cabinet:
  - a) Approves the following proposed changes to the 2025/26 Highways and Transportation Capital Programme:
    - i. Reallocation of funding from the advanced design programme to the North and East Melton Mowbray Distributor Road (NEMMDR), as set out in paragraphs 23 to 31 of this report.
    - ii. Creation of a Market Harborough Programme, in line with the approach set out in paragraphs 10 and 32 to 35 of this report, making use of the Section 106 (S106) monetary contributions collected against the Market Harborough Transport Strategy and Consolidated Active Travel Funding.
    - iii. Proposed delay to delivery of The Parade, Oadby Cycle Optimised Protected Signals (CYCLOPS) scheme, to allow for additional work, including redesign, following public consultation and engagement with Active Travel England (ATE) noting the risks that are associated

with this approach, as set out in paragraphs 11 and 36 to 40 of this report;

- b) Notes the additional funding awarded to the Local Highway Authority (LHA), including the Local Transport Grant (LTG), the Active Travel Fund 5 (ATF5) and Consolidated Active Travel Fund (CATF), and the Department for Transport's (DfT) additional maintenance grant;
- c) Approves the associated programmes as detailed in paragraphs 41 to 61 of this report;
- d) Authorises the Director of Environment and Transport:
  - i. To undertake the necessary work and secure the necessary resources to progress the development and delivery of programmes, as set out in paragraphs 32 to 61 of this report, in line with the specific funding grant conditions.
  - ii. Following consultation with the Director of Corporate Resources, the Cabinet Lead Member for Highways, Transport and Waste, and the Cabinet Lead Member for Resources, to prepare and submit bids, as appropriate, to secure external funding for the delivery of schemes that are identified in the programmes.
  - iii. Following consultation with the Director of Corporate Resources, the Director of Law and Governance and the Cabinet Lead Member for Resources, to enter such contracts as are necessary to progress schemes in the approved programmes.

(Key Decision)

### **Reasons for Recommendations**

- 4. The reallocation of funding will allow the Council, as the LHA, to complete the Large Local Majors (LLM) scheme (such as NEMMDR) by reallocating funding provisionally profiled across the four years of the MTFS from the Highways and Transportation Advanced Design Programme. Activities, such as bid preparation, designing schemes to mitigate growth and smaller active travel and safety schemes, can now be funded through LTG funding.
- 5. The recommendations ensure that the LHA makes best use of external funding by consolidating the funding that is available and meeting the timescales for the S106 spend.
- 6. The LHA is committed to promoting active and sustainable travel and it is critical that funding invested in infrastructure designed to encourage walking and cycling is effective. The recommendations in this report will allow the LHA to redesign The Parade, Oadby CYCLOPS scheme to respond to community and safety concerns and liaise with ATE to ensure that the funding can still be applied to the revised scheme. Although there is a risk that ATE will not approve the revised scheme, officers have considered that implementing the scheme, as currently approved by ATE, would not reflect the community



priorities, that it would fail to realise the full potential for encouraging more active travel journeys in the area and that it would potentially present safety issues caused by lack of compliance with the new layout. The outcome of this work will be reported to the Cabinet following further design work and public engagement.

7. The programmes will be developed and delivered in accordance with the guidance issued by the relevant funding bodies and, where it is necessary, seek support from the external market to manage the significant increase in delivery that is now required in 2025/26.

### **Resource Implications**

8. The delivery of the NEMMDR has required significant resources from the County Council. The current budget for the scheme is £127.2m, which consists of £49.5m LLM grant funding, £14.0m in developer contributions, £4.0m from the Leicester and Leicestershire Local Enterprise Partnership (LEP) Business Rates Pool and £59.7m of the Council's capital funds.
9. The potential additional cost pressures of approximately £6m associated with archaeological work, substantial ground soft spots, and adverse weather conditions were identified in September 2024. The cost has increased due to some delays in third-party works outside of the control of the LHA. Whilst the project team continue to work at a senior level to mitigate these cost pressures, in completing the scheme it is necessary to make the provision for up to an additional £7.4m should these pressures be realised in full on the scheme. The recent announcements of multiyear funding settlements from the DfT, as set out in paragraph 60, will help to mitigate the impact of these potential cost increases on the LHA's future programme.
10. The proposal to create a Market Harborough Programme making use of the S106 funds will result in £4.35m from the third-party schemes budget line and £1m from the CATF being consolidated in one programme budget of £5.35m over six years within the Highways and Transportation Capital Programme. This will be managed through the existing governance arrangements and developed and delivered in line with the ATE grant funding conditions.
11. Funding for The Parade, Oadby CYCLOPS scheme consists of £1.0m of Leicestershire County Council funding and £0.9m of ATE grant funding. A revised design has been developed, and a new programme and delivery date will be confirmed once approved with ATE. The proposal to delay The Parade, Oadby CYCLOPS scheme will result in a slippage of £1.9m from the 2025/26 Highways and Transportation Capital Programme to the 2026/27 programme. Seeking the authorisation to change the proposals therefore carries the risk of losing the £0.9m of ATE funding. Officers have been collaborating with ATE to reduce the risk of this as far as practicable.
12. A summary of the additional funding and its purpose is provided in Table 1 below. The additional funding represents a significant increase to the Highways and Transportation Capital Programme for 2025/26. Additional resources will

be required to enable the quantity of programmes to be delivered, and the revenue aspects of the grants will be used to support the delivery alongside the developer funding where this is appropriate.

Table 1: Additional Funding overview

<b>Funding Allocation</b>	<b>Capital Allocation</b>	<b>Revenue Allocation</b>	<b>Total Funding Allocation</b>
Local Transport Grant	£12,305,000	£581,000	£12,886,000
Consolidated Active Travel Fund (CATF)	£1,005,216	£ 441,698.00	£1,446,914
Active Travel Fund 5	£377,172	£48,530	£425,702
DfT Maintenance Grant	£7,700,000	£0	£7,700,000
<b>Total</b>	<b>£21,387,388</b>	<b>£490,228</b>	<b>£22,458,616</b>

### **Policy Framework and Previous Decisions**

13. On 12 December 2017, the Market Harborough Transport Strategy was approved by the Cabinet.
14. On 13 September 2024, the Cabinet approved the MTFS refresh, including the increased budget provision for the NEMMDR.
15. On 19 December 2024, the provisional MTFS 2025/26 to 2028/29 was approved for consultation and scrutiny by the Cabinet.
16. On 7 February 2025, the Cabinet recommended a proposed MTFS 2025-29 for approval by the County Council. The County Council approved the MTFS at its meeting on 19 February 2025.
17. On 18 March 2025, the Cabinet approved Highways and Transportation Capital and Works Programmes based on the MTFS for the 2025/26 financial year.
18. The additional Programmes have been developed with reference to the Department's key plans and strategies, including the Local Transport Plan 4, and align with these aims and underpin the Strategic Plan's delivery.
19. Leicestershire County Council's Strategic Plan 2024–2026 outlines the Council's long-term vision for the organisation, as well as for the people and

place of Leicestershire. The Programmes will, at least partially, contribute to supporting all the Strategic Plan's five outcomes, in particular supporting the 'Clean and Green' and 'Strong Economy, Transport and Infrastructure' outcomes. It should be noted that the outcomes represent long-term aspirations for Leicestershire, which may not be achieved in full during the four-year course of the Strategic Plan.

### **Circulation under the Local Issues Alert Procedure**

20. This report will be circulated to all Members.

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## **PART B**

### **Background**

21. In March 2025, the Cabinet approved Highways and Transportation Capital and Works Programmes, reflecting the MTFS that was approved by the Cabinet in February 2025. These Programmes were developed based on the confirmed funding that was available at the time of writing. Additional funding from the DfT has since been confirmed, and it has been necessary to update the position in respect of the existing schemes and programmes. These are the NEMMDR, The Parade, Oadby CYCLOPS scheme, and the S106 delivery programme.
22. Specific updates are provided in the following paragraphs and, unless it is otherwise stated, the Programmes remain the same as set out in the March 2025 Highways and Transportation Capital and Works Programmes. This report should therefore be read in conjunction with the previous report to provide an up-to-date summary of the full 2025/26 Highways and Transportation Capital and Works Programmes.

### **Changes to the Programmes**

#### **NEMMDR funding profile and forecast outturn**

23. The NEMMDR is a major scheme aimed at reducing congestion in Melton Mowbray town centre, as well as supporting growth in local employment and enabling local housing delivery. The scheme is funded by the Government, Leicestershire County Council, the Leicester and Leicestershire LEP, and developer contributions, and it will deliver a 7.1km road with walking and cycling facilities. Works on the scheme started in early 2023 and the road is expected to open in spring 2026.
24. The scheme is the largest capital transport scheme delivered by the LHA and it has been progressed over a number of years, with relevant updates, both to expected outturn and the programme, being reported to the Cabinet as part of capital programme monitoring. The scheme aims to improve access to housing and employment, reduce congestion and pollution within Melton Mowbray, improve access to Melton town centre, and reduce the number of HGVs travelling through the town.
25. In September 2024, the Cabinet received the MTFS Budget Monitoring and the MTFS Refresh report. This report confirmed that it was expected that the scheme would require the full contingency provision of £11.6m that was set out in the planning for the scheme. The contingency funding together with the approved scheme budget of £116.1m, combined to give a revised approved budget of £127.7m.
26. The September report also explained that additional potential cost pressures had been identified to the value of approximately £6m. The project team have continued to work with the contractor to reduce and mitigate these pressures.

Since then, the scheme has progressed well, with much of the major construction work being completed, including:

- a) Two major structures, including a river and railway bridge crossing.
  - b) The diversion of the River Eye, with significant ecological works improving biodiversity.
  - c) The major diversions of the statutory undertaker infrastructure, such as broadband, electricity and water.
  - d) The construction of the major elements of a new road line, with significant cut and fill activity.
27. Despite this progress, cost risks remain, particularly where the LHA is reliant on the activities of third parties, such as the statutory undertakers, to maintain its critical path (this identifies the activities that are time critical and that will have cost implications if any delays occur). The project team are working at a senior level with the contractors and the third parties to ensure that the risks are reduced and mitigated. However, as the scheme moves towards its completion, it is necessary to ensure that there is sufficient funding should all of the recognised risks materialise in the final outturn cost. Therefore, funding will be reallocated and reprofiled from the existing advanced design budget.
28. This allocation will be based on a recent review of project risks, including those that are set out in the September 2024 report to the Cabinet, and the additional programme risks that are associated with water main repairs delivered by Severn Trent Water, as well as the increased land values and the potential future claims under the Land Compensation Act 1973. There is a difference of £7.25m between the Council's forecast outturn cost and current budget and it is proposed to allocate up to a further £7.25m from assumed future years budgets to the NEMMDR project to mitigate this risk. This allocation will be managed through the existing programme governance and only the minimum additional funding necessary to complete the scheme will be allocated, with any allocation that is remaining being returned to the Highways and Transportation Capital Programme for other priority work.
29. In recent years, the LHA has used advanced design funding to develop bids and business cases, to identify the impact of growth on the highway and transport network, and to develop schemes that can then be funded through developer contributions, as well as the development of walking and cycling measures.
30. The reallocation of this funding to the NEMMDR would have reduced the LHA's ability to undertake this type of work. However, following the recent outcome of the national spending review, as detailed in paragraph 62, and the County Council's successful progression to Level 1 ATE funding, leading to the funding awards that are set out in paragraph 12, it is anticipated that the LHA will be able to maintain all of the workstreams as appropriate. The future programmes will be presented to the Cabinet for approval.

31. Following the substantive completion of the NEMMDR scheme, a further report will be presented to the Cabinet upon completion confirming the project outturn and highlighting the lessons that have been learnt.

### **Market Harborough Accelerated Programme**

32. In 2017, the County Council and Harborough District Council developed a Transport Strategy to support cumulative growth in the district area. The strategy, developed in consultation with the local community, identified the cumulative impacts of development on the transport network and it enabled the collection of developer contributions to mitigate those impacts within Market Harborough.
33. Developer contributions play a fundamental role in helping to ensure that infrastructure is delivered that supports sustainable development and mitigates the impacts of that development on the highways and transport network. Through applying the strategy in the development management process, the LHA has secured £4.35m of funding in the area. As S106 agreements often have five-year expiry dates, it is necessary for the LHA to make use of the funding in line with these dates. Appendix C of this report details the contributions expiring within the next two years and the planning obligation associated with the contribution.
34. In order to make maximum use of the significant developer funding, it is proposed to add a specific programme of works in Market Harborough to the Highways and Transportation Capital Programme in 2025/26 and 2026/27 that focusses on improving the capacity of the town centre junctions and allows for better walking and cycling connections. Later phases of the delivery will be developed as part of the emerging Multi Modal Area Investment Plan, in line with the recently adopted Local Transport Plan 4 core themes.
35. In order to deliver increased benefits, the LHA is proposing to allocate the CATF (£1.1m), ATE funding to the Harborough programme, as set out in paragraphs 49 to 54 below. By bringing together funds for the delivery in this way, the LHA is able to:
  - a) Better manage the works on the network, therefore reducing disruption where it is possible.
  - b) Provide better information for communities on the planned works.
  - c) Deliver a more complete programme.
  - d) Realise efficiencies through the economies of scale.

### **Active Travel Fund 4 (ATF4) – The Parade, Oadby**

36. In 2024, the Council was successful in securing £0.9m ATF4 monies towards an active travel improvement at The Parade junction in Oadby. Along with this funding, the Council is to contribute £1.0m from the advanced design programme to fund the scheme. The funding bid was to enable delivery of a CYCLOPS scheme at the junction. In July 2024, the LHA carried out

engagement and consultation on the proposal. The LHA has reviewed the consultation feedback, which highlighted concerns that:

- a) The scheme would introduce longer diversions for existing cyclists, therefore making their journeys less attractive.
  - b) This diversion, together with an innovative junction embedded into traditional highway layout, might lead to non-compliance and the associated safety issues.
  - c) The scheme would therefore not represent value for money.
37. In response to these concerns, the LHA has continued to work with ATE to explore the options to revise the scheme in a way that maintains the benefits of the proposed scheme, which include:
- a) Encouraging more people to choose sustainable modes of transport, like cycling or walking.
  - b) Promoting healthier lifestyles.
  - c) Environmental benefits.
  - d) Reducing the risk of motor vehicle and cyclist conflicts.
  - e) Encouraging better traffic flow by reducing the number of signal stages.
38. When a revised proposal has been developed, a formal change request is required by ATE for assessment and approval. Should this be successful, a further round of consultation and engagement with the local community and stakeholders will also be required.
39. There are risks associated with this approach because further queries could arise as part of the ATE approval process: costs could increase as a result of the revised designs, or the change request could ultimately be denied. This would result in the loss of £0.9m of external funding and it would likely adversely affect the LHA's ATE Capability Rating, which has recently increased from 0 to 1 and determines the ability to access ATE funding.
40. However, on balance, the LHA considers that it is important to resolve the potential issues for the scheme before proceeding and to ensure that the scheme has a positive impact on the community and represents value for money. Therefore, it is proposed to update the programme to reflect the delays in delivering the scheme to allow the above redesign, change requests, and consultation processes to be undertaken. This will result in the slippage of capital spend into 2026/27 financial year in this interim period. Following this, a full report will be presented to the Cabinet on the outcome of the proposed activities and recommended next steps.

### **Additional Funding**

#### **Local Transport Grant**

41. In April 2025, the DfT allocated to Leicestershire County Council £12.3m capital and £0.5m revenue of LTG funding as an extension to the Integrated Transport Block. This is a one-year capital grant for the financial year 2025/2026. The DfT

has used a formula to calculate allocations nationally based on population, weighted at 70%, and deprivation, weighted at 30%.

42. Local authorities can choose where to invest this funding, including in transformative and ambitious transport improvements, such as:
  - a) Improving roads by filling in potholes or making junctions safer.
  - b) Making streets safer by installing better street lighting and increasing the accessibility for all.
  - c) Tackling congestion to reduce journey times for car and bus users.
  - d) Increasing the number of Electric Vehicles chargepoints.
  - e) Refurbishing bus stops and bus and railway stations (not including track projects).
  - f) Using revenue funding to fund the necessary resources to deliver the programme.
  
43. There is flexibility for each LHA in how the funding is spent; however, the DfT has confirmed that the LTG funding allocation should be spent in the 2025/26 financial year. Whilst the investment in the Leicestershire highways and transport network is welcomed, it is often difficult to deliver works of such a substantial value this quickly for a number of reasons, including that:
  - a) The works and resources have already been planned and approved.
  - b) Finding the additional resource at short notice, both within the Council and through external supply chains, is challenging.
  - c) There is often limited time for engagement.
  - d) There are limited opportunities to coordinate road space bookings and avoid 'clashes' in road closures and diversions.
  - e) One-off in-year funding often precludes larger projects that would span multiple years or take up a large proportion of the funding.
  - f) The one-off nature of the funding places the greatest emphasis on delivery, whereas multiyear funding would allow for greater assessment and prioritisation with reference to the longer-term value for money, spend-to-save initiatives, climate adaptation, opportunities for preventative maintenance, and maximising other available funding, such as developer contributions.
  
44. In addition, working at pace also adds additional risks for the County Council, as there is less time to assess and mitigate the risks that are associated with scheme delivery. Therefore, in developing a programme for approval, officers have sought to recommend schemes that are based on balancing the above challenges and risks with demonstrating an ability to deliver. It is understood that a strong track record for delivery will support positive future funding awards.
  
45. Officers have developed the proposed programme, attached as Appendix A to this report, to provide the best value for money with the schemes that can be delivered within the funding timeframes and criteria. The programme combines maintenance and improvement schemes and, where possible, the delivery programmes will be coordinated to enable the works to be packaged together.



This will ensure that there is minimal disruption on the network, and it will enable internal efficiencies to be made.

46. As set out in Appendix A, a greater emphasis on the asset management (maintenance) schemes is proposed, with approximately two thirds of the funding being directed towards managing and maintaining the Council's highway related assets. The LHA has long recognised the risks associated with the deteriorating condition of highways assets and will seek to prioritise value for money maintenance activities linked to previously identified amber and red risk sites where it is possible.
47. As part of seeking to manage and mitigate the challenges and risks outlined above, the programme includes £1.18m allocated as a contingency, should any unexpected costs arise, or should any opportunities to maximise benefits emerge. The contingency will be managed through the existing Highways and Transportation Capital Programme governance.
48. Flexibility within the programme may be required as the detailed designs for specific schemes are completed and the delivery arrangements are finalised, to ensure that the funding allocation is delivered within the grant's timescales. The Department has therefore included reserve schemes that may be brought forward in the event that a programmed scheme is delayed in delivery.

### **Consolidated Active Travel Fund**

49. Under CATF, ATE has allocated the Council £1.4m, of which £1.0m is to be spent on capital improvements and £0.4m on revenue activities.
50. As specified by ATE, the funding should be spent on:
  - a) New construction schemes with robust delivery plans.
  - b) Change control funding to unblock the existing ATF schemes to secure timely delivery and improve scheme quality.
  - c) Essential maintenance funding to address safety or accessibility concerns on the existing travel routes.
  - d) The early development of future active travel schemes.
  - e) The development and delivery of high-quality capability building and behaviour change activities, that enable authorities to plan for and activate existing infrastructure and new capital schemes.
51. The revenue funding is to be spent by the end of September 2026 and the capital funding is to be spent by March 2027.
52. It is proposed that the focus for the capital CATF funding allocation is directed to the Market Harborough Programme for the reasons set out in paragraph 34. This will enable active travel measures to be incorporated within the wider programme, enhancing infrastructure and adding value to the investment provided by the S106 contributions. This will provide an overall better connected transport network that is delivered more efficiently.

53. The revenue funding focus is proposed to be Countywide and incorporate the following initiatives:
- a) Personalised Travel Planning;
  - b) The Set Pedal Go initiative;
  - c) Engagement events – including the support of the Market Harborough Accelerated Programme;
  - d) The school streets programme;
  - e) The e-bike scheme;
  - f) Social Prescribing;
  - g) The Community Programme;
  - h) Monitoring and evaluation;
  - i) The training and upskilling of the Council's officers.
54. ATE has confirmed that it supports the use of revenue funds for the above schemes and initiatives, and a formal programme will be submitted in line with grant conditions by the end of September 2025.

### **Active Travel Fund 5 (ATF5)**

55. The Council has been awarded £0.4m from ATE. This allocation consists of £0.3m capital funding and £0.1m revenue funding.
56. ATE has confirmed that the focus of the ATF5 is:
- a) New construction schemes, particularly schemes that can be delivered quickly, such as less complex, high impact schemes like road crossings and school streets. Schemes that test new approaches, such as retrofitting routes to existing housing developments with poor provision, are also encouraged.
  - b) Change control funding to unblock the existing ATF schemes to secure timely delivery and improve scheme quality.
  - c) Essential maintenance funding to address safety or accessibility concerns on existing routes.
  - d) The early development of future active travel schemes to be funded in the next spending round period.
57. There is a requirement for proposed scheme designs to be submitted to ATE by March 2026, with construction to be completed by March 2027. The programme for delivery of the ATF5 funding will focus on enhancing routes to schools, to encourage families to walk and wheel to school. The improvements will be delivered within the funding timeframes and meet the specified criteria, and may include:
- a) Crossings points;
  - b) Resurfacing and accessibility improvements;
  - c) Signing and lining;
  - d) Scooter/cycle parking.

58. Such improvements will have a positive impact on the journeys to schools that in turn are likely to encourage active travel to schools and help to reduce school gate congestion.

### **DfT Additional Maintenance Grant**

59. In March 2025, the DfT allocated £7.7m as an additional maintenance grant on top of a base of £21.1m to the Council, making a total of £28.8m to be spent in 2025/26. When Highways and Transportation Capital and Works Programmes were presented to the Cabinet in March 2025, this figure had only recently been announced. As such, a proposed programme for additional funding was unable to be presented to the Cabinet, but this is now available at Appendix B.
60. The additional maintenance programme will focus on:
- a) Carriageway patching;
  - b) Footway patching;
  - c) Highways flood alleviation;
  - d) Reactive repairs;
  - e) Surface dressing and surface dressing pre-patching;
  - f) Street lighting replacement.
61. The conditions that were set out by the DfT in relation to this funding include monitoring spend to ensure that the Council delivers proactive maintenance. The funding has built-in incentives, with 25% of this uplift potentially held back unless good effective delivery is demonstrated by the LHA.

### **Future Years Funding**

62. On 11 June 2025, the Chancellor of the Exchequer announced the results of the National Spending Review. As part of this, a multiyear allocation was confirmed for Leicestershire under the LTG. The allocations were confirmed as set out in Table 2 below, and the LHA is awaiting confirmation of the terms and conditions that are associated with the funding. Work will begin on developing a programme for future years that will be presented to the Cabinet as part of the 2026/27 Highways and Transportation Capital and Works Programmes.

Table 2: Total Capital Funding

Total capital funding (£m)	2026/27 (£m)	2027/28 (£m)	2028/29 (£m)	2029/30 (£m)
73.941	15.331	17.597	19.537	21.476

### **Consultation**

63. Appropriate engagement and consultation will be undertaken in respect of each of the schemes and programmes that are set out within the report.

### **Equality Implications**

- 64. There are no equality implications arising directly from the recommendations in this report.
- 65. Equality Impact Assessments will be carried out in relation to work undertaken on individual projects, when appropriate.

### **Human Rights Implications**

- 66. There are no human rights implications arising from the recommendations in this report.
- 67. Human Rights Assessments will be carried out in relation to work undertaken on individual projects.

### **Environmental Implications**

- 68. The proposed programmes are aligned to the Local Transport Plan 4, which included an Environmental Impact Assessment that highlighted the potential for schemes and initiatives to have a positive impact on the environment.

### **Partnership Working and Associated Issues**

- 69. The LHA will continue to work and consult with key partners (such as Leicester City Council, district councils, the DfT, National Highways, Network Rail, developers and Midlands Connect), to maximise the benefits of highways and transport investment in Leicestershire.

### **Risk Assessment**

- 70. Each project and programme have been risk assessed as part of a wider risk assessment of the Environment and Transport Department's business planning process. Whilst efforts have been made to find additional experienced resource to deliver these additional programmes at short notice, it is possible that the timescales and the scale of funding that has been made available has meant that there are risks associated with the delivery.
- 71. The delivery and management of these programmes is supported by the Department's business planning process and capital scheme governance. Risk assessments will be undertaken for individual teams, schemes and initiatives, as appropriate.

### **Background Papers**

Decision details – Market Harborough Transport Strategy – Report to the Cabinet 12 December 2017

<https://democracy.leics.gov.uk/ieDecisionDetails.aspx?AllId=53673>

2025/26 Highways and Transportation Capital and Works Programme – Report to the Cabinet 18 March 2025

<https://democracy.leics.gov.uk/documents/s189151/Final%20Capital%20Works%20Programme%20Cabinet%20Report%20180325.pdf>

Melton Mowbray Distributor Road – Report to the Cabinet 12 December 2017

<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2021/9/7/DM2-LCC-Cabinet-Report-December-2017.pdf>

Medium Term Financial Strategy – Report to the Cabinet 7 February 2025

<https://democracy.leics.gov.uk/ieListDocuments.aspx?MId=7873>

Leicestershire County Council Strategic Plan 2024–2026

<https://www.leicestershire.gov.uk/about-the-council/council-plans/the-strategic-plan>

North and East Melton Mowbray Distributor Road – Cost Implications – Report to the Cabinet 16 December 2022

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6746&Ver=4>

## **Appendices**

Appendix A – Local Transport Grant Programme

Appendix B – DfT Additional Maintenance Grant Programme

Appendix C – Market Harborough S106 contributions

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## Appendix A

### Local Transport Grant - Programme of Works

District	Street/ Parish	Intervention/ Work / Treatment Description	Cost Band
			A = Over £1m, B = £201,000 to £1m, C = £51,000 to £200,00, D = £50,000 and below
Melton	Hinckley Road, Nether Broughton	Highway Capital Maintenance Scheme carriageway resurfacing	B
North West Leicestershire	Ashby Road, Woodville	Highway Capital Maintenance Scheme carriageway strengthening	B
Melton	Oakham Road, Somerby	Highway Capital Maintenance Scheme carriageway strengthening	B
Hinckley & Bosworth	Ashby Road, Cadeby	Highway Capital Maintenance Scheme carriageway resurfacing	C
Hinckley & Bosworth	Coventry Road, Hinckley	Highway Capital Maintenance Scheme carriageway resurfacing	C
Melton	Bakers Lane, Klondyke Lane, Thorpe Satchville	Highway Capital Maintenance Scheme carriageway strengthening	B
North West Leicestershire	Osgathorpe boarder	Highway Capital Maintenance Scheme carriageway resurfacing	C
Harborough	Glebe Road, Tilton, Skeffington	Highway Capital Maintenance Scheme carriageway retread	C
Melton	Main Road, Asfordby	Highway Capital Maintenance Scheme carriageway strengthening	B
Melton	Blacksmith End and Moor Lane, Stathern	Highway Capital Maintenance Scheme carriageway retread	C

District	Street/ Parish	Intervention/ Work / Treatment Description	Cost Band
			A = Over £1m, B = £201,000 to £1m, C = £51,000 to £200,00, D = £50,000 and below
Melton	Burrough Road, Little Dalby, Burton & Dalby	Highway Capital Maintenance Scheme carriageway retread	C
Harborough	Illston Lane, Frisby	Highway Capital Maintenance Scheme	C
Harborough	Mill Hill, Laughton	Highway Capital Maintenance Scheme carriageway strengthening	C
Melton	North Street, Melton Mowbray	Highway Capital Maintenance Scheme carriageway strengthening	C
Oadby & Wigston	Burneston Way, Wigston	Footway	D
Oadby & Wigston	Craythorne Way, Wigston	Footway	D
Hinckley & Bosworth	Deans Road West, Hinckley	Footway	C
Oadby & Wigston	Harrogate Way, Wigston	Footway	D
Hinckley & Bosworth	Rookery Close, Fenny Drayton	Footway	C
Hinckley & Bosworth	Waterfall Way, Barwell	Footway	C
Hinckley & Bosworth	Hinckley Road, Stoke Golding	Footway	B
Hinckley & Bosworth	Moore Road, Barwell	Footway	C
Hinckley & Bosworth	Springfield Road, Hinckley	Footway	C
North West Leicestershire	St Barnards Road, Whitwick	Footway	C
Oadby & Wigston	The Oval, Oadby, Oadby & Wigston	Footway	C
Charnwood	Broadway, Loughborough	Footway	C
Charnwood	Willow Road, Loughborough	Footway	C



District	Street/ Parish	Intervention/ Work / Treatment Description	Cost Band
			A = Over £1m, B = £201,000 to £1m, C = £51,000 to £200,00, D = £50,000 and below
Melton Mowbray	Windsor Street, Melton	Highway Capital Maintenance Scheme carriageway strengthening	D
Charnwood	Holt Drive, Loughborough	Footway	B
Countywide	Various	Machine lay patching of the carriageway	A
Countywide	Various	Re texturing of the carriageway	C
Harborough	Great Glen	Bridge maintenance	B
Harborough	Sutton in the Elms	Bridge maintenance	C
Blaby	Blaby	Bridge maintenance	C
Charnwood	Syston	Bridge maintenance	C
Hinckley & Bosworth	Market Bosworth	Surfacing works	C
North West Leicestershire	Main Street, Long Whatton	Flood Risk Management scheme	B
North West Leicestershire	Measham Road, Oakthorpe	Flood Risk Management scheme	B
North West Leicestershire	Market Plana and North Street, Whitwick	Bus stop improvement, crossing improvement	C
Countywide	Various	Public Right of Way improvements	B
Blaby	A47/ Warrem Lane, Leicester Forest East	Signal renewal	C
Blaby	Blaby Road, Leicester Lane, Enderby	Signal renewal	C
Blaby	Braunstone Lane, Woodshawe Rise, Braunstone	Signal renewal	D

District	Street/ Parish	Intervention/ Work / Treatment Description	Cost Band
			A = Over £1m, B = £201,000 to £1m, C = £51,000 to £200,00, D = £50,000 and below
Charnwood	Bradgate Road, Anstey	Signal renewal	D
Oadby & Wigston	Aylestone Lane, West Avenue, Wigston	Signal renewal	D
Oadby & Wigston	Saffron Road, Tigers Road, Wigston	Signal renewal	D
North West Leicestershire	Derby Road, Ashby de la Zouch	Signal renewal	D
North West Leicestershire	Whitwick Road, Coalville	Signal renewal	D
North West Leicestershire	Bardon Rd/Waterworks Rd, Coalville	Signal renewal	D
Charnwood	Epinal Way, Loughborough	Signal innovation scheme	D
Charnwood	County Hall Roundabout, Glenfield	Signal innovation scheme	D
Blaby	Winchester Road, Countesthorpe	Right of way improvement	D
NWL	Charley Crossroads Charley	Safety improvement scheme	B
Harborough	Lutterworth Road, Arnesby	New footway/ cycleway	C
Blaby	Station Road, Stoney Stanton	Flood Risk Management scheme	B
North West Leicestershire	Breedon on the Hill	Flood Risk Management scheme	D

District	Street/ Parish	Intervention/ Work / Treatment Description	Cost Band A = Over £1m, B = £201,000 to £1m, C = £51,000 to £200,00, D = £50,000 and below
Network North Acceleration			A

## Summary

Total capital funding received: **£12.3m**

Programme total: **£11.12m**

Contingency: **£1.18m**

## Local Transport Grant - Reserve Programme

District	Street/ Parish	Intervention/ Work / Treatment Description	Cost Band A = Over £1m, B = £201,000 to £1m, C = £51,000 to £200,000, D = £50,000 and below
Countywide	Various	Signal renewal	B
Countywide	Various	Public Right of Way Improvements	B
Countywide	Various	Maintenance of carriageways, footways, structures	B

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## Appendix B

### Department for Transport Additional Maintenance Grant

District	Parish	Intervention/ Work / Treatment Description	<b>Cost Band</b> A = Over £1m, B = £201,000 to £1m, C = £51,000 to £200,000, D = £50,000 and below
Market Harborough	Rugby Road, South Kilworth	Carriageway Maintenance	B
Hinckley & Bosworth	Atherstone Road, Twycross	Carriageway Maintenance	B
Market Harborough	Smeeton Road, Gumley	Carriageway Maintenance	B
Hinckley & Bosworth	Brookside, Burbage	Carriageway Maintenance	C
Charnwood	Quorn/ Mountsorrel Bypass – Barrow upon Soar	Carriageway Maintenance	B
Market Harborough	Ashby Road, Ullesthorpe	Carriageway Maintenance	C
Charnwood	Forest Road, Woodhouse Eaves	Carriageway Maintenance	D
Hinckley & Bosworth	Roston Drive, Hinckley	Carriageway Maintenance	C
Harborough	London Road, Great Glen	Structure Maintenance	B
Charnwood	Wanlip Road, Syston	Structure Maintenance	D
Blaby	Blaby	Structure Maintenance	D
Harborough	Soar Mills, Sutton in the Elms	Structure Maintenance	D
Melton Mowbray	Buckminster Road, Melton Mowbray	Carriageway resurfacing	C
Oadby & Wigston	Bull Head Street, Wigston	Carriageway resurfacing	B
Hinckley & Bosworth	A50 Markfield Road, Groby	Carriageway resurfacing	B
North West Leicestershire	A511 Bardon Road, Bardon	Carriageway resurfacing	B
Blaby	A5460 Junction 21 Approach, Braunstone	Carriageway resurfacing	B

District	Parish	Intervention/ Work / Treatment Description	<b>Cost Band</b> A = Over £1m, B = £201,000 to £1m, C = £51,000 to £200,000, D = £50,000 and below
Countywide	Countywide	Asphalt Preservation	C
Countywide	Countywide	Safety Barrier Maintenance	B
Countywide	Countywide	Retexturing carriageway	B
Countywide	Countywide	Surface dressing	A

**Total Department for Transport funding allocation: £7.7m**

## Appendix C

### Market Harborough S106 Contributions

District	Parish	S106 obligation	Cost Band  A = Over £1m, B = £201,000 to £1m, C = £51,000 to £200,000, D = £50,000 and below
Market Harborough	Lubenham	The installation of new and/or improvement to existing bus stops that serve the development.	D
Market Harborough	Lubenham	Six upgrading of footpaths: A23 Leicester Road to the Green in Lubenham; A24 and A37 north of Gallow Field Road; to improve sustainability and provide linkages to the town centre and to improve leisure and recreation opportunities.	D
Market Harborough	Market Harborough	Two bus stops on Alvington Way between Burnmill Road and Bates Close including raised and dropped kerbs, new information display cases, flag and pole at each stop.	D
Market Harborough	Market Harborough	Towards recommendations set out in the Market Harborough Town Centre Transport Strategy as considered appropriate by the District Council in consultation with the County Council.	A
Market Harborough	Market Harborough	Four provision of town centre highway improvement works and CCT improvements around Market Harborough including St Mary's Road, Kettering Road / Rockingham Road and Northampton Road / Springfield Street / Welland Park Road junction.	B
Market Harborough	Great Bowden	For the provision of traffic calming works at Great Bowden	B
Market Harborough	Market Harborough	Improve the National Cycle Network between the site and Market Harborough town centre.	C
Market Harborough	Market Harborough	To improve the national cycle network between the site and Market Harborough town centre excluding improvements to the tow path along the Grand Union Canal.	D

**Total S106 funding received £4.35m**

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**CABINET – 15 JULY 2025****LEICESTERSHIRE COUNTY COUNCIL'S APPROACH TO FLOODING****REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT****PART A****Purpose of the Report**

1. The purpose of the report is to outline the key roles and responsibilities of Leicestershire County Council with respect to flooding in its capacity as the Lead Local Flood Authority (LLFA) and the Local Highway Authority (LHA), to provide an overview of the impacts of recent flood events and to set out proposed priorities for further funding for consideration as part of the 2026-30 Medium Term Financial Strategy (MTFS) process.

**Recommendations**

2. It is recommended that the Cabinet:
  - a) Notes the key roles of the County Council as the Lead Local Flood Authority (LLFA) and the Local Highway Authority (LHA) with respect to flooding;
  - b) Notes the extent and impacts of flooding events in Leicestershire over the last two years;
  - c) Approves the proposed priorities for further funding towards flood related activities, for consideration and prioritisation as part of the 2026-30 Medium Term Financial Strategy (MTFS);
  - d) Authorises the Director of Environment and Transport, in consultation with the Cabinet Lead Member and the Director of Corporate Resources, to maximise opportunities to bid for funding from external sources and funding providers.

(Key Decision)

**Reasons for Recommendation**

3. Recent flood events over the past two years, as outlined in paragraphs 49 to 59, have had a significant impact on many communities across Leicestershire and this in turn has placed substantial pressure on the resources of the County Council in its capacity as the LLFA and the LHA in trying to support those communities.
4. The LLFA's and the LHA's resource is focussed on statutory requirements as detailed in paragraphs 28 to 48. Whilst the LLFA will endeavour to do everything it can to support communities in the management of local flood risk, it should be emphasised that the LLFA is not responsible for, nor is it required by law to, resolve all flooding matters. The LLFA does not receive funding for this purpose. Likewise, the LHA can only apply its risk-based approach to gully cleansing to the best of its capabilities with the resource levels that it has.
5. Additional one-off funding, allocated as part of the 2025-29 MTFS, as set out in paragraphs 64 to 66, has helped to manage some of this pressure with flooding in particular, by providing additional resource to address the impacts and workload set out in the report, as occurrences of flooding have become more frequent in recent years.
6. Recommended funding options are proposed in paragraphs 67 to 71 as a focus for consideration as part of the 2026-30 MTFS process.
7. The requests for additional resource represent steps to help address the work generated by the recent major flood events. It will also allow the LLFA and the LHA to set out a more resilient business as usual resource to manage flood risk impacts, building on the previous one-off funding allocated.
8. Under the direction of the Director of Environment and Transport, the LLFA will continue to maximise the opportunities for funding from external sources and providers towards the implementation of flood alleviation projects, as outlined in paragraphs 38 to 41.
9. As the LHA, the County Council is responsible for the safe operation of the highways and transport network and the maintenance approach to highways assets. It has been necessary to undertake additional activities to respond to flood events in line with these responsibilities.

#### **Timetable for Decisions (including Scrutiny)**

10. Subject to the Cabinet's approval, the Director of Environment and Transport will implement the actions outlined within the report, following consultation with the Director of Corporate Resources and Cabinet Lead Members.

#### **Policy Framework and Previous Decisions**

11. On 16 January 2020, following significant flooding events in October and November 2019, the Environment and Transport Overview and Scrutiny Committee set up a Flooding Scrutiny Review Panel. The Review Panel

considered the role of the Council as the LLFA, and the roles of other Flood Risk Management Authorities such as Water Companies, the district councils, and the Environment Agency.

12. The Review Panel reported to the Environment and Transport Overview and Scrutiny Committee on 14 January 2021.
13. On 5 February 2021, the Cabinet noted the final report of the Flooding Scrutiny Review Panel and approved its recommendations. The first recommendation was for a refresh of the Leicestershire Local Flood Risk Management Strategy (LLFRMS).
14. On 26 May 2023, the Cabinet approved the draft refreshed LLFRMS and the associated documents for public consultation.
15. The updated LLFRMS supports work towards achieving the outcomes in the County Council's Strategic Plan 2022-2026, notably those relating to the need to protect and enhance the environment and to ensure that communities are resilient in the face of emergencies.
16. On 24 November 2023, the Cabinet approved the updated LLFRMS and the associated documents for adoption and publication. The final updated documents were published in February 2024.
17. On 7 February 2025, the Cabinet approved £1.5m of additional funding to enable the LLFA and the LHA to support Leicestershire communities recovering from the most recent flooding events across the County. The implications of this were set out in the proposed 2025-29 MTFS.

### **Resource Implications**

18. The occurrence of multiple flood events has increased the workload for both the LLFA and the LHA. Such events have been more frequent in recent years.
19. It is proposed that an additional £0.6m revenue towards staff resource, to continue to respond to customer demand and progress flood investigations, projects and engagement, be put forward for consideration as part of the 2026-30 MTFS process. In addition, £3.30m capital funding is also proposed for consideration, which will help address identified highway drainage works and enable some community resilience support. This would attract an additional £0.13m revenue requirement to ensure that the relevant resources are in place to deliver the works. A further £0.13m discretionary fund to enable the LLFA to support communities with flood recovery is also proposed.
20. The full implications of this will be assessed and set out in the proposed 2026-30 MTFS, which will be presented to the County Council for approval in February 2026.
21. 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**

22. This report will be circulated to all Members.

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## **PART B**

23. The management of water and flooding is very complex. There are many sources of flooding ranging from main rivers, pipe systems, watercourses and ditches and there are many authorities and parties who have a responsibility for flood management. Those authorities are generally referred to as Flood Risk Management Authorities (RMAs) and include Environment Agency, Severn Trent Water and Anglian Water in Leicestershire, district councils and the LHA (the County Council).
24. Additionally, there are landowners that have riparian responsibilities for water assets that pass through their land. Further information explaining the many sources of flooding and various roles and responsibilities of RMAs has been appended to this report.
25. This report primarily focusses on Leicestershire County Council's role in the management of flood risk in its capacity as both the LLFA and the LHA as set out in the following paragraphs.

### **Leicestershire County Council's Flood Risk Management Responsibilities**

26. The Council has the following separate statutory roles in relation to water and flooding:
  - a) As the LLFA, as set out in the Flood and Water Management Act 2010, it is the County Council's responsibility to lead in managing local flood risk.
  - b) As the LHA under the Highways Act 1980, the County Council is responsible for the provision and management of highway drainage, excluding motorways and trunk roads that are the responsibility of National Highways.
27. Details of the functions and duties arising from these two distinct statutory roles are detailed below.

### **Extent of the Council's Responsibilities and Powers as the LLFA**

28. LLFAs are identified in law as either the county council or unitary authority of a particular area. They are required to lead in managing local flood risks (such as the risks of flooding from surface water, ground water and ordinary (smaller) watercourses). This includes ensuring the cooperation between RMAs in their area. The County Council is the statutory appointed LLFA for Leicestershire and has an established Flood Risk Management Team to undertake the work necessary to fulfil this function.
29. The LLFA has five key statutory duties:

- a) Prepare and maintain a strategy for managing local flood risk in Leicestershire.
  - b) Maintain a register of assets around the County that have a significant effect on flooding.
  - c) Investigate significant local flooding incidents and publish the results of such investigations.
  - d) Regulate work on ordinary watercourses.
  - e) Provide statutory comments on major development planning applications in respect of surface water drainage matters.
30. The LLFA has a statutory responsibility to publish a LFRMS. The current version of the LFRMS was published in February 2024 and can be viewed on the Council's website. The Strategy provides a framework to enable the LLFA to co-ordinate flood risk management across Leicestershire and sets out how local flood risk will be managed.
31. The LLFA is required by Section 21 of the Flood and Water Management Act 2010 to maintain an asset register and record of structures or features which have a significant effect (positive or negative) upon flooding in Leicestershire. The current policy for Leicestershire's Asset Register can be viewed on the Council's website.
32. The LLFA will formally investigate instances of flooding that meet the stated threshold for investigation (formal Section 19 investigation). A formal investigation will identify responsible bodies and identify actions for helping to reduce future flood risk. The current policy for formal flood investigations can be viewed on the Council's website.
33. The LLFA has limited powers under the Land Drainage Act 1991 to regulate ordinary watercourses (outside of internal drainage districts) to maintain a proper flow by:
- a) Issuing consents for altering, removing or replacing certain structures or features on ordinary watercourses;
  - b) Enforcing obligations to maintain flow in a watercourse and repair watercourses, bridges and other structures in a watercourse.
34. The current policy for the regulation of ordinary watercourses can be viewed on the Council's website.
35. The maintenance of the ordinary watercourses is the responsibility of the riparian landowner and not the County Council. More information about riparian landownership is appended to this report and can also be viewed on the Council's website.
36. Since April 2015, the LLFA has been a statutory consultee for surface water matters and for all major planning applications as a result of Schedule 4 of the Town and Country Planning Order 2015. The LLFA makes recommendations to the Local Planning Authorities which are in accordance with national and local planning policy and guidance.

37. Importantly, the LLFA does not have responsibility or powers to:
- a) Implement a solution to a flooding incident;
  - b) Make other RMAs implement a solution;
  - c) Make a Local Planning Authority implement its recommendations for proposed developments;
  - d) Maintain ordinary watercourses.

#### Flood Alleviation Projects

38. Whilst not part of the LLFA's statutory duties, the LLFA does, where resources allow, try to progress with the delivery of flood alleviation projects on a discretionary basis to try and help and assist communities impacted by flooding.
39. However, the delivery of such projects is subject to the awarding of national flood funding following successful business cases being submitted and approved. The primary sources of such funding are Flood and Coastal Risk Management Grant in Aid Funding (FCERM GiA) and Local Levy Funding. The LLFA will strive to maximise opportunities for such funding where it can.
40. FCERM GiA is the main source of funding available for flood risk management schemes, a national funding source that can be bid for by local authorities; the Environment Agency and Internal Drainage Boards, Regional Flood and Coastal Committees agree regional priorities for FCERM GiA allocations and pass these recommendations to the Government.
41. Local Levy is generated through local authorities who are levied by the Environment Agency under the Environment Agency (Levies) (England and Wales) Regulations (2011). The amount of money 'levied' by each authority is dependent on the number of Council Tax Band D equivalent households and above within the authority's area. The funding that is collected through this Levy is then distributed towards regional flood projects as bid for through a business case process completed by local authorities.

#### Extent of the Council's Responsibilities as the LHA

42. As the LHA, Leicestershire County Council's Highways Drainage Team have a responsibility to manage and maintain drainage (excluding public sewers that belong to Severn Trent Water or Anglian Water) that runs beneath adopted highways, such as the drainage system related to the road network. This can include, but is not limited to, managing and maintaining drainage related to the functioning of the highway, including roadside drains and gullies (over 130,000 over 2,575 miles of road), shallow channels (grips), ponds, lagoons, catchpits, manholes, underground culverts and piped watercourses and soakaways.

43. Gullies are cleansed using a risk-based approach. During the gully emptying process, each gully is assessed, and the silt levels are recorded. This information is then used to develop a programme for cleansing or inspection, which means that some gullies will be cleansed/inspected more often than others, either on a 10, 20 or 24-month frequency. This is reviewed on an annual basis to ensure that the approach is effective.
44. Increased flooding events have seen a high demand in the number of requests for further gully cleansing and maintenance, in addition to routine cleansing. A common misconception during flood events is that the gullies are blocked because they are not draining, when in fact it is the network that they are connecting to that is overwhelmed. Highway drainage systems often discharge into surface water network, which is usually the responsibility of water companies.

### **Local Resilience Forum**

45. The Council also plays a lead role in facilitating the Local Resilience Forum (LRF). The LRF is a multi-agency partnership arising from the Civil Contingencies Act 2004 and it consists of representatives from local public services, including the emergency services, local authorities, the NHS and the Environment Agency, who work together to prepare for, respond to and recover from different emergencies across Leicester, Leicestershire and Rutland.
46. The LRF delivers emergency planning by:
  - a) Co-operating and sharing information to enhance the co-ordination and efficiency between partners.
  - b) Assessing the risk of emergencies occurring and using this to inform contingency planning.
  - c) Putting in place:
    - i. Emergency plans;
    - ii. Business continuity management arrangements;
    - iii. Arrangements to warn, inform and advise the public in the event of an emergency.
  - d) Making information available to the public about civil protection matters.
  - e) Providing advice and assistance to businesses and voluntary organisations about business continuity management (local authorities only).
47. From an early stage following an incident, a recovery plan will be considered given the considerable time that it can take for homes and businesses to be restored after a flooding incident. Following an event, partners would review the incident and look at the lessons that were learnt, which would be shared across the LRF so that all of the partner organisations could benefit from this.
48. Preparing for such events is part of the day to day job and it ensures that the LRF is ready for emergencies and major events. This involves:

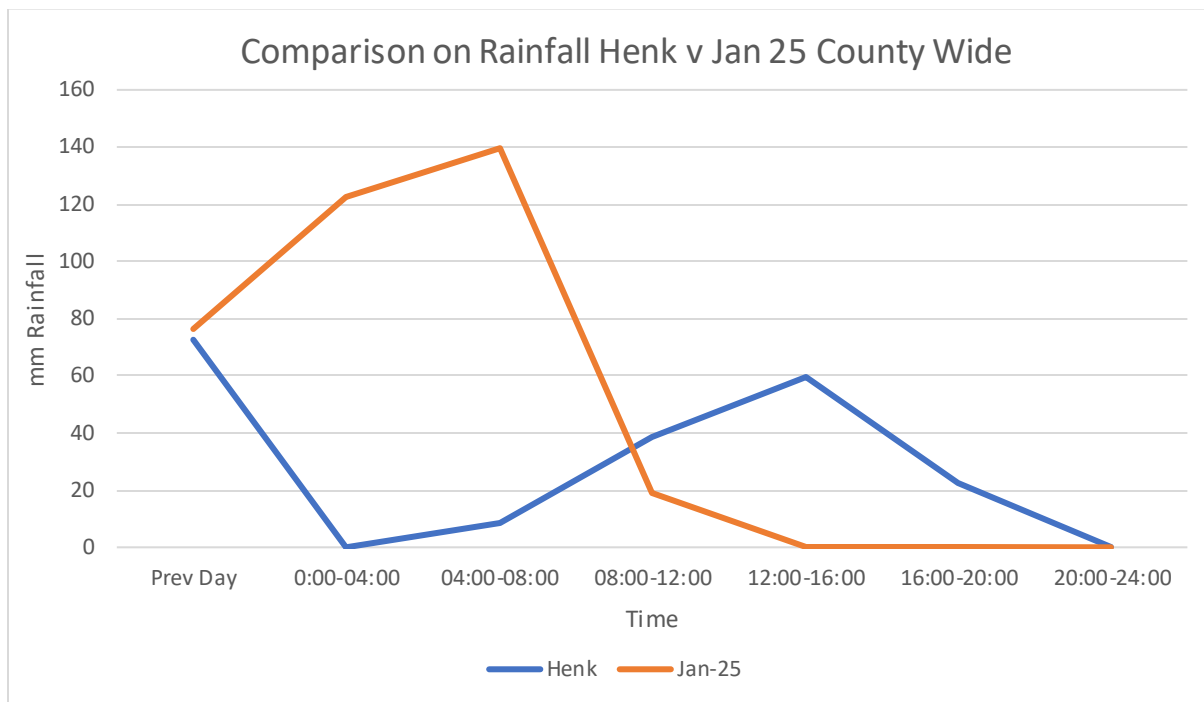


- a) Risk assessments – assessing the type of hazards that might affect the region.
- b) Preparing plans – together agreeing strategies and process, writing the plans (Leicestershire LRF has more than 20, each addressing a different type of event).
- c) Training and exercising – a schedule of training, testing and exercising ensures partners and their staff are familiar with the plans.

### **Recent Flooding Events**

- 49. On Monday 6 January 2025, during an unnamed storm, significant rainfall led to the worst flooding event in recent history in Leicestershire. This is measured on the number of properties (both residential and business) that were subject to internal flooding. To date, an estimated 900 properties across the Leicester, Leicestershire and Rutland (LLR) region and a confirmed 717 in Leicestershire have flooded internally; it is likely that this number will increase.
- 50. Prior to the 6 January storm, the worst recorded flooding event was Storm Henk in January 2024, when 447 properties reported internal flooding in Leicestershire alone. Both events were severe and had devastating impacts for those affected. However, the 6 January storm saw a much greater quantity of rainfall and, in many cases, over a longer peak than Storm Henk. In many parts of Leicestershire, the rainfall was double the levels seen in Storm Henk over a 24-hour period. This heavy rainfall also fell on frozen ground saturated by snow that had fallen and then melted in the preceding days.
- 51. Storm Henk however followed a longer period of higher than average rainfall, and therefore higher ground saturation, meaning that a smaller amount of rain had a much greater impact than 30mm of rain might usually have.
- 52. A comparison of the two events is shown in Figure 1 below. From initial information gathered for the January 2025 event, the fact that there were limited weather warnings received and that significant rainfall fell overnight also had an impact on the number of properties that were flooded, as the residents and businesses may not have had time to raise any property flood resilience measures or they may have struggled to implement these in the dark. Therefore, some measures installed following Storm Henk may not have been fully tested for effectiveness during the 6 January storm.

Figure 1 – Comparison of rainfall between Storm Henk and the 6 January storm



53. Although these two events had the greatest overall impact in Leicestershire, there have been several storms and severe weather events in recent years which have resulted in internal flooding issues for residents and businesses across Leicestershire. Between 2019 and 2021, there were various flood events that resulted in internal flooding. In 2023, the Met Office recorded 11 named storms, and in 2024 there were nine named storms. In addition to this, there were several localised rainfall events, including June 2023 in Oadby and Wigston, September 2023 in Packington, September 2024 in Market Harborough and Blaby District, and November 2024 in Little Bowden.
54. Where the number of properties flooded hits the relevant thresholds, the LLFA is required to undertake a formal investigation under Section 19 of the Flood and Water Management Act 2010. As a result of the above, many Section 19 investigations were triggered. Whilst investigations have been undertaken and reports are completed or are in progress, there remain several others that still require significant work. In addition, the LLFA is progressing business cases to seek funding from the Environment Agency for a number of flood alleviation projects.
55. These events also led to reports and queries regarding external flooding, instances of flooding below the Section 19 investigation threshold and flood risk in general. Therefore, the workload was already high and has only been increased as a result of the 6 January storm.

### **Current Funding Allocations 2025-29 MTFS**

56. Following the floods of January 2024 and January 2025, a total one-off allocation of £2.90m was made available by the Council in 2024/25 to fund:
- a) Supplementary staff resources to support Section 19 investigations, flood projects and the statutory consultee role in planning.
  - b) An additional permanent flood engagement officer to educate on roles, responsibilities and being flood ready.
  - c) Support community flood resilience.
  - d) Highways related draining activities.
57. This includes the additional £1.5m approved by the Cabinet on 7 February 2025, as outlined in the 2025–29 MTFS. A remaining balance of £2.36m is available, of which £2.31m is scheduled for expenditure during the 2025/26 financial year and £0.05m in 2026/27. These funds will be allocated to staffing resources, gully cleansing and jetting, drainage repairs, culvert replacement, asset mapping, and survey activities.
58. The Council's budgets for flooding for the next four years are shown in Figure 2 below. This includes the remaining £2.36m of one-off revenue funding across both the LLFA and LHA responsibilities. The split of this one-off revenue funding alongside ongoing revenue funding is shown for each area in Figure 3.

Figure 2 – MTFS Revenue and Capital Flood related spend

	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000	Total £000
<b>Capital</b>					
Property Flood Risk Alleviation	2,058	49	0	0	2,106
Highways Flood Alleviation	698	501	501	501	2,201
<b>Total Capital</b>	<b>2,756</b>	<b>550</b>	<b>501</b>	<b>501</b>	<b>4,307</b>
<b>Revenue</b>					
Gulley Emptying	2,430	1,629	1,636	1,642	7,337
Camera Van	85	84	85	85	339
Drainage Repairs	1,780	1,443	1,449	1,454	6,127
Flood Alleviation and Resilience	700	0	0	0	700
<b>Total Leicestershire Highway Authority (LHA)</b>	<b>4,995</b>	<b>3,157</b>	<b>3,170</b>	<b>3,181</b>	<b>14,503</b>
Lead Local Authority Resourcing	712	620	579	584	2,495
Flood Alleviation and Resilience	340	0	0	0	300
<b>Total Lead Local Flood Authority (LLFA)</b>	<b>1,052</b>	<b>620</b>	<b>579</b>	<b>584</b>	<b>2,835</b>
<b>Total Revenue</b>	<b>6,047</b>	<b>3,777</b>	<b>3,749</b>	<b>3,765</b>	<b>17,338</b>
<b>TOTAL</b>	<b>8,803</b>	<b>4,327</b>	<b>4,250</b>	<b>4,266</b>	<b>21,645</b>

Figure 3 – Revenue Flood related spend: Core Budget and Additional one-off

	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000	Total £000
One-off Revenue Funding	1,817	0	0	0	1,817
On-going Revenue Funding	3,178	3,157	3,170	3,181	12,686
<b>Leicestershire Highway Authority (LHA) Revenue</b>	<b>4,995</b>	<b>3,157</b>	<b>3,170</b>	<b>3,181</b>	<b>14,503</b>
One-off Revenue Funding	490	50	0	0	540
On-going Revenue Funding	562	570	579	584	2,295
<b>Leicestershire Flood Authority (LLFA) Revenue</b>	<b>1,052</b>	<b>620</b>	<b>579</b>	<b>584</b>	<b>2,835</b>
<b>TOTAL REVENUE</b>	<b>6,047</b>	<b>3,777</b>	<b>3,749</b>	<b>3,765</b>	<b>17,338</b>

59. Whilst this additional funding has helped both the LLFA and LHA to manage the significant increase in work following the recent flood events, the following paragraphs set out recommended options and priorities for further funding, for consideration as part of the 2026-30 MTFS process.

#### **LLFA Potential Additional Funding Options**

60. Major flood alleviation projects are, in most cases, the responsibility of the relevant water authority and/or Environment Agency. These can cost many millions of pounds; as the LLFA does not have the responsibility to undertake this type of work, it is currently not therefore permanently resourced to support business case development if there are appropriate opportunities.
61. A total of £0.18m would be required to make permanent the current temporary arrangements (funded by the remaining £2.36m one-off additional Council funding) for staff to undertake flood investigations; community engagement and education on self-resilience and being flood ready; and the development of business cases for project grant funding.
62. Consultancy support is an expedient way to support the sheer volume of immediate work, but a more cost-effective solution would be a permanent structure for the level of work that has become higher as flood events have become more frequent.
63. Whilst not a statutory requirement or responsibility of the LLFA, an additional £0.13m to fund activities in the following discretionary areas could be considered to support communities to recover from flooding events:
- Provide community grants to town/parish councils towards improving community resilience, such as grant funds for impacted communities to purchase flood protection equipment such as pumps, flood sax, PPE. The allocation criteria is to be developed.
  - Capital budget for small scale discretionary alleviation schemes.
  - Towards CCTV investigations and discretionary riparian owner support.

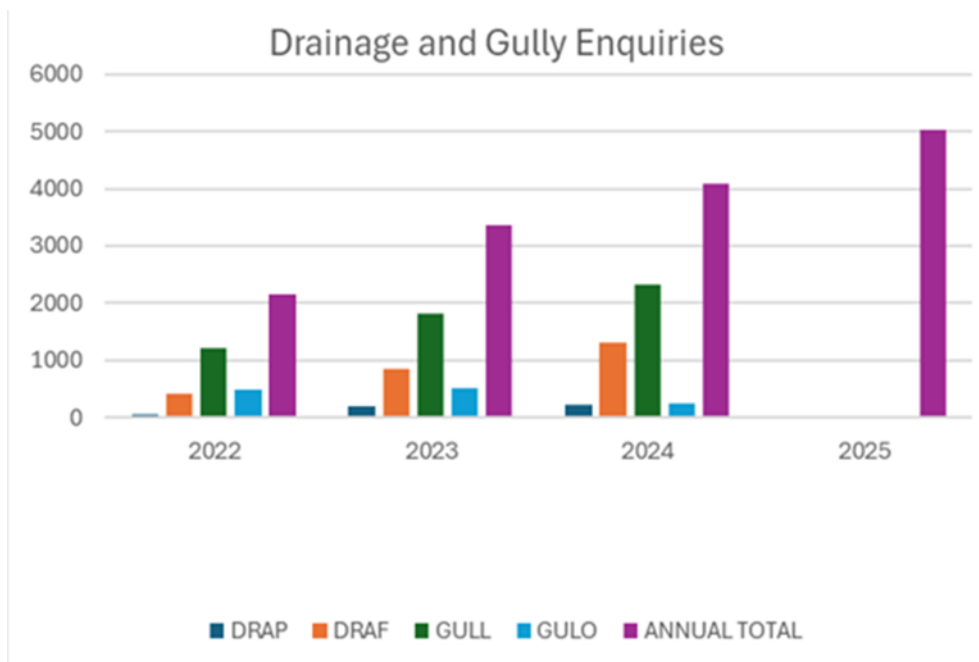
### **LHA Potential Additional Funding Options**

64. With the exception of gully cleansing, there is currently no budget for proactive work on all other highway drainage assets such as pipework, chambers, and culverts. These are all dealt with reactively as and when issues arise. Additional funding could enable a more proactive approach to maintaining drainage assets, ensuring their long-term resilience and efficiency. Investment in staff resource would enable the following activities:
- a) Identifying and delivering capital projects to upgrade drainage systems and reduce flood risk (the backlog list exceeds £3.3m, with more projects identified every year, especially in wet weather).
  - b) Conducting regular structured culvert inspections and repairs to prevent blockages and structural failures (of the 968 culverts recorded, 4.5% have an unknown condition, 1% are very poor, 5% poor, 20% fair, and 68% good or very good, although the data is outdated due to the absence of a formal inspection programme).
  - c) Delivering routine maintenance of highway responsible ponds, ditches, and Sustainable Drainage Systems features to enhance water management.
  - d) Collecting and managing asset data for the highway drainage network, covering catchpits, inspection chambers, and piped systems for better system performance and asset management.
  - e) Re-profiling grips to improve surface water runoff and drainage flow.
  - f) Inspecting and clearing trash screens and critical assets to keep drainage systems functioning properly.
65. As illustrated in Figure 4 and Figure 5 below, the Highways Drainage Team within the LHA is significantly under-resourced and unable to manage the high volume of enquiries (89% increase between 2022 and 2024) or fully investigate and resolve all drainage complaints from customers (outstanding queries increased by 314% between 2022 and 2024).

Figure 4 - Table showing number of customer enquiries by year

	2022	2023	2024	2025 (projection)
Number of drainage and blocked gully enquiries received annually.	2158	3366	4077	5036
Jetting and CCTV investigations requiring further repairs.	No funding to carry out a large programme of jetting and CCTV surveys.			484
Old enquiries still outstanding from each year.	110	294	455	816

Figure 5 - Graph showing volume of customer enquiries by year  
 (Note abbreviations used: DRAP - Property flooding; DRAF - General drainage flooding; GULL - blocked gully; GULO - Gully other – iron work, damage, sunken cover etc.)



66. This issue has been exacerbated since Storm Henk, with severe weather events becoming increasingly frequent. £0.42m of the remaining £2.36m one-off additional Council funding is being used to address the issue in 2025/26. This is required on-going to allow permanent recruitment of additional staff to respond to the current customer demand and deliver the current works budget.

### **Funding Summary**

67. Sufficient funding is available from the remainder of the £2.90m one-off additional Council funding outlined in paragraphs 56 to 59, to deal with immediate concerns in 2025/26.
68. On-going revenue funding of £0.55m in 2026/27 and an additional £0.05m required from 2027/28 to meet the Council's statutory duties and address immediate issues, are needed for:
- The LHA's Highways Drainage Team additional resource requirement to respond to the current customer demand and deliver the current works budgets (£0.42m).
  - The LLFA additional resource requirement for flood investigations, community engagement and securing external grant funding (£0.18m).
69. As part of the 2026-30 MTFS process, external funding opportunities such as the Local Transport Grant, will be explored before any growth bid is considered. If the overall funding position of the County Council is affected by reduced settlements, it may not be possible to utilise the grant or other relevant grants in this way.

70. A further £3.30m capital funding would address the current backlog list of highway drainage schemes over a number of years. This would attract an additional annual amount of £0.13m revenue funding requirement to deliver the enhanced works programme. Delivery of the backlog of highway drainage schemes would be based on the priorities defined by the national guidance in the Highway Maintenance Efficiency Programme:
- a) Network hierarchy;
  - b) Highway safety;
  - c) The number of incidents of flooding;
  - d) The structural effect of flooding;
  - e) Traffic speed.
71. Discretionary annual funding of £0.13m would enable the LLFA to support communities with flood recovery.
72. Subject to the Cabinet's approval, the principles of the above priorities for any further flood related funding will be taken forward for consideration as part of the 2026-30 MTFS process.

### **Conclusion**

73. The Council, in performing its duties both as the LLFA and as the LHA, recognises the significant physical, emotional and mental health impacts that flooding can have on communities. While work is underway to support recovery efforts and to work towards flood resilience and preparedness in the future, this has generated significant pressure on the existing Council resources, and this pressure continues as flood events appear to be becoming more frequent as opposed to the exception. Further funding, if it is made available, would enable the expansion of resources to better support communities both on a statutory and discretionary basis, so that they are more prepared, resilient and protected in the future.

### **Equality Implications**

74. An Equality Impact Assessment was undertaken to support the development of the LLFRMS. This assessment identified that some groups with protected characteristics are potentially more vulnerable to flood risks (for example elderly, pregnant, or disabled persons). Whilst this is recognised, the Strategy focusses on reducing the impacts of flooding on communities, in turn benefiting those vulnerable members of the community.
75. Officers will continue to explore opportunities to address the impacts of flooding on groups with protected characteristics, particularly when working with partners and in seeking external funding.

## **Human Rights Implications**

76. Residents in flood affected areas have the risk of losing their homes and shelter would be adversely impacted. However, the work of the LLFA focusses on reducing this risk. The additional resources and actions identified within this report will also have a positive impact on the risk to human rights arising from severe flood events.

## **Other Implications and Impact Assessments**

77. A Strategic Environmental Assessment was undertaken to develop the LLFRMS and as the action and proposals set out within this report are in line with those assessed in the Strategy, there are no negative environmental impacts arising from the content of the report. However, it should be noted that the increased number of weather events and associated increased workload will mean that there will be a longer timeframe for the identification of potential solutions and the delivery of schemes.
78. Flooding has significant impacts on health and wellbeing. These impacts occur both acutely and over the long-term. While the immediate dangers to physical health from flooding events are highly visible, longer-term health effects associated with flooding are harder to identify and may include effects relating to displacement. Most of the health burden associated with flooding in England is, however, due to impacts on mental health and wellbeing. Measures to reduce the risk and effects of flooding will reduce such impacts. The proposals within this report will allow officers to provide more information in a timely manner, reducing some negative impacts on health.

## **Partnership Working and Associated Issues**

79. A principle for the work of the LLFA as set out in the LLFRMS is organisational partnership working. Maintaining this principle will be essential for the successful delivery of flood risk management activities. Officers will continue to work with partner authorities and RMAs (including, but not limited to, the police, the Fire and Rescue service, district councils, Leicester City Council, Rutland Council, the Environment Agency, and the Regional Water Authorities), ensuring a good understanding of the role and the responsibilities.

## **Background Papers**

Report to the Cabinet, 5 February 2021, Scrutiny Review Panel of Flooding:  
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6440&Ver=4>  
 (item 484)

Report to the Cabinet, 24 November 2023, Leicestershire Local Flood Risk Management Strategy – Public Consultation Outcomes and Publication:  
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=7080&Ver=4>  
 (item 296)



Report to the Cabinet, 22 October 2024, Leicestershire County Council Lead Local Flood Authority Protocol:

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=7510&Ver=4>  
(item 386)

Report to the Cabinet, 7 February 2025, Flooding in Leicestershire in January 2025 and Implications for the Lead Local Flood Authority and Local Highway Authority:

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=7873&Ver=4>  
(item 421)

Leicestershire Local Flood Risk Management Strategy:

<https://www.leicestershire.gov.uk/sites/default/files/2024-02/Local-Flood-Risk-Management-Strategy-for-Leicestershire.pdf>

Leicestershire's Asset Register

<https://www.leicestershire.gov.uk/environment-and-planning/flooding-and-drainage/flood-risk-management>

Leicestershire's Formal Section 19 Flood Investigations

<https://www.leicestershire.gov.uk/environment-and-planning/flooding-and-drainage/lead-local-flood-authority/formal-section-19-flood-investigations>

## **Appendix**

Sources of flood risk and responsibilities

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## **Appendix - Sources of flood risk and responsibilities**

### **Environment Agency**

The Environment Agency (EA) is a national body legally required to carry out strategic supervision over all matters relating to flood and coastal erosion risk management across the UK in accordance with the Flood and Water Management Act 2010. The EA's strategic leadership role means they are required to facilitate a joined up and consistent approach for the management of flooding and coastal change from all sources. This includes sources where other Risk Management Authorities (RMA) have operational responsibilities such as the County Council as the Lead Local Flood Authority (LLFA). In its role it also provides flood risk advice and specifically preliminary advice to planning applicants and Local Planning Authorities.

### **Water Authorities**

Severn Trent Water Ltd (STW) and Anglian Water Ltd are public limited companies based in the Midlands, responsible for water supply management and waste water treatment and disposal. It also has an obligation to reduce flood risk associated with rainfall overloading the public sewerage network. Water authorities have five-year Asset Management Periods (AMPs) agreed with Ofwat which include investment and funding allocated to upgrade networks to alleviate current flood risk and help accommodate future growth, such as new housing developments within Leicestershire.

### **Internal Drainage Boards**

Internal Drainage Boards are responsible for regulation of watercourse management within their designated area. The Boards also provide drainage related planning advice to the Local Planning Authority for proposed development within the board's jurisdiction. There is a small part of the Trent Valley Internal Drainage Board within Leicestershire covering parts of the Melton Borough.

### **Landowners (riparian responsibility for maintenance and passage of flow)**

A 'riparian landowner' is someone who owns land next to a river, stream or ditch. They are considered the owner of a stretch of watercourse if it runs on or under their land and/or on the boundary of their land, up to its centre point.

A watercourse can be any stream of water flowing in a defined channel or through an underground pipe or culvert (an underground structure that water can flow through). Leicestershire County Council is a riparian owner of any such underground assets that pass underneath adopted public highway, or on the Council's own premises and land.

Each riparian owner has certain responsibilities for the section of watercourse in their ownership. They must let water flow naturally, remove blockages, fallen trees or overhanging branches from their watercourse, or cut back trees and shrubs on the bank, if they obstruct or affect a public right of navigation or reduce the flow or cause

flooding to other landowners' property and keep any trash screen, weir, mill gate or other structure clear.

They must report any incidents to the EA incident hotline to report flooding from main rivers, blockages which could cause flooding, pollution, unusual changes in the flow of water, collapsed or badly damaged banks or any work or activity on or near a watercourse that may not have permission.

### **Flood Risk Management Board**

The Flood Risk Management Board is a forum of RMA officers and others formed to oversee a strategic, multi-agency approach to flood risk management in Leicestershire. The board facilitates the implementation of the Leicestershire Local Flood Risk Management Strategy (LFRMS) and action to manage local flood risk.

The board consists of senior officers from RMAs in Leicestershire:

- Lead Local Flood Authority (Leicestershire County Council),
- Local Highway Authority (Leicestershire County Council, National Highways),
- Environment Agency (Representation from each region),
- Anglian Water,
- Severn Trent Water,
- District councils,
- Trent Valley Internal Drainage Board.

Others invited to attend include:

- Leicester, Leicestershire and Rutland Prepared,
- Rivers Trusts,
- Leicester City Council,
- Rutland Council.

Whilst each authority has specific responsibilities under the legislation, the Board seeks to ensure a joint and coordinated approach is taken, wherever reasonable, on all aspects of flood risk management in Leicestershire with specific focus on local flood risk.

The Board will monitor application of the LFRMS, including the five objectives:

- Watercourses, assets and catchments - To manage local flood risk through the effective management of flood risk assets, watercourses, and catchments.
- Encouraging sustainable development - To manage local flood risk through encouraging sustainable development.
- Flood preparedness response and recovery - To manage local flood risk through effective preparedness, response to, and recovery from flood events. (The Local Resilience Forum Flooding Sub-Group is however the

main forum of discussion for flood preparedness, response and recovery or for discussing during/after a countywide flood event).

- Better understanding flood risk - To better understand local flood risk and impacts, informing approaches to managing this risk.
- Local projects - To manage local flood risk through developing and or managing local projects for at-risk communities.

### **Monitoring**

The Highways and Transport Overview and Scrutiny Committee will act as the 'Flood Risk Management Committee' and monitor the performance and activities of the Leicestershire Flood Risk Management Board, in accordance with Section 9FH of Schedule 2 of the Localism Act 2011. The Board will exist all year round and its remit is to facilitate discussion as appropriate. Meetings will take place twice a year at the End of Winter (March) and October. Meetings are chaired by Leicestershire County Council.

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**CABINET – 15 JULY 2025****PROPOSAL TO REPRIORITISE NET ZERO ACTION PLANS****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 views on the reallocation of the £2m carbon reduction reserve and to change the focus of the activities delivered under the Net Zero Action Plan, as requested by the Leader of the Council.

**Recommendations**

2. The Cabinet is recommended to consider, if it wishes, to:
  - (a) Approve the reallocation of £2m from the earmarked reserve for carbon reduction work to flooding mitigation initiatives and to adapting services towards mitigating the impacts of severe weather events;
  - (b) Support a change of focus in the activities delivered under the Net Zero Action Plan from carbon reduction to:
    - i. Climate adaptation and responding to severe weather events.
    - ii. Projects that deliver financial savings.
    - iii. Projects that deliver additional social, economic or environmental benefits, in support of the Council's Strategic outcomes.

**Reasons for Recommendation**

3. The Leader of the Council has requested the opportunity to reconsider the allocation of the earmarked reserve and change in focus of activity under the Net Zero Action Plan.

**Timetable for Decisions (including Scrutiny)**

4. Subject to the approval of the recommendation as outlined in paragraph 2 (b), the Net Zero Action Plan will be reviewed. The revised Action Plan will be presented to the Environment and Climate Change Overview and Scrutiny Committee for comments alongside the annual Environmental Performance Report in January 2026, before being presented to the Cabinet for approval.

### **Policy Framework and Previous Decisions**

5. The County Council approved the revised Environment Strategy 2018-2030 on 8 July 2020. The vision of the Strategy is that 'Leicestershire County Council will minimise the environmental impact of its activities and will improve the wider environment through local action. We will play our full part to protect the environment of Leicestershire. We will tackle climate change and embed sustainability into what we do.'
6. In December 2022, the County Council adopted the 2030 Net Zero Council Action Plan and the 2045 Net Zero Leicestershire Strategy and Action Plan. The vision of the Net Zero Strategy is that 'In 2045, Leicestershire has ended its contribution to global warming and had adapted to the impacts of climate change. The transition to net zero has created a cleaner, greener Leicestershire for people, prosperity and planet; supporting healthy, resilient communities, enabling sustainable growth, and enhancing biodiversity.'
7. Since these commitments were made, the Council has been subjected to an increasingly constrained financial position with a significant deficit forecast. In February 2024, in light of this and the estimated increased resources required to reach net zero, the Council resolved to extend the net zero targets to 2035 for Council operations and 2050 for Countywide emissions, in line with the national target.
8. The Cabinet approved a revised Environment Strategy Action Plan, 2035 Net Zero Council Action Plan and 2050 Net Zero Leicestershire Action Plan in February 2025.
9. The Net Zero Leicestershire Strategy and Net Zero Council Action Plan and the Environment Strategy support the delivery of the Clean and Green outcome in the Council's Strategic Plan Refresh (2024-2026).
10. National legislation is in place to support the UK's transition to net zero – the Climate Change Act 2008 (2050 Target Amendment) Order 2019 commits the Government to a 100% reduction of greenhouse gas emissions by 2050 compared with 1990 levels.

### **Resource Implications**

11. The £2m carbon reduction reserve was set aside in 2022 to create a fund to pump prime new carbon reduction initiatives. The Leader of the Council has proposed that this reserve is reallocated from net zero activities to flooding initiatives and adapting services to mitigate the impacts of severe weather events.



12. Subject to the approval of the recommendations in this report, existing staff resources will be reallocated to reflect the proposed change in delivery priorities.
13. 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**

14. This report will be circulated to all Members.

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## **PART B**

### **Background**

15. The current Net Zero Action Plan was approved by the Cabinet in February 2025.
16. The Leader of the Council has requested that the Council repositions the Council's approach to the net zero agenda, focussing on dealing with the impacts of climate change and extreme weather (e.g. flooding and extreme heat), wider projects that deliver financial savings (e.g. staff business mileage and LED street lighting) and projects that deliver additional social, economic or environmental benefits, in support of the Council's Strategic outcomes (e.g. the Warm Homes scheme and Council building upgrades) rather than carbon reduction activities.
17. Subject to the approval of the recommendations in this report, the Net Zero Strategy will be reviewed, taking into account the change of approach outlined above.

### **The Legal Position**

18. The main primary legislation in the United Kingdom, which aims to tackle climate change, is the Climate Change Act 2008 (the "2008 Act"). The 2008 Act places the legal duty for tackling climate change onto the Secretary of State for Energy Security and Net Zero rather than requiring local authorities to help mitigate climate change.
19. Whilst local authorities have used various statutory powers to participate in net zero projects<sup>1</sup>, at present, there is no overarching legal duty on local authorities to contribute towards achieving net zero.
20. However, there is a patchwork of obligations which requires local authorities to take climate change into account in the performance of their functions. A table of some relevant legislation is appended to this report.
21. Although it has<sup>2</sup> been argued that local authorities have a "critical" role to play in delivering net zero, in practice the role of local government in combating climate change has been constrained by a lack of a clear legal duty as well as a lack of funding from the Government.
22. Going forward, local authorities may be legally required to take positive action to combat climate change. The Environmental Targets (Public Authorities) Bill is currently before Parliament, and it aims to make provision for a statutory

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<sup>1</sup> Section 1 of the Localism Act 2011 (power of competence); Section 3 of the Local Government Act 1999 (Best Value duty) and Section 1 of the Local Government Act 2003

<sup>2</sup> This is position of the Climate Change Committee (CCC), the National Audit Office, and the Levelling Up, Housing and Communities (LUHC) Select Committee

objective requiring public bodies to contribute to delivery of targets set under the Environment Act 2021 and the Climate Change Act 2008.

23. The Local Government Association has also recently carried out a consultation exercise which closed on 11 June 2025 seeking the views of councils and other interested parties on whether councils should be set a statutory duty or duties to act on climate change.
24. In summary, the proposal under consideration presently appears lawful. However, the Cabinet should have in mind that, in the coming years, Parliament may well expand the Council's legal duties.

### **Consultation**

25. The proposal under consideration is in the nature of a high level policy change (i.e. intended to provide a strategic direction and context for future operational decisions). If approved, the proposal would mark a shift away from focusing on carbon reduction initiatives towards different environmental priorities (e.g. adaptation and mitigation) as well as non-environmental initiatives (including projects that deliver social or economic benefits). The proposal would also involve the redesignation of the purpose for which £2m of reserves are held.
26. Whilst the redesignation of reserves earmarked may not be supported by individuals and operators hoping to see future action in the sphere of carbon reduction, the redesignation does not appear to give rise to an actionable duty to consult based on current law.
27. Subject to the approval of the recommendations in this report, the revised Net Zero Action Plan will be presented to the Environment and Climate Change Overview and Scrutiny Committee for its comments before the Action Plan is considered by the Cabinet.

### **Equality Implications**

28. The Courts recognise that climate change can have a disproportionate effect on groups with different protected characteristics<sup>3</sup>. For example, the Courts recognise that a failure to mitigate climate change can have a disproportionate effect on older persons.
29. It should also be borne in mind that many individuals who believe in climate change and climate action may possess a protected characteristic related to their beliefs.<sup>4</sup>
30. Decision makers should therefore take account of the Public Sector Equality Duty (PSED). Although not climate specific, this duty requires authorities to consider how their policies affect different groups which can intersect with climate justice concerns.

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<sup>3</sup> KlimaSeniorinnen v Switzerland (ECtHR) 2024

<sup>4</sup> See Section 10(2) of the Equality Act 2010.

31. Compliance with the PSED places the County Council (or a third party exercising function on its behalf) under a duty to have 'due regard' to the need to eliminate unlawful discrimination and advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those who do not.

### **Human Rights Implications**

32. Climate change touches upon an individual's human rights including Article 2 (Right to Life), Article 8 (Right to Respect for Private and Family Life) and Article 1 of Protocol No. 1 (Protection of Property).
33. It is conceivable then that individuals or groups may bring Human Rights Act Challenges. However, in the absence of a clear statutory duty being placed on the Council obligating it to take specific steps, it would seem very difficult for such action to succeed.

### **Environmental Implications**

34. There are likely to be both positive and negative environmental implications linked to the reallocation of resources from carbon reduction activity to climate adaptation and flooding initiatives.

### **Background Papers**

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

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=6040&Ver=4>

Report to County Council on 7 December 2022 – Net Zero Leicestershire Strategy and Action Plan

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=6912&Ver=4>

Report to the Cabinet on 7 February 2025 – Revised Environment Strategy and Net Zero Action Plans

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=7873&Ver=4>

### **Appendix**

Table of Legislation

## Appendix - Table of Legislation

Legislation	Section 19(1A) of the Planning and Compulsory Purchase Act 2004	This section requires development plan documents to include policies designed to secure that the development and use of land in the local planning authority's area contributed to the mitigation of, and adaptation to, climate change.
	Section 1(3) of the Public Services Social Value Act 2012	Where a local authority is considering procuring goods or services, it must consider the social and environmental impacts.
	Section 13(1) of the Public Procurement Act 2023	This requires local authorities to have regard to the Public Policy Notes (PPN).  For example, PPN 006 requires local authorities to take account of supplier's net zero carbon reduction plans.
	Section 108 of the Transport Act 2000	This requires local authorities to develop transport plans which have regard to the Government policies for the mitigation of, and adaptation to, climate change.
Guidance Documents	The National Planning Policy Framework	Makes moving to a low carbon economy an environmental objective.
Non-binding	Net Zero Strategy (2021)	While not legally binding, it sets out expectations for local authorities to play a key role in delivering net zero, influencing funding and policy alignment.

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**CABINET – 15 JULY 2025****HOME CARE FOR LEICESTERSHIRE PROCUREMENT****REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES****PART A****Purpose of the Report**

1. The purpose of this report is to seek the Cabinet's approval to progress with the procurement of home care contracts, for Leicestershire residents with eligible social care needs, for the period 2026 to 2034.
2. The current Home Care for Leicestershire (HCL) Framework ends on 31 October 2026. It is not possible to extend the current Framework beyond that date.

**Recommendations**

3. It is recommended that:
  - a) The procurement of contracts for the provision of services in respect of home care, continuing health care and Live in Care/24-hour care under an open framework, for the period 2026-2034, be approved.
  - b) A further report be presented to the Cabinet and Adults and Communities Overview and Scrutiny Committee outlining the result of the procurement exercise following the award of contracts in the spring of 2026.

**Reasons for Recommendation**

4. The Care Act 2014 requires local authorities to help develop a market that delivers a wide range of sustainable high-quality care and support services, that will be available to their communities. A wide range of high-quality services will give people more control and help them to make more effective and personalised choices over their care.
5. The existing HCL Framework expires in October 2026 with no options remaining within the contract to extend the current arrangements. With the introduction of the Procurement Act 2023 in February 2025, it is timely to re-commission the service under current legislation. The Procurement Act 2023 introduces open frameworks which are a scheme of successive frameworks on

substantially the same terms, with a combined term of eight years. Procuring services under an open framework will reinforce sustainability in the Leicestershire market. The open Framework mandates reopening to allow new providers on to the Framework and this will ensure that supply can meet demand over the term of the Framework. The Framework is planned to re-open at the end of year 1 and in year 5 of the 8-year term.

6. By redesigning parts of the Framework (for example the zone boundaries) the Council will be able to demonstrate a more efficient commissioning model.

### **Timetable for Decisions (including Scrutiny)**

7. Subject to the Cabinet's approval, the tender will be published in August 2025 for commencement in July 2026 and the key stages for the recommissioning are set out below:
  - Advert published: Late summer 2025;
  - Advert closed: Late autumn 2025;
  - Contract award letters issued: March 2026;
  - Provider mobilisation: April 2026;
  - Contract commencement date: Early July 2026.
8. The Adults and Communities Overview and Scrutiny Committee considered the approach to the procurement of home care at its meeting on 2 June 2025. The Committee's comments are set out in paragraph 93 of this report.

### **Policy Framework and Previous Decisions**

9. The Cabinet approved the procurement of a new home care service for Leicestershire on 7 February 2020.
10. On 23 June 2020, the Cabinet agreed that the procurement of a new home care service for Leicestershire be deferred for 12 months due to the Covid-19 pandemic. The procurement was completed in August 2021 and the current HCL Framework commenced on 1 November 2021.
11. The commissioning and procurement of the home care service post-November 2021 were agreed by the Cabinet on 26 October 2021.
12. Services highlighted in this report contribute to both the County Council's Strategic Plan and the Adults and Communities Strategy 2025-2029 "Delivering Wellbeing and Opportunity in Leicestershire 2025-2029".
13. The approach to pricing is in keeping with the recently published UK Government's roadmap titled 'Implementing the Employment Rights Bill: Our Roadmap for Delivering Change, July 2025' that looks to end zero-hour contracts within the lifetime of the proposed open framework.

### **Resource Implications**



14. It is expected that the changes detailed in the report will ensure that a more financially effective and efficient framework is procured which will enable the Directorate to manage within allocated budgets.
15. The proposals are expected to generate cost efficiencies across the framework ranging from £0.7m to £1.3m per year.

#### Procurement implications

16. The estimated contract spend for this procurement is £480m over eight years (2025/26 price points) although it is expected that annual inflation will take the spend above this figure.
17. The previous home care tender in 2021 attracted over 150 bids, and it is anticipated that a similar number will be received during this procurement and evaluation, which will be resource intensive to co-ordinate.
18. Bidder sessions will be held with interested parties. The bidder sessions will be an opportunity for prospective providers to ask questions about the opportunity, and these will be added to a publicly accessible clarification log.
19. With the support of the Adults and Communities Engagement Panel, work is underway to co-produce questions to ask in the method statements (the name for questions asked in a Tender for services). The Engagement Panel acts as a critical friend to Officers of the Council to discuss and challenge proposed engagement plans, service design and policy and strategy development. Members of the panel are all volunteers and are recognised as experts by experience as carers, or someone who has previously had a service provided by social care. They are available to support with coproduction projects, offering a wide range of experience and knowledge. The Engagement Panel will also provide an explanation of what a good response will look like. This will assist officers to evaluate the responses on their behalf.
20. Bidders who pass the finance, General Data Protection Regulation and method statement stages will be invited to a short interview with representatives from the Council along with carers and people in receipt of home care. The interviews will help to ensure the bidder has a good understanding of the needs of people across Leicestershire and how to deliver safe, reliable and good quality care. The time allocation for this approach has been accommodated in the implementation timelines.
21. Where current providers do not bid or are not awarded a place on the Framework, they will be able to retain their current care packages until the person has their support needs reviewed or until earlier termination of the existing order in accordance with its terms. At this point the person can consider a direct payment to continue with the incumbent provider or have their care moved to a provider on the Framework.

22. The Adults and Communities Scrutiny report heard in June 2025 identified a possibility for adults and children's services to commission a joint tender opportunity in relation to the provision of home care services. Further work has identified that this will not be possible due to the misalignment of contract termination dates.

#### Legal Implications

23. The Council's statutory duties under the Care Act 2014, include providing information and advice, promoting individual wellbeing, preventing and delaying needs and safeguarding adults at risk. The commissioning of home care services plays a significant part in fulfilling those duties.
24. The Council is also under a duty to facilitate a high-quality care market and ensure that providers of care services receive a fair price for care delivered
25. The Council's Legal Services team is drafting the Framework agreement under the new provision of the Procurement Act 2023 and providing legal advice in regard to the procurement process and drafting the terms and conditions.
26. The Director of Corporate Resources and Director of Law and Governance have been consulted on the content of the report.

#### **Circulation under the Local Issues Alert Procedure**

27. A copy of this report will be circulated to all Members of the County Council.

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## **PART B**

### **Background**

28. Home care, also known as domiciliary care, provides care and support to individuals with eligible social care needs in their own homes. It involves trained carers who visit people to help with daily activities (getting in and out of bed), personal care (washing, dressing, toileting), and household tasks (laundry, putting shopping away), allowing them to maintain their independence and stay in their familiar environment. Following an assessment by the Council, a personalised support plan will be generated with the person, and this will stipulate the care and support they require. Individual care arrangements are then brokered between the Council and independent providers.
29. A Framework is a list of pre-approved suppliers chosen through a competitive procurement exercise to supply goods or services. The current HCL Framework commenced on 1 November 2021.
30. The Framework was reopened on 11 January 2022 to give a further opportunity to existing and new providers to apply to join the Framework with a deadline for tender submissions of 3 March 2022. Following completion of a successful procurement exercise, contract award letters were issued on 17 June 2022.
31. A total of 87 providers were appointed onto the Framework.
32. The HCL Framework has worked well and the number of people who are waiting for care is low, with the average being less than one day. The effective pricing mechanism means that providers are incentivised to work in all areas of Leicestershire, including very rural areas.

### **Home Care 2025**

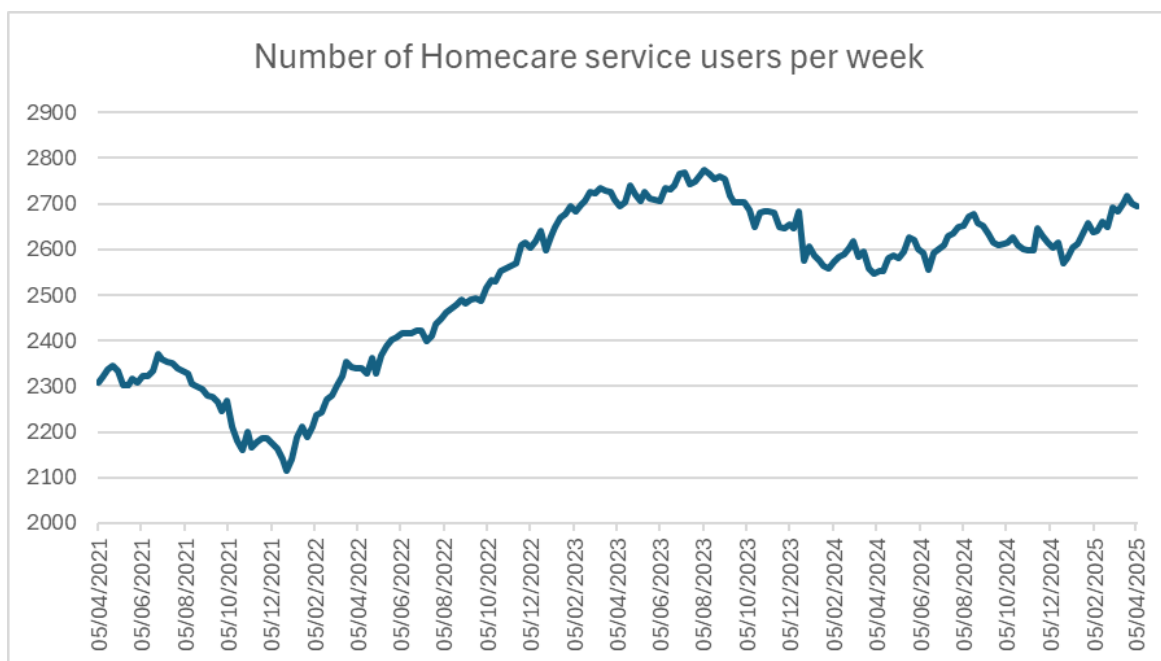
33. During 2024-25, on average 80 providers were operational on the Framework and as of 8 May 2025, 2,736 people were being supported by care providers, equating to 37,925 hours of care delivered per week at a weekly cost of around £900,000. This has significantly increased since 2021, with more people being supported at home with a relatively stable home care market across Leicestershire.
34. The current commissioned providers are a mixture of local and national organisations, some of which operate across a wider geographical area (for example, Leicester City/Nottinghamshire/Lincolnshire).
35. It should be noted that in addition to home care provided by the local authority, providers also support people through private arrangements, and this is a significant area of delivery for a number of providers.
36. The HCL Framework has been successful in being able to deliver the required capacity and services needed to support Leicestershire residents in need of local authority funded home care. The Framework is utilised following a period

of reablement by the Council's homecare assessment and reablement service (HART), and in some circumstances will be utilised to enable interim home care before HART's involvement.

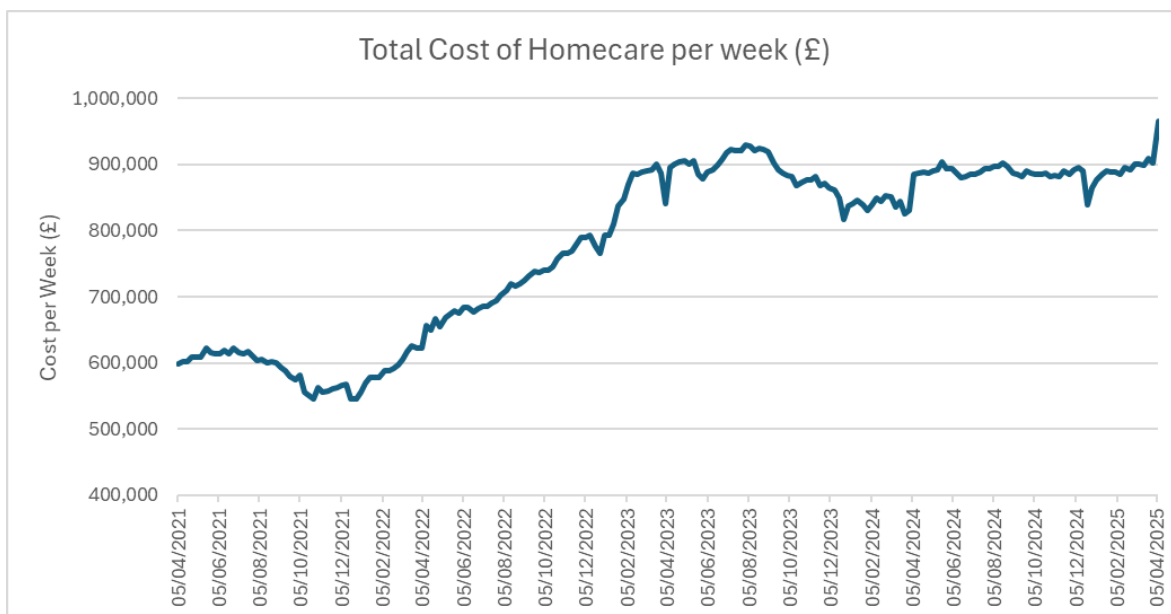
37. The annual cost of home care throughout the current Framework has been as follows:

Financial year	Spend
2021-2022	£33.31m
2022-2023	£40.31m
2023-2024	£46.82m
2024-2025	£46.22m

38. The costs have increased due to inflationary cost increases and rising demand amongst the population of Leicestershire.
39. The following graph illustrates the rising demand in the number of people receiving home care during April 2021-April 2025:



40. The number of people receiving home care has increased since the current Framework commenced in November 2021. The cohort reached a maximum around August 2023. Between April 2024 and March 2025 there was an increase of approximately 6% which is above expected population growth.
41. The following graph illustrates the rise in the cost of home care:



42. Weekly costs have risen from £600k per week to approximately £900k per week over the last four years. These have been relatively stable during 2024-2025 and over the period April to March averaged £890k.
43. Over the lifetime of the contract, eight providers have exited the Framework through owner retirement, businesses sale and contract termination.
44. Substantial engagement between providers and the Council takes place regularly including monthly home care forums, contract monitoring visits, one to one meetings between the Lead Commissioner for home care and providers, a Diversity in Home Care Group and the Engagement Panel.

#### Population growth

45. In February 2025, an independent market analysis organisation was commissioned by the Department to conduct a health check on home care in Leicestershire and produced forecasts regarding the ageing population and its impact on rising demand for services. The older adult population in England is growing, with the fastest proportionate growth in the most elderly age groups. The health check reviewed the approach to pricing to ensure value for money.
46. The older the person, the more likely they are to require care and support as a proportion of the overall population in that age group. The forecast growth in the population aged over 85 years in the next 20 years is therefore particularly significant. People aged over 85 are around ten times more likely to receive council-commissioned home care than adults aged 65-74, whilst people aged 75-84 are roughly 3-4 times more likely to receive council-commissioned home care than adults aged 65-74.

#### Pricing Model

47. The current HCL Framework is based on four pricing levels, which have been calculated to cover the different levels of providers' costs, whether care is delivered in rural, small town or urban settings. Price band definitions are as follows:

- *Urban* - areas with concentrated demand in towns and clusters of nearby villages with good travel routes and relatively high numbers of care hours;
- *Fringe* - smaller, more isolated towns or villages fairly close to towns with good travel routes, but lower population density;
- *Rural* - areas that are reasonably accessible by car, but have longer travel times between visits than urban and fringe areas;
- *Isolated* – “hard to reach or source” areas likely to involve significant travel to and from/between visits.

48. The prices have been set by the Council at levels which enable providers to pay their workers above the National Living Wage (NLW) and their travel costs between visits. The rates are set out in the table below across the four geographical descriptors:

	Urban	Fringe	Rural	Isolated
<b>2025/26 hourly rate</b>	£25.27	£26.36	£29.39	£32.71

49. ‘Zones’ have been created to categorise areas of Leicestershire according to their demography and availability of workers along with transport routes. These factors are considered to ensure the most difficult to access areas of Leicestershire have a higher price point to account for travel time, mileage and workforce availability. There are 14 zones in total, each having at least two providers, but there is no upper limit of providers on the countywide list.

50. The zone size and areas covered are set out in the table below. A map is also included as an Appendix to this report which sets out the 14 main zones and the price bands for the urban, fringe, rural or isolated areas within them.

Zone Size	Zone area
<b>Large Zone (6)</b>	Coalville and Ashby (including Ibstock, Measham, Ravenstone and Ellistown)
	Charnwood North (Loughborough, Shepshed and Kegworth)
	Charnwood South (Quorn, Barrow upon Soar, Mountsorrel, Birstall and Syston)
	West Leicester (Braunstone, Markfield, Anstey, Ratby and Groby)
	Oadby and Wigston (including Great Glen, Fleckney and Kibworth Harcourt)
	Hinckley (including Earl Shilton, Sapcote, Stoney Stanton and Broughton Astley)
<b>Medium Zone (3)</b>	Melton (including Asfordby and Harby)

	South Leicestershire (including Narborough, Blaby, Countesthorpe and Whetstone)
	Market Harborough
<b>Small Town Zone (3)</b>	Castle Donington
	Lutterworth
	Bottesford
<b>Small Rural Zone (1)</b>	West Leicestershire rural (Market Bosworth, Desford, Newbold Verdon and Bagworth)
<b>Larger Rural Zone (1)</b>	Harborough rural

## **Proposals**

51. To ensure home care continues to support people and that the provider market remains sustainable, a number of changes are proposed to the new home care Framework. This is also essential to continue to offer value for money services and ensuring fair wages to carers. Key changes to the commissioning model include the:

- i. Changes to zones of care delivery across Leicestershire;
- ii. Commissioned as an 'open' Framework;
- iii. Introduction of a sessional rate for longer duration care calls;
- iv. Specific 24 hour/live in carer fixed rates;
- v. Clearer work allocation process;
- vi. Approach to pricing;
- vii. Improving quality standards across the market;
- viii. Mandatory training requirements for manual handling.

52. Each aspect is explored in more detail below.

### **(i) Changes to zones of care delivery across Leicestershire**

53. The following table illustrates the proposed changes to the boundaries of some price zones. The price per hour is dependent on the zone the post code is in, with more isolated areas attracting a higher hourly rate to account for travel time and mileage. The zones were last updated in 2019/2020; since then the road networks, housing estates, dispersal of care services, transport links, and workforce have changed. Some areas should now be reclassified. The Parish of Asfordby will be changed to a higher cost price zone, with all other areas in the table below changing to a lower price priced zone due to the reduced travel time element of the hourly rate:

<b>Subzone</b>	<b>Parish</b>	<b>Care Analytics Commentary</b>	<b>Hours</b>
<b>Melton Mowbray</b>	Asfordby	Increase from urban to fringe	236.75

<b>Harborough West</b>	Gilmorton	Lower from isolated to rural	66.75
<b>West Leicester Fringe</b>	Markfield	Lower from fringe to urban	367.82
<b>Isolated West</b>	Witherley	Lower from isolated to rural	96.25
<b>Rural West – four villages</b>	Barlestone, Desford, Market Bosworth, Newbold Verdon	Lower from rural to fringe	1070.1
<b>Charnwood South Rural</b>	East Goscote	Lower from rural to fringe	101.25
<b>Castle Donington and Charnwood North West</b>	Kegworth	Lower from rural to fringe	191.45
<b>North West Leics</b>	Measham	Lower from fringe to urban	379.25
<b>Charnwood South Rural</b>	Queniborough	Lower from rural to fringe	83.5
<b>Total</b>			<b>2593.1</b>

(ii) Open Framework

54. The Procurement Act 2023 became operational on 24 February 2025 and for the first time the home care Framework will be tendered under this legislation. It is proposed to utilise an open Framework, which is a scheme of successive Frameworks on substantially the same terms, with a total term of eight years. Although the total term of the scheme comprising the open Framework is eight years, there is a possibility for the Council to end individual agreements awarded under the open Framework sooner should circumstances require it and in accordance with the terms of the written agreement and public law.
55. There will be no cap on the number of providers appointed to the Framework. The proposal to keep the Framework open to all eligible providers was made to ensure the Council can effectively meet Leicestershire's care needs in a timely manner.
56. The new Framework will consist of three Lots:
- Lot 1 - home care maintenance (providers must stipulate which zones they want to work in – with no restrictions);
  - Lot 2 – Continuing Health Care;
  - Lot 3 - Live in care/24-hour care.



57. The successive Frameworks that will comprise the open Framework will cover the period from July 2026 to June 2034. The effects of Local Government Reorganisation (LGR) are currently unknown, and it is recommended to include a clause in the Framework agreement to allow for any changes deemed necessary to continue the provision through LGR. Further legal advice will be taken once the precise impact of any LGR related changes become clearer.
58. An open Framework must be:
- Opened at least twice over the eight-year period covering the total term;
  - Opened within the first three years;
  - A gap between openings must not be for longer than five years.
59. Providers will be expected to enter into and sign a new contract following each opening of the Framework.
60. A series of successive Frameworks covering a period of eight years, will increase the lifetime spend in this area to an estimated £480m (final figures will be published within the procurement documents).

(iii) Sessional rate

61. The independent analyst recommended a further Countywide sessional rate should be introduced for any visit that is 90 minutes or longer. An example of this would be 'waking nights' support where a person requires observation in their own home so that informal carers (such as family members) can sleep. These packages may be over six hours long. The rate reflects that no travel costs will be incurred between visits and so is lower than the Urban rate.

(iv) 24 hour/live in care

62. 24 hour/live in care is commissioned when circumstances require it.
63. There are currently 15 users receiving a 24 hour/live in care service:

<b>Number of people currently receiving live in/ 24 hour care</b>	<b>15</b>
<b>Cost per week</b>	<b>£29,116.19</b>
<b>Net cost to local authority per week (deduction of Health contributions)</b>	<b>£21,393.00</b>
<b>Average cost per person, per week</b>	<b>£1,941.01</b>

64. Where this service is deemed appropriate, the Council will award the package to the provider offering best value in accordance with the framework's call-off methodology. The provider will receive a copy of the persons Support Plan to assess the likely staffing and skills required. Local supervision will ensure the care is appropriate. (This will be Lot 3 in the Framework).

(v) Clearer Work Allocation Processes

65. A 'call off' process is the term used to describe how individual packages of care will be awarded to a provider once appointed to the framework. To continue to ensure fairness and transparency within the Framework, a new 'call off' process will be implemented and included in the published Tender documentation.
66. The process will be administered by a team of experienced Brokers within the Council.

#### (vi) Pricing

67. The pricing from July 2026 (when the new Framework will commence) will be modelled on the existing zone structure. The prices stipulated in the tender documentation will be the 2025/2026 prices and may be subject to an inflationary uplift in April 2026. The prices from July 2026 will therefore be as a minimum:

	Urban	Fringe	Rural	Isolated
2025/26 hourly rate	£25.27	£26.36	£29.39	£32.71

68. Hourly rates reflect additional travel times and employment costs for delivering in non-urban areas; incrementally from Fringe through to Isolated areas.
69. The home care hours over the last 12 months (May 2024 – May 2025) across the four bandings are shown in the table below:

	Urban	Fringe	Rural	Isolated	Total
Annual Hours	1,315,244	284,820	153,748	32,103	1,785,915
Percentage	73.6%	16.0%	8.6%	1.8%	100%

70. Home care is a strategically important contract for the Council in order to maintain individual wellbeing and promote people's independence and is key in supporting the wider Adult Social Care system. Market stability and growth are crucial to ensure future provision across the duration of the contract.
71. The price range across the East Midlands region over the past 12 months is an average of £20.09 to £25.97. Leicestershire rates are in the upper range across the region which has ensured that the home care market is both healthy and sustainable for providers. County Councils typically pay higher rates than more urban areas due to the geographical spread of residents which increases the cost of delivering care services.

#### *Approach to pricing*

72. As detailed in paragraph 67 the approach to pricing focusses on a fixed price methodology, consistent with the current framework. consideration has been given into a range of approaches to pricing including individual provider rate

submissions, however the continuation of a fixed price approach is determined as appropriate.

73. The home care market in Leicestershire is sustainable and supports the Council's strategic approach and, in particular a strong home care market promotes people's independence and reduces the need for higher cost residential placements.
74. The prices within the tender have been independently assessed and scrutinised to ensure that:
  - Providers are able to pay the National Living Wage (or above) to care staff.
  - New increased national insurance costs are absorbable within the rates.
  - Mileage and any down time (time between calls) is paid to care workers.
  - Office/overheads and rota management systems (usually through software and care co-ordination staff) is robust.
  - Providers are able to operate on a realistic surplus of between 4% and 5%.
  - The quality of care and care delivery is achievable within the rate.
  - The Council are confident that it is paying a fair cost of care to the home care market.
75. Whilst introducing an element of pricing competition potentially offers some benefit, it also introduces a number of risk factors which have been considered, namely:
  - a) the possibility of unsustainable bids from providers.
  - b) the prices quoted do not allow for a fair cost of care and thus a fair payment to care workers.
  - c) the removal of a strong home care market and consistent availability of care (a number of areas across the country have a lack of available home care capacity).
  - d) the reduction in the quality of care provided
76. Following discussion by the Adults and Communities Overview and Scrutiny Committee, officers have explored potential opportunities for in-year/in-contract financial mitigations to benefit the Council.
77. Additional wording will be considered with legal services when finalising the Framework Agreement as to the possibility of allowing the Council to approach providers where mutual financial benefits are apparent during the contract.
78. Additional wording will be considered with legal services when finalising the Framework Agreement to detail the Council's approach to both yearly inflation/price adjustments emphasising the expectation of provider efficiency and continuous improvement as part of delivering the contract.

#### (vii) Quality Standards

##### *Provider contract visits*

79. A significant amount of quality assurance is conducted through the activities of the Adult and Communities Department's Quality and Contracts team. Its remit includes the contract management of all home care providers on the Framework, non-Framework providers (operating under a legacy agreement) and exception providers (who meet very specialised needs). Of the 87 current active Framework providers, the Quality and Contracts team have assessed that 69 are compliant with the contract requirements.

Total Home Care Contracted	Registered in Leicestershire	Outcome of last Quality and Contract visit		
		Compliant	Not Compliant	No Outcome
96	37	69	12	15*

*\*15 home care providers have had no work for over 12 months or have never picked up any packages.*

80. The Care Quality Commission (CQC) is the regulator for Adult Social Care provision across the country. The most recent ratings for home care providers contracted by the County Council are as follows:

CQC rating – Home Care				
Outstanding	Good	Requires Improvement	Inadequate	Not rated
0	66	19	0	11

81. During contract monitoring, people using the service are contacted by officers by telephone for their feedback. The questions asked are based on key areas within the contract such as timeliness of provision, if people being supported in the way they want to be, and if people are given choices. As this is a conversation, further questions can be asked if the person indicates dissatisfaction with any aspect. The feedback is anonymised in the contract monitoring report given to providers.
82. As a result of the feedback, changes have been made in the way providers work, including collecting feedback from people on the service they have received, improved punctuality of calls, changes in how staff support people including people being given more choices over their care and support provider. Furthermore, questionnaires will be available for people to feedback at any point to the Quality and Contracts team. This can be used as part of intelligence gathering about a provider, prior to a Contract visit being completed.
83. Providers rated as 'Inadequate' by the CQC will not be awarded a place on the Framework. Providers already on the Framework which are subsequently assessed by CQC as 'Inadequate' will be suspended from providing additional packages until they have made the necessary improvements and the Council will determine other actions as appropriate in the circumstances.

84. The Council may also, where it has other concerns about a particular provider, exercise its contractual right to suspend that provider, issue a notice to remedy a breach or terminate the arrangement as appropriate in the circumstances.

(viii) Mandatory training requirements for manual handling

85. Engagement has taken place with people who use home care as part of the recommissioning process (please see Engagement section below). One issue arising from this was a request that manual handling training is conducted in the first instance in person to ensure safety and quality this element. Subsequent training can be delivered by e-learning.
86. People have asked that paid carers experience the practical implications of being hoisted and repositioned themselves. Being moved in this way causes anxiety for many people and it is crucial that it is done carefully and with dignity and respect. The Council's Learning and Development Team have committed to ensuring sufficient courses are available to implement this change.

**Engagement**

87. Engagement with users and providers of home care is part of an ongoing commitment to improvement.
88. The Diversity in Home Care Representative Group is a local group, composed of individuals who use home care services, carers, officers, and providers. The group is dedicated to promoting cultural sensitivity in home care while advocating for enhanced training, dignity in care, and stronger communication between service users and home care workers.
89. The Provider Forum is a regular meeting open to all home care providers. It serves as a platform for discussion, collaboration, and updates on key industry and market developments.
90. The Adults and Communities Department uses Continuous Satisfaction Monitoring to engage with individuals receiving services, which includes:
- *Mandatory Service Reviews* – Regular assessments of care and support provided to service users, to ensure quality and effectiveness;
  - Enhanced Review Forms on the Council's adult social care case management system.
91. Other engagement activities include:
- *Partner Collaboration* - Regular updates and engagement are maintained with key partners such as the Integrated Care Board and Leicestershire Partnership NHS Trust particularly on cross-cutting matters like delegated healthcare tasks.
  - *Voluntary Sector Involvement* - this has been facilitated through Voluntary Action Leicestershire, which has disseminated key messages.

- A series of procurement engagement sessions have taken place, attended by a diverse range of voluntary sector organisations.
92. Overall, the recommissioning of home care has been positively received. Stakeholders acknowledge the focus on continuous improvement and value for money, reinforcing a commitment to enhancing service quality and effectiveness.

### **Comments from the Adults and Communities Overview and Scrutiny Committee**

93. The Adults and Communities Overview and Scrutiny Committee considered the approach to the procurement of home care at its meeting on the 2 June 2025. Arising from discussion the following points were made:
- i. A Member questioned the tendering process and the approach taken to provide prices to suppliers in advance. It was suggested that this did not provide the Council the opportunity to reduce its costs and ensure it was getting best value. It was reported that some Councils would go out to the markets with a range of prices. However, having undertaken work with an independent organisation the advice had been to find the optimum rate to ensure a quality service could be secured which ensured staff would be paid a reasonable wage, travel time and mileage was covered, and allowed a provider to adequately train and support their staff. By pitching at a sustainable price, the Council was more likely to secure a reasonably priced, long term sustainable service. It was noted that cheaper offers could often result in lower quality services being procured with less security over the long term which risk impacting service users. In addition, providers would have to score a minimum of the marking system during the tender process, for example, CQC rating.
  - ii. The Authority had a quality assurance process. If a provider was non-compliant, the authority could 'breach' the contract, namely suspend new activity, apply sanctions to limit activity, develop and action plan to improve the service, or terminate the contract. It was explained that with the quality assurance process and Framework followed, a lot of focussed work and resources went into ensuring providers could improve without necessarily terminating a contract. This ensured greater stability for service users. The approach taken depended on the circumstances of each case.
  - iii. Members were reassured that during the tendering process there was a requirement for continuity of care for vulnerable people, with regards to staffing models, rotas and how people were employed.
  - iv. Members queried the cost of support by the Quality Team to businesses providing inadequate care. It was reported that the Team was part of the service offered to businesses, so whilst guidance and support was provided, it was the provider's responsibility to implement actions in the plan. Members' general feeling was that quality was key and commercially

the Authority should look at a process that penalised underperforming providers, which as a business should be written into any tender, and as the Authority was facing financial restriction it should not pay for another organisations' inadequacies.

### **Conclusion**

94. The commissioning intentions of Home Care for Leicestershire have been developed by an array of experienced professionals within the Council, people who use home care, providers and carers. The rationale for the procurement strategy including the fixed pricing will deliver a sustainable market in Leicestershire whilst continuing to offer good value for money and to meet the increasing demand for this service.
95. The Cabinet and the Adult and Communities Overview and Scrutiny Committee will be updated with the result of the procurement exercise following the award of contracts in the spring of 2026.

### **Equality Implications**

96. A comprehensive action plan has been developed as part of the Equality Impact Assessment (EIA), ensuring it is informed by the experiences and needs of people who use home care. The EIA was approved in April 2025. The assessment concluded that the proposals would have a neutral impact on people with protected characteristics as home care is accessible to all people with eligible social care needs. The accompanying action plan will ensure continuous improvement to services including accessibility to support and developing the workforce.

### **Human Rights Implications**

97. There are no human rights implications arising from the recommendations in this report as people with eligible social care needs will remain eligible for home care.

### **Health Implications**

98. A 'Health in All Policies' form has been completed and considered to ensure health inequalities are tackled wherever possible through this commissioning process.
99. People who receive home care often have health needs in addition to social care needs. The Framework for Integrated Personalised Care is a joint approach by the Leicestershire, Leicester City and Rutland Councils and the Integrated Commissioning Board to delegating support tasks from health to social care. The approach sees a multi-disciplinary approach to support planning. This requires training to be delivered consistently to home care providers so that they may support people with tasks such as applying steroid based creams, administering eye/ear drops, monitoring the condition of skin, assisting people to eat who are at risk of choking, using NHS provided

equipment to lower the risk of pressure sores, managing stoma, colostomy, ileostomy and urostomy care systems, and undertaking blood sugar finger pricks for the management of diabetes.

100. In addition, where a person has Continuing Health Care needs, the ICB has jointly commissioned home care providers to support demand for certain patient pathways for example end of life, where they need to implement a service quickly.

### **Environmental Implications**

101. The delivery of home care requires workers to travel from a base to the persons home and subsequently to other home care calls. This is rostered by the provider to maximise efficiency of resources such as time, mileage and cost.
102. The home care Framework is designed to support working in particular zones to be as efficient as possible and in principle the zone working approach incentivises working locally.
103. Providers are encouraged to use car sharing, electric vehicle lease schemes, walking and cycling between care runs wherever possible to reduce their carbon footprint and to make care runs as efficient as possible.

### **Partnership Working and Associated Issues**

104. The Integrated Commissioning Board are seeking their own sign off to enable them to join this proposed procurement process. This is to enable joint working for people who receive Continuing Health Care funding.

### **Background Papers**

- Report to the Cabinet: 7 February 2020 – Commissioning and Procurement of Home Care Services Post November 2020 - <https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=5992&Ver=4>
- Report to the Cabinet: 23 June 2020 – Commissioning and Procurement of Home Care Services Post November 2020 -Proposed Deferral Arising from Covid-19 <https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=5996&Ver=4>
- Report to the Cabinet: 26 October 2021 – Commissioning and Procurement of Home Care Service Post November 21 – Proposed Interim Arrangements – Exempt report <https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6447&Ver=4>
- Care Act 2014 - <https://www.legislation.gov.uk/ukpga/2014/23/contents>
- Procurement Act 2023 - <https://www.legislation.gov.uk/ukpga/2023/54/contents>
- Report to the Adults and Communities Overview and Scrutiny Committee: 2 June 2025 – Home Care for Leicestershire Procurement <https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=1040&MId=7853&Ver=4>



- Implementing the Employment Rights Bill: Our Roadmap for Delivering Change, July 2025  
<https://assets.publishing.service.gov.uk/media/686507a33b77477f9da0726e/implementing-the-employment-rights-bill-roadmap.pdf>

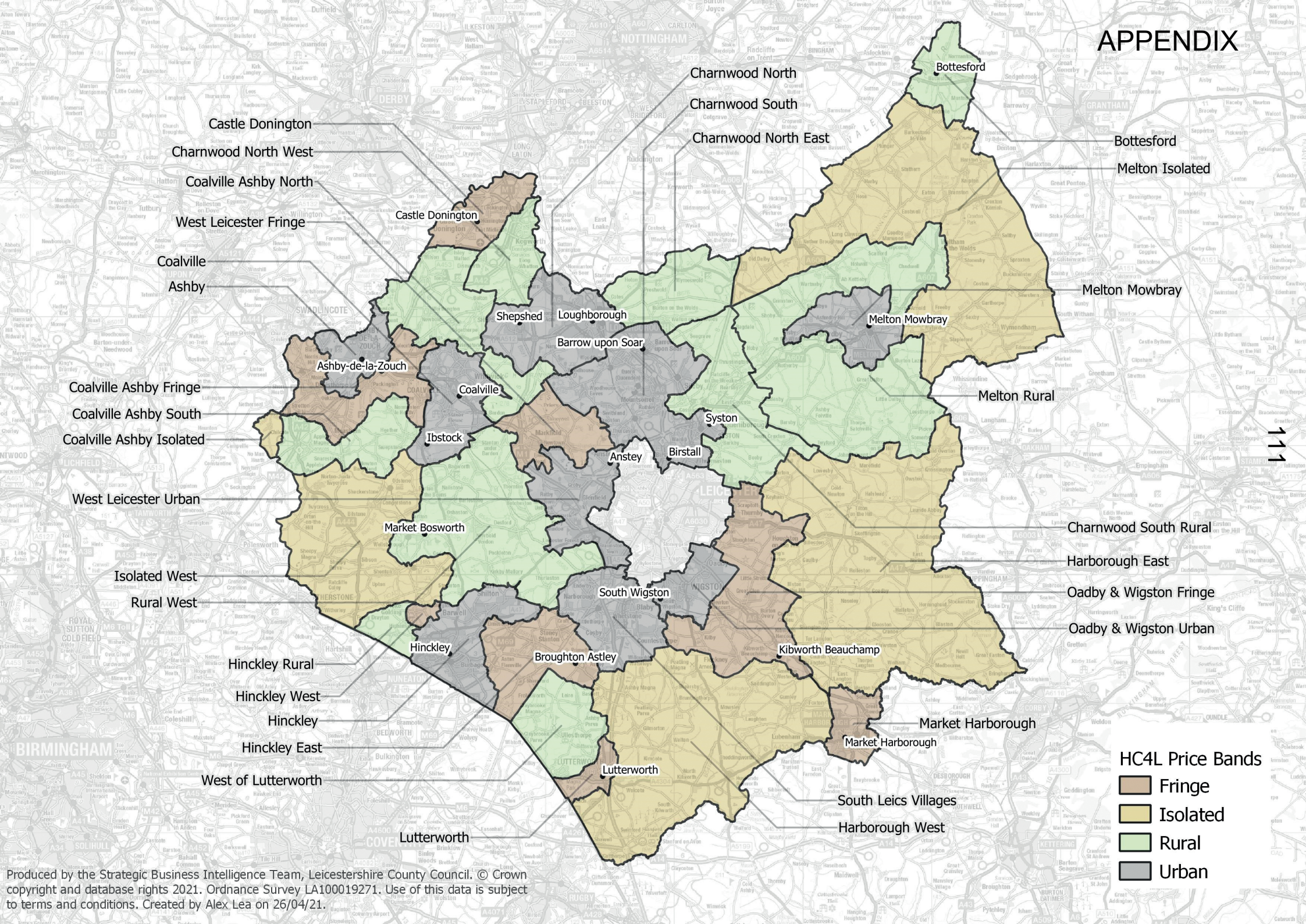
## **Appendix**

Map of Current Price Zones across Leicestershire

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# APPENDIX





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**CABINET – 15 JULY 2025****TRANSITIONING TO A BANDED MODEL FOR EDUCATION HEALTH  
AND CARE PLAN (EHCP) FUNDING****REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY  
SERVICES****PART A****Purpose of the Report**

1. The purpose of this report is to seek Cabinet approval to consult with Leicestershire schools on moving to a banded model for assessing needs and determining top-up funding for Education, Health and Care Plans (EHCPs) for children and young people with Special Educational Needs and Disabilities (SEND).
2. The report outlines proposed changes to the way in which the Council determines the funding allocated to schools for supporting children and young people with SEND who have an EHCP.

**Recommendations**

3. It is recommended that the Cabinet:
  - (a) Approves a consultation exercise on moving to a banded model for top-up funding of EHCPs;
  - (b) Approves the delegation of authority to the Director for Children and Family Services, following consultation with the Lead Member for Children and Family Services, to implement a banded model for needs assessments and top-up funding for EHCPs subject to no significant issues/concerns having arisen from the consultation.

**Reasons for Recommendation**

4. Adjustment of the existing top-up funding model for EHCPs will enable educational settings to offer more flexible, creative, meaningful and relevant support options which can be tailored to an individual child's needs or to a group of children with similar needs. Banding using needs descriptors (specific definitions to identify levels of need) offers a transparent methodology to families, schools and practitioners on support required to help

children and young people with an EHCP to meet their educational, health and social care needs and how funding for this support will be allocated.

5. A consultation with schools on the proposed needs descriptors and banding approach will seek their support for the proposals, and feedback from schools will be used to shape the approach to implementation.
6. Delegation to the Director to proceed with the new model, subject to there being no significant concerns arising from the consultation, will enable the implementation of a banded model to be expedited and introduced in mainstream educational settings from early in the 2025/26 academic year.

### **Timetable for Decisions (including Scrutiny)**

7. Subject to the Cabinet's approval it is proposed that the consultation exercise will take place from 1<sup>st</sup> September to 12<sup>th</sup> October 2025 (6 weeks). The Schools Forum will receive a report on the proposals at its meeting on 9<sup>th</sup> September 2025.
8. It is intended that the findings of the consultation will be considered by the Director and Lead Member for Children and Family Services in late October 2025. Should the consultation support the proposals, implementation of a banded model for EHCPs within mainstream educational settings will commence from November 2025 onwards. In the event that the consultation exercise identifies significant issues or concerns with the new model then a further report will be made to the Cabinet.

### **Policy Framework and Previous Decisions**

9. The Children and Families Act 2014 sets out the legal duties that Local Authorities and Integrated Care Boards must fulfil for children and young people with SEND aged 0-25. This includes a duty to identify and assess the SEND of children and young people in their area when they become aware that they have or may have SEND, and to provide special educational provision where this is identified in an EHCP.
10. The SEND Code of Practice 2014 sets out the statutory guidance for supporting children and young people with SEND. This includes the legal framework for making decisions around requests for Education, Health and Care Needs Assessments (EHCNAs).
11. The Cabinet at its meeting on 7<sup>th</sup> February 2025 considered a report on the Council's Provisional Medium Term Financial Strategy (MTFS) and noted the significant financial challenges facing the Authority, including a growing deficit in the High Needs Block of the Dedicated Schools Grant (DSG).
12. The Cabinet agreed the SEND and Inclusion Strategy 2025-2028 at its meeting on 17<sup>th</sup> June 2025. The proposal to introduce a banded model for EHCP assessment and funding directly supports the delivery of actions within Section 5 of the Strategy.

13. This proposal is aligned with the ambitions set out in the Children and Family Services Department Plan 2024-26 and the County Council's Strategic Plan 2022-26.

### **Resource Implications**

14. The proposed banded model for assessments and top-up funding of EHCPs will enable a transparent methodology for allocation of funding linked to needs descriptors and enable educational settings to use funding more flexibly to best meet the needs set out in EHCPs.
15. The implementation of a banded model will be cost-neutral, with the funding for each needs band to be based on an average of existing funding for equivalent Learning Support Assistant support hours. Budget and performance monitoring will ensure the model remains cost-neutral in the months immediately following implementation, and an annual review of funding for each band will ensure funding continues to be allocated appropriately.
16. There is a risk of increased casework and management costs during the transition phase for existing EHCPs transferring to the proposed banding model. This will be mitigated by staggering the implementation of banding, starting with existing EHCPs for children in mainstream educational settings, capitalising on annual reviews undertaken during the academic years 2025/26 and 2026/27. Additional mitigation will be provided through planned improvements to the efficiency and effectiveness of EHCP assessment and review processes including the use of digital solutions, making use of additional temporary funding such as through the Change Programme Partnership to accelerate implementation where this is available.
17. The Director of Law and Governance and the Director of Corporate Resources have been consulted on this report.

### **Circulation under the Local Issues Alert Procedure**

18. This report will be circulated to all Members of the County Council.

### **Officer(s) to Contact**

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## **PART B**

### **Background**

19. SEN (Special Educational Needs) support in schools is extra help given to children who have learning difficulties or disabilities that make school more challenging for them. This help is additional to, or different from, the support given to most other children of the same age. Schools provide this support through their ordinary available offer which can include, for example, adapted lessons or extra resources.
20. Where, despite the school having taken action to identify, assess and meet the SEND of the child or young person, they have not made expected progress, the school or parents can request an Education, Health and Care Needs Assessment (EHCPNA) which will be used by the local authority to decide whether it is necessary for an EHCP to be put in place. An EHCP is a legal document that helps children and young people aged 0-25 with SEND get the right support. These Plans set out the education, health and care outcomes that will enable the child or young person to progress in their learning and, as they get older, to be well prepared for adulthood.
21. The number of children and young people with EHCPs has grown annually at a national and local level since the introduction of the SEND Code of Practice changes in 2014. Based on the latest published data, the number of EHCPs in England rose 149% between 2016 and 2025; Leicestershire saw a 140% increase from 2,995 to 7,196 EHCPs over the same time period.
22. At the end of March 2025, 3,468 (around 50%) of children with EHCPs attended mainstream schools in Leicestershire.
23. Despite substantial increases in government funding for High Needs, funding has not kept pace with the increase in children and young people with EHCPs. The Institute for Fiscal Studies in their [report](#) of December 2024 noted that nationally, per-EHCP funding has fallen by around a third in real terms between 2015/16 and 2024/25.
24. A move to a national system of banding and top-up funding for EHCPs has been explored by the Change Programme Partnership - a national programme which is testing potential SEND reforms on behalf of the Department for Education (DfE).

### **Current Funding Process for EHCPs in Mainstream Schools**

25. In England, funding for pupils in mainstream schools and academies with SEND comes from different 'blocks' within the Dedicated Schools Grant (DSG) provided by the DfE either directly to schools or via the Local Authority:
  - The **Schools block** includes universal per-pupil funding and a delegated notional SEND budget of £6,000 per pupil with additional



needs. Schools block funding is provided to schools as part of the annual DSG grant allocation.

- The **High Needs block** is provided for pupils with more complex SEND and funds the top-up cost (additional variable cost) which when added to the delegated SEND funding will fund the cost of meeting the needs of children and young people set out in their EHCP in a mainstream school. High Needs block funding is allocated on an individual child basis to schools as agreed through their EHCP following a request for an EHCNA. Once agreed, the EHCP is reviewed and updated at least annually to ensure it continues to reflect the needs and support requirements of the child.
26. Leicestershire's DSG allocation for 2025/26 is £790.7m, of which £117.4m is allocated to High Needs.
  27. In order to determine the top-up amount payable to mainstream schools to support children and young people with an EHCP, their support requirements are currently expressed in terms of Learning Support Assistant (LSA) hours. For example a child considered to need full time one-to-one support in the classroom would be assessed as needing 32.5 hours of LSA support, and top-up funding would be allocated to the school accordingly.
  28. Schools have indicated they are in favour of transition to a banded model for EHCPs. Schools note that the existing methodology for developing EHCPs and allocating funding can be restrictive, limiting their ability to offer more flexible, creative, meaningful and relevant support options which can be tailored to an individual child's needs or to a group of children with similar needs. There is an expectation from families that the allocated hours are used to provide an LSA directly supporting their child for the full number of allocated hours, however other support may be more beneficial for some children, for example counselling for children who have experienced trauma for which there is no budget.
  29. Research set out in the March 2025 [report](#) by The Education Endowment Foundation also confirms that high-quality teaching, rather than support from LSAs, is the most important lever to improving educational attainment and future outcomes for pupils with SEND. The report notes that assigning LSAs to support specific pupils for long periods can unintentionally hinder access to high-quality teaching for these pupils, with research demonstrating that this can reduce their confidence in learning independently and become a barrier to progress.

### **Current Funding Process for EHCPs in Specialist Educational Settings**

30. Children and young people with EHCPs whose needs require a more specialist educational setting are funded in a slightly different way to those within mainstream settings.

31. Both specialist units and special schools attract £10,000 basic per-pupil annual funding as standard, with additional support costs paid to providers through a High Needs block top-up as per mainstream pupils. This is paid either as a fixed cost per pupil or using an existing specialist needs banding system.

### **Proposed Banded Approach to Assessment and Top Up Funding of EHCPs**

32. There is no standard national model for assessing support needs and assigning top-up funding by using 'bandings' rather than support hours, with a number of models actively used across many local authorities in the UK. Models are usually based on needs descriptors to determine which band a child's needs should be allocated to for the purposes of support. Needs descriptors are specific definitions which allow professionals to assess which bands a child or young person's needs fits into. Banding categorises the needs to a specific and appropriate recommended threshold of support.
33. Banding using needs descriptors offers a transparent methodology to families, schools and practitioners on support required to help children and young people with an EHCP to meet their educational, health and social care needs and how funding for this support will be allocated. This approach also enables a move away from a system that describes prescribed 'hours' towards a system that provides schools with a flexible pot of funding to support the child to achieve the outcomes identified in their EHCP in the way that best suits their needs.
34. Leicestershire has developed a banded model based on needs descriptors, working with colleagues across Leicester City and Rutland County Councils to build in best practice learning through the Change Programme Partnership. The proposed Leicestershire model appended to this report has been co-produced with schools to ensure it closely matches need types and appropriate support offers as they are available within the County. Leicestershire's proposed needs descriptors are largely aligned to those developed for Leicester City.
35. The proposed model includes provision mapping which will enable the County Council to align a consistent level of provision against the four SEN categories of need identified in the banding framework (Cognition and Learning, Communication and Interaction, Social, Emotional and Mental Health, and Sensory and/or Physical Needs). Provision means any support identified to support a child with SEND and is not specific to a particular setting type.
36. The move to a banded model will simplify the existing top-up funding models across mainstream, specialist units and special schools into a common banding system which will operate for all education providers. This will improve the consistency and efficiency of funding and offer greater flexibility and economies of scale for schools.
37. The banded model proposes a set amount of top-up funding for each of the proposed new bands (A-G) which would be applicable regardless of the

setting the child is educated in. The amount to be paid for each band will be based on the current average cost for support provided to children and young people with equivalent needs and support requirements based on the current LSA-hours-based model.

### **Approach to Implementation**

#### **New EHCPs**

38. Assuming approval is given to proceed with implementation, it is intended that all new requests for EHCNAs from November 2025 will use the new needs descriptors to identify the most appropriate banding to provide support.

#### **Existing EHCPs for children in mainstream schools**

39. As Leicestershire has 8,111 EHCPs as at 3<sup>rd</sup> July 2025, which will all need to be transitioned to a new banded model, it is proposed that implementation will be through a phased approach in order to reduce the amount of additional work for case managers within the SENA [assessment] service, initially focused on mainstream EHCPs which make up around 50% of the total.
40. It is proposed that existing EHCPs for mainstream schools will be transferred to the new banded model at the point of the annual review of the EHCP. A pilot with a small number of cases will be undertaken during August 2025 to help inform the implementation planning for the wider cohort of EHCPs.
41. From November 2025 and during the 2025/26 academic year, it is planned that transitions to new EHCP banding will be undertaken for children in phased transfer years at mainstream schools when their EHCPs are reviewed, followed by children in Secondary Schools. The EHCPs for remaining children at Primary Schools will be transitioned to the new EHCP banding from 2026/27.

#### **Existing EHCPs for children in specialist settings**

42. Some EHCPs for children in specialist settings are already based on an existing banded model, however this is not directly aligned with the new proposed bands and needs descriptors. Therefore, all specialist EHCPs will need to be updated through annual reviews.
43. It is intended that existing EHCPs for children in specialist settings will be transferred onto a new banded model as part of a second phase of implementation, the timing of which will be dictated by progress with transitioning mainstream EHCPs.

### **Consultation**

44. The proposed needs descriptors and approach to banding have been co-produced with schools. The proposals have subsequently been soft tested

with a sample of schools across Leicestershire and have been positively received.

45. It is proposed to hold a 6-week consultation with schools on the proposed needs descriptors and approach to banding through an online survey which will be publicised through Head Teacher briefings and meetings of school leaders and school SENDCOs (Special Educational Needs and Disabilities Coordinators) during September. Subject to the Cabinet's approval this will commence on 1<sup>st</sup> September 2025 following the commencement of the new school year and run until 12<sup>th</sup> October 2025. As indicated previously, the Schools Forum will receive a report at its meeting in September.
46. It is intended that the findings of the consultation will be considered by the Director and Lead Member for Children and Family Services in late October 2025 and subject to this being supportive of the proposals, the new model will begin a phased implementation from November 2025.

### **Equality Implications**

47. There are no equality implications arising from the recommendations in this report.
48. The introduction of needs descriptors and a banded model for EHCPs will positively impact the quality of EHCPs, ensuring consistent and transparent decision-making processes and offering flexibility for schools in how the needs of children and young people can best be supported. Improved support for children and young people with EHCPs will better enable them to meet the education, health and care outcomes detailed in their EHCPs.

### **Human Rights Implications**

49. There are no human rights implications arising from the recommendations in this report.

### **Partnership Implications**

50. The needs descriptors include considerations of the education, health and social care needs of the child or young person which will be used to determine the appropriate banding for their needs and the associated support that should be provided as set out in the provision map. Health and social care colleagues will continue to provide specialist advice as part of the EHCNA process using existing processes, which will be used to allocate the child's needs into an appropriate band and to produce an EHCP where this is agreed to be issued.

### **Background Papers**

Report to the Cabinet on 17 June 2025 "Special Educational Needs and Disabilities (SEND) And Inclusion Strategy 2025-2028"

<https://cexmodgov01/ieListDocuments.aspx?CId=135&MId=7877>

Report to the Cabinet on 7 February 2025 “Provisional Medium Term Financial Strategy 2025/26 to 2028/29”

<https://cexmodgov01/ieListDocuments.aspx?CId=135&MId=7873>

Report to the County Council on 18 May 2022 “Leicestershire County Council's Strategic Plan 2022-2026”

<https://cexmodgov01/ieListDocuments.aspx?CId=134&MId=6482>

## **Appendix**

Proposed banding matrix needs descriptors

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# Leicestershire County Council Banding Matrix Needs Descriptors

NEEDS DESCRIPTORS						
Band A <i>Universal Offer</i>	Band B <i>SEN Support</i>	Band C <i>High Needs</i>	Band D <i>High Needs</i>	Band E <i>High Needs</i>	Band F <i>High Needs</i>	Band G <i>High Needs</i>
1 COGNITION AND LEARNING						
2 COMMUNICATION AND INTERACTION						
3 SOCIAL, EMOTIONAL AND MENTAL HEALTH DIFFICULTIES						
4 SENSORY AND/OR PHYSICAL NEEDS						

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**Needs Descriptor - Matrix**

<b>COGNITION AND LEARNING</b>						
<b>Band A</b> <i>Universal Offer</i>	<b>Band B</b> <i>SEN Support</i>	<b>Band C</b> <i>High Needs</i>	<b>Band D</b> <i>High Needs</i>	<b>Band E</b> <i>High Needs</i>	<b>Band F</b> <i>High Needs</i>	<b>Band G</b> <i>High Needs</i>
<p>Cognitive abilities within broad average or close to average ARE levels (or equivalent for EY and post 16).</p> <p>Some CYP may present with some learning delay, show difficulties with conceptual understanding in some elements of the core curriculum.</p> <p>Attainment levels may be more than 1 year below average (or 6mths in EY). Progress data may be below the year group they are working in, but they respond to High Quality Teaching (HQT) + short, targeted intervention and is making progress over time, indicating CYP is responding well to interventions put in place.</p> <p>CYPs may have some difficulty organising written work, expressing and/or recording ideas.</p> <p>Requires a generally planned curriculum and general support to engage in learning, however, responds well to adaptive teaching.</p> <p>Can complete work set without, in the most part, direct adult supervision</p> <p>EY: accessing range of play activities independently</p> <p>EY: follows routines of setting independently, possibly with support of visuals</p> <p>EY: a child working at or above half their age in all most areas of development</p>	<p>Attainment is at lower level than majority of peers even with additional support.</p> <p>CYPs may present with an uneven profile.</p> <p>CYPs with specific learning difficulties may experience discrepancy between oral and literacy skills. Some CYP may grasp mechanical skills but lack comprehension e.g., reading, maths.</p> <p>Some language and communication difficulties.</p> <p>Some difficulties with concentration and retention and limited ability to transfer skills.</p> <p>Some difficulties in making and maintaining friendships and relationships.</p> <p>Some delay in fine and gross motor skills.</p> <p>May need some additional support to develop independence in organizational skills and personal care needs.</p> <p>Concerns about rate of progress, generalising and retention of skills and information</p> <p>May need modification of the curriculum with programmes of learning to develop literacy and/or numeracy skills, with adaptive teaching styles.</p> <p>Responds to interventions over a period of 2 terms</p> <p>EY: accessing range of play activities with some guidance from adults</p>	<p>Working significantly below ARE in most subjects for example:</p> <ul style="list-style-type: none"> <li>End of EY – 50%/2years + delay</li> <li>End of KS1 – working at PKS1</li> <li>End KS2 – working at end of KS1</li> <li>End KS3 – working emerging KS2 (year 4 or below)</li> <li>End KS4 – working at end of KS2</li> <li>Post 16 – in addition to the above level consider learning pathways e.g., vocational learning programmes.</li> </ul> <p>Attainment in the low range on standardised assessments</p> <p>CYPs with specific learning difficulties may have very weak phonological skills and great difficulty retaining a basic sight vocabulary.</p> <p>Significant difficulties retaining skills and information, and with processing new information, may be manifested as difficulties with attention and concentration and keeping up in class or staying on task.</p> <p>May have difficulties in generalising and applying new skills</p> <p>Sensory processing difficulties including auditory processing and visual and poor working memory, requires alterations to the curriculum to enable a slower pace of learning with a more functional based curriculum.</p> <p>There may be examples of frustration and evidence of more insecure self-esteem caused by the learning difficulties.</p>	<p>Attainment in the very low range on standardised assessments</p> <p>Will need some individual teaching time in a distraction free environment and within the class will require an individual approach to enable learning to take place</p> <p>Does not usually engage in learning without adult input.</p> <p>May need more significant adaptations to curriculum and teaching including language/vocabulary acquisition</p> <p>or</p> <p>May need significant mediation of the language environment, simplification of instructions with visual cues?</p> <p>Responds best to a highly personalised curriculum and adapted teaching styles</p> <p>EY: A child who is not making progress despite interventions</p> <p>EY: A child who has significant associated difficulties in speech and language and/or social emotional development</p> <p>EY: A child who requires significant support to engage in any adult led experiences</p> <p>EY: A child who is working at less than half their chronological age in the most areas of development</p>	<p>Significantly low range on standardised assessments</p> <p>Their pattern of progress differs to age related peers, despite interventions</p> <p>CYP finds it difficult in making inferences, generalisation and transferring skills</p> <p>CYP responds to a slower pace of learning with a more modified based curriculum for extended period.</p> <p>Pupils who need a developmental curriculum for the large majority of the time, focusing on stage approach and no age approach.</p> <p>Requires a curriculum with significant elements of individual planning which requires constant individual support or monitoring</p> <p>Requires a curriculum with significant elements of individual planning which requires constant individual support or monitoring to engage in learning</p> <p>EY: A child who is not making progress or is regressing despite interventions</p> <p>EY: A child who has significant associated difficulties in speech and language and/or social emotional development</p> <p>EY: A child who requires significant support to engage in any adult led experiences</p> <p>EY: A child who needs adult support to engage in play-based activities</p>	<p>Band E plus additional significant needs in other areas of SEN in mobility and coordination, communication, or acquisition of self-help skills.</p> <p>Sensory seeking /avoiding presentation limit engagement in learning and impact across the whole school day but can be managed to support learning and development of functional skills.</p> <p>When significant tailored provision is in place, the CYP can remain focussed for extended periods of time within the school day.</p> <p>EY: A child who has significant associated difficulties in speech and language and/or social emotional development</p> <p>EY: A child with profound, complex needs which may require enhanced or specialised provision, with personalised programmes of support delivered by staff with a high level of expertise.</p> <p>EY: Child requires a high level of support to access learning and make progress</p> <p>EY: A child who is working at below a third of their chronological age in three or more areas of development</p>	<p>Has a range of significantly complex needs, including Cognition and Learning</p> <p>Functioning at early developmental level</p> <p>Due to level of learning difficulties unable to accomplish personal care, self-help and independence skills throughout the EY/school/college day</p> <p>Sensory seeking /avoiding presentation prevent any engagement in learning and impact across the whole school day but can be managed for short periods to support development of minimal functional skills.</p> <p>When significant tailored provision is in place, the CYP can remain focussed for short periods of time within the school day.</p> <p>Requires a curriculum with significant elements of individual planning, which requires close constant individual support to engage in learning</p> <p>EY: A child who is working at below a third of their chronological age in all areas of their development</p> <p>EY: A child who is not making progress or is regressing despite interventions</p> <p>EY: a child who needs a sensory based curriculum</p> <p>EY: a child who is reliant on adults to access any learning activities</p> <p>EY: A child with profound, complex needs which may require enhanced or specialised provision,</p>

	<p>EY: follows routines of setting, with adult support</p> <p>EY: A child who is working at half their chronological age or less in two or more areas</p> <p>EY: A child who is making little progress despite interventions</p> <p>EY: A child who requires some support to engage in any adult led experiences</p>	<p>May need alternative recording strategies to access the curriculum, with enhanced use of ICT</p> <p>Requires a generally planned curriculum with some individual elements; requires regular individual support to engage in learning.</p> <p>Learning needs regular individual support</p> <p>May need more finely graded and slower paced approaches, structured multi-sensory techniques, with more frequent repetition, reinforcement and over-learning to develop literacy/numeracy skills.</p> <p>Programme of study planning may need be overseen, and evaluated by SENCO with advice from external specialist</p> <p>EY: a child who is working at less than half their chronological age in three or more areas</p> <p>EY: A child who is not making progress despite interventions</p> <p>EY: A child who has significant associated difficulties in speech and language and/or social emotional development</p> <p>EY: A child who requires significant support to engage in any adult led experiences</p>		<p>EY: A child who needs adult support to follow routines</p> <p>EY: A child who is working at a third of their chronological age in three or more areas</p>		<p>with personalised programmes of support delivered by staff with a high level of expertise.</p> <p>EY child is dependent on adults for all aspects of self-care</p>
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*When assessing a CYP's needs, consider a true reflection of the child when working independently (without adult support). This will include consideration around the child's preferred learning style and adapting the curriculum to meet the CYP's learning style. This adaptation alone would be quality first teaching. It is important to think of the holistic view of the child, across the whole curriculum, including areas of strength and interest.*

COMMUNICATION AND INTERACTION						
Band A <i>Universal Offer</i>	Band B <i>SEN Support</i>	Band C <i>High Needs</i>	Band D <i>High Needs</i>	Band E <i>High Needs</i>	Band F <i>High Needs (complex)</i>	Band G <i>High Needs (complex)</i>
<p>Expressive and/or receptive language skills within average or close to average levels.</p> <p>May have difficulties with comprehension and ability to follow instructions, giving accounts of events and/or conveying more abstract and complex thoughts.</p> <p>May have speech immaturities or difficulties impacting on intelligibility in certain situations, or whose speech is unclear but improving (EYFS).</p> <p>Can communicate/be understood in certain situations (e.g. quiet space)</p> <p>May be reluctant to comment in class/group situations</p> <p>CYP may have needs within communication and interaction / a diagnosis but has competencies to support their ability to cope with the expectations of EY/school/college life.</p> <p>CYP may have a spikey developmental profile, with curriculum areas where they excel but others where the CYP does not excel in.</p> <p>Access to the curriculum should be within Age Related Expectations, but CYP may have barriers with demonstrating to non-preferred adults.</p> <p>A child is responsive to whole school and class-based approaches and interventions.</p> <p>CYP may experience low level/low frequency difficulties with following: classroom routines responding to social situations such as turn</p>	<p>Mild delay in expressive and/or receptive language and/or mild speech sound disorder that will require some intervention.</p> <p>Mild difficulties in processing and responding to verbal information. May have difficulties in understanding and following complex instructions.</p> <p>May have difficulties in using a range of grammatically correct sentence structures.</p> <p>May require additional support in new or changing environments/routines to meet social expectations.</p> <p>May show unusual aspects of speech such as unusual intonation, volume, rate echolalia and idiosyncratic phrases</p> <p>May benefit from a small amount of targeted communication aids (e.g. visuals), either through class teaching or environment.</p> <p>CYP needs targeted interventions and support for delayed social communication to reduce anxiety frustration or distress and impact on the ability to engage in learning and other activities.</p> <p>CYP needs targeted interventions and support for with initiating social interactions and/or decreased interest in social interaction, which may lead to difficulties forming and maintaining friendships.</p> <p>CYP benefits from a range of strategies to support transitions. Difficulties switching between activities.</p> <p>CYP may experience anxiety, present with under (hypo)</p>	<p>Moderate delay in expressive <u>or</u> receptive language and/or speech disorder</p> <p>Language abilities prevent effective age-appropriate communication.</p> <p>Difficulties in understanding and following instructions impacting on learning, independence, and social interaction.</p> <p>Considerable difficulty organising expressive language and making meaning clear</p> <p>Difficulties in understanding longer instructions and those with more complex grammar and vocabulary.</p> <p>Persistent difficulties with speech which impacts significantly on literacy skills. Some single words may be clear but connected speech remains poor. Speech may only be understood by familiar adults.</p> <p>Uses and understands language at a 4-5 word level at end of KS1</p> <p>CYP shows signs of anxiety or distress when faced with new people, places, events or when unsure what is going to happen.</p> <p>Limited ability to understand the impact of their actions on others.</p> <p>CYP have difficulties understanding social and physical risks. CYPs is isolated and may be vulnerable.</p> <p>Limited initiation of social interaction but can take part in some imaginative play if taught/supported but cannot develop this independently.</p>	<p>Uses and understands language at 1-2 word level at end of KS1. Communicates in phrases with signs / symbols or speech.</p> <p>The CYP would benefit from external support and should be sought to meet communication and interaction needs.</p> <p>Speech is difficult to understand. An alternative communication system may to be used to participate at the right level, e.g. Makaton</p> <p>Limited functional and social communication skills which impacts on the ability to engage in classroom activities and 'free' time.</p> <p>CYP experiencing distress when changing focus or moving between activities.</p> <p>CYP have difficulties understanding social and physical risks and their own vulnerability, severely limited ability to understand consequences and responsibility for actions. Does not show empathy</p> <p>Difficulties expressing emotions which may lead to distressed behaviours and increased anxiety</p> <p>CYP shows significant signs of anxiety or distress when faced with new people, places, events or when unsure what is going to happen.</p> <p>EY: A child with a confirmed diagnosis from a health professional of a communication difficulty/delay who may use alternative ways of communication, such as Makaton or PECS, and who also may be</p>	<p>Severely limited language in expressive <u>and</u> receptive language and/or speech disorder causing limited functional communication causing significant barriers to learning and social relationships.</p> <p>Uses basic verbal communication alongside non-verbal communications which may be unique and/or speech usage limited to familiar words used in context</p> <p>CYP likely to withdraw from communication in class, limited social interaction with language difficulties having significant impact on learning in all subjects.</p> <p>CYP may show signs of distress and confusion, likely to be misunderstood and respond unexpectedly.</p> <p>CYP likely to have ongoing work through multi-professional approach.</p> <p>Significantly limited social communication that restriction ability to manage emotions and cause regular high levels of distress and anxiety which presents significant barrier to their learning.</p> <p>Rigid, repetitive, or obsessional behaviours make it difficult to engage in learning. These can lead to severe anxiety, and distressed behaviour.</p> <p>Unable to reflect on consequences of his/her behaviour on others. Approach others paying little or no attention to their response. Unable to engage in most social activities.</p>	<p>Severe language and/or speech difficulties which affect their ability to communicate successfully with all but those most familiar to them, even with contextual support.</p> <p>Learning to use a mixture of speech and augmented/assistive communication systems to make needs/choices known.</p> <p>Despite an augments/assistive communication system in place, CYP is likely to experience difficulties experienced with communication, which may present through frustrations.</p> <p>Will have complex communication difficulties &amp; may communicate through other means then speech, e.g. iPad or similar communication aid (augmentative) as a primary means of communication. Will require an individual communication programme and technical support. If using a Speech Device this will have been recommended following an assessment external to the school (EATS and/or ATfEST).</p> <p>Profoundly limited social communication skills, which impact on all areas of learning and ability to function within the educational setting throughout the day including social times.</p> <p>Frequently anxious or frustrated, leading to frequent, and unpredictable, behaviours that jeopardizes the health and safety of self and others.</p> <p>CYP has significant difficulties in understanding and/or responding to their own emotions and the emotions of others.</p>	<p>Profoundly limited language skills; non-verbal and very limited or no understanding of language or other means of communication and faces difficulties in accessing supportive communication systems.</p> <p>Reliant on assistive and augmentative systems and familiar adults to enable them to make their needs and wishes known</p> <p>CYPs communicate by gesture, eye pointing or symbols</p> <p>Profoundly limited functional social communication skills which lead to daily, frequent high levels of distress and anxiety.</p> <p>Inability to tolerate any social interaction other than meeting own basic needs.</p> <p>Unpredictable, escalating and prolonged distressed behaviours throughout the day that jeopardises health and safety of self and others.</p> <p>Extremely high levels of anxiety which impact upon their wellbeing and ability to engage in all contexts.</p> <p>Extreme sensory challenges throughout the day.</p> <p>EY: This child has communication, social, behavioural and/or sensory needs, making their learning challenging. For example, a child who:</p> <ul style="list-style-type: none"> <li>• has difficulties following instructions, and classroom routines</li> <li>• needs adult support to start and maintain attention on a task</li> </ul>

<p>taking, reciprocal attention, sharing of resources, social isolation or low-level anxiety in social situations.</p> <p>Mostly confident with occasional difficulty integrating or fulfilling social activity</p> <p>EY: Child shows some delay in speech such as clarity Child may need support to understand and follow instructions</p>	<p>responsiveness and /or over (hyper) responsiveness to sensory input with unusual interest in sensory aspects of the environment.</p> <p>Will need reassurance on an occasional basis in order to cope with change</p> <p>CYP may have a spikey developmental profile, with areas where they excel but some areas where they are not within Age Related Expectations.</p> <p>EY: Child shows some delay in speech such as clarity Child may need support to understand and follow instructions</p> <p>EY: Child need some support to communicate/interact consistently with both adults and peers</p>	<p>May communicate with some signs and symbols and at age-appropriate level</p> <p>May benefit from bespoke communication aids (e.g. visuals), either through class teaching or environment.</p> <p>Graduated Response used to guide provision and response to CYP to support.</p> <p>EY: A child with a confirmed diagnosis from a health professional of a communication difficulty/delay who may use alternative ways of communication, such as Makaton or PECS, and who also may be presenting with social interaction and/or behaviour difficulties</p> <p>EY: Some difficulty with understanding and spoken language, when compared with age equivalent peers.</p> <p>EY: Impacts on accessing some other areas of EYFS.</p> <p>EY: Child experiences difficulties interacting/communicating with adults and/or peers</p>	<p>presenting with social interaction and/or behaviour difficulties</p> <p>EY: Obvious delay and difficulties with understanding and spoken language, when compared with age equivalent peers.</p> <p>EY: Impacts on access to all areas of EYFS without support</p> <p>EY: Child is unable to follow simple familiar instructions without adult support</p>	<p>CYP presents with under (hypo) responsiveness and /or over (hyper) responsiveness to sensory input, which may cause distress, in spite of interventions school are putting into place over a period of time.</p> <p>CYP has some difficulties in understanding and/or responding to their own emotions and the emotions of others.</p> <p>EY: A child with a confirmed diagnosis from a health professional of a communication difficulty/delay who may use alternative ways of communication, such as Makaton or PECS, and who also may be presenting with social interaction and/or behaviour difficulties</p> <p>EY: Obvious delay and difficulties with understanding and spoken language, when compared with age equivalent peers.</p> <p>EY: Impacts on access to all areas of EYFS without support</p> <p>EY: Child struggles to follow instructions and routines even with adult support</p> <p>EY: may have high expectations of themselves leading to an inability to attempt some tasks</p> <p>EY: may find it difficult to make and maintain friendships</p> <p>EY: may have good expressive skills which may mask underlying difficulties with comprehension</p> <p>EY: finds transitions difficult to manage, throughout the day and at major transition times</p>	<p>Demand avoidant, distressed behaviours with high levels of anxiety which severely disrupts learning.</p> <p>EY: child has communication, social, behavioural and/or sensory needs, making their learning challenging. For example, a child who:</p> <ul style="list-style-type: none"> <li>• is unable to following instructions, and classroom routines</li> <li>• needs adult support to start and maintain attention on a task</li> <li>• has made little or no progress within the curriculum, except in specific areas of strength or interest</li> <li>• has difficulties recognising their own and other's emotions, and regulating their emotions</li> <li>• has significant speech and language needs, pre-verbal or limited use of words</li> <li>• has significant difficulties with social use of language</li> <li>• may be single focused and find it difficult to accept change in routines,</li> <li>• unable to manage, throughout transitions, the day and at major transition times</li> <li>• may have a high level of sensory needs</li> <li>• has difficulties with self-regulating emotions/behaviour which has significant impact on learning and everyday life</li> <li>• may have emerging mental health difficulties: self-harm, irrational fears, risk taking</li> </ul>	<ul style="list-style-type: none"> <li>• has made little or no progress within the curriculum, except in specific areas of strength or interest</li> <li>• has difficulties recognising their own and other's emotions, and regulating their emotions</li> <li>• may have high expectations of themselves leading to an inability to attempt some tasks</li> <li>• may find it difficult to make and maintain friendships</li> <li>• pre-verbal or limited use of words</li> <li>• may be single focused and find it difficult to accept change in routines,</li> <li>• finds transitions difficult to manage, throughout the day and at major transition times</li> <li>• may have a high level of sensory needs</li> <li>• has difficulties with social understanding which may present as risky behaviours</li> <li>• has difficulties with self-regulating emotions/behaviour which has significant impact on learning and everyday life</li> </ul>
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SOCIAL, EMOTIONAL AND MENTAL HEALTH DIFFICULTIES						
<b>Band A</b> <i>Universal Offer</i>	<b>Band B</b> <i>SEN Support</i>	<b>Band C</b> <i>High Needs</i>	<b>Band D</b> <i>High Needs</i>	<b>Band E</b> <i>High Needs</i>	<b>Band F</b> <i>High Needs</i>	<b>Band G</b> <i>High Needs</i>
<p>CYP may experience low level/low frequency difficulties with:</p> <ul style="list-style-type: none"> <li>- self- worth and/or confidence</li> <li>- becoming anxious due to difficulties making and/or sustaining friendships.</li> <li>- following adult directions</li> <li>- working independently</li> <li>- motivation requiring frequent encouragement to stay on task</li> </ul> <p>CYP may withdraw or become stressed when faced with new/unfamiliar tasks</p> <p>CYP may have an ACE, which requires short-term interventions to support (e.g. bereavement) being aware of Trauma triggers.</p> <p>Changes in attendance- below average due to: low level anxiety Some behaviours displayed in isolation, where behaviour management and ELSA support is required.</p> <p>Child can self-regulate.</p> <p>Masking and how the CYP is presenting impacts on them attending the placement.</p> <p>Children that are displaying signs of being restless, easily distracted- change of seating plan will need to be explored.</p> <p>CYP- can recognise and communicate their needs.</p> <p>EY: Child may experience age-appropriate behaviour when frustrated</p> <p>Children with additional needs will be monitored.</p>	<p>CYP may experience more frequent difficulties with:</p> <ul style="list-style-type: none"> <li>- self- worth and/or confidence</li> <li>- becoming anxious due to difficulties making and/or sustaining friendships.</li> <li>- following adult directions</li> <li>- working independently</li> <li>- motivation requiring frequent encouragement to stay on task</li> </ul> <p>CYP may withdraw or become stressed when faced with known tasks.</p> <p>CYP may have several ACE's, which requires medium -term interventions to support (e.g. domestic abuse) being aware of Trauma triggers, and generational trauma.</p> <p>CYP is displaying EBSA</p> <p>Decline in the child's attendance percentage, the strategies from universal support are no longer working.</p> <p>The CYP is not attending some of their lessons.</p> <p>Child is unable to self-regulate leading to short experience of stress.</p> <p>Difficulty forming and sustaining relationships with adults and or peers.</p> <p>CYP- can recognise and communicate their needs with adult support.</p> <p>Children may need concentration aids and support to access learning and maintain focus for periods of time that is age appropriate.</p> <p>Have difficulty with maintaining and directing attention, concentration, engagement, and participation in</p>	<p>CYP struggle with self-regulation, which may be communicated through aggression, outbursts and unsafe behaviours or may present as significantly withdrawn, which in turn has an impact on the ability to engage in learning.</p> <p>Have significant difficulties related to level of concentration, engagement, and participation in learning.</p> <p>Have low self-worth and a few techniques for resilience. When dysregulated unable to access support.</p> <p>CYP may have mental health needs including attachment difficulties leading to connection seeking or avoidant behaviours. They may impact on the ability to build and maintain successful relationships with adults and peers.</p> <p>Unable to self-regulate leading to prolonged experience of stress.</p> <p>Decline in the child's attendance percentage, despite using strategies from element two, and evidencing these over a period of time there has been little or no increase in attendance.</p> <p>Significant difficulty developing and maintaining social relationships, as expected for age.</p> <p>Frequent issues with peers and within friendships requiring support and intervention</p> <p>Significant delay with social understanding and social skill development</p> <p>EY: A child who may be withdrawn, isolated and unlikely to interact with others</p>	<p>Requires individually planned behaviour management with very regular individual support for appropriate social engagement.</p> <p>Physical intervention required (may be some lack of co-operation).</p> <p>Behaviour has health and safety implications to self, others and/or property resulting in the need for regular close supervision.</p> <p>Levels of anxiety affect participation in all aspects of the school day. Including no attendance.</p> <p>Persistent and frequent difficult within social relationships with peers</p> <p>Social skill development and social understanding is significantly delayed for age</p> <p>Preparation for adulthood</p> <p>Very limited relationships with peers</p> <p>EY: A child who may be withdrawn, isolated and unlikely to interact with others</p> <p>A child who may appear unhappy and unmotivated, and may have selective communications</p> <p>EY: A child who may be unpredictable or attention seeking, which may lead to frustration and negative behaviours. This is likely to have an impact on accessing other areas of the EYFS.</p>	<p>Regular difficulties which may involve impulsivity, unpredictability and confrontations with peers or adults which sometimes compromises the safety and health or themselves and others</p> <p>Struggles to comply with requests from anyone other than a key adult</p> <p>CYP may have mental health needs that significantly impact on learning and activities throughout the week.</p> <p>Mental health needs may cause the need to feel in control in order to feel emotionally safe.</p> <p>Requires individually planned behaviour management programme with frequent individual support to ensure appropriate social engagement.</p> <p>Need specific, individually planned elements of the curriculum in order to support behaviour.</p> <p>Behaviour is frequently a risk to self and others.</p> <p>Persistent and frequent difficult within social relationships with peers evident in all contexts</p> <p>Social skill development and social understanding is significantly delayed for age and impacts on daily experience in school</p> <p>Very limited relationships with peers – interactions require close support</p> <p>EY: The child has had rigorous review showing little or no</p>	<p>More regular (daily) dysregulation which involve confrontations with peers or adults which often compromises the safety and health of themselves and others</p> <p>Struggles to accept requests or consequences or engage in restoration.</p> <p>CYP has mental health needs that significantly impact on daily learning and all relationships with adults and peers.</p> <p>CYP has difficulty understanding and managing their emotions, exhibits regular changes in mood.</p> <p>Requires individually planned behaviour management with constant individual support or monitoring for appropriate social engagement.</p> <p>Regularly and frequently extremely aggressive to staff and peers. They are unlikely to respond to diversionary or calming strategies and require physical intervention. May require a second person available routinely (e.g. possibility of false accusations).</p> <p>Persistent and frequent difficult within social relationships with peers evident in all contexts. Interactions may be risky or unsafe.</p> <p>Extremely limited social understanding which affect interactions and social responses through the day</p> <p>All peer interactions require monitoring and support due to frequent challenge and unpredictability</p>	<p>Frequent, intense and prolonged dysregulation which consistently compromises the safety and health of themselves and others.</p> <p>Not able to access coregulation.</p> <p>Very frequent state of distress means they are unable to engage in most aspects of the curriculum. Persistent state of hyper-vigilant</p> <p>CYP have complex, assessed mental health needs; for example, this may include attachment disorder, depression, etc which impacts on their daily life.</p> <p>Frequent risk of significant harm.</p> <p>Extremely aggressive/ challenging behaviours to others or self are continuously ongoing such that they and others are only safe when an adult is in constant attendance. Pupils who will periodically show single minded intent to damage others.</p> <p>Requires individually planned behaviour management with close constant individual support for appropriate social engagement which may require more than one adult.</p> <p>EY: The child has had rigorous review showing little or no progress towards the targets set in the targeted plan. The child's needs have been supported by a range of professionals</p> <p>The child's behaviour is disruptive to the learning and wellbeing of others and is challenging to staff.</p> <p>The child's placement is at risk.</p>

	<p>learning; this maybe as a result of fear of failure, or low self-worth.</p> <p>Some connection seeking or avoiding behaviours, likely to be reliant on relationships with key adults or specific CYP.</p> <p>May display anxiety or stress. May be at risk of isolation or becoming socially vulnerable.</p> <p>Low self-worth, seeks approval and reassurance repeatedly but yet still appears to remain insecure.</p> <p>Requires some adult support to cope with emotions and relationships e.g. ELKLAN</p> <p>Requires some support to develop and manage social relationships (e.g. developing social understanding and social skills)</p> <p>EY: Children may experience longer periods of behaviour but still within age expectations</p>	<p>EY: A child who may appear unhappy and unmotivated, and may have selective communications</p> <p>EY: A child who may be unpredictable or attention seeking, which may lead to frustration and negative behaviours. This is likely to have an impact on accessing other areas of the EYFS.</p> <p>The child's needs have been supported by the EY Inclusion practitioners/Oakfield</p> <p>The child's behaviour is disruptive to the learning and wellbeing of others and is challenging to staff. The child's placement is at risk. Goodman's Strengths and Difficulties Questionnaire or Boxall Profile at least six months apart, provide evidence in the abnormal range of behaviours such as:</p> <ul style="list-style-type: none"> <li>daily incidences of non-compliant and uncooperative behaviour which are long-lasting and frequent, e.g. refusals to join in and follow requests</li> <li>self-regulating, e.g. intense emotional or aggressive outbursts / uninhibited / unpredictable outbursts,</li> <li>socially inappropriate or sexualised behaviour,</li> <li>low levels of resilience when faced with challenge or criticism</li> <li>behaviour causing significant barrier to learning, e.g. child has limited attention span and willingness to engage in activities</li> <li>unable to socialise with peers and adults, e.g. lack of empathy</li> <li>at risk of exclusion, isolation or becoming socially vulnerable</li> <li>increasing concerns around mental health and well being</li> </ul>	<p>EY: A child who may be withdrawn and isolated, appearing unhappy and unmotivated, with selective communications</p> <p>EY: A child who may be unpredictable or attention seeking, which may lead to frustration and negative behaviours. This is likely to have an impact on accessing other areas of the EYFS</p> <p>may have emerging mental health difficulties: self-harm, irrational fears, risk taking</p> <p>The child's needs have been supported by the EY Inclusion practitioners/Oakfield</p> <p>The child's behaviour is disruptive to the learning and wellbeing of others and is challenging to staff. The child's placement is at risk. Goodman's Strengths and Difficulties Questionnaire or Boxall Profile at least six months apart, provide evidence in the abnormal range of behaviours such as:</p> <ul style="list-style-type: none"> <li>daily incidences of non-compliant and uncooperative behaviour which are long-lasting and frequent, e.g. refusals to join in and follow requests</li> <li>self-regulating, e.g. intense emotional or aggressive outbursts / uninhibited / unpredictable outbursts,</li> <li>socially inappropriate or sexualised behaviour,</li> <li>low levels of resilience when faced with challenge or criticism</li> <li>behaviour causing significant barrier to learning, e.g. child has limited attention span and willingness to engage in activities</li> <li>unable to socialise with peers and adults, e.g. lack of empathy</li> <li>at risk of exclusion, isolation or becoming socially vulnerable</li> <li>increasing concerns around mental health and well being</li> </ul>	<p>progress towards the targets set in the targeted plan.</p> <p>The child's needs have been supported by the EY Inclusion practitioners/Oakfield</p> <p>The child's behaviour is disruptive to the learning and wellbeing of others and is challenging to staff. The child's placement is at risk. Goodman's Strengths and Difficulties Questionnaire or Boxall Profile at least six months apart, provide evidence in the abnormal range of behaviours such as:</p> <ul style="list-style-type: none"> <li>daily incidences of non-compliant and uncooperative behaviour which are long-lasting and frequent, e.g. refusals to join in and follow requests</li> <li>self-regulating, e.g. intense emotional or aggressive outbursts / uninhibited / unpredictable outbursts,</li> <li>socially inappropriate or sexualised behaviour,</li> <li>low levels of resilience when faced with challenge or criticism</li> <li>behaviour causing significant barrier to learning, e.g. child has limited attention span and willingness to engage in activities</li> <li>unable to socialise with peers and adults, e.g. lack of empathy</li> <li>at risk of exclusion, isolation or becoming socially vulnerable</li> <li>increasing concerns around mental health and well being</li> </ul> <p>may have mental health difficulties: self-harm, irrational fears, risk taking</p>	<p>EY: The child has had rigorous review showing little or no progress towards the targets set in the targeted plan.</p> <p>The child's needs have been supported by the EY Inclusion practitioners/Oakfield</p> <p>The child's behaviour is disruptive to the learning and wellbeing of others and is challenging to staff. The child's placement is at risk. Goodman's Strengths and Difficulties Questionnaire or Boxall Profile at least six months apart show evidence in the abnormal range of behaviours such as:</p> <ul style="list-style-type: none"> <li>daily incidences of non-compliant and uncooperative behaviour which are long-lasting and frequent, e.g. refusals to join in and follow requests</li> <li>self-regulating, e.g. intense emotional or aggressive outbursts / uninhibited / unpredictable outbursts,</li> <li>socially inappropriate or sexualised behaviour,</li> <li>low levels of resilience when faced with challenge or criticism</li> <li>behaviour prevents learning, e.g. child has limited attention span and willingness to engage in activities</li> <li>unable to socialise with peers and adults, e.g. lack of empathy</li> <li>at risk of exclusion, isolation or becoming socially vulnerable</li> </ul>	<p>Goodman's Strengths and Difficulties Questionnaire or Boxall Profile at least six months apart, show evidence in the abnormal range of behaviours such as:</p> <ul style="list-style-type: none"> <li>daily incidences of non-compliant and uncooperative behaviour which are long-lasting and frequent, e.g. refusals to join in and follow requests</li> <li>self-regulating, e.g. intense emotional or aggressive outbursts / uninhibited / unpredictable outbursts,</li> <li>socially inappropriate or sexualised behaviour,</li> <li>low levels of resilience when faced with challenge or criticism</li> <li>high levels of anxiety, hyper-vigilance, mood swings, difficulties with social relationships.</li> <li>behaviour causing significant barrier to learning, e.g. child has limited attention span and willingness to engage in activities</li> <li>unable to socialise with peers and adults, e.g. lack of empathy</li> <li>at risk of exclusion, isolation or becoming socially vulnerable</li> <li>increasing concerns around mental health and well being</li> </ul> <p>may have significant mental health difficulties: self-harm, irrational fears, risk taking</p>
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CYP is likely to have (or being awaiting) health involvement and/or Social Care involvement.

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<b>SENSORY AND/OR PHYSICAL NEEDS</b>						
<b>Band A</b> <i>Universal Offer</i>	<b>Band B</b> <i>SEN Support</i>	<b>Band C</b> <i>High Needs</i>	<b>Band D</b> <i>High Needs</i>	<b>Band E</b> <i>High Needs</i>	<b>Band F</b> <i>High Needs</i>	<b>Band G</b> <i>High Needs</i>
<p>A child/young person with an identified visual need or under investigation.</p> <p>Vision within normal range, likely to have visual acuities of 6/6 of 6/6 6/12 Snellen 0.0- 0.3 LogMAR</p> <p>CYPs whose vision can be corrected by glasses for refraction, CYP with unilateral amblyopia, monocular vision.</p> <p>If undergoing a vision occlusion programme (patching) CYP may need environmental changes such as sitting closer to the focal point of the lesson to allow for their temporary worsening of vision.</p> <p>Colour blindness may be present.</p> <p>The CYP experiences needs which are managed with appropriate differentiation of task and teaching style.</p> <p>VST advice only. An initial assessment by a Qualified Teacher of the Visually Impaired may be required to advise school of any BERA.</p>	<p>A child/young person with a diagnosis of a visual impairment or under investigation.</p> <p>Mild to Moderate vision impairments: 6/12-6/18 Snellen (LogMAR0.3-0.6)</p> <p>Bilateral vision impairment</p> <p>Likely to need clear print and/or enlarged print to point size N14-18</p> <p>CYP is independently mobile in familiar areas</p> <p>Curriculum access possible with vision aids, use of accessibility options when using laptops, tablets and phones, specialist accessibility IT equipment, adaptation of materials.</p> <p>May have difficulties with spatial awareness, using standard text and pictorial materials e.g., maps and graphs.</p> <p>The pupil will function at a mild level of vision impairment. There may be difficulty with near or distance field vision, but the difficulty will not be significant at this level of support and /or may be correctable with consideration to school and classroom environment.</p> <p>Twice Annual visits of a teacher of the visually impaired. This could increase to termly to support transition or exams.</p> <p><b>NB: The combined impact of the vision needs and hearing needs for a child with a multi-sensory impairment must be considered as this will multiply the overall need</b></p>	<p>Moderate vision impairments: 6/19-6/36 Snellen (LogMAR0.6-0.78)</p> <p>Clear print and/or modified large print to point size N18-N24</p> <p>May have fluctuating functional vision in different educational environments.</p> <p>Curriculum access not possible without significant mediation and/or adaptations of curriculum materials requiring training to produce resources and additional support in practical subjects (safety).</p> <p>May need assessment of mobility skills at transition points in their school career.</p> <p>The pupil has impaired function in the educational setting, and this is generally accepted to be the key criterion.</p> <p>There may be a restricted field of vision; fluctuating visual impairment; deteriorating conditions; cerebral visual impairment; retinal atrophy; Retinal dystrophy; Recently acquired permanent VI or late diagnosis.</p> <p>Pupils will have a bilateral impairment</p> <p>Termly visits from a Teacher of the Visually Impaired. This could increase for transition and examinations.</p>	<p>Moderate to severe distance visual acuities of 6/19 to less than 6/36 Snellen (LogMAR0.6-0.78)</p> <p>They are likely to require enlarged print 18-36 print but be able to access pictures and colours.</p> <p>CYP will require differentiated visual materials with support. – Curriculum access not possible without significant mediation and/or adaptations of curriculum materials requiring training to produce resources and additional support in practical subjects (safety).</p> <p>CYP may not give correct body language and interaction with adults and peers may be impaired.</p> <p>Likely to require desktop magnifier</p> <p>Specialist assistive technology may be required, and they may require learning to touch type.</p> <p>May have visual field loss</p> <p>May have gradually deteriorating vision requiring more frequent monitoring.</p> <p>The pupil, family and setting may need support in managing their developing social and emotional needs and their understanding of the impact of vision loss.</p> <p>Half termly visits from a Teacher of the Visually Impaired. This could increase to support transition, visual changes and examinations</p>	<p>Severely sight impaired but has some usable residual vision. Visual acuity of less than 6/36 - 6/120 Snellen/Kay (LogMAR 0.8 – 1.3)</p> <p>Will required access to jumbo print N48 or larger (this is bigger than can easily be produced using standard techniques and requires full scanning and reformatting of text)</p> <p>May need to use tactile mediums to access diagrams, graphs.</p> <p>CYP will have a bilateral impairment.</p> <p>Will only be able to access learning with specialist assistive technology including CCTV electronic magnifier, laptop with JAWS.</p> <p>All curriculum materials in jumbo print or under CCTV or modified for some screen access.</p> <p>Will need to learn to touch-type using shortcut keys.</p> <p>CYP will have significantly impaired functional vision in the educational setting affecting the presentation of the curriculum, the school or classroom environment, and the classroom management of the pupils for example positioning in class, use of equipment etc. This may be compounded by other problems such as visual field loss, ocular motor impairment, visual perception difficulties or the presence of degenerative visual conditions.</p> <p>Able to access curriculum and buildings only with substantial adaptations of all learning materials requiring training to produce resources and additional</p>	<p>Severe sight impaired with some residual vision. Visual acuity of less than 6/36 - 6/120 Snellen/Kay (LogMAR 0.8 – 1.3)</p> <p>Will need require tactile mediums such as braille and jumbo print to point size N48 or larger.</p> <p>Will learn uncontracted/contracted braille alongside assistive technology</p> <p>Able to access curriculum and buildings only with substantial adaptations of all learning materials requiring training to produce resources, ICT and additional support in practical subjects</p> <p>Will need orientation skills and may need assessment for cane training and independent skills teaching</p> <p>Will only be able to access learning with specialist assistive technology, CCTV, electronic magnifier, laptop with JAWS; text to speech. Braille/braille display.</p> <p>Will need to learn touch typing using short cut keys.</p> <p>Will need orientation skills and may need assessment for cane training and independent skills teaching</p> <p>At least weekly visits from a Teacher of the Visually Impaired. With additional input from a Habilitation Officer and Assistive Technology and Keyboard Instructor.</p>	<p>Profound visual loss – visual acuity of less than 6/120 Snellen/Kay (LogMAR 1.31)</p> <p>Registered blind and will use braille/tactile mediums to access learning. Will need to learn uncontracted/contracted braille alongside assistive technology.</p> <p>CYP will have a bilateral impairment.</p> <p>CYP will have a profound visual loss. This is highly likely to be compounded by other problems such as visual field loss, ocular motor impairment, visual perception difficulties or the presence of degenerative visual conditions.</p> <p>CYP is educationally blind, and needs will be permanent and lifelong due to the nature of their disability.</p> <p>CYP may have MDVI (multi disability and visual impairment), deteriorating conditions and cerebral visual impairment.</p> <p>Some of the provision for a complex needs pupil may cross the different categories of need.</p> <p>CYP will need to access information using braille/tactile methods which require specialist training to produce resources.</p> <p>Will only be able to access learning with specialist assistive technology including Perkins braille, hard copy braille, braille display text to speech technology.</p> <p>Will need to touch-type using shortcut keys.</p> <p>CYP will need to learn specialist Braille code for Maths, Science,</p>



				support in practical subjects to enable safe participation.  Monthly to fortnightly visits from a Teacher of the visually Impaired. Additional support from a Habilitation Officer and Assistive Technology and Keyboard Instructor will assess support needs.		Music and Languages, as well as the Literary Code.  CYP will access buildings and move around the school only with regular and individual formal teaching of orientation and mobility for cane skills. May require a guide dog  Multi-weekly visits from a Teacher of the Visually Impaired. With additional input from a Habilitation Officer and Assistive Technology and Keyboard Skills Instructor.
CYP may have a unilateral hearing loss or a very mild hearing loss.  CYP may have listening difficulties, particularly in noisy conditions and may mis-hear and mis-understand spoken information which may require monitoring and support.  CYP likely to be advice only with no direct from a Teacher of Deaf Children and Young People (TOD)	The deafness is likely to be permanent and at least 'Mild-Moderate' in level  Deafness that affects access to the curriculum without access to deaf friendly teaching.  Typical Profile for Level 1 hearing impaired pupil. Unilateral sensori-neural; bilateral fluctuating conductive hearing loss; mild deafness. .  Likely to use hearing aids. May use a sound field system provided by school  Sensory Support from a Teacher of Deaf Children and Young People (TOD) is likely to be advice only, annual or twice yearly.  <b>NB: The combined impact of the vision needs and hearing needs for a child with a multi-sensory impairment must be considered as this will multiply the overall need</b>	The deafness is likely to be permanent. Typical profile will be moderate sensori-neural (with/without conductive overlay) hearing loss  The CYP may require support to become an independent user of their equipment and to understand their hearing and listening needs.  Curriculum access requires mediation and/or adaptations of curriculum materials.  CYP will use hearing aids and may make use of a soundfield system or Assistive Listening Device (ALD). They may require support with this.  Sensory Support from a Teacher of Deaf Children and Young People (TOD) is likely to be Termly; half termly or monthly  Their deafness may impact on their vocabulary and language levels.	Likely to have a Moderate to severe, bilateral deafness (sensori-neural, conductive or mixed) or Auditory Neuropathy Spectrum Disorder (ANSD) . They may have a profound loss using cochlear Implants with age-appropriate language  The Sensory Support from a Teacher of Deaf Children and Young People (TOD) is likely to be monthly or fortnightly  CYP will use hearing aids or Cochlear Implants and be eligible for an Assistive Listening Device (ALD).  Their deafness will have a direct impact on their language, thinking and literacy development as well as their interaction and social development.  The pupil will require support to become an independent user of their equipment and to understand their hearing and listening needs and develop their deaf identity  The pupil, family and setting may need support in managing their developing social and emotional needs and their understanding of being a young deaf person.	The deafness is very likely to be 'Sensori-Neural' or 'Mixed' in nature and is likely to be at Severe level  CYP may have Auditory Neuropathy. CYP could have an acquired hearing loss, congenital or progressive hearing loss  CYP's access to the curriculum requires substantial differentiation and adaptation of material in all areas of the curriculum. They may require pre and post tutoring to ensure they have the language to access their lessons  The Sensory Support from a Teacher of Deaf Children and Young People (TOD) is likely to be fortnightly or weekly  The pupil will be using hearing aids and/or cochlear implant/s and an Assistive listening Device (ALD)  CYP's Deafness will have a direct impact on their language, thinking and literacy development as well as their interaction and social development  CYP is likely to be known to speech and language therapy (SALT) services.	The deafness will be 'Sensori-Neural' or 'Mixed' in nature and is likely to be at Severe- Profound level.  CYP may have Auditory Neuropathy or other complicating inner ear pathology.  CYP's access to the curriculum requires substantial individual differentiation and adaptation of material in all materials in all areas of the curriculum. They will require pre and post tutoring to ensure they have the language to access their lessons  The Sensory Support from a Teacher of Deaf Children and Young People (TOD) is likely to be weekly or multi weekly .  CYP's deafness will have a direct significant impact on their language, thinking and literacy development as well as their interaction and social development.  CYP may require the support of British Sign Language (BSL) for effective communication and learning.  The pupil will be using hearing aids and/or cochlear implant/s and a Assistive listening Device (ALD) . Access to excellent acoustic listening conditions	The deafness will be 'Sensori-Neural' or 'Mixed' in nature and at Severe- Profound level. The use of equipment to support their hearing may not be a possibility for them.  CYP may have Auditory Neuropathy or other complicating inner ear or auditory nerve pathology.  All teaching and support will involve the use of British Sign Language unless the CYP is following a specifically auditory/oral only programme of development.  CYP able to access curriculum only with assistive devices and requires substantial mediation and/or adaptations of materials  Where possible, hearing aids or Hearing/Cochlear Implants/Radio Aids, access to excellent acoustic listening conditions essential.  BSL is first language  The Sensory Support from a Teacher of Deaf Children and Young People (TOD) is likely to be weekly or multi weekly .

				The CYP will require ongoing support to become an independent user of their equipment and to understand their hearing and listening needs and develop their deaf identity	essential unless they cannot use audition  The CYP will require ongoing support to become an independent user of their equipment and to understand their hearing and listening needs and develop their deaf identity	
<p>Development in line with the typically developing child or young person.</p> <p>CYP attempts all physical activities.</p> <p>CYPs may have lower than age appropriate fine or gross motor skills; this may be due to limited experiences.</p> <p>Medical needs are managed without a need for intervention. CYP can manage own medical, and self-care needs with minimal support.</p> <p>EY: Child has a physical/medical need but is able to access all play/activities without support</p> <p>EY: Child is age appropriate in self-care routines</p>	<p>CYP has poor fine and/or gross motor skills, despite a period of good quality teaching.</p> <p>CYP can move and position independently but has some stability or motor coordination difficulties.</p> <p>CYP has difficulties relating to tasks involving fine and gross motor skills, which require reasonable adjustments and additional planning.</p> <p>Has a use of mobility aid when needed (occasionally or at specific time times of the day) with competence e.g., walking frame or wheelchair.</p> <p>CYP can manage own intimate, and self-care need with minimal adult support.</p> <p>May have needs relating to undertaking practical tasks, reducing the level of independence.</p> <p>May have physical/medical condition which impact on access to the academic and social curriculum and require medication to manage condition. CYP may tire more quickly. Condition may require monitoring e.g. arthritis and diabetes.</p> <p>May have physical abnormalities, which may make CYP self-conscious, isolate, defensive or behave erratically.</p> <p>EY: Child has a physical/medical need but is able to access all play and activities with adult support</p>	<p>Physical needs give rise to safety issues and Curriculum and environment access may not be possible without mediation and/or adaptations of curriculum materials and/or adaptive equipment.</p> <p>CYP has some independence in managing interventions required for their condition e.g., personal care, movement, however regular adult support is needed.</p> <p>CYP uses of mobility aid throughout the day with some independence e.g., walking frame or wheelchair</p> <p>CYP's physical and/or medical condition begins to significantly impact on their self-esteem, social interactions and emotional regulation (refer to SEMH indicators).</p> <p>Medical needs require specific adaptations to ensure inclusion e.g. CYP who uses sticks for walking</p> <p>CYP exhibits a medical difficulty, e.g. epilepsy, cerebral palsy etc, which at times affects how class routines need to be planned.</p> <p>EY: A child with physical difficulties who requires some support to access some areas of the provision.</p> <p>A child who may need access to specialist equipment.</p> <p>Medical diagnosis of a mild to moderate hearing impairment.</p>	<p>Curriculum access not possible without substantial mediation and adaptations of curriculum materials e.g., scaffolding, physical/neurological difficulties requiring support for recording.</p> <p>CYP uses a mobility aid, specialist seating or requires support in moving positioning and personal care, eating/drinking needs</p> <p>CYP will have substantial communication/recording needs associated with physical disability.</p> <p>CYP's physical and/or medical condition significantly impacts on their self-esteem, social interactions, and emotional regulation (refer to SEMH indicators).</p> <p>May have significant PDA/Demand Avoidance traits</p> <p>CYP's physical condition requires a care plan in order to ensure inclusion in class routines, e.g. CYP with significant epilepsy (consider impact e.g. recovering time and threat to life).</p> <p>CYP may have a physical disability which makes it difficult to participate in class activities.</p> <p>CYP needs individual programme to develop and maintain self-care skills, health and safety, or healthcare needs (e.g. may require easily maintained gastrostomy feed).</p> <p>Physical disability requires 1:1 assistance with mobility. Health and safety are both issues. <i>A child with a long term and significant</i></p>	<p>CYP has significant physical, medical, or neurological condition which impacts on all areas of independent learning and/or emotional wellbeing throughout the school day.</p> <p>CYP has medical needs that require regular reviews of their medical health care plans authorised by relevant medical professional.</p> <p>Significant difficulties with communication, learning and recording necessitating use of assistive technology, Augmentative and Alternative Communication</p> <p>CYP not able to manage most of their toileting, eating and drinking needs. CYP might be aware of the toileting needs and routine; and be able to participate in some aspects of this.</p> <p>Physical skills may fluctuate and/or deteriorate during a day.</p> <p>Transfers may require hoisting.</p> <p>CYP may have MDVI (multi disability and visual impairment), deteriorating conditions and cerebral visual impairment.</p> <p>CYP may have a significant physical disability which makes it difficult to participate in class activities.</p> <p>CYP requires individual supervision in order to engage in and develop independence skills and address health and safety issues, e.g. regular gastrostomy feeds, easily managed.</p>	<p>CYP has a long-term and/or progressive condition and is wholly reliant on adult support for moving, positioning, personal care including drinking eating.</p> <p>CYP has no independent seated stability.</p> <p>Transfers are likely to require hoisting.</p> <p>Have severe physical disability that create substantial communication difficulties requiring aid such as assistive curriculum devices.</p> <p>CYP medical needs are fluctuating and can lead to frequent emergency situations.</p> <p>CYP is unable to communicate verbally; may be able to communicate when using specialist communication aids.</p> <p>Extreme PDA/Demand Avoidance traits.</p> <p>CYP need a developmental curriculum and require a carefully designed programme in order to be appropriately positioned.</p> <p>CYP may have a level of seizures which requires constant monitoring.</p> <p>CYP is non-ambulant with a gastrostomy and are regularly fed in school. Once positioned/seated they will have access to the world and be able to take part in activities with some physical or verbal prompts and support. If left, they continue to engage in a session by showing enjoyment or</p>	<p>Profound physical, long-term, and progressive, life limiting condition/needs.</p> <p>CYP has total and complex support needs for mobility, personal care, positioning, movement, hoisting and eating/drinking.</p> <p>CYP health care needs require highly structured and complex medical interventions authorised by medical professionals, very likely to require fast staff response an administration of emergency rescue medication.</p> <p>CYP is not able to communicate needs and is wholly reliant on adult support for all intimate and self-care needs.</p> <p>The physical complexity of the CYP means that they do not learn incidentally and require an adult with them at all times to ensure that they engage in the lessons/activities.</p> <p>CYP may have life-threatening epilepsy that requires constant monitoring and immediate attention if in seizure.</p> <p>CYP requires very close, constant individual support for care, health and safety needs which may require more than one adult.</p> <p>Pupils require a demanding physical regime that is necessary in order to develop and maintain a body that is healthy and more likely to carry them into adulthood.</p>

	<p>EY: Child may need some support in self-care routines</p>	<p>Medical diagnosis of a lower to moderate visual impairment. The child has difficulty accessing some areas of the learning environment requires some support.</p> <p>Low level medical conditions requiring some input throughout the day</p> <p>Child needs high level support with manging self-help skills</p>	<p><i>physical difficulties who requires support to access all areas of the provision.</i></p> <p><i>A child who uses specialist equipment at significant points throughout the day.</i></p> <p><i>Medical diagnosis of a moderate to severe hearing impairment, which is impacting progress.</i></p> <p><i>Medical diagnosis of a moderate to severe visual impairment. The child has difficulty accessing all areas of the learning environment requires support.</i></p> <p><i>Medical conditions that require more frequent input throughout the day</i></p> <p><i>Staff require specialist training</i></p> <p><i>Child needs a higher level of support for self-care skills</i></p> <p>EY: A child with a long term and significant physical difficulties who requires support to access all areas of the provision.</p> <p>A child who uses specialist equipment at significant points throughout the day.</p> <p>Medical diagnosis of a moderate to severe hearing impairment, which is impacting progress.</p> <p>Medical diagnosis of a moderate to severe visual impairment. The child has difficulty accessing all areas of the learning environment requires support.</p> <p>Medical conditions that require more frequent input throughout the day</p> <p>Staff require specialist training</p> <p>Child needs a higher level of support for self-care skills</p>	<p>CYP may have PMLD but will still be capable of some incidental engagement.</p> <p>EY: A child with a long term and significant physical difficulties who requires support to access all areas of the provision.</p> <p>A child who uses specialist equipment at significant points throughout the day.</p> <p>Medical diagnosis of a moderate to severe hearing impairment, which is impacting progress.</p> <p>Medical diagnosis of a moderate to severe visual impairment. The child has difficulty accessing all areas of the learning environment requires support.</p> <p>Medical conditions that require more frequent input throughout the day</p> <p>Staff require specialist training</p> <p>Child needs a higher level of support for self-care skills</p>	<p>working at the level planned for a short while. CYP of this kind may require two or three transfers during a day.</p> <p>EY: The child has significant physical/medical needs which impact on progress and access to learning which requiring long-term involvement of educational and health professionals</p> <p>EY: The child requires a high level of adult support to access the curriculum and fully participate in all aspects of the early years setting.</p> <p>Examples of need:</p> <ul style="list-style-type: none"> <li>The child has a medical condition that impacts on personal hygiene (catheter, colostomy bags).</li> <li>A child whose medical condition impacts on their life, e.g. a child missing a significant amount of education</li> <li>A child whose needs impact on their access to practical activities and safety.</li> <li>child has significant needs that require a considerable amount of therapy or medical interventions.</li> </ul>	<p>CYP require very frequent changes of position to transfer between different pieces of equipment for example, chair, standing frame, wedge etc.</p> <p>CYP will experience more than three highly technical transfers in a day each transfer taking two and sometimes three adults.</p> <p>CYP generally benefit from hydrotherapy sessions where exercises are designed by physiotherapists.</p> <p>CYP is incontinent requiring incontinence aids</p> <p>CYP who, for reasons of survival, need constant monitoring</p> <p>CYP in the terminal phase of a progressive condition where they have become totally dependent and are losing basic sensory functions</p> <p>EY: The child has significant physical/medical needs which impact on progress and access to learning which requiring long-term involvement of educational and health professionals</p> <p>The child requires a high level of adult support to access the curriculum and fully participate in all aspects of the early years setting.</p> <p>Examples of need:</p> <ul style="list-style-type: none"> <li>The child has a medical condition that impacts on personal hygiene (catheter, colostomy bags).</li> <li>A child whose medical condition impacts on their life, e.g. a child missing a significant amount of education</li> <li>A child whose needs impact on their access to practical activities and safety.</li> </ul>
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						<ul style="list-style-type: none"><li>child has significant needs that require a considerable amount of therapy or medical interventions.</li></ul>
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*The funding stream for this area of need is likely to be funded through health*

DRAFT

By virtue of paragraph(s) 3, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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