

Leicester  
City Council

## Public Document Pack

### **MEETING OF THE CABINET**

**DATE: MONDAY, 2 APRIL 2007**

**TIME: 5:00 pm**

**PLACE: COMMITTEE ROOMS 2 & 3, 'B' BLOCK, NEW WALK CENTRE, KING STREET, LEICESTER**

### **Members of the Committee**

Councillor R Blackmore (Chair)

Councillor Scuplak (Vice-Chair)

Councillors Coley, Grant, Gill, Mugglestone, Ramsdale, Sandringham, Smith and Suleman

Members of the Cabinet are invited to attend the above meeting to consider the items of business listed overleaf.

for Town Clerk

### **MEMBERS OF THE PUBLIC:**

**YOU ARE VERY WELCOME TO ATTEND TO OBSERVE THE PROCEEDINGS. HOWEVER, PLEASE NOTE THAT YOU ARE NOT ABLE TO PARTICIPATE IN THE MEETING.**

**Officer contact :**Frances Wake/Francis Connolly  
Committee Services, Town Clerk's Department  
Leicester City Council  
New Walk Centre, Welford Place, Leicester LE1 6ZG  
Tel: 0116 252 6028/7110 Fax: 0116 247 1181  
email: [Frances.Wake@leicester.gov.uk](mailto:Frances.Wake@leicester.gov.uk)

## **INFORMATION FOR MEMBERS OF THE PUBLIC**

### **ACCESS TO INFORMATION AND MEETINGS**

You have the right to attend Cabinet to hear decisions being made. You can also attend Scrutiny Committees, as well as meetings of the full Council. You can ask questions and make representations to Scrutiny Committees and Council. You also have the right to see copies of agendas and minutes. Agendas and minutes are available on the Council's website at [www.leicester.gov.uk/cabinet](http://www.leicester.gov.uk/cabinet) or by contacting us as detailed below.

Dates of meetings are available at the Customer Service Centre and on the Website.

There are certain occasions when the Council's meetings may need to discuss issues in private session. The reasons for dealing with matters in private session are set down in law.

### **WHEELCHAIR ACCESS**

The Committee Rooms at New Walk Centre are all accessible to wheelchair users. If wheelchair access is required for Council meetings, which are held at the Town Hall, please contact Charles Poole on 252 7015 or call in at the Customer Service Centre.

### **BRAILLE/AUDIO TAPE**

If there are any particular reports that you would like translating into Braille or providing on audio tape, the Committee Administrator can provide this for you (production times will depend upon equipment/facility availability).

**General Enquiries - if you have any queries about any of the above or the business to be discussed, please contact Frances Wake or Francis Connolly, Committee Services on (0116) 252 6028/7110 or email [Frances.Wake@leicester.gov.uk](mailto:Frances.Wake@leicester.gov.uk) or call in at the Customer Service Centre.**

**Press Enquiries - please phone the Communications Unit on 252 6081**

## **PUBLIC SESSION**

### **AGENDA**

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST**

Members are asked to declare any interests they may have in the business to be discussed and/or indicate that Section 106 of the Local Government Finance Act 1992 applies to them.

- 3. LEADER'S ANNOUNCEMENTS**
- 4. MINUTES OF PREVIOUS MEETING**

The minutes of the meeting held on 12 March 2007 have been circulated to Members and the Cabinet is asked to approve them as a correct record.

- 5. MATTERS REFERRED FROM COMMITTEES** **Appendix A**

**Adult and Community Services Scrutiny Committee – 21 March 2007**

**Proposed Funding Changes to ESOL Provision**

The following was agreed at the above meeting. The full minute extract is attached at Appendix A.

“that, in view of the proposed funding changes put forward by the LSC, and of the large number of disadvantaged Leicester residents likely to be affected by these proposals, Cabinet be asked to give consideration to look at alternative ways of funding the ESOL provision in Leicester”.

**Councillor Gill to respond.**

- 6. AREA COMMITTEE EXPENDITURE** **Appendix B**

Councillor Sandringham submits a report that seeks Cabinet endorsement of spending proposals by Area Committees. Cabinet is recommended to note budget commitments spent ahead of this Cabinet but agreed by officers in consultation with the relevant Members as a matter of urgency due to time constraints, as detailed in Appendix A.

- 7. CHARGING FOR NON-RESIDENTIAL SOCIAL CARE SERVICES FAIRER CHARGING POLICY** **Appendix C**

Councillor Gill submits a report that seeks Members' approval for the revision and updating of the Fairer Charging Policy. Cabinet is requested to approve the updated Fairer Charging Policy document for implementation from 16 April

2007.

**The relevant minute extract from Adult and Community Services Scrutiny Committee on 21 March 2007 is attached.**

**8. FAIR ACCESS TO CARE SERVICES - ACCESS, ELIGIBILITY AND PROVISION OF SOCIAL CARE SERVICES** **Appendix D**

Councillor Gill submits a report that outlines the requirement to determine eligibility for services under the Government's guidance on Fair Access to Care Services. Cabinet is requested to support the recommendation that the threshold of eligibility should continue to be placed at 'substantial' and 'critical'.

**9. DISABILITY DISCRIMINATION ACT INITIATIVES 2007/08** **Appendix E**

Councillor Coley submits a report that advises Cabinet of the works recommended to be funded from the Disability Discrimination Act Initiatives budget for 2007/08, and to seek approval to enable the programme to proceed. Cabinet is recommended to approve the works in Appendix 1 including the allocation of £20,000 to the Access to Work Scheme and the urgent works contingency, authorise the Corporate Director of Resources to order the works, authorise the Corporate Director of Resources to seek all necessary consents, authorise the Head of Legal Services to sign any contracts as necessary to allow the work to proceed and delegate authority to the Corporate Director of Resources to approve further works during the year, reassess or amend the programme as necessary, in consultation with the Cabinet Lead Member for Resources and Corporate Issues.

**10. ADMISSIONS ARRANGEMENTS FOR 2008 AND BEYOND** **Appendix F**

Councillor Suleman submits a report that briefs Cabinet on the outcome of the recent consultation exercise for Admission Arrangements for 2008 and seeks approval for City Council arrangements for 2008 and a number of related recommendations as set out in paragraph 1.2 of the report.

**The relevant minute extract of the Children and Young People Scrutiny Committee on 14 February 2007 is attached.**

**11. SUPPLEMENTARY PLANNING GUIDANCE - TALL BUILDINGS** **Appendix G**

Councillor Scuplak submits a report that seeks Cabinet approval for the adoption of the Supplementary Planning Guidance Document for Tall Buildings.

**Appendix A is attached for Members of the Cabinet only. Further copies can be obtained by phoning Committee Services on (0116) 2526021.**

**12. LEICESTER DOMESTIC VIOLENCE INTER-AGENCY STRATEGY 2007/09 Appendix H**

Councillor Sandringham submits a report that provides information on the first Domestic Violence Interagency strategy in Leicester and seeks comments and commitment to assist the delivery of the strategy. Cabinet is recommended to endorse the Leicester Domestic Violence Inter-Agency Strategy 2007/09.

**The relevant minute extract from Housing and Community Safety Scrutiny Committee on 28 March 2007 will be circulated as soon as it is available.**

**Appendix B to the report is attached for Members of the Cabinet only. Further copies are available on the Council's Web Site at: <http://www.cabinet.leicester.gov.uk> or by phoning Committee Services on (0116) 252 6021.**

**13. DISPOSAL OF FREDERICK THORPE HOUSE SHELTERED HOUSING ACCOMMODATION Appendix I**

Councillor Smith submits a report that asks Cabinet to consider the comments from the Housing and Community Safety Scrutiny Committee and indicate whether Frederick Thorpe House Sheltered Housing Scheme should be closed, and if the scheme is to close, agree that residents receive the highest priority for rehousing and are paid statutory homeloss payment, their removal expenses and practical assistance with moving.

**The relevant minute extract from Housing and Community Safety Scrutiny Committee on 28 March 2007 will be circulated as soon as it is available.**

**14. DISCRETION UNDER THE TEACHERS PENSION SCHEME Appendix J**

Councillor Coley submits a report that seeks a decision on the continued provision of added years for teachers following the consultation process on this aspect of the early retirement policy for teachers. Cabinet is asked to note the outcome of the consultation process and in the light of the response from the TCC, confirm whether the provision of added years should be withdrawn for Teachers.

**The relevant minute extract from the Resources and Corporate Issues Scrutiny Committee on 15 March will be circulated as soon as it is available.**

**15. PARTNERSHIP WORKING WITH BLUEPRINT IN THE WATERSIDE AREA Appendix K**

Councillor Scuplak submits a report that seeks Cabinet approval to the principle of City Council engagement with Blueprint within the Waterside

Intervention Area, and a number of related recommendations as set out in paragraph 3.1 of the report.

**16. ANY OTHER URGENT BUSINESS**

**17. PRIVATE SESSION**

**AGENDA**

**MEMBERS OF THE PUBLIC TO NOTE**

Under the law, the Cabinet is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

The Cabinet is recommended to consider the following reports in private on the grounds that they contain 'exempt' information as defined by the Local Government (Access to Information) Act 1985, as amended and consequently that the Cabinet makes the following resolution:-

"that the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because they involve the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

**Paragraph 3**

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

- Proposed Sale of Development Land at East Hamilton

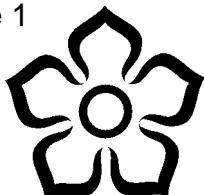
**18. PROPOSED SALE OF DEVELOPMENT LAND AT EAST HAMILTON**

**Appendix B1**

Councillor Scuplak submits a report.



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Leicester  
City Council

Minutes of the Meeting of the  
ADULT & COMMUNITY SERVICES SCRUTINY COMMITTEE

Held: WEDNESDAY, 21 MARCH 2007 at 5.30pm

P R E S E N T:

Councillor Corrall - Chair  
Councillor Almey – Liberal Democrat Spokesperson  
Councillor Porter – Conservative Spokesperson  
Councillor A. Vincent – Focus Team Spokesperson

Councillor Kitterick (for Cllr.Waddington)  
Councillor Nurse

Councillor Renold  
Councillor Thompson

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**60. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Waddington.

**61. DECLARATIONS OF INTEREST**

Members were requested to declare any interests they may have in the business on the agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applied to them.

No declarations were made.

**68. PROPOSED FUNDING CHANGES TO ESOL PROVISION**

The Corporate Director, Adults and Housing, submitted a report that informed the Committee of forthcoming proposed English for Speakers of Other Languages (ESOL) funding developments put forward by the Learning and Skills Council (LSC) in its annual statement of priorities.

The Committee were informed that should the funding changes be agreed and implemented from September 2007, there would likely be a significant impact on the City Council's Adult and Skills Learning Service, and on people living and working in Leicester. The LSC have stated that from 2007/2008 ESOL learning would no longer attract automatic fee remission. Free tuition would only be available to priority groups, primarily people who were unemployed and receiving income-based benefits.

The Committee were informed of the impact of the changes and of the

categories of people most likely to be affected, including people from within the new communities that have arrived in Leicester since 2001, asylum seekers and dependant spouses entering the UK on visas.

Officers reported that a series of actions that included lobbying of the Government, the collection and presentation of evidence to relevant bodies, the seeking of alternative sources of funding and working closely with the LSC were currently being undertaken. A recent Parliamentary Statement had been issued that led officers to believe that the situation might not be as serious as initially anticipated but that there were still serious concerns that warranted the continuation of the actions outlined.

The Committee considered the implications of the LSC proposals outlined in the report and expressed serious concerns at the effects these changes would have the City Council's Adult and Learning Skills Service and also for a large number of disadvantaged people residing in Leicester who were currently eligible for free ESOL tuition.

**RESOLVED:**

- 1) that, in view of the proposed funding changes put forward by the LSC, and of the large number of disadvantaged Leicester residents likely to be affected by these proposals, Cabinet be asked to give consideration to look at alternative ways of funding the ESOL provision in Leicester.
- 2) that the importance of the contribution of ESOL in promoting equal opportunities and access to services by removing barriers to poverty and deprivation, promoting integration, increasing employment opportunities among ethnic communities and raising the skills and attainment level among some of our more disadvantaged citizens, be noted.
- 3) that the need to continue to make representation at a national, regional and local level to ensure that the needs of our community are understood and that the implications of any changes in funding and learner entitlements are understood and acknowledged by funders and stakeholders, be noted.
- 4) that it be noted that the Adult Skills and Learning Service is looking at accessing alternative sources of funding in order to be able to continue to offer a relevant and appropriate learning programme to ESOL learners.
- 5) that it be noted that the LSC must be asked to respond to demand by making "other" ESOL courses eligible for funding e.g. ESOL and work or vocational ESOL courses.
- 6) that it be noted that the Council has requested that the LSC recognizes the obligation we have to continue to provide a service for existing learners and acknowledges the need for

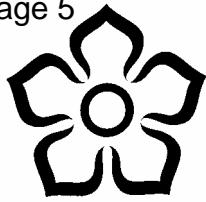
continuing learners to receive free learning as agreed at the point of their initial involvement.

- 7) That it be noted that the actions taken by the Cabinet Lead member in writing to the agencies urging Government and LSC to restore access to free ESOL learning.

### **73. CLOSE OF MEETING**

The Chair declared the meeting closed at 6.28pm.



**WARDS AFFECTED**

Humberstone &amp; Hamilton and Thurncourt

**CABINET****2 April 2007****AREA COMMITTEE EXPENDITURE****REPORT OF THE CORPORATE DIRECTOR OF RESOURCES****1. Purpose of Report**

The purpose of this report is to seek Cabinet endorsement of spending proposals by the Humberstone & Hamilton and Thurncourt Area Committee.

**2. Summary**

Cabinet at its meeting on 26 June 2006 agreed to a new earmarked reserve for Area Committee budgets, with the unspent balances from 2005/2006 being carried forward to that earmarked reserve. This amounted to £25,000 for 2005/06 and a further £25,000 for 2006/07. Area Committees also received a one-off sum of £10,000 each for sports activities in 2005-6 which has also been carried forward.

Proposals from each Area Committee are reported to Cabinet for approval.

Appendix A sets out a number of proposals from the Area Committee. These have all been dealt with under delegated powers.

**3. Recommendations**

It is RECOMMENDED that Members -

(1) Note budget commitments spent ahead of this Cabinet but agreed by officers in consultation with the relevant Members as a matter of urgency due to time constraints, as detailed in Appendix A.

**4. Headline Financial and Legal Implications****4.1 Financial Implications.**

The expenditure proposals are within the budget available and in accordance with the principles agreed by Cabinet on 26 September 2005.

**4.2 Legal implications**

There are no legal implications.

## 5. **Background Papers – Local Government Act 1972**

Humberstone & Hamilton and Thurncourt Area Committee: 12 March 2007.  
Minutes of Cabinet meeting held on 26 June 2006 and 26 September 2005.

## 6. **Other implications**

OTHER IMPLICATIONS	YES/NO	Paragraph references within supporting information
Equal opportunities	No	
Policy	No	Within agreed criteria
Sustainable and environmental	No	
Crime and disorder	No	
Human Rights Act	No	
Elderly/people on low income	No	

## 7. **Report Author/Officer to contact**

Jerry Connolly, Resources Department, ext. 29 6799

[jerry.connolly@leicester.gov.uk](mailto:jerry.connolly@leicester.gov.uk)

## **DECISION STATUS**

<b>Key Decision</b>	No
<b>Reason</b>	N/A
<b>Appeared in Forward Plan</b>	N/A
<b>Executive or Council Decision</b>	Executive (Cabinet)

APPENDIX A

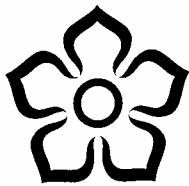
**AREA COMMITTEE PROPOSALS FOR EXPENDITURE**

<b>Proposal</b>	<b>Notes/departmental consultation</b>	<b>Cost (£)</b>
<b>Humberstone &amp; Hamilton and Thurncourt Area Committee</b>		
Fencing scheme to improve community safety		2,950
Humberstone Carnival		1,380
Goalposts storage scheme	Sports budget	1,050
Floor mats for community centre	Sports budget	2,800
	<b>Total</b>	<b>8,080</b>

## APPENDIX B

**Summary of spending commitments by each area committee based on approval of the above project spending.**

Area committee	General funding budget: 2006/7	General funding committed	General funding remaining	Sports funding budget: 2006/7	Sports Funding committed	Sports funding remaining
Humberstone & Hamilton and Thurncourt	£50,000	£42,302.59	£7,698.41	£10,000	£7,128	£2,872
Spinney Hills and Stoneygate	£50,000	£20,450	£29,550	£10,000	£4,640	£5,360
Castle and Knighton	£50,000	£5,460	£44,540	£10,000	0	£10,000
Aylestone, Eyres Monsell and Freemen	£50,000	£39,014	£10,986	£10,000	£7,195.33	£2,805
Aylestone Ward	£16,666.66	£14,149.49	£2,517.17	£3,333.33	£962	£2,371.33
Eyres Monsell Ward	£16,666.66	£13,750.50	£2,916.16	£3,333.33	£3,333.33	£0
Freemen Ward	£16,666.66	£11,114	£5,552.67	£3,333.33	£2,900	£433.33
Braunstone Park and Rowley Fields, Westcotes and Western Park	£50,000	£21,800	£28,200	£10,000	£10,000	£0



Leicester  
City Council

**WARDS AFFECTED:**

All Wards

**FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:**

Adult & Community Services Scrutiny Committee  
Cabinet

21 March 2007  
2 April 2007

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**Charging for Non-Residential Social Care Services  
Fairer Charging Policy**

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**Report of the Corporate Director, Adults & Housing.****1. Purpose of Report**

1.1 The purpose of this report is to seek Members' approval for the revision and updating of the Fairer Charging Policy which is attached at Appendix A.

**2. Summary**

2.1 In 2002 the Department of Health issued guidance for Councils on how they should charge for Non-Residential social care services. Members approved a policy detailing how the guidance should be implemented in Leicester City Council. Minor amendments were made to the policy in 2005.

2.2 The Fairer Charging policy gives details of how the means test is applied in Leicester for the calculation of service-users' charges in relation to Non-Residential social care services. The policy does not determine the actual hourly charge or the maximum weekly charge as these are subject to annual Members approval as part of the Departmental Revenue Strategy.

2.3 In order to ensure that the Policy reflects the development of Non-Residential social care services and to provide more information to service-users and staff in the light of experience of operating the policy to date, it is now necessary to comprehensively update the wording of the policy. The proposed policy to take effect on 16th April 2007 is attached at Appendix A.

### 3. Recommendations

#### Adult & Community Services Scrutiny Committee

3.1 Scrutiny Committee is requested to consider the attached updated Fairer Charging Policy document and make their comments to Cabinet.

#### Cabinet

3.2 Cabinet is requested to approve the attached updated Fairer Charging Policy document for implementation from 16 April 2007.

### 4. Headline Financial and Legal Implications

4.1 The Fairer Charging policy plays a key role in ensuring that means tested charges for Non-Residential Social Care services are assessed in a transparent and accurate manner.

4.2 This updated version is important as it encompasses the various types of care that have developed since the policy was first introduced, and adds transparency and clarity to the process.

4.3 There will be no additional income gained to the Adults & Housing Department as a result of this policy review and no service-users will be financially disadvantaged.

Colin Sharpe, Head of Finance, ext 8800

The Council is obliged to develop its charging policy in accordance with the Guidance of the Secretary of State in *Fairer Charging Policies for Home Care and other non-residential Social Services: Guidance for Councils with Social Services Responsibilities* (September 2003) issued under section 7 of the Local Authorities Social Services Act 1970. The structure of the charging policy is in accordance with that guidance.

Guy Goodman, Head of Community Services Law, ext 7054

### 5. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	Yes	Throughout Appendix 1. The policy is being amended to ensure service-users are treated equally when they are financially assessed.	
Policy	Yes	Throughout Appendix 1. The policy is being amended to ensure service-users are treated equally when they are	

		financially assessed.
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	Yes	Throughout Appendix 1. The policy is being amended to ensure service-users are treated equally when they are financially assessed.

## 6. Background Papers – Local Government Act 1972

Local Authority Social Services Act 1970, Section 7(1).

Health & Social Services & Social Security Adjudications Act 1983, Section 17.

Charging for Residential Accommodation Guide, in support of The National Assistance (Assessment of Resources) Regulations 1992.

Fairer Charging Policies for Home Care and other non-residential Social Services, Guidance for Councils with Social Services Responsibilities.

## 7. Report Author/Officer to contact:

Colleen Smith

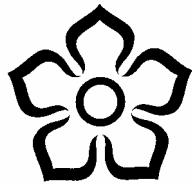
Finance Manager – Non-Residential Services

Tel: 0116 252 8893

[Colleen.smith@leicester.gov.uk](mailto:Colleen.smith@leicester.gov.uk)

## DECISION STATUS

<b>Key Decision</b>	Yes
<b>Reason</b>	Is significant in terms of its effect on communities living or working in an area comprising more than one ward.
<b>Appeared in Forward Plan</b>	Yes
<b>Executive or Council Decision</b>	Executive (Cabinet)



Leicester  
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**WARDS AFFECTED:**

All Wards

**FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:**

Adult & Community Services Scrutiny Committee  
Cabinet

21 March 2007  
2 April 2007

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**Charging for Non-Residential Social Care Services  
Fairer Charging Policy**

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**SUPPORTING INFORMATION**

**1. Purpose of Report**

1.1 As per covering report.

**2. Background**

2.1 As per paragraphs 2.1 – 2.3 in covering report.

**3. Services Included**

3.1 It is proposed that all Non-Residential social care services provided by the Adults & Housing department will be chargeable under this policy unless they are listed as an exclusion in paragraph 2.3. It is also proposed that this policy is applied to any new Non-Residential services.

3.2 Non-Residential social care services chargeable under this policy and currently provided by the Adults & Housing department are:

- Home Care
- Supportive Living
- Direct Payments for any service not listed in paragraph 2.3
- Individual Budgets for any service not listed in paragraph 2.3
- Supporting People services limited to the full cost of the housing related support element. More details can be found in Appendix A paragraph 2.2.
- Sitting Service
- Assistive Technology

3.3 Non-Residential social care services that are not chargeable under this policy are:

- Services subject to a flat rate charge rather than a means test, e.g. Mobile Meals.

- Services where Members have taken the decision not to charge, i.e. transport, day care.
- Services for which the Council is not allowed to charge:
  - Services provided under s.117 of the Mental Health Act 1983.
  - Services provided under Intermediate Care arrangements.
  - The service-user has contracted any form of Creuzfeldt Jacob Disease.
  - Services provided under the Carers and Disabled Children Act 2000 where the service-user has refused a Community Care Assessment.
- Services for which the Council has powers to charge, but which require further consideration and consultation before any proposed charge is brought to Cabinet for approval.
  - Community Care Act services provided as the result of a carer's assessment under the Carers and Disabled Children Act 2000. This exclusion will be kept under review.
  - Services provided to the Carer as the result of a carer's assessment under the Carers and Disabled Children Act 2000 (excluding Community Care Act services). This exclusion will be kept under review.
  - Services provided under Independent Living Fund arrangements. This exclusion will be kept under review.

#### **4. Major Changes and Additions to the Policy**

- 4.1 The major changes and additions to the Policy attached as Appendix A are listed in this section.
- 4.2 The services chargeable and not chargeable under this policy are clearly specified in Section 2.
- 4.3 The underlying principles of the financial assessment are detailed in para 4.8 and 4.9.
- 4.4 Section 6 relating to Disability Related Expenditure is clarified and contains more information.
- 4.5 Section 7 relating to the review of financial assessments is clarified and contains more information.
- 4.6 Information on how to apply for a waiver against the weekly assessed charge is given in Section 10.
- 4.7 Information on how to lodge an Appeal against the weekly assessed charge is given in Section 12.
- 4.8 Information on how to challenge the Council's decision to levy charges for Non-Residential social care services is given in Section 13.
- 4.9 Section 18 has been added to give information on the "Statement of Accounts" for individual service-users.

#### **5. Approach & Response to Consultation**

5.1 There has been a thorough approach to consulting a range of stakeholders on revisions to the policy. A letter outlining the proposed updates to the Policy and asking for comments was sent to the following bodies in December 2006.

- Mosaic
- Mencap
- Vista
- Action Deaf
- Lamp
- City Disability Consultation Group
- Clasp
- Age Concern
- Older Persons Forum
- Leicester BME Forum
- VAL

5.2 Responses were received from the City Disability Consultation Group and the Older Persons Forum

5.3 The City Disability Consultation Group advised that it is very difficult for disabled service-users to manage all their outgoings on a limited income and they feel that there should be no charges for Non-Residential social care services.

5.4 The Group also made valuable recommendations about procedural and practice changes. These comments will be considered as part of the ongoing improvements undertaken in the implementation of the Fairer Charging Policy.

5.5 The Older Persons Forum advised that the literature given out in respect of this policy can be difficult to understand and asked that this was reviewed. This request will be considered as part of the ongoing improvements undertaken in the implementation of the Fairer Charging Policy and the Older Persons Forum will be consulted on any proposed changes to literature. .... *Further response to be added after attendance at OP Forum 31 Jan 07.*

5.6 Consultation has also taken place with the following staff groups:

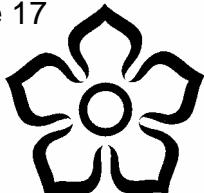
- Service Directors
- Service Managers for Mental Health, Welfare Rights & Access
- All commissioning staff, Supporting People team, officers leading on Direct Payments & Individual Budgets.

5.7 Staff have responded positively to the proposed amendments, as they will result in a more open, equitable and transparent application of the Fairer Charging policy. Staff are keen that the policy is applied sensitively and welcome the improved information available to service-users.

**6 Report Author**  
Colleen Smith  
Finance Manager – Non-Residential Services  
Tel: 0116 252 8893

[Colleen.smith@leicester.gov.uk](mailto:Colleen.smith@leicester.gov.uk)

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Leicester  
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## MINUTE EXTRACT

### Minutes of the Meeting of the ADULT & COMMUNITY SERVICES SCRUTINY COMMITTEE

Held: WEDNESDAY, 21 MARCH 2007 at 5.30pm

#### P R E S E N T :

Councillor Corrall - Chair  
Councillor Almey – Liberal Democrat Spokesperson  
Councillor Porter – Conservative Spokesperson  
Councillor A. Vincent – Focus Team Spokesperson

Councillor Kitterick (for Cllr.Waddington)  
Councillor Nurse

Councillor Renold  
Councillor Thompson

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#### **60. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Waddington.

#### **61. DECLARATIONS OF INTEREST**

Members were requested to declare any interests they may have in the business on the agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applied to them.

No declarations were made.

#### **67. CHARGING FOR NON-RESIDENTIAL SOCIAL CARE SERVICES - FAIRER CHARGING POLICY**

The Corporate Director, Adults and Housing, submitted a report that sought the views of the Committee on the revision and updating of the Fairer Charging Policy.

The Committee were informed that the Fairer Charging Policy basically determined how the means test would be applied to an individual, and not the actual hourly charges to be applied to care.

The Committee expressed concerns as to the complexity of the Policy and questioned how the public would be able to understand it. Members were informed that a booklet, setting out in a more 'user friendly' way the scope of the Policy, was already made available to service users but that this would be updated to take account of the revisions made. A longer term piece of work

would then take place to further revamp the booklet, involving consultation with service user groups and the Committee requested that a draft of this booklet be circulated to members of the Committee prior to it being released.

The Committee had no further comments to make on the major changes and additions to the Fairer Charging Policy set out in the report.

**RESOLVED:**

- 1) that the major changes and additions to the Fairer Charging Policy as set out in the report, be supported.
- 2) that copies of the extensively revised draft summary booklet be circulated to members of the Committee prior to it being released.



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WARDS AFFECTED  
ALL WARDS

**FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:  
CABINET**

**2 April 2007**

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**FAIR ACCESS TO CARE SERVICES  
ACCESS, ELIGIBILITY AND PROVISION OF SOCIAL CARE SERVICES**

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**Report of the Corporate Director, Adults & Housing Department**

**SUPPORTING INFORMATION**

**1. Current Arrangements**

- 1.1 The City Council has a duty under S47 of the NHS & Community Care Act 1990 to assess people who appear to need community care services, and on the basis of that assessment decide whether it is necessary for the Council to provide services in order to meet identified needs. Since community care arrangements were introduced in 1993 assessments have been differentiated between assessments for services on the one hand and full needs assessments on the other, on the basis of presenting needs.
- 1.2 The difficulty with this approach is that it did not provide consistency in the way people with similar risks to their independence and need for community care services were responded to i.e.:-
  - Previous arrangements for differential assessments did not always ensure that an holistic approach was made to assessing a person's needs, risks and circumstances when allocated a service focused assessment;
  - Eligibility criteria for one service area may be tighter than another based on the levels of demand and the availability of resources; it also does not facilitate the development of comparative performance data.
- 1.3 Similarly the lack of a consistent and effective case review policy in adult services has meant that continued eligibility for service provision had not always been determined and some people have continued to receive services after their circumstances have improved and risks have diminished.

## 2. Principles of the FACS Guidance

- The Council should not operate eligibility criteria for specific types of assessment, but should tailor the assessment to the person's needs and circumstances (these issues will be addressed through the implementation of the Single Assessment Process).
- The Council should make only one eligibility decision with respect to people who have been assessed for community care services i.e. – are they eligible for social care services or not.
- The Council should promote a non-discriminatory approach to assessment and service provision by ensuring eligibility is based on needs and risks to independence, and not, for instance, on age, disability, or service availability.
- The Council should not operate eligibility criteria for different services, but should arrange the most appropriate and cost-effective help by matching services to eligible needs.
- People's presenting needs should be assessed and their eligible needs prioritized according to the risks to their independence in both the short and medium term if support is not provided, taking account of a longer-term preventive view of needs and circumstances.
- People whose needs have critical consequences for their independence and/or safety should be supported ahead of those with needs that have substantial consequences and so on.
- People's needs and circumstances must be reviewed on a regular basis to determine continued eligibility for services and appropriateness of service provision.
- The Council is required to focus resources and other local factors on helping those in greatest immediate or longer-term need, and be prepared to move resources from one budget head to another where necessary.
- The Council is required to review its eligibility criteria on a regular basis, and having determined its criteria it should ensure that services are in place to meet eligible needs.
- The Council should promote a wider community approach to prevention, involving Primary Care Trusts, supporting people and health promotion.

### **3. The Eligibility Framework**

3.1 The eligibility framework has been constructed to enable the types and levels of risk in areas of life, which are central to a person's independence and well being to be identified.

3.2 The levels of risk have been graded into four bands that describe their seriousness of the risk to a person's independence, or other consequences, if needs are not addressed. The four bands specified by the DoH are:

- Critical
- Substantial
- Moderate
- Low

3.3 **Priority One: Critical**

- life is, or will be threatened
- significant health problems have developed or will develop
- there is, or will be, little or no choice and control over vital aspects of the immediate environment
- serious abuse or neglect has occurred or will occur
- there is, or will be, an inability to carry out vital personal care or domestic routines
- vital involvement in work, education or learning cannot or will not be sustained
- vital social support systems and relationships cannot or will not be sustained
- vital family and other social roles and responsibilities cannot or will not be undertaken.

#### **3.4 Case Example (Critical)**

***Mrs A has Alzheimer's disease and physical health problems related to her heart condition and incontinence. Mrs A is disorientated in time and place, she requires constant prompting to carry out daily living tasks. Mrs A also requires assistance with all personal care, including toileting needs and all domestic tasks.***

*Mrs A has no insight so is not aware of, or able to express her own needs. If left alone Mrs A is at risk of wandering, malnutrition, self-neglect and harm from inappropriate use of domestic appliances.*

*Mr A is the main carer and in addition to this Mrs A receives home care twice daily to assist with personal care and managing her incontinence. Mrs A attends day care once weekly. There are no other family members in Leicestershire. Mr A has had a fall and has been admitted to hospital today.*

*Mrs A is assessed as having critical risk to independence so has eligible needs. Mrs A has little or no choice or control over vital aspects of the immediate environment; she has an inability to carry out vital personal care or domestic routines. If left in this situation it is likely that serious neglect will occur and life will be threatened.*

*An urgent assessment is carried out, it is likely that Mrs A would be admitted to respite care in a residential setting.*

### 3.5 Priority Two: Substantial

- there is, or will be, only partial choice and control over the immediate environment
- abuse or neglect has occurred or will occur
- there is, or will be, an inability to carry out the majority of personal care or domestic routines
- involvement in many aspects of work, education or learning cannot or will not be sustained
- the majority of social support systems and relationships cannot or will not be sustained
- the majority of family and other social roles and responsibilities cannot or will not be undertaken.

### 3.6 Case example (Substantial)

*Mrs A has Alzheimer's disease and physical health problems related to her heart condition and incontinence. Mrs A is disorientated in time and place, and requires constant prompting. She also requires assistance with all personal care, including toileting needs and all domestic tasks.*

*Mrs A has no insight so is not aware of, or able to express her own needs. If left alone Mrs A is at risk of wandering, malnutrition, self-neglect and harm from inappropriate use of domestic appliances.*

*Mr A is the main carer and in addition to this Mrs A receives home care once daily to assist with personal care and managing her incontinence. Mrs A attends day care once weekly. There are no other family members in Leicestershire.*

***Mr A has his own health issues and is feeling under a great deal of carer strain. Mrs A's GP has advised him to rest. Mr A requests support to reduce his caring responsibilities thus enabling him to continue to care for his wife.***

***Mrs A is assessed as having substantial risk to independence so has eligible needs. Although Mrs A's needs are identical to those outlined in the Critical example the support available to her from other sources (husband) is different so her needs are no longer Critical. As support offered Mr A is reducing, Mrs A is at risk of deterioration due to an inability to carry out the majority of personal care or domestic routines. The majority of family and other social roles and responsibilities cannot be maintained due to level of carer strain.***

***An assessment is carried out and it is likely that the support package would be increased for instance, to include additional home care and day care. A carer assessment would be carried out and carer support offered.***

### **3.7 Priority Three: Moderate**

- there is, or will be, an inability to carry out several personal care or domestic routines
- involvement in several aspects of work, education or learning cannot or will not be sustained
- several social support systems and relationships cannot or will not be sustained
- several family and other social roles and responsibilities cannot or will not be undertaken

### **3.8 Case example (Moderate)**

***Mr B has a diagnosis of schizophrenia and has had regular hospital admissions as a result. He regularly sees a psychiatrist and has Community Psychiatric Nursing support. Mr B lives alone but has a supportive family network in Leicester.***

***Mr B is independent with personal care tasks but needs support and prompting with domestic tasks. Mr B's family assist with shopping and budgeting and are happy to continue to do so.***

***Mr B's CPN has referred him for a community care assessment and has requested support with cleaning and gardening.***

***Mr B is assessed as having moderate risk to his independence so does not have eligible needs. Although there is an inability to carry out several domestic routines Mr B's other needs are met either independently or by his family. Mr B will be offered advice re-accessing support with gardening and cleaning via the voluntary and private sectors.***

### 3.9 Priority Four: Low

- there is, or will be, an inability to carry out one/two personal care or domestic routines
- involvement in one/two aspects of work, education or learning cannot or will not be sustained
- one/two social support systems and relationships cannot or will not be sustained
- one/two family or other social roles and responsibilities cannot or will not be undertaken.

### 3.10 Case example (Low)

***Mr B has a diagnosis of schizophrenia and has had regular hospital admissions as a result. He regularly sees a psychiatrist and has Community Psychiatric Nursing support. Mr B lives alone.***

***Mr B is independent with personal care and domestic tasks. Mr B has a reluctance to allow his family to support him so has tried to manage his own finances. He has struggled with this. As a result he has rent arrears and is at risk of eviction from his local authority flat.***

***Mr B is assessed as having a low risk to his independence so does not have eligible need. There is an inability to carry out one or two domestic routines. Mr B's family are able and willing to support him but he has continued to decline this support. This has caused a deterioration of one or two family and other social support systems. Mr B does however meet all other needs independently.***

***Mr B is referred to the appropriate housing support team within the housing department of Leicester City Council.***

### 3.11 The four areas identified by the DoH as being central to maintaining a person's independence are:

- Autonomy
- Health and safety
- Managing personal and other daily routines
- Involvement in family and wider community life

These four factors have been used to construct a framework to identify the risks attached to various needs and circumstances within different areas of independence. The Council's responsibilities are to determine which of these needs and circumstances will be eligible for the provision of social care services in Leicester.

3.12 There are certain parameters, which need to be taken into account:

- the threshold for eligibility can only be set between the levels of risk to independence and not between the areas of independence, i.e. between moderate risk and low risk, for instance, or between moderate risk and substantial risk.
- the Council must provide services to people whom it has assessed as having an eligible need for social care services, i.e. if the Council sets the threshold for eligibility between the Moderate and Low bands, it must ensure that it has the resources to meet the needs identified within the Moderate, Substantial and Critical bands. If it does not it would have to set the threshold higher, say between the Moderate and Substantial bands.
- Where a person has a variety of needs and circumstances, some which are eligible for social care support, and some which are not, the Council is not obliged to meet those needs which fall below the threshold of eligibility, but it may consider it appropriate to do so in certain circumstances for preventative reasons.
- The Council is unable to modify the components of the risk bandings (identified in bold in the framework) as these have been prescribed by the DoH, but the Council can describe the types of needs and circumstances it considers fall within the different levels of risk and areas of independence, and these should be reviewed on a regular basis.

#### 4. The Impact of FACS on Resource Management

- 4.1 The FACS eligibility framework was welcomed as an appropriate and timely instrument to assist the Council in managing its limited resources. The benefits of the framework are in its relevance to adults of all ages and with any disabling condition who approach the Council for social care support, and it provides the Council with a legitimate and transparent means of determining resource allocation and eligibility for service based on the availability of resources.
- 4.2 Although the Council does not operate a formal prioritisation system for case allocations within adult services, the eligibility framework enables new referrals to be prioritised in terms of the perceived risks to a person's independence based on presenting needs; and for assessed needs and circumstances to be prioritised and recorded in terms of risk and eligibility for service provision.
- 4.3 This enables a new set of performance data to be collated appropriately deployed, and the extent to which particular service areas may be over or under provided for, within the parameters of what the Council has determined as eligible need.

4.4 Once the Council has determined the level of risk and the types of need that are eligible for social care support, it is the responsibility of social work staff to apply this, and assess the needs and circumstances of individual's to determine the level of risk which these pose to their independence, evaluated against the risks to their autonomy, health and safety, ability to manage daily routines, and involvement in family and community life. They should consider which risks cause serious harm, and which risks may be acceptable or viewed as a natural and healthy part of independent living.

4.5 By identifying the risks attached to various needs and circumstances the assessor is able to determine whether the individual has eligible needs for social care services using the eligibility framework. When determining eligibility the assessor must take account of the support that a person may already be receiving from carers, family members, friends and neighbours, and of the risks faced by them in their caring role.

- If, for example, a person is unable to perform several personal care tasks, but can do so with the help of a carer, and the carer is willing and able to continue caring both currently and in the longer-term, then the person should not be perceived as having eligible needs for social care services.
- If, on the other hand, the caring relationship is close to breakdown, the person's needs would be eligible for social care services, as there would be a critical risk of the person losing their independence and of the carer developing a significant health problem.

4.6 Where a person has eligible needs a care plan will be formulated to arrange for the provision of appropriate services tailored to their particular circumstances, and a decision made about the appropriateness of direct payments. Once the Council has decided that it is necessary to provide services to meet a person's eligible needs it is under a duty to provide those services.

4.7 Given the current levels of commitments, activity levels and limited availability of resources, it is perceived that the Council would face serious difficulties in providing care services to meet the needs of people whose circumstances have been assessed as presenting a moderate risk to their independence. The appropriate threshold for determining eligibility for social care services is considered to be between the Moderate and Substantial Bands of risk. The implications of this require the Council to provide social care services to any person whose assessed circumstances present a critical or substantial risk to their independence if services are not provided.

## 5. Impact on Service Users

5.1 Generally the Council falls in line with most Local Authorities in establishing the eligibility threshold at 'critical' or 'substantial'. This has meant that those people with a 'moderate' risk to independence have been assisted to seek alternative ways of meeting those needs from other organizations.

## **6. Monitoring of FACS Performance**

6.1 The purpose of eligibility criteria is to support the most effective and efficient use of available resources and to ensure consistency and fairness across the city and across service user groups. It is therefore important that the application of the eligibility criteria is carefully monitored and reviewed on a regular basis.

6.2 The FACS guidance requires the Council to audit and monitor its performance of fair access to care services by:

- gauging the extent to which different groups are referred and following assessment go on to receive services;
- monitoring the quality of the assessment and eligibility decisions of their staff;
- monitor which presenting needs are evaluated as eligible needs and which are not;
- auditing service effectiveness with reference to care plans and reviews;
- Monitoring the timing and frequency of reviews.

6.3 This will be achieved through the performance management and quality systems, which include:

- Fair Access and Quality of Service Users and Carers performance information within National Performance Assessment Framework (PAF)
- Feedback from Carer and Service User Groups
- Customer satisfaction and feedback surveys
- Analysis and evaluation of Complaints and Compliments
- Internal Audit and inspection processes
- Staff supervision and appraisal system
- Information from external inspections and audits such as, Social Services Inspectorate, District Audit and the Best Value Inspectorate
- Equality Impact Assessment Process

## **7. Reviewing the Eligibility Threshold**

7.1 The FACS guidance requires the Council to review its eligibility criteria annually, and it will therefore be possible to adjust this if the resource position changes or a more accurate assessment of the position can be made.

## 8. Headline Financial and legal Implications

OTHER IMPLICATIONS	YES/NO	PARAGRAPH REFERENCES WITHIN SUPPORTING INFORMATION
<b>Equal Opportunities</b>	<b>Yes</b>	<b>Throughout report</b>
<b>Policy</b>	<b>Yes</b>	<b>Whole report</b>
<b>Sustainable and environmental</b>	<b>No</b>	
<b>Crime and disorder</b>	<b>No</b>	
<b>Human Rights Act</b>	<b>Yes</b>	<b>Throughout report</b>
<b>Elderly/People on low income</b>	<b>Yes</b>	<b>Throughout report</b>

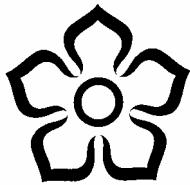
## 9. Background Papers

- Local Authority Social Services Act 1970, Section 7(1)
- Health: Continuing Care: HSC 2001/015: LAC (2001) 18; Section 31: Health Act 1999 Flexibilities
- Children and Families: Children Act 1989 and the “Assessment Framework”
- Carers: “Carers and Disabled Children Act 2000: a Practitioners Guide to Carers Assessments”
- Road Traffic Act 2000
- Rights and Discrimination: Sex Discrimination Act 1975; Disability Discrimination Act 1995; Human Rights Act 1998; Race Relations (Amendment) Act 2000
- Information Collection and Sharing Common Law Duty of Confidentiality; Data Protection Act 1998; Human Rights Act 1998; Caldicott Guidance.
- Report to the Adult & Community Service Scrutiny Committee on 1<sup>st</sup> November 2006.

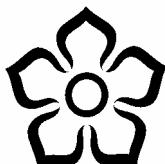
### Report Author/Officer to contact:

Bhupen Dave,  
Service Director,  
Community Care Services  
Tel: 0116 252 8301  
Email: [Bhupen.Dave@leicester.gov.uk](mailto:Bhupen.Dave@leicester.gov.uk)

Malcolm Hepplewhite  
Adults and Housing Directorate  
Service Manager  
Community Care Access and Review Service  
Telephone: 0116 256 5293  
[Malcolm.Hepplewhite@leicester.gov.uk](mailto:Malcolm.Hepplewhite@leicester.gov.uk)



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**FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:  
CABINET**

**2 April 2007**

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**FAIR ACCESS TO CARE SERVICES  
ACCESS, ELIGIBILITY AND PROVISION OF SOCIAL CARE SERVICES**

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**Report of the Corporate Director, Adults & Housing Department**

**1. Purpose of Report**

- 1.1 This report outlines the requirement to determine eligibility for services under the Government's guidance on Fair Access to Care Services (FACS). Under the guidance introduced in April 2003, the council is required to reach an annual decision on where to place the threshold that determines eligibility across all adult and older people's social care services.
- 1.2 The national eligibility framework consists of the following four bands that describe the seriousness of the risk to an individual's independence if their assessed needs for support are not met:-
  - Critical
  - Substantial
  - Moderate
  - Low

Details of the content of each band of eligibility along with case examples are outlined in the Supporting Information section of this report (paragraph 3).

- 1.3 At present, the Council's threshold of eligibility for adult social care services is placed at 'substantial' and 'critical'.

The banding determines which eligible needs will be met and which will be referred for preventative services and/or signposting.

## **2. Views of the Adult and Community Services Scrutiny Committee**

2.1 The Committee at the meeting on 1<sup>st</sup> November 2006 discussed the FACS report and supported the recommendation that the Council continue to place the threshold of eligibility at 'substantial' and 'critical' needs.

## **3. Recommendation**

3.1 Cabinet is requested to support the recommendation that the threshold of eligibility should continue to be placed at 'substantial' and 'critical' as indicated in Appendix A.

## **4. Background information**

4.1 The FACS guidance was prepared in response to the Gloucestershire judgement in 1997. Previous guidance had stated "criteria of need are matters for local authorities to determine in the light of resources". The view that local authorities could take resources into account when assessing needs and deciding what services to arrange was challenged in a judicial review against Gloucestershire Social Services in 1995.

4.2 The Department of Health's position was upheld by the House of Lords in 1997, and additional guidance was provided to emphasize that the judgement did not give local authorities a license to take decisions on the basis of resources alone.

It was confirmed that the local authority cannot arbitrarily change the services it arranges merely because its own resource position has changed. The local authority needs to consider what assessed needs it will meet (i.e. what its eligibility criteria will be/and reassess needs against revised criteria).

4.3 The need for guidance on eligibility criteria for adult social care services was identified in the 1998 White Paper "Modernising Social Services" as different local authorities used different eligibility criteria. This led to considerable variation in access to social care, which in turn led to unfairness. The practice of many local authorities to apply eligibility criteria for both assessment and particular services was seen to be confusing and unnecessary.

4.4 At the centre of FACS guidance is the principle that local authorities should operate just one eligibility decision for all adults seeking social care support, i.e. should people be helped or not? In carrying out their duties under Section 47 of the NHS and Community Care Act 1990, local authorities should keep assessment in proportion to the individual's needs.

4.5 To help them determine eligibility, the FACS guidance provides a national framework for local authorities to use when setting their eligibility criteria. It covers how local authorities should carry out assessments and reviews, and support people through these processes. The framework is based on risks that arise from needs associated with various forms of disability, impairment and difficulty, and will keep local authorities focused upon promoting the independence of those seeking their help.

## 5. Report

5.1 Immediately prior to introduction of the guidance in 2003/04, the Department undertook a large scale staff training programme in order to ensure that workers at all levels were fully informed about the new criteria and were able to apply them appropriately. This approach was further supported through the introduction of a new policy and practice guidance document issued to appropriate staff.

5.2 Measures have been taken to ensure that the eligibility framework is built into the development of CareFirst (the Department's electronic information system). This is to enable effective performance information to be collated to indicate the extent of risk being addressed, types of needs and the circumstances being provided for.

5.3 Information collection systems set up to monitor FACS activity, indicate that in 2005/06, approximately 93% of adult assessments/reviews undertaken have resulted in a new or continued service being provided, i.e. the assessed needs fell within the 'critical' and 'substantial' bands referred to in paragraph 1.2 above, and therefore above the line of eligibility for 2005/06.

5.4 In 2004/05 the figure was 93% and at 31<sup>st</sup> December 2006 the figure was at 96.3%. This represents a total number of Assessments/Reviews at 'Critical' and 'Substantial' at 6901 out of a total number of Assessments/Reviews at 7164.

5.5 A recent survey of Local Authorities looked at the setting of eligibility thresholds and noted that the majority trend for eligibility is 'critical' and 'substantial'.

5.6 Only a small number of Local Authorities provide care to those people with 'low' needs with most offering an advice service and information on alternative care providers within their locality.

5.7 This picture illustrates that the tension within eligibility criteria is on the boundary between 'moderate' and 'substantial' need, and this is where there seem to be discrepancies between Local Authorities and their social care provision.

5.8 It appears that the tension is solved by ruling that those people with 'moderate' needs will not qualify for services, apart from exceptional circumstances where the assessment discloses needs which, if not met, are likely to lead to a significant deterioration in their condition within a very short time to 'substantial' or 'critical'.

5.9 It does appear from a review of current practice that the provision of 'moderate' care is generally being squeezed with most Local Authorities that currently provide for this level of need either intending to stop providing this or currently reviewing their criteria around the core being provided to those with 'moderate' needs.

This would support the view that this Department's setting of the threshold at 'substantial' and 'critical' is the norm.

## 6. Headline Financial and legal Implications

### 6.1 Financial Implications (Colin Share, Head of Finance)

The FACS framework provides the Council with a legitimate and transparent means of determining resource allocation and eligibility for service based on the availability of resources. Although there are serious pressures on the Community Care (Commissioning) Budgets, it is expected that the expenditure to meet substantial and critical needs, subject to demand staying within the current and anticipated levels, it will be contained within the overall Departmental Budgets proposed in the 2007/08 Departmental Revenue Strategy.

If the eligibility level were raised to critical only, then a nil financial impact could be expected in the first year as individual's needs and care packages are reviewed and services withdrawn. A saving would be achieved in years 2 and 3 as less people receive a service. From around year 4 onwards, it is likely that people with substantial needs will progress to critical needs as their condition deteriorates through lack of support and the savings would diminish. There could also be increased demand on local health services, which would need to be factored into joint planning by the Council and the Primary Care Trust.

If Members are minded to move the eligibility criteria to Moderate or Critical, then details service and financial modeling would need to be commissioned to quantify the effects for the Council and the NHS over the short, medium and longer terms.

### 6.2 Legal Implications (Guy Goodman, Head of Community Services LAW)

The legal implications arising from this report are fully explored accurately by the authors in the Supporting Information.

## 7. Report Author/Officer to contact:

Bhupen Dave, Service Director, Community Care Services Tel: 0116 252 8301 Email: <a href="mailto:Bhupen.Dave@leicester.gov.uk">Bhupen.Dave@leicester.gov.uk</a>	Malcolm Hepplewhite Service Manager Community Care Access and Review Service Telephone: 0116 256 5293 Email: <a href="mailto:Malcolm.Hepplewhite@leicester.gov.uk">Malcolm.Hepplewhite@leicester.gov.uk</a>
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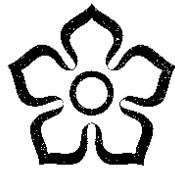
<b>Key Decision</b>	Yes
<b>Reason</b>	Is significant in terms of its effect on communities living or working in an area comprising more than one ward.
<b>Appeared in Forward Plan</b>	Yes
<b>Executive or Council Decision</b>	Executive (Cabinet)

Appendix A

**LEICESTER CITY COUNCIL – ADULTS AND HOUSING DEPARTMENT**  
**ELIGIBILITY CRITERIA FOR COMMUNITY CARE SERVICES**

CRITICAL		SUBSTANTIAL	MODERATE	LOW
A	• Life is, or will be threatened;	• There is, or will be, only partial choice and control over the immediate environment;	• There is, or will be, an inability to carry out several personal care or domestic routines.	• There is, or will be, an inability to carry out one or two personal care or domestic routines;
S	• Significant health problems have developed or will develop;	• Abuse or neglect has occurred or will occur;	• Involvement in several aspects of work, education or learning cannot or will not be sustained;	• Involvement in one or two aspects of work, education or learning cannot or will not be sustained;
S	• There is, or will be, little or no choice or control over vital aspects of the immediate environment;	• There is, or will be, an inability to carry out the majority of personal care or domestic routines;	• Several social support systems and relationships cannot or will not be sustained;	• One or two social support systems and relationships cannot or will not be sustained;
E	• Serious abuse or neglect has occurred or will occur;	• Involvement in may aspects of work, education or learning cannot or will not be undertaken.	• Several family and other social roles and responsibilities cannot or will not be undertaken.	• One or two family and other social roles and responsibilities cannot or will not be undertaken.
S	• There is, or will be an inability to carry out vital personal care or domestic routines;			
S	• Vital involvement in work, education or learning cannot or will not be sustained;	• The majority of social support systems and relationships cannot or will not be sustained;	• The majority of social support systems and relationships cannot or will not be undertaken;	
M	• Vital social support systems and relationships cannot or will not be sustained;	• Vital family and other social roles and responsibilities cannot or will not be undertaken.	• The majority of family and other social roles and responsibilities cannot or will not be undertaken.	
E	• Vital family and other social roles and responsibilities cannot or will not be undertaken.			
N				
T				
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S				
← ELIGIBLE NEEDS →		→ PREVENTATIVE SERVICES, ADVICE, GUIDANCE, REFERRALS TO OTHER AGENCIES →		

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Leicester  
City Council

**WARDS AFFECTED**  
**ALL WARDS**

**CABINET**

**2 APRIL 2007**

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## **DISABILITY DISCRIMINATION ACT INITIATIVES 2007/08**

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### **Report of the Corporate Director of Resources**

#### **1. Purpose of Report**

The purpose of this report is to advise Cabinet of works recommended to be funded from the Disability Discrimination Act Initiatives budget for 2007/08, and to seek approval to enable the programme to proceed.

#### **2. Summary**

A sum of £500,000 in 2007/08 has been approved for the Disability Discrimination Act Initiatives budget.

Proposals for spending the 2007/08 budget in 23 buildings are attached at Appendix 1. The proposals have been prioritised based on audits and service need, using the new prioritisation model agreed with the Disability Equality Scheme Working Group, which includes external representation from the Leicestershire Centre for Integrated Living (LCIL).

Also shown in Appendix 1 is a sum of £20,000 allocated for the Access to Work Scheme and £8,235 for urgent works that may arise within the financial year.

#### **3. Recommendations**

Cabinet is recommended to:

- 3.1 Approve the works in Appendix 1 including the allocation of £20,000 to the Access to Work Scheme and the urgent works contingency.
- 3.2 Authorise the Corporate Director of Resources to order the works.
- 3.3 Authorise the Corporate Director of Resources to seek all necessary consents.

- 3.4 Authorise the Head of Legal Services to sign any contracts as necessary to allow the work to proceed.
- 3.5 Delegate authority to the Corporate Director of Resources to approve further works during the year, reassess or amend the programme as necessary, in consultation with the Cabinet Lead Member for Resources and Corporate Issues.

#### **4. Financial and legal Implications**

Financial Implications – Nicola Harlow Ext 7432

The sum of £500,000 (including fees) for 2007/2008 has been included in the Capital Programme for this project.

Legal Implications – Peter Nicholls Ext 6302

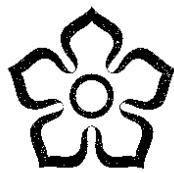
The Head of Legal Services has been consulted on the report and considers there to be no specific legal implications other than to ensure that the consultation complies with the provisions of the Disability Discrimination Act 1995 and its amending Acts.

#### **5. Officer to contact:**

Patrick Midson  
 Disability Discrimination Act Officer  
 Property Review Team  
 Resources  
 Ext: 8181

#### **DECISION STATUS**

<b>Key Decision</b>	No
<b>Reason</b>	N/A
<b>Appeared in Forward Plan</b>	N/A
<b>Executive or Council Decision</b>	Executive (Cabinet)



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## **DISABILITY DISCRIMINATION ACT INITIATIVES 2007/08**

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### **Report of the Corporate Director of Resources**

### **SUPPORTING INFORMATION**

#### **1. Report**

- 1.1 Appendix 1 contains a proposed list of works to improve access for disabled people to City Council buildings under the Disability Discrimination Act 1995 and its amendments (DDA). It is recommended that these works should be undertaken using the funding within the Capital Programme for 2007/08.
- 1.2 The Disability Discrimination Act Officer (DDA Officer) based in the Property Review Team, (Resources – Property Services) has the duty of inspecting all City Council buildings (excluding domestic) to ascertain their level of accessibility and usability by disabled people. Any shortfall in access standards is recorded on a database to produce a programme of improvements required. The list is constantly reviewed to ensure that any buildings that are or may be surplus to use are not being included when works are to be carried out. Audits of service delivery to disabled people are the responsibility of the department providing the service from the building.
- 1.3 Prioritisation of works is reached by a system of weighting each piece of work required in each building scored using a prioritisation methodology introduced last financial year. The model is similar to that used for the prioritisation of the Council's Central Maintenance Fund. It considers technical need, service requirements, benefit to the greatest possible number of service users and staff and the Council's likely future intentions for the building.
- 1.4 The scoring is applied using the two audits mentioned above in 1.2 through workshops with each department, which are chaired by the Asset Strategy Manager (Property Services). These are made up of the DDA Officer, the departmental Heads of Property Group representatives and departmental Equality Officers. In order to address the City Council's duties under the Disability Equality Duty (introduced in December 2006), representatives of organisations of and for disabled people including the City Council's Disabled Employees Group are included. This year, the Leicestershire Centre for

Integrated Living (LCIL) and the Chair of the Disabled Employees Group were invited to the meetings but unfortunately LCIL was unable to send a representative. However, to ensure continuous involvement of disabled people, a copy of the draft DDA programme was forwarded to LCIL with an invitation for them to comment on the proposals. In future years the opportunity will be taken to widen the involvement of disabled people and organisations.

- 1.5 The proposed spending of the budget is based on the highest priority scores forming the proposed programme; these are shown at Appendix 1. The buildings are listed in alphabetical order for ease of reference rather than the priority scores.
- 1.6 The City Council has been in the top quartile of the Audit Commission's Best Value Performance Indicator 156 "the number of City Council's buildings open to the public and accessible and usable by disabled people" for the past 4 years. Continuing to provide capital provision for access improvements to buildings should help to keep it in that position.
- 1.7 Appendix 1 is made up of works to buildings, fees and an urgent contingency fund. This fund will allow any works identified by disabled people during the financial year that prevents them accessing a City Council building, to be undertaken. Also included is a sum of £20,000 for the Access to Work scheme (ATW) to continue. This element is controlled by the Corporate Director of Resources, Human Resources Unit. The Access to Work element is to fund the cost of equipment and accessories necessary to assist existing and new disabled members of staff in their work and is largely grant-aided by the Department of Employment on a sliding scale of up to 100% of the cost.
- 1.8 Members should note that the DDA budget stands alone to carry out access improvements to buildings where works have been identified through audit and user comments. When departments are undertaking any refurbishment, alterations or improvement works to buildings they occupy, they are expected to include any access improvements needed at that time without calling on the DDA improvements budget.

## **FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

### **1. Financial Implications**

The sum of £500,000 (including fees) for 2007/2008 has been included in the Capital Programme for this project.

### **2. Legal Implications**

The Head of Legal Services has been consulted on the report and considers there to be no specific legal implications other than to ensure that the consultation complies with the provisions of the Disability Discrimination Act 1995.

### 3. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph References Within Supporting information
Equal Opportunities	Yes	Throughout the report
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	Yes	Throughout the report

### 4. Background Papers – Local Government Act 1972

Capital Programme book 2007/2008.

### 5. Consultations

In 2002 consultation was undertaken with various voluntary bodies through Voluntary Action Leicester, results of which were reported to FREOPs on 19th September 2002 and to Cabinet on 23 September 2002. The results of this consultation were disappointing and therefore to meet its new duties under the Disability Equality Duties introduced in December 2006, Property Services will work with LCIL and others to establish a meaningful system that allows for the full involvement of disabled people, which it is hoped will produce better results. In the meantime we continue to rely on user comments gathered by the service and building audit regime.

Internal consultation has taken place with the Heads of Property Group, individual departmental Heads of Property Group Representatives and Equality Officers (including through them Service Heads and Managers), as well as the Disability Equality Group, which includes external representation (Director of LCIL).

### 7. Officer to contact:

Patrick Midson  
Disability Discrimination Act Officer  
Property Review Team  
Resources  
Ext: 8181

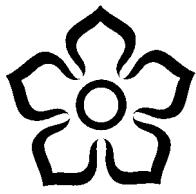
**Tom Stephenson**  
**Corporate Director of Resources**

## APPENDIX 1

UPRN	BUILDING NAME	Property Type	Department	Works Identified	Predicted Cost
2081	Adult Education College	Adult Education	A&HS	Alteration to building to enable wheelchair access to rear part of ground floor ie café etc. Possible options include lift or ramped external access	£30,000
1709	African Caribbean Centre	Community Centre	RAC	Provide 8 person lift	£150,000
2024/01	Beaumont Enterprise Centre	Industrial Units	RES	Replace inner lobby door (automatic opening). Provide brightly coloured contrast to nosing of step inside of entrance door. Provide suitable colour contrast to nosings of spiral fire stairs. Upgrade lift to current DDA standards.	£20,080
2054	Brookside Intermediate Care Unit	Elderly Persons Homes	A&HS	Change/provide colour contrast to all stairs as required and supply and fit handrails. Relocate intercom to other side of door at NHS entrance and lower to a suitable height for a wheelchair user. Provide dropped kerb near NHS entrance.	£7,100
2129/02	Coleman Lodge	Community Centre	A&HS	Provide an induction loop to both rooms.	£1,500
2087	Cooper House EPH	Elderly Persons Homes	A&HS	Change colour contrast to stair nosings as required.	£2,000
0446	De Montfort Hall	Entertainment	RAC	Replace brass handrails to main stairs to DDA standards. Replace/change colour contrast to nosings of stairs as required. Provide across counter induction loops with suitable signs to both to alternate counters at Box Office. Replace shower in Dressing Room 4 to provide suitable shower for wheelchair user. Widen door to Dressing Room 4 to provide 800mm clear opening.	£26,800
2299/02	Healthy Living Centre Stocking Farm Community Centre	Community Centre	A&HS	Change main entrance doors to automatic opening and increase clear opening. Provide induction loop to hall and across counter induction loop to reception counter.	£9,000
2430	Herrick Lodge EPH	Elderly Persons Homes	A&HS	Widen doors. Supply and fit handrails. Upgrade Staff Toilet to wheelchair accessible. Upgrade existing lift to DDA standard.	£16,000
4123	Humberstone Neighbourhood Housing Office	Offices	A&HS	Alterations to main entrance for wheelchair users.	£5,000
2226	Layton House Day Centre	Adult Day Centres	A&HS	Replace nosings to stairs. Mark car park spaces.	£2,000

UPRN	BUILDING NAME	Property Type	Department	Works Identified	Predicted Cost
4111	Leicester Leys Leisure Centre	Sports Services	RAC	Replace colour contrast nosings to all stairs to provide suitable colour contrast. Resite flush lever in female changing area accessible toilet to other side of tank.	£3,300
2231/02	Linwood Workshops (Common Areas)	Industrial Units	RES	Replace entrance doors (Automatic). Automate double doors in corridor on first floor. Provide suitable colour contrast to nosings of 3 sets of stairs. Relocate the toilet pan in the accessible toilet (1st floor) to be 500mm to centre change flushing lever to other side of cistern and replace hot and cold taps with single lever mixer tap. Provide full set of grabrails and ensure good colour contrast with walls.	£19,800
2232/01	Matrix House (Common Areas)	Industrial Units	RES	Upgrade lift to current DDA standards. Provide additional handrail and suitable colour contrast to nosings to 3 sets of stairs.	£21,000
2260	Melbourne Centre	Industrial Units	RES	Provide single sex accessible female toilet on ground floor and refurbish male single sex toilet. Upgrade lift to current DDA standard. Replace security control on door near lift and move exit button away from door.	£20,800
2323	Rushey Mead Recreation Centre	Community Centre	A&HS	Provide an induction loop in hall.	£1,750
4131	Shopmobility Haymarket Bus Station	Community	RAC	Investigate Provide wheelchair accessible toilet.	£6,000
2340/02	Southfields Sports Hall	Sports Hall	A&HS	Investigate provision of accessible changing area on ground floor. Provide across counter induction loop to reception.	£2,600
1422/01/001	St Matthews Community Centre & Sports Hall	Community Centre	A&HS	Investigate and provide suitable induction loop system to Main Hall (1st floor) and Lounge (ground floor). Investigate across counter induction loop and replace as necessary. Refurbish changing rooms. Install auto doors to allow disabled access to sports hall.	£14,500
2346	St. Andrew's Contact & Assessment Centre	Children & Family Centre	C&YPS	Alterations to wheelchair accessible toilet.	£3,000
2379	Thurncourt EPH	Elderly Persons Homes	A&HS	Replace nosings to stairs. Raise slabs to fire escape door level.	£5,000

UPRN	BUILDING NAME	Property Type	Department	Works Identified	Predicted Cost
1601	Vulcan House (Common areas)	Industrial Units	RES	<p>Upgrade passenger lifts to current DDA standards.</p> <p>Provide vision panels from 400mm to 1700mm in all corridors doors and either provide automatic opening or fit hold open devises wired to the fire alarm system.</p> <p>Increase clear opening of single doors to lift area all levels.</p> <p>Fit help alarm to accessible toilet, change fittings to colour contrast and change flushing lever to other side.</p> <p>Provide colour contrast to all stair nosings and additional handrails as required.</p>	£38,000
2463	Watershed Youth Centre	Community Centre	A&CS	<p>Upgrade lift controls to meet DDA standards</p>	£5,000
				<p>£410,230</p> <p>Fees £61,535</p> <p>Urgent Works £8,235</p> <p>Access to Work £20,000</p>	£500,000

**CABINET****2<sup>ND</sup> April 2007****ADMISSIONS ARRANGEMENTS FOR 2008 AND BEYOND****Report of the Corporate Director for Children and Young Peoples Services****1.1 Purpose of the Report**

As Admissions Authority for the majority of maintained schools in the City Leicester City Council is required to consult upon and publish its admission arrangements for entry in September 2008 by 15<sup>th</sup> April 2007.

This report briefs Cabinet on the outcome of the recent Consultation exercise for Admission Arrangements for 2008 and seeks immediate approval for City Council arrangements for 2008.

The report also draws Cabinet attention to possible future developments in this area for 2009/10 and beyond and seeks approval for the proposed approach.

Finally, this report briefs Cabinet on the improved number of first preferences being met at secondary transfer for September 2007.

**1.2 Recommendations**

Recommendations for Cabinet consideration are detailed in depth at Sections 6 & 7 of this Report. These are summarised below.

Cabinet is asked to:

- 1.2.1 Approve the proposed admissions arrangements for 2008 as detailed in section 6.1 of the report and at appendix A.
- 1.2.2 Endorse and support the proposed methodology for future consultation in connection with admission arrangements for 2009/10 and beyond as detailed in paragraph 6.2 and 6.3 of the report.
- 1.2.3 Endorse and support the proposed methodology and approach to the possible future Nursery/ F1 issues as a result of requirements stemming from the new Childcare Act 2006 as detailed in sections 6.5.1 and 6.5.2 of the report.
- 1.2.4 Cabinet is requested to endorse and support the proposed methodology and approach to possible future variations to accommodate mandatory changes

stemming from new statutory Admissions Code as detailed in sections 6.6.1 and 6.6.2 of the report.

1.2.5 Cabinet is asked to note improved performance at secondary and junior transfer for September 2007 entry as detailed at section 7 of the report.

## 2.0 REPORT

### **Description of the consultation process**

2.1 Initial stakeholder consultation (including parents and young people) was undertaken by Tribal Education as part of a strategic review of admissions and school place planning during November and December 2006. Outcomes from this exercise informed the format and content of this year's consultation.

2.2 The current City consultation document for admission arrangements for entry in 2008 was issued on 27<sup>th</sup> January with responses invited by 23<sup>rd</sup> February 2007.

2.3 This consultation document had two separate parts.

2.4 **Part 1** related solely to changes for 2008 entry only. This part invited comment upon proposed changes to admission numbers at a limited number of schools and a new priority criterion for transfer between linked infant and junior schools.

2.5 **Part 2** indicated that the Authority was minded to make significant changes to admission arrangements from 2009 onwards. This Part indicated that these changes would relate to changes in both priority criteria and priority areas. Part 2 made clear that the Authority was minded to explore establishing families of feeder schools and provided one such exemplar for comment while making clear that was only one of many possible options.

### **3. Responses to Consultation exercise**

3.1 In total the Consultation attracted 43 respondents.

3.2 9 secondary schools responded

- Babington Community Technology College
- Crown Hills Community College
- Fullhurst Community College
- Hamilton Community College
- Lancaster School
- Riverside Community College
- Rushey Mead School
- Sir Jonathan North Community College
- Soar Valley College

3.3 16 primary schools responded:

- Caldecote Primary School
- Coleman Primary School
- Dovelands Primary School
- Fosse Primary School

- Eyres Monsell Primary School
- Herrick Primary School
- Highfields Primary School
- Knighton Fields Primary School
- Linden Primary School
- Mowmacre Hill Primary School
- Parks Primary School
- Rushey Mead Primary School
- St Barnabas CE Primary School
- Slater Primary School
- Willowbrook Primary School
- Wolsey House Primary School

3.4 6 infant schools responded:

- Catherine Infant School
- Green Lane Infant School
- Imperial Avenue Infant School
- Inglehurst Infant School
- Merrydale Infant School
- Overdale Infant School

3.5 4 junior schools responded:

- Braunstone Frith Junior School
- Catherine Junior School
- Overdale Junior School
- Uplands Junior School

3.6 2 voluntary aided schools responded:

- English Martyrs RC School
- St Patricks Catholic Primary School

3.7 1 consolidated response was received from City Professional Associations:

- TCC Teachers Panel

3.8 1 school from another authority:

- Abington High School

3.9 4 responses from other agencies:

- Leicester Strategic Partnership
- Leicester Parent Partnership Scheme
- Special Education Service
- Voluntary Action Leicester

#### **4. Questions asked and answers received**

Q1. Do you agree with the new priority over-subscription criteria for infant/junior transfer?	<b>YES</b>	30
	NO	0
	No comment	8
	N/A	5

Q2. Admission Numbers - do you agree with the figure for your school?	<b>YES</b>	30
	NO	8
	N/A	3
	No comment	2
Q3. Do you agree with the figure for other schools in your area?	<b>YES</b>	31
	NO	2
	N/A	3
	No comment	7
Q4. Proposals for 2009 - general priority order over-subscription criteria - do you agree?	<b>YES</b>	30
	NO	6
	N/A	0
	No comment	7
Q5. Feeder families - in principle, do you support such a model?	<b>YES</b>	28
	NO	12
	N/A	3

A summary document of responses received can be inspected in the Members Library.

## 5. Summary of consultation outcomes

- 5.1 With regard to **Part 1**, (entry in September 2008) it is clear that there is wide support for the new infant – junior transfer priority criteria. Responses were mixed, however, with regard to Admission Numbers.
- 5.2 Admission Numbers responses have therefore been reviewed subsequently by a project team of officers drawn from the Admissions and Property and Planning Teams who are responsible for school place planning. As a result of this review a number of proposed changes have been withdrawn and new variations are proposed. The revised position and proposed arrangements are summarised in **Appendix A**.
- 5.3 With regard to **Part 2** (initial discussion of propositions for entry in 2009 and beyond) the situation is less clear.
- 5.4 Although the above responses appear to indicate a general support for revised priority criteria along the lines recommended by Tribal and the idea of establishing a feeder model it would not be prudent to draw immediate conclusions from this analysis.
- 5.5 Responses to date suggest that there will be considerable discussion around the priority accorded pupils/ students with SEN and how any revised criteria would impact upon them and their families. Additionally, there will be a need to scope out the implications of the new Admissions Code which takes effect from end of February 2007, particularly with regard to low income families and those wishing to express a choice for a particular

school on the grounds of religious belief where choice options are in theory being expanded.

- 5.6 A number of respondents have expressed a view that the initial propositions for entry in 2009, particularly the family feeder exemplar provided, would in fact mitigate against parental choice and are over simplistic in design. This has, in part, been reflected in the content of a feature article in the Leicester Mercury on 17<sup>th</sup> February 2007. Further coverage has been received via local radio networks
- 5.7 A number of helpful suggestions, however, have been made about the principles around which alternative models could be created and a number of individuals have expressed an interest in working with officers to help design these.
- 5.8 The Children & Young Peoples Scrutiny Committee considered the review of the admissions arrangements at their meeting on February 14<sup>th</sup> 2007. Scrutiny Members were pleased to see positive progress with the admissions process and supported the approach being taken by the department. The Scrutiny Committee minute extract is attached at **Appendix B**.
- 5.9 Finally, the consultation has attracted a number of critical responses on the quality of the content and work undertaken by Tribal. It is clear, however, that there is a desire for change and considerable willingness on the part of schools and parents to consider alternative options.

## **6. Recommendations & next steps**

- 6.1 Recommendation for Admission arrangements for 2008: Cabinet is recommended to agree the proposed Admission Numbers detailed at **Appendix A** and agree the introduction of a new Transfer Priority criterion for linked infant –junior transfer to allow for formal publication of these arrangements from 15<sup>th</sup> April 2007. Members are reminded that schools have a right to appeal to the Schools Adjudicator about the admission number set.
- 6.2 Recommendation for future consultation in connection with admission arrangements for 2009 and beyond: The Department is committed to further consultation around priority (over subscription) criteria, priority areas and feeder models in the summer and autumn terms of 2007. It is intended that this consultation seek the active participation of young people, their families and their communities.
- 6.3 In recognition of the range of observations made during the current consultation exercise, future consultation will have regard to the following:
  - Impact of any revised priority criterion on young people with SEN
  - Impact of any new requirements stemming from the new Admissions Code
  - Impact of any school relocations/ remodelling as a consequence of BSF and other strategic developments
  - Alternative ways of linking schools e.g. via school specialisms, development groups etc
  - Building relationships with the Samworth Academy and its admission policies and practices
  - Revised school capacity calculations and demographic projections

6.4 Cabinet is recommended to note and support this intended course of action.

6.5.1 Recommendation on the resolution of possible future Nursery/ F1 issues: The Childcare Act 2006 will come into force on September 1st 2008. Exact details are, as yet, unpublished. There is however an expectation that a new statutory framework will come into effect for nursery (F1) classes and that this will apply to all early years providers. It is believed that this will require a teacher and a level 3 TA/NNEB in every nursery (F1) class with a maximum of 26 children per class.

6.5.2 In view of this the current F1 numbers shown for City establishments at **Appendix A** to this report may need to be reviewed in the light of resource availability to ensure the appropriate staffing.

6.5.3 Officers within the Department will review this matter and a further report will brought before Committee should this be required. Cabinet are recommended to note and support this approach.

6.6.1 Recommendation on further changes possible to accommodate requirements of the new Admissions Code: A new statutory Admissions Code came into effect at the end of February 2007. Adherence to this Code by Admissions Authorities is mandatory. The Government recognise that the introduction of this Code may necessitate a number of changes to local authority admissions policies for 2008 and beyond. To expedite this Regulations have been promulgated to enable Admission Authorities to make variations to their schemes without the need to undertake a further consultation exercise.

6.6.2 The Local Authority is currently reviewing the implications of the new Code and will take action to ensure the Council remains within the law. Officers will strive to ensure transparency in the progression of any further changes to the Admissions Policy for 2008 and will report all significant changes to elected members. Cabinet are recommended to note and support this approach.

## **7. Improved performance at secondary and junior transfer in September 2007**

7.1 The number of 1st preferences within the City increased from 84.4% last year to 85.6% this year. The Authority has also been able to meet 95.2% of parents' preferences at 1st, 2nd or 3rd. (Reports in the national media indicate that only 64% achieved first preference in Birmingham and that a similar figure was achieved in Westminster, Kensington & Chelsea & Brent. It is believed that the national average is 85%)

7.2 The Admissions Team has had to refuse 155 applications for Judgemeadow and 101 for City of Leicester, however, this could lead to a significant number of appeals at these Schools.

7.3 The Admissions Team has been able to meet all preferences for Rushey Mead and Sir Jonathan North, and refused very few applications for Beaumont Leys and Fullhurst, which have all generated significant appeals in previous years.

7.4 With regards to the junior transfer process the Team has been able to meet all preferences apart from Folville Junior, which was over subscribed. Therefore, 9 applications have been refused for this School.

7.5 Cabinet is asked to note the above improvements in performance.

## 8. Financial implications

There are no financial implications arising directly from the proposals in this report, although admissions arrangements in general play a part in promoting the effective use of resources across schools. Colin Sharpe, Head of Finance, C&YP, ext 7750.

## 9. Legal implications

The legal issues are dealt with in the main body of the report and there are no other issues to draw to Cabinet's attention. Guy Goodman, Head of Community Services Law - ext 7054.

## 10. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph References Within Supporting information
Equal Opportunities	<b>No</b>	
Policy	<b>No</b>	
Sustainable and Environmental	<b>No</b>	
Crime and Disorder	<b>No</b>	
Human Rights Act	<b>No</b>	
Elderly/People on Low Income	<b>No</b>	

## 11. Report author: Dr Trevor Pringle, Education Officer (Client & Governor Services)

### DECISION STATUS

<b>Key Decision</b>	Yes
<b>Reason</b>	Is significant in terms of its effect on communities living or working in an area comprising more than one ward.
<b>Appeared in Forward Plan</b>	Yes
<b>Executive or Council Decision</b>	Executive (Cabinet)

**Appendix A:** Proposed Admission Numbers for City Schools and new Priority Criterion for linked Infant – Junior Transfer.

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**CABINET****APPENDIXA****2<sup>ND</sup> APRIL 2007****ADMISSIONS ARRANGEMENTS FOR 2008 AND BEYOND****Proposed Admissions Numbers for City Schools**Key principles

- Admission numbers have been reviewed on the basis of the most recent net capacity calculations and demographic data made available by the Children and Young People's Services Planning and Property Team.
- Admission numbers have also been set with regard to property & capacity information received direct from schools in December 2006 and available five year pupil forecasts for secondary schools.
- Increases in secondary school admission numbers will not exceed 5% in any instance. Admission Number increases annotated \*\* in table below.
- Representations from Schools during the recent consultation exercise have been taken into account.

School Name	AN Sept 2007	AN 2008 if different	Published F1 2007	AN 2008 proposed F1, if different
Abbey Primary Community School	75		60 p/t	
Alderman Richard Hallam Primary School	90			
Avenue Primary School	75			
Babington Community Technology College	210			
Barley Croft Primary School	45			
Beaumont Leys School	210			
Beaumont Lodge Primary School	30			
Belgrave St. Peter's C of E Primary School	30		30 p/t	
Braunstone Community Primary	45		23	
Braunstone Frith Infant School	75		75 p/t	
Braunstone Frith Junior School	72			
Bridge Junior School	90			
Buswells Lodge Primary School	60		60 p/t	

School Name	AN Sept 2007	AN 2008 if different	Published F1 2007	AN 2008 proposed F1, if different
Caldecote Primary School	60		60 p/t	
Catherine Infant School	110		110 p/t	
Catherine Junior School & Community Centre	110			
Charnwood Primary School	60		60 p/t	
Christ The King Catholic Primary School	50			
Coleman Primary School	90		90 p/t	
Crown Hills Community College	240			
Doveland Primary School	70		60 p/t	
English Martyrs Catholic School	180			
Evington Valley Primary School	45		45 p/t	
Eyres Monsell Primary School	60	45	60 p/t	
Folville Junior School	90			
Forest Lodge Primary School	60		60 p/t	
Fosse Primary School	50	45	60 p/t	
Fullhurst Community College	180			
Glebelands Primary School	40		60 p/t	
Granby Primary School	60		60 p/t	
Green Lane Infant School	90		90 p/t	
Hamilton Community College	240			
Hazel Primary School	45		45 p/t	
Heatherbrook Primary School	30			
Herrick Primary School	50		50 p/t	
Highfields Primary School	40		40 p/t	
Holy Cross Catholic Primary School	30		30 p/t	
Hope Hamilton C o E (Aided)	45		TBA	
Humberstone Infant School	90		90 p/t	

School Name	AN Sept 2007	AN 2008 if different	Published F1 2007	AN 2008 proposed F1, if different
Humberstone Junior School	90			
Imperial Avenue Infant School	80	60	90 p/t	
Inglehurst Infant School	75		90 p/t	
Inglehurst Junior School	75		n/a	
Judgemeadow Community College	243	240		
Kestrels' Field County Primary School	50		60 p/t	
King Richard III Infant and Nursery School	60		60 p/t	
Knighton Fields Primary School	35		35 p/t	
Linden Primary School	60		60 p/t	
Madani High (VA) School	120			
Marriott Primary School	50		60 p/t	
Mayflower Primary School	55		60 p/t	
Medway Community Primary School	60		60 p/t	
Mellor Primary School	60		60/ p/t	
Merrydale Infant School	90		90 p/t	
Merrydale Junior School	90			
Moat Community College	210			
Montrose Primary School	60		60 p/t	
Mowmacre Hill Primary School	50		60 p/t	
New College Leicester	360	180		
Northfield House Primary School	50		50 p/t	
Overdale Infant School	90			
Overdale Junior School	105	90		
Parks Primary School	45		60 p/t	
Queensmead Community Primary School	60		60 p/t	
Riverside Community College	180			

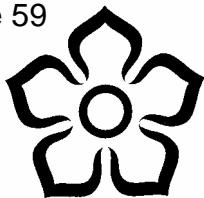
School Name	AN Sept 2007	AN 2008 if different	Published F1 2007	AN 2008 proposed F1, if different
Rolleston Primary School	51		60 p/t	
Rowlatts Hill Primary School	45		60 p/t	
Rushey Mead Primary School	75	60	60 p/t	
Rushey Mead School	270			
Sacred Heart Catholic Primary School	50		60 p/t	
Sandfield Close Primary School	60			
Scraptoft Valley Primary School	45		60 p/t	
Shaftesbury Junior School & Community Centre	60			
Shenton Primary School	60		60 p/t	
Sir Jonathan North Community College	240			
Slater Primary School	23		30 p/t	
Soar Valley Community College	240	255 **		
Sparkenhoe Community Primary School	60		60 p/t	
Spinney Hill Primary School & Community Ctre	90		90 p/t	
St. Barnabas C of E Primary School	40		30 p/t	
St. John the Baptist C of E Primary School	68			
St. Joseph's Catholic Primary School	40			
St. Mary's Fields Infant School	60		60 p/t	
St. Patrick's Catholic Primary School	30			
St. Paul's Catholic School	180			
St. Thomas More Catholic Primary School	37			
Stokes Wood Primary School	40		30 p/t	
Taylor Road Primary School	60		60 p/t	
The City of Leicester	220			
The Lancaster School	240			
Thurnby Lodge Primary School	30		30 p/t	

School Name	AN Sept 2007	AN 2008 if different	Published F1 2007	AN 2008 proposed F1, if different
Uplands Infant School	120		120 p/t	
Uplands Junior School	120			
Whitehall Primary School	60		60 p/t	
Willowbrook Primary School	60		60 p/t	
Wolsey House Primary School	60		60 p/t	
Woodstock Primary School	60		60 p/t	
Wyvern Primary School	60		60 p/t	

Relevant non maintained schools within the City of Leicester

School Name	AN Sept 2007	AN 2008 if different	Published F1 2007	AN 2008 proposed Y7/F2 if different	AN 2008 proposed F1, if different
Samworth Enterprise Academy	120				





## MINUTE EXTRACT

## Minutes of the Meeting of the **CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE**

Held: WEDNESDAY, 14 FEBRUARY 2007 at 5.30pm

Councillor Waddington – Chair  
Councillor Fitch – Focus Team Spokesperson  
Councillor Johnson – Conservative Spokesperson

## Councillor Mrs Chambers

## Councillor Sood

### Co-opted Members (Voting)

Mr Edward Hayes - Roman Catholic Diocese

\* \* \* \* \*

## 90. STRATEGIC REVIEW OF ADMISSIONS AND SCHOOL PLACE PLANNING ISSUES: ADMISSION ARRANGEMENTS FOR ENTRY IN 2008/09 AND 2009/10

A report of the Corporate Director of Children and Young People was considered that provided details of a recent strategic review of admissions and school place planning and consultation upon admission arrangements for entry in 2008/09 and 2009/10.

The Children and Young Peoples department had engaged external consultants, Tribal Education, to undertake a review of current admission arrangements in consultation with parents, schools governors and children and young people. The findings included 21 recommendations, some of which would have immediate action taken, whilst several would need further development in the longer term.

Changes with respect to 2008/09 would be largely related to variations in the admission number in a limited number of schools and the introduction of a new infant – junior transfer priority criteria. Consultation would close at the end of February and the outcome would be presented to Cabinet in April. A commitment had been made to use a range of consultation methods for further consultation with respect to entry from 2009/10 onwards. This consultation would take place in the forthcoming Summer and Autumn terms. It was noted that a Choice Adviser would be appointed as soon as possible to assist parents with school choices.

A key issue in future admissions planning would be creative thinking across the City and consideration of housing and regeneration developments and the

**APPENDIX B**

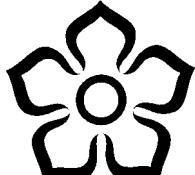
possibilities offered by the Building Schools for the Future programme.

Members emphasised the importance of ensuring that consultation included faith groups and was accessible to all communities. Concern was expressed with regard to the quality of the report produced by the consultants. In response it was stated that the consultants report had brought together for the first time the key issues and had enabled stakeholders themselves to identify the issues and start to move forward.

Members emphasised that it was good to see progress in this area, as it had been a major problem for the City that needed addressing.

**RESOLVED:**

1. That the findings of the strategic review of admissions and school place planning undertaken by Tribal be noted;
2. That the Corporate Director's proposed course of action with regard to the strategic recommendations be supported;
3. That changes to Admissions arrangements for entry in September 2008 would be largely restricted to variations in Admission Numbers only to allow for more extensive data analysis/dialogue/ consultation with stakeholders on revised priority (catchment) areas to take effect from September 2009 be noted; and
4. That a further progress report on the above be requested prior to the end of the Autumn Term.



WARDS AFFECTED: All

**Cabinet****2 April 2007**


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### **Supplementary Planning Guidance – Tall Buildings**

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#### **Report of the Service Director of Planning and Policy, Regeneration and Culture.**

##### **1 Purpose of Report**

1.1 This report seeks Cabinet approval and adoption of the Supplementary Planning Guidance Document for Tall Buildings.

##### **2 Summary**

2.1 The government is encouraging planning authorities to accommodate greater levels of new building densities. The SPD for Tall Buildings, which is attached to the main report as Appendix A, aims to guide developers in the planning and design of tall buildings, and stipulates the criteria by which they will be assessed by the planning authority.

2.2 The draft SPD has been the subject of an extensive consultation exercise, the feedback from which is contained in the "Statement of Main Issues Raised Through Sustainability Appraisal and Public Consultation" report, which is attached as Appendix B of the main report. The "Sustainability Appraisal Report" is attached as Appendix C of the main report.

##### **3 Recommendations**

That Cabinet formally adopts the Supplementary Planning Guidance for Tall Buildings.

##### **4.1 Financial & Legal Implications**

There are no significant financial implications attached to this report. Where developments take place there will be income generated to the City Council in the form of contributions in accordance with Sections 106, 46 and 47 of the Planning and Compulsory Purchase Act 2004 and planning application fees. Martin Judson 28.2.07. Extension 7390.

##### **4.2 Legal Implications**

There are no legal implications attached to this report.

Under the Council's Constitution and in accordance with the Local Authorities (Functions and Responsibilities) Regulations, approval of supplementary planning documents is a Cabinet responsibility.

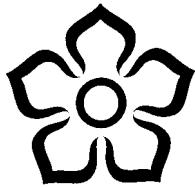
Anthony Cross Head of Litigation. Date 6.3.07. Extension 296363

##### **5 Report Author**

Richard Riley Urban Designer  
Ext 7214 [richard.riley@leicester.gov.uk](mailto:richard.riley@leicester.gov.uk)

## DECISION STATUS

<b>Key Decision</b>	No
<b>Reason</b>	N/A
<b>Appeared in Forward Plan</b>	N/A
<b>Executive or Council Decision</b>	Executive (Cabinet)



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## Supplementary Planning Document – Tall Buildings

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### Report of the Service Director for Planning and Policy, Regeneration and Culture Report

#### 1. Background

- 1.1. The SPD for Tall Buildings has been prepared in response to the government's call for higher density developments in towns and cities. The development community has responded quickly, and as a result the City Council as the Local Planning Authority is increasingly being presented with informal enquiries and planning applications for tall buildings. The purpose of the SPD therefore, is to make clear to land owners, developers and architects the strict criteria that will be used to assess all proposals for tall buildings.

#### 2. The Issues

- 2.1. The SPD purposely does not identify designated areas of the city as being suitable for tall buildings. This is due to three main factors, which are:
  - 2.2. It would require a full and highly detailed urban design study and character appraisal of the entire city. However, limitations upon time and resources prohibit this approach.
  - 2.3. What the City Council, the Leicester Regeneration and their planning consultants have already undertaken is the preparation of comprehensive Development Frameworks for the city's main Regeneration/Intervention Areas. Within the Development Frameworks certain sites and/or areas are identified as being suitable for tall buildings. This comprehensive "Development Plan" lead approach is one that is fully supported by the Commission for Architecture and the Built Environment" (CABE). A copy of CABE's "Guidance On Tall Buildings" is attached to this report as Appendix D.
  - 2.4. Identifying in the Tall Building SPD, other areas or sites outside of the recognised Regeneration/Intervention Areas as being suitable for tall buildings in isolation of other planning and development considerations covered in Development Frameworks is seen as high risk. The risk being that once an area has been identified as suitable for tall buildings in principle and supported by policy, that any planning application to develop a tall building can only be assessed, approved or refused on design grounds alone, which is highly subjective, and open to legal challenge and appeals etc. In the worst case scenario the city could acquire numerous tall buildings in the locations we identified but of dubious quality.

2.5. The purpose of this SPD therefore is twofold. Firstly, to provide supplementary information to guide the design of tall buildings within designated areas identified with the Development Frameworks and. Secondly, to set out a broad raft of strict criteria for the assessment of tall building proposals outside of the Regeneration/Intervention Areas. In these areas the assessment criteria clearly puts the onus upon developers and their agents to undertake the necessary urban design studies and character appraisals, and prove the case for a tall building.

2.6. The headings within the assessment criteria of the SPD are as follows:

- Relationship to context
- Effect on the historic environment
- Relationship to transport infrastructure
- Architectural excellence of the building
- Contribution to public spaces and facilities
- Effect on the local environment
- Contribution to permeability and legibility
- Best practice guidance relating to sustainable design and construction
- Effect on the long term regeneration of the locality and the city
- Summary of material required of developers by the Planning Service

### **3. Conclusion and Recommendations**

3.1. Cabinet formally adopts the Supplementary planning Guidance for Tall Buildings.

### **4. OTHER IMPLICATIONS**

Equal Opportunities	No	
Policy	Yes	This SPD supports the draft SPD for Leicester Abbey Meadows and the Area Strategy Guidance for Office Core (New Business Quarter) 2004 and St George's North and South 2005, Local Plan policy UD02 – building, Layout, Form and Positioning.
Sustainable and Environmental	Yes	Well designed tall buildings maximise land area and optimise energy consumption.
Crime and Disorder	No	The SPD requires all architects of tall buildings to be fully aware of the design failures relating to crime and anti-social behaviour often associated with residential tower blocks built during the 1950s and 60s.
Human Rights Act	No	
Older People on Low Income	No	

## 4.1 Risk Assessment Matrix

	<b>Risk</b>	<b>Likelihood L/M/H</b>	<b>Severity Impact L/M/H</b>	<b>Control Actions (if necessary/or appropriate)</b>
1	A poor quality tall building is developed.	Low	High	The need for developers to meet the extensive assessment criteria for all proposed tall building will be strictly adhered to.
2				
3				

5. **Background Papers – Local Government Act 1972**

- Report to Strategic Planning & Regeneration Scrutiny Committee – Draft Tall Buildings SPD – 9 November 2005.
- Report to Development Control Committee with Strategic Planning & Scrutiny Committee – Draft Tall Building SPD – 7 March 2006.
- City of Leicester Local Plan 2006
- English Heritage and Commission for Architecture and Built Environment (CABE) – Guidance On Tall Buildings – March 2003.
- English Heritage and CABE – Guidance On Tall Buildings – Consultation draft January 2007.

6. **Consultations**

<b>Consultee</b>	<b>Date Consulted</b>
R&C Head of Finance.	February 2007
Head of legal Services.	February 2007
Government Office of East Midlands.	April 2006
East Midlands Regeneration Agency.	April 2006
English Heritage.	April 2006
English Nature.	April 2006
Countrywide Agency.	April 2006
Commission for Architecture and the Built Environment.	April 2006
All landowners, developers and architects who are known to have an interest in tall buildings.	April 2006
All elected members of LCC	April 2006
Public Notice placed in Leicester Mercury.	24 April 2006
LCC regeneration web site for public consultation.	24 Ap' '06 onwards
Copies placed at Bishop Street Reference Library	24 Ap' '06 onwards

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## Appendix B

### Statement of Main Issues Raised Through Sustainability Appraisal and Public Consultation

ORGANISATION	RESPONSE	AMENDMENT TO SPD
English Heritage	<p><b>English Heritage.</b> The draft SPD sets out some basic principles and the criteria, which will be used in assessing applications for tall buildings to reasonable effect (please see detailed comments below). It also refers strongly to the EH/CABE document 'Guidance on Tall Buildings', which is also useful.</p> <p>As the SPD is to guide development in Leicester, however, it should go beyond the merely generic criteria if it is to fulfil its function of informing applicants and decision-makers. There is little in the draft SPD which illustrates how developers should begin to set about satisfying the stated criteria and no strategic analysis of the urban form of the city which could inform the appropriateness of tall buildings.</p> <p>Ideally there should be 3 main strands to a robust Tall Buildings SPD:</p> <p><b>Information</b> City Specific: Illustrative strategic urban analysis indicating areas which may successfully accommodate tall buildings, and examples of successful and less successful tall buildings. Generic: Guiding principles on development; examples of building typologies.</p> <p><b>Criteria</b> A clear indication of the range of considerations which will be applied to schemes and how developers should satisfy those (eg. requirements for photo montages, long range views etc).</p> <p><b>Policy</b> Setting out the policy framework in which decisions will be reached. If the local authority has adopted its Statement of Community Involvement then this might also incorporate results of public consultation.</p>	<p><b>Information.</b> At this stage the SPD purposely does not does indicate suitable areas for tall buildings. These areas will be identified by further analysis and urban design frameworks that will be undertaken to the major regeneration areas within the city.</p> <p>Examples of successful and less successful tall buildings have been included in the SPD.</p> <p><b>Criteria.</b> Further clarification of the material developers should prepare has been included.</p> <p>Paragraph 6 of the SPD seeks to explain the City Council's approach. This seems to imply that the strategic rather than site specific criteria-based approaches are mutually exclusive; whereas, as we have just indicated, if these are complementary, not only should there be no fear of a presumption in favour of 'unacceptable proposals' but there is the added advantage that all people coming to the 'development table' are all equally informed.</p>

<p>Bristol City Council have produced, in-house, a good Tall Buildings SPD, which might be worth consulting. Whilst even Bristol City would acknowledge that it was relatively expensive to produce, there may be opportunities to streamline the approach in tailoring the SPD for Leicester (for example, one of the major costs was the public consultation exercise 'Height Matters': although the value of public involvement should not be underestimated, an alternative approach may prove less expensive). The benefits of the Bristol SPD have already been realised by the Council officers and developers: schemes for tall buildings at the University are progressing more smoothly, for while the design criteria are still having to be satisfied by the developers the baseline principle on the appropriateness of a tall building has already been resolved; there has also been a reduction in the number of wholly inappropriate enquiries for tall buildings, saving officer time, as developers understand in advance the reasoning behind the stance adopted by the Council.</p>	<p>It is this last point which may have the greatest influence on the assertion in paragraph 6; a lack of strategic analysis can actually weaken the defence against inappropriate schemes.</p>	<p>There are also a number of detailed comments on particular points in the draft SPD:</p>	<ol style="list-style-type: none"> <li>1. Elucidation of the various approaches to 'density' would be useful guidance for developers when they are exploring potential schemes.</li> <li>2. Equally, drawing out more fully the importance of encouraging sustainable communities through diversity of activity and housing provision would be welcome.</li> <li>3. 'Legibility' within the Cityscape is mentioned in section 4, but is not extrapolated further in the criteria for assessment; this is a crucial element of the function of tall buildings.</li> <li>4. It is not clear how the storey-height maximum for podiums of '4 storeys' has been arrived at, nor how it is justified. Podium height should be dependent on the proportions of the surrounding building, the surrounding context, etc.; setting a prescriptive maximum could seem arbitrary unless justified, and without those other parameters could lead to inappropriate heights being adopted.</li> <li>5. Car parking: a caveat protecting archaeological considerations should be incorporated into the line establishing an 'ideal' for below ground car parking.</li> </ol> <p>Site specific criteria-based approaches will be studied within the remit of the further analysis work and preparation of new urban design frameworks to the city's key regeneration areas.</p>
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<p>6. We would discourage a 'blanket' negative criticism of two decades of architecture (1960s and 1970s), unless it can be justified; as with so many periods of architecture there are both good and bad examples. It might be better to demonstrate poor and successful effects of existing buildings through examples (provided these are reasoned and carefully annotated).</p> <p>7. Within the same paragraph, the requirement on design typology is unclear: the intimation is that each new building should be completely ground-breaking and without precedent, and the implication is that buildings that are not so are of lesser value (such an assertion would denigrate most of the preceding forms of architecture, much of which we now treasure, but which have sought inspiration from various sources – Classical forms and proportions, Georgian pattern books etc.). If the requirement is seeking to encourage 'design in context' then that is wholly appropriate; equally, encouraging innovation once that principle has been established, may also have merit. These points should be made simply and, where possible, with illustrations.</p>	<p>6. The SPD does not proclaim a blanket criticism of 1960s/70s architecture. However, the failure of many tall buildings from this period is well known and documented elsewhere.</p> <p>7. Greater clarity has now been given to section 5.4 regarding the architectural excellence of proposed buildings.</p>	<p><b>Conclusion</b> We would strongly endorse CABE's assessment of Leicester's draft SPD that it should go further than a set of generic criteria in the abstract and that it should establish the Leicester case for, or against, tall buildings.</p> <p>In the light of the financial and staff commitment involved in carrying out a fuller urban analysis, some authorities have considered adopting a simple policy line of 'no buildings over x storeys will be accepted unless an exceptional case can be made'. On the face of it, this appears to offer a safety-first defence against inappropriate applications: in reality, however, it could mean that local authority staff would not be armed with a thorough analysis of the Cityscape with which to assess such an application, other than that produced, in isolation, by the applicant. There is also the question as to what message it would put out to developers at a time when Leicester is seeking to encourage investment in the fabric and economy of the City.</p>	<p>More precise criteria for the case of tall buildings in the city will be made in further detailed studies of the city's regeneration areas.</p> <p>Sufficient policies and expertise exist to determine proposals for tall buildings. The SPD does not prohibit the development of appropriate tall buildings.</p> <p><b>TCA.</b> We support the policy context of PPS1 that encourages the development of well designed, safe and sustainable buildings that show respect for their surroundings and context. Of particular concern to the Agency is that any works should respect the intrinsic character of the area. Landscape character assessment provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change, and to make</p> <p>The support of the Countryside Agency is welcomed. The SPD aims to fully incorporate the philosophy of the Countryside Agencies approach to the</p>

<p>positive proposals for conserving character, enhancing it or regenerating it, as detailed proposals are developed. The relevant character area extract from the Countryside Agency's (East Midlands Volume 4) can be downloaded from our web site at <a href="http://www.countryside.gov.uk/LAR/Landscape/CC/index.asp">http://www.countryside.gov.uk/LAR/Landscape/CC/index.asp</a>.</p> <p>The Countryside Agency firmly supports the pursuit of high standards of design in all development, and especially that, which respects local character and distinctiveness. The Countryside Agency believes that all development should be of a high quality design not only in terms of aesthetics but also in ways by which it incorporates the full range of sustainable development objectives i.e. economic, social and environmental. In our planning policy statement 'Planning Tomorrow's Countryside' available at <a href="http://www.countryside.gov.uk/LivingLandscapes/PositivePlanning">www.countryside.gov.uk/LivingLandscapes/PositivePlanning</a>, we propose that planned development should be good enough to approve not bad enough to refuse. Our 'New Vernacular' approach advocates the development of new buildings in the countryside that reconnect their design and construction with the environment. It promotes innovative, sustainable, high quality buildings that enhance local character and respect their context and the key principles are also relevant to buildings in an urban setting.</p>	<p>The relationship of new development to existing transport infrastructure is an important consideration and we support this SPD which promotes buildings with good proximity and accessibility to public transport and the provision of safe walking and cycling routes which will contribute to a healthy, safe, less congested environment.</p> <p>The appraisal has also highlighted the potential for the SPDs to be used to improve and enhance open spaces and we would wholly support this opportunity to add value through either the provision of open space included in the development or through the process of planning gain. The CA promotes the concept of "Green Infrastructure" (GI) a network of multi-functional greenspace that contributes to the high quality natural and built environment required for existing and new sustainable communities in the future. GI offers a range of environmental and social advantages that has proven associated health benefits and reduction in crime. The 'Green Infrastructure Guide' was developed on behalf of the Milton Keynes and South Midlands growth areas but would be of relevance to the East Midlands region as a whole. I have included a summary sheet, which gives a more detailed explanation of GI.</p>
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### **Sustainability Appraisal**

<p>The SA process has tested the sustainability of the proposed SPD and considered the implications from a social, economic and environmental perspective. This process has shown the implementation of the supplementary planning guidance will have overall positive benefits on sustainability for the city of Leicester.</p> <p>Of particular relevance to the Agency are SA Objectives 2,3,4,5,8,12 and 14.</p>	<p><b>Overall Impact of the SPD</b></p> <p>In Table 3 with reference to SA objective;</p> <p>2. The SPD can also promote healthy lifestyles by incorporating green space into the design and providing easy access by safe walking and cycling routes.</p>	<p><b>EA.</b> Paragraph 8.1 of the Draft Sustainability Appraisal Report states that the comments of the Agency in response to the Scoping Report have been addressed in the revision of the SPD. However, no changes have been made to either Paragraphs 4.2 or 5.6.</p> <p>Without appropriate consideration of the environmental impact, there may be human health impacts for the occupiers of tall buildings. Similarly, the impact of a tall building on a regulated process needs to be assessed. As proposed the Agency object to the adequacy of the Sustainability Appraisal.</p>	<p><b>GOEM.</b> Thank you for consulting GOEM on the development of your Tall Buildings SPD. I note that you link the SPD to Local Plan Policy UD02. However, the guidelines in the SPD appear to also relate to several other policies, including heritage and transportation policies. You may consider that the SPD would be more robust if it could demonstrate a clear link to those policies, by all relevant policies being listed under Section 2: Policy Context.</p> <p>If a clear link is not established to all underpinning policies, an argument could be made at some time in the future that those parts of the SPD that refer to matters not included in Policy UD02 are invalid.</p>	<p><b>HC.</b> There is a useful publication which you may wish to consult, "Higher Density Housing for Families: a design and specification guide". It is available from London Housing</p> <p>This publication been obtained and will be referred to during the</p>

<b>Leicester Civic Society</b> Federation, Lion Court, 25 Procter Street, London WC1V 6NY Tel: 020 7067 1010 7067 1018	<p><b>LCS</b> Urban regeneration is one of the most exciting opportunities that faces Leicester at the beginning of the 21<sup>st</sup> Century. Most of the areas ripe for regeneration lie immediately outside the historic central core of the City - though the riverside north of Abbey Park can also be included. These areas have been identified correctly by Leicester Regeneration Co. whose efforts have been concentrated on them. They exist for a number of reasons. Principal amongst these is the isolation of the central core from its immediate hinterland by the construction of the central ring road in the 1970's. In certain directions, particularly to the north and west, this has resulted in large areas of land dominated by new roads and motor traffic with little of the former built environment remaining and little thought given to pedestrian routes across them. The problem was exacerbated by the closure of the Central Station that led to a rapid decline in both retail outlets and the general condition of High Street and that lasted for many years, only being reversed by the Shires Shopping Centre.</p>	<p>Leicester Civic Society broadly welcomes the regeneration proposals of LRCO. Many of these offer exciting and innovative solutions to the problems. The Waterside, Abbey Park Road, Science Park and DeMontfort University proposals in particular offer a real solution to the problems of these areas for the first time. As firm believers in heritage led regeneration we would wish to see the growth of regenerated areas out from the historic inner core with buildings echoing the scale, urban grain and materials of that core, thereby recreating much that was needlessly lost. Coupled with this new urban growth it is vital to launch a programme aimed at curtailing the detrimental effects of the central ring road. The present state of the road is appallingly disruptive to the quality of life in the City. Heritage led regeneration cannot proceed effectively without traffic reduction, traffic calming, reduction in environmental and noise pollution, reduction in the detrimental effects on visual amenity, improved street-level routes for pedestrians, quality surfaces and extensive tree planting.</p> <p>Heritage led regeneration can therefore be seen to have its problems, the principle one of which is the impetus of resources. It is clear from what is beginning to happen in Leicester that development led regeneration is seen as a much easier option. Create the opportunities for development, attract developers and 'set the ball rolling' can be viewed as a good quick fix. However developers quite naturally want to do their own thing with the minimum of restraint. One of these things is to be allowed to erect tall buildings.</p>
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<p>Any development that fails to respect its context is bound to be contentious to both planners and members of the public that care about the fabric of the City. Tall building proposals highlight this situation and rapidly become an issue both contentious and emotive. Leicester City Council is quite right in seeking to address this issue head on as one of urban design, though we are perhaps all guilty of taking this problem seriously rather late in the day.</p>	<p>Tall buildings are bound to be an emotive issue. On the one extreme they are often condemned out of hand by a small but vocal number who won't even take the time to look at the proposals. Equally bad is the gut reaction common in Leicester that views any concern with the considerable historical and architectural heritage of the City as an irritating barrier to 'progress'. Indeed, such has been the poor perception of the city by its people over the last sixty years that many no doubt find the phrase "Leicester's heritage" a mildly amusing oxymoron. Councillors, who ultimately take decisions on our behalf, cannot fail to be influenced one way or the other by such strongly held extreme opinions. The SPD attempts to take a dispassionate view of the problem and as such deserves respect and should be taken very seriously indeed.</p>	<p>Leicester Civic Society particularly welcome the view quoted in the appendix at 4.14. below. It would be fatal to give a 'green light' to tall buildings in named specific areas for any reason. We note with alarm a recently expressed view to Council that tall buildings may be appropriate at 'nodes' where major roads intersect with the central ring road, presumably on the grounds that at these places there is a lot of open space created by the roads themselves. However these places are many and due to the wider impact of tall buildings it would be difficult to avoid a growing ring of buildings spreading from these locations on either side of the ring road and starting to encase the inner core in inappropriate development utterly devoid of any contact with the urban grain of that core. This would add to the urban design problems created by the road in the 1970's by adding a further ring - this time of buildings - in the 2000's. This is the very antithesis of the kind of heritage led regeneration that we would wish to see and it is unfortunate that this opinion has been expressed at the same time as the SPD seeks a more sophisticated approach. It is doubly unfortunate inasmuch that many of the areas that would be so identified are those at most under current development pressure. Such unguarded statements can only fuel this pressure and undermine the establishment of proper planning guidelines.</p>	<p>We are strongly supportive of the view quoted by the Civic Trust in the appendix at 2.4.</p>
			<p>Within the Criteria for</p>

	<p>below. There is a regrettable tendency to view the work of modern architects with an 'exciting' reputation as almost sacrosanct and see anything that carries their name as an almost thrilling opportunity. That it would be backward not to miss out on gaining one of their buildings for the City. This is not a view with which we would concur. The Civic Trust is quite correct to warn of the dangers of fashionable fetish in architecture and the deleterious effects this can have by imposing tall buildings on an urban landscape almost regardless of other considerations. We strongly regret that this common sense does not appear to be expressed directly in the SPD.</p>	<p>Planners must be aware that the errors of the past have created a credibility gap in the minds of the public. It is of little use enthusiastically pointing to the dreadful mistakes Leicester made in the 1960's and 1970's and saying that this cannot happen again as we now have a better system of planning controls in place. This was only one generation ago and many of us remember only too well that the objections to tall office buildings that we then raised on the grounds of atrocious design and total lack of respect for their surroundings, led to us being labelled as people outdated and obstructionist. We need to see that the mistakes of one generation will not be repeated by the next generation uttering the same mantras and platitudes as their predecessors. The frightful results of the 1960's and 1970's are largely still with us. One generation is of little account in a City with a two thousand year history but such planning mistakes live on and blight the future.</p>	<p><b>TALL BUILDINGS IN CONTEXT</b></p> <p>Although the SPD is quite right to avoid naming specific sites where tall buildings would be acceptable, it cannot be wrong to inform ourselves of their pros and cons by considering some of those we have already in an effort to avoid past mistakes and seek out an appropriate context for any tall buildings of the future.</p> <ol style="list-style-type: none"> <li>1. Tall buildings in the historic core.</li> </ol>	<p>It is important to realise that existing tall buildings in the historic core of the City have an almost totally negative effect and that this has been brought about by a fatal combination of universally poor design, excessive height and insensitive sites. Any one of these is severely damaging. Any two out of three guarantees a disaster. Particularly bad examples are Cardinal House, Bosworth House and the New Walk Centre, which are of very poor design, far too tall and occupy sites severely damaging to the historic fabric of the City. The James</p>
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<p>Went Building at De Montfort University certainly came under the same category but it has mercifully been demolished. St. Georges Tower and 60 Charles Street are well sited but once again are too tall and of poor design. Elizabeth House is of a better design but is too tall a building for such a sensitive location. Thames Tower is of an appropriate height but very poor design. The developers of these buildings had an "It's not as bad as some built before" attitude, an opinion actually expressed by Councillors in 1973.</p>	<p>A further concern is the way in which the tops of these buildings have become littered in masts and dishes, adding to their gross impact on the historic core of the city.</p> <p>It is difficult to identify any modern tall building in the central core that has been anything other than a total failure and we should therefore consider that the core of the City and <i>its immediately adjoining hinterland</i> is totally unsuitable for such buildings as most forcefully expressed by English Heritage and CABE in the appendix at 3.10 below.</p> <p>2. Tall Buildings at the University.</p>	<p>Leicester University has three tall buildings. Two of these are of a very good design standard. (The Charles Wilson building leaves much to be desired) It must be recognised that these tall buildings work in an open landscape and appropriately distanced from the historic Fielding Johnson Building. Here we have tall buildings that work given their setting. To the front they face tree-covered slopes that fall away through Welford Road Cemetery. To the rear they fringe the great expense of Victoria Park and are absorbed by its space. Indeed, were it not for the quality of the hinterland behind the London Road and Victoria Park Road frontages to the park, expressed by their proper designation as the Evington Footpath and Stoneygate Conservation Areas, these too would be sites where tall buildings could be absorbed alone by the size of the park.</p> <p>3. Hillside to the north of the University.</p>	<p>This is an interesting and informative area. On a hillside dominated by the suburban-like parkland of the War Memorial and Regent College, the new halls of residence on De Montfort Street take advantage of tall trees and the steepness of the slope to present an acceptable frontage to the street. Only from below can their true height be judged. Here again we have an open landscape of the railway and Nelson Mandela Park that serves to</p>
	<p>This important point has now been addressed under the Design Criteria.</p> <p>Proposed development schemes to the historic core of the city always warrant special consideration. However, by identifying the core as being unsuitable for tall buildings, this might suggest that all other areas of the city are suitable, which is not the case.</p> <p>Design analysis is always subjective, it could equally be argued that the Charles Wilson Building is one of the city's finest tall buildings. Would tall buildings to London Road and Victoria Park Road be acceptable if the hinterlands were not conservation areas? Not necessarily.</p>		<p>The Granby Halls site is surrounded by broad streets, public open space, the LRI car park and a rugby stadium. Tall buildings could therefore be</p>

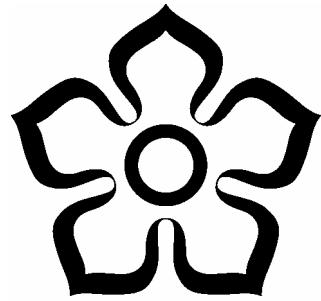
<p>mitigate their impact. However, unlike Victoria Park, this space is not large enough to cope with any fringe of tall buildings and any redevelopment of the former Granby Halls site would therefore be singularly inappropriate for tall building construction.</p> <p>4. Abbey Meadows.</p>	<p>Open water meadows are often very suitable for tall buildings and the National Space Centre provides an excellent example of a landmark tall building of first class design. The science park could similarly absorb tall buildings. The proposals for Abbey Park Road are equally good with tall buildings facing a wide, relatively quiet roadway with an expanse of heavily tree-covered parkland in front.</p>	<p><b>PROTECTING VIEWS</b></p> <p>Once again a poor perception of the City has led to the erroneous opinion that it possess no views worth protecting. Indeed the major fault of the SPD is its failure to identify specific views that should be protected. This failure in the past has already led to a serious loss of quality in the urban landscape of the City. It is regrettable that, whereas the SPD is ahead of any tall buildings policy in Nottingham, the Nottingham City Centre Masterplan clearly identifies views and states that they will be protected.</p>	<p>The apartments of West Bridge Wharf, although of a not unattractive design, are too tall by far. They 'canyonise' Bath Lane, dominate the riverside, and rise over the backs of the properties on Talbot Lane. They destroy the river terrace as a feature in the topography of an historic core that is otherwise flat, and they inappropriately stare across the Roman Baths, Jewry Wall and St. Nicholas sites. They also have blocked the view of St. Nicholas from the Glenfield Road and Hinckley Road hilltops. All of these errors could have been avoided if they had only been four to five storeys lower.</p>	<p>The current proposals for tower blocks on Bath Lane would have the exactly the same faults <i>but by virtue of their excessive height would be far worse</i>. Any development on this site should actually step down so as to avoid overwhelming the listed Friar's Mills. The modern developments at West Bridge Mills, on the other side of West Bridge, set good standards of both height and design in relation to a listed building.</p> <p>The new BBC Broadcast Centre on St. Nicholas Place, in addition to complimenting the</p>	<p>considered to this site.</p>
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<p>Cathedral, briefly enjoyed a view of St. Mary de Castro. This has now vanished behind the poor quality student residential block being constructed on St. Nicholas Circle.</p> <p>Phases two and three of the St. John's House, East Street, granted planning permission but mercifully not built, would have blocked the view of Bradgate Park from Victoria Park Gates.</p> <p>Friar Lane has one end dominated by Bosworth House and the other by the top four floors of 60 Charles Street.</p> <p>These are but a few examples. There are many more.</p>	<p>Existing views of the towers and spires of the Cathedral, St. Mary de Castro, St. Nicholas and St. Margaret's churches must be protected by the SPD, as should the Lewis's Tower and the Town Hall Tower. These are elements in the historic built environment too powerful to be ignored.</p>	<p>Views of existing tall buildings such as the Cathedral and church spires will form important considerations in the assessment of proposed new tall buildings.</p> <p>The SPD is intended to guide the appropriate development of tall buildings, whether as part of developer or conservation led regeneration.</p> <p>In conclusion Leicester Civic Society feels that the SPD is an excellent document but it must be given more teeth. There should be no conflict between heritage led and development led regeneration in Leicester. If developers want to come they will come. However, it is necessary to establish ground rules for regeneration the primary one of which must be the protection and enhancement of the City's existing built environment. Allowing development led regeneration too much of a free hand is not an option. To this end the City Council's policy on tall buildings must become a vital component in the heritage led regeneration of the City. Naturally we shall continue to view its progress and implementation with interest.</p>	<p><b>CABE</b> Thank you for consulting the Commission for Architecture and the Built Environment (CABE) on your draft Supplementary Planning Document on tall buildings. The document has been discussed with CABE commissioner Robin Nicholson and members of design review staff, and our comments are as follows.</p> <p>It is welcome to see tall buildings guidance being developed in the light of our and English Heritage's 'Guidance on Tall Buildings', and to note the reference you have made to it in your Policy Context section.</p> <p>Your introduction refers to the need for clear policy guidance because of an 'urban Further studies, which will</p>
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<p>regeneration programme unparalleled for 40 years' but we are concerned that the consultation document as it stands fails to achieve the desired clarity, mainly because it lacks a thorough analysis of the Leicester context. It is understood from the draft document that you are not proposing areas either suitable or unsuitable for tall buildings, but are providing guidance for case by case assessment of proposals. We assume that this is why the draft document offers no analysis of Leicester. Although the logic of your approach can be seen, we are concerned that you do not miss the opportunity to focus the time and effort of applicants as well as yourselves on areas, which are most likely to see tall buildings proposals. If there are areas of opportunity or significant change where tall building proposals might be made, possibly alongside other significant developments, infrastructure and transport changes, you may wish to give these areas attention.</p>	<p>You should include a thorough graphic analysis indicating topography, green space and public realm, view corridors and key views, key approaches to the city, conservation areas, listed buildings, scheduled ancient monuments and registered parks and gardens, character areas, the existing city centre. Identifying areas where there are opportunities for tall buildings would be likely to improve your effectiveness in processing major applications and cause less frustration with developers and architects as well as the Leicester community.</p>	<p>Another concern is that the 'Criteria for assessment' includes phrasing that is not clarified through graphics, or is too imprecise to be helpful. For example in 5.4 Massing and Scale it states that podiums should be no more than 4 stories without offering any thorough logic for this particular height. If you feel it important to include this constraint you will need some further justification. You also state in 5.4 Form that tall buildings must be 'slender graceful structures and not broad and staggered'. It is hard to see how users will be able to understand the guidance without graphic representation of terms such as 'graceful'. Also in 5.4 you ask for buildings that are far better designed than 'most of those built during the 1960s and 1970s'. Again without further explanation and images it is hard to see how this will provide effective guidance and perhaps particular examples would help.</p>	<p>Because the draft SPD is totally text based we think it offers little more guidance than 'Guidance on Tall Buildings'. We would expect the SPD to be less generic and more specific to Leicester. For the SPD to add value to the development process we think it essential that this is addressed.</p>
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<b>University of Leicester</b>	<p><b>UoL</b> support the document generally but would suggest that you might consider adding reference to colour and texture as additional bullet points in section 5.4 Architectural Excellence.</p>	<p><b>Gerry Murphy</b></p> <p><b>GM.</b> My initial reaction is that there needs to be more thought put into the actual use of Tall Buildings and their usage for residential purposes is suspect. (See Birmingham's tall residential blocks lining the M61)</p> <p>They should be mainly for commercial purposes and should clearly be a tool to enhance the city, make it an exciting place to work in, but mostly to generate jobs, Council revenue (rates etc) and sustainable wealth for the ongoing prosperity of Leicester.</p> <p>It is only after tall buildings, have provided modern offices and work environments, together with rooftop restaurants etc should they then be considered for residential purposes. This only when the pressure on inner city space for residential demand has made it necessary. This is not yet the case.</p> <p>Unless the commercial aspect of Leicester's future is secured by providing Tall buildings for "High Wealth Creation" in the first place, the City is condemned to be a secondary dispersal area for low income residential units, thereby creating a vicious circle of a race to the bottom.</p> <p>It may be an idea to circulate your draft SPD to all developers in Leicester to ascertain their thoughts on this matter and if considered helpful to hold a meeting /seminar for further discussion on this important subject. At the moment the SPD is been developed in isolation and does not take the whole picture of Leicester's future into account. As Clinton said " It's the economy that matters"</p>	<p>These issues have now been addressed with section Architectural Excellence.</p>
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Leicester  
City Council  
Appendix C

**SUSTAINABILITY APPRAISAL REPORT  
FOR THE DRAFT TALL BUILDINGS  
SUPPLEMENTARY PLANNING  
DOCUMENT**

**JANUARY 2006**

## Tall Buildings Supplementary Planning Document

### Sustainability Appraisal Report

#### **1.0 Introduction**

1.1 This report is a Sustainability Appraisal (SA), incorporating the requirements for a Strategic Environmental Assessment (SEA), of Leicester City Council's Supplementary Planning Document (SPD) 'Tall Buildings'.

#### **2.0 Context**

2.1 The term sustainable development has been widely used since its inception by the World Commission on Environment and Development in 1987 and refers to "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". Following the Summit the UK government defined the themes of sustainable development in the strategy 'A Better Quality of Life, a Strategy for sustainable Development in the UK'. These include:

1. Social progress which recognises the needs of everyone;
2. Effective protection of the environment;
3. The prudent use of natural resources; and
4. Maintenance of high and stable levels of economic growth and employment.

2.2 Sustainability Appraisal is now considered to be an integral part of producing planning documents. The Planning and Compulsory Purchase Act 2004 and the requirements of Planning Policy Statement 12 ensure the concept of sustainable development is integrated into all land-use plans. It requires such plans to be subject to a Sustainability Appraisal (SA). Its purpose is to promote sustainable development by integrating sustainability considerations into plans. SA assesses and reports the likely significant effects of the plan and the opportunities for improving the social, environmental and economic conditions by implementing the plan.

2.3 At the same time as a Sustainability Appraisal the plan documents are also required to be subject to a Strategic Environmental Assessment (SEA) pursuant to European Directive 2001/42/EC on the assessment of the effects of certain plans, and programs.

2.4 Whilst the SA examines all sustainability related effects the SEA is focused on its primarily on its environmental effects. SEA involves carefully assessing plans and programmes for the potential environmental impacts they may have. It also takes into consideration sustainability issues in the strategic decision-making.

2.5 The SA and SEA are distinct, however there is a large amount of overlap between the European requirements and the SA allowing these to be combined into one process for assessment. This document will be in accordance with the government guidance and in addition ensure that the requirements of the SEA Directive are met.

### **3.0 The Key SPD Criteria**

3.1 The SPD sets out the criteria to be addressed in considering proposal for tall buildings in 9 key areas:

- 1) Relationship to context, including topography, built form and skyline
- 2) Effect on historic environment at a city wide and local level
- 3) Relationship to transport infrastructure particularly public transport provision
- 4) Architectural excellence of the building
- 5) Contribution to public spaces and facilities, including mix of uses
- 6) Effect on the local environment, including microclimate and general amenity
- 7) Contribution to permeability and legibility of the site and wider area
- 8) Adoption of best practice guidance related to the sustainability design and construction of buildings.
- 9) Effect on the long term regeneration of the locality and the City as a whole

### **4.0 Preparing the Report**

4.1 The Tall Buildings Supplementary Planning Documentary will form part of the Leicester Local Development Framework (LDF). This Sustainability Report has been prepared in accordance with government guidance on how to carry out sustainability appraisal as an integral part of the process of preparing the Local Development Documents and Supplementary Planning Documents. The report follows the stages within the guidance of the Sustainability Appraisal of Regional Spatial Strategies and Local Development Frameworks, consultation Paper 2004. (See Table 1).

**Table 1: SEA/SA guidance taken from the sustainability Appraisal of Regional Spatial Strategies and Local Development Frameworks, Consultation Paper 2004, ODPM 2004.**

**STAGE A: Setting the context and objectives, establishing the baseline and deciding on the Scope**

**A1 Identifying other relevant plans, programmes, and sustainability objectives.**

A2 Develop relevant baseline information and characterise the area. A3 Identifying key sustainability. A4 Developing the SA Framework including objectives, indicators and targets. A5 Testing the plan objectives against the SA Framework. A6 Consulting on the scope of the SA	Output: Scoping Report
<b>STAGE B: Developing and refining options (Reg 25)</b>	
B1 Appraising issues and options B2 Consulting on the SA of emerging options	
<b>STAGE C: Appraising the effects of the plan (SPD) (Reg 26 &amp; Submission)</b>	
C1 Predicting the effects of the plan, including plan options C2 Assessing the effect of the plan C3 Mitigating adverse effects and maximising beneficial effects C4 Developing proposals for monitoring C5 Preparing the SA Report	Output: Sustainability Report
<b>STAGE D: Consulting on the plan and SA Report</b>	
D1 Consulting on the SA Report alongside the plan D2 Appraising significant changes D3 Decision making and providing information Consultation on the Sustainability Report	Output: Sustainability Statement
<b>STAGE E: Monitoring implementation of the plan</b>	
E1 Monitoring the significant effect of the plan and publishing report E2 Responding to adverse effects	Output: section in the Annual Monitoring Report (AMR)

## 5.0 Sustainability Appraisal Objectives

5.1 Finally, as part of the “scoping report”, SA objectives incorporating the SEA Directive issues were devised. These are essentially a test of the emerging SDP’s sustainability and environmental soundness.

**Table 2: SA/SEA Objectives**

<b>SOCIAL OBJECTIVES</b>
1.To ensure that the existing and future housing stock meets the housing needs of all communities
2. To improve health and reduce health inequalities by promoting healthy lifestyles, protecting health and providing health services
3. To provide better opportunities for people to value and enjoy the City's heritage and participate in cultural and recreational activities.
<b>ENVIRONMENTAL OBJECTIVES</b>
4.To protect, enhance and manage the rich diversity of the natural, cultural and built environmental and archaeological assets of the city
5. To enhance and conserve the environmental quality of the City by increasing

the environmental infrastructure.

6. To manage prudently the natural resources of the City including water, air quality, soil and minerals.

7. To minimise energy usage and to develop renewable energy resource, reducing dependency on non-renewable resources.

8. To protect and enhance the unique townscape and urban character of the city.

#### **ECONOMIC OBJECTIVES**

9. To create high quality employment opportunities and to develop a culture of on going engagement and excellence in learning and skills.

10. To provide the physical conditions for a modern economic structure, including infrastructure to support the use of new technologies

#### **SPATIAL OBJECTIVES**

11. To ensure that the location of development makes efficient use of the existing physical infrastructure

12. To promote and ensure high standards of sustainable design and construction, optimising the use of previously developed land and buildings

13. To minimise waste and to increase the re-use and recycling of waste materials

14. To improve accessibility to jobs and services by increasing the use of public transport, cycling and walking, and reduced traffic growth and congestion.

15. To limit impacts associated with expected climate change, including flooding and drought.

## **6.0 Appraisal Methodology**

6.1 The Appraisal was undertaken by officers of Leicester City Council. There has been some input to the Supplementary Planning Document from the 'Leicester Better Buildings Projects Office' on the specific issues relating to sustainable energy design.

6.2 The Supplementary Planning Document supplements policies UD02a 'Building Layout form and position' of the adopted City of Leicester Local Plan. This policy has been appraised as part of the sustainability appraisal for the adopted Local Plan. The appraisal process therefore, has been undertaken as an iterative and continuous process commencing from the Local Plan policy development stages up to this report on the SPD.

6.3 These policy appraisals were then developed further into detailed guidance during the preparation of the new Supplementary Planning Guidance Document on 'Tall Buildings'. The SA objectives set out as part of the scoping report were assessed to see how the new SPD document could meet these objectives. The findings are shown in table 3.

6.4 The Scoping Report includes the baseline information. This will need to be updated and monitored.

## **7.0 Appraisal of Local Plan Policies**

7.1 Policy UD02a of the adopted Local Plan was appraised as part of a matrix of factors relating to the Quality of Life and Local Environment, Natural Resources, and Global Sustainability. The outcomes are set out in the appraisal documents, which supplement the Local Plan.

## 8.0 Responses to the Four Consultation Bodies

8.1 The comments of the four statutory environmental bodies – The Environment Agency, The Countryside Agency, English Nature and English Heritage who were consulted on the Scoping Report as part of the preparation of the SPD have been incorporated onto this report.

### English Heritage

English Heritage suggested minor amendments to the report, offering updated sources for some of the referenced information, as well as tailoring some of the SA objectives so there are more focused towards the goals of the SPD, and this has been addressed in the Sustainability Appraisal.

### English Nature

English Nature wished to make no formal comments.

### Environment Agency

Data sources were provided to help complete base line data, and the suggestions regarding section 4.2 “The downside of Tall buildings” and 5.6.1 regarding emissions from processes in the locality, have been address in the revision of the SPD after this consultation stage.

### The Countryside Agency

The countryside agency found the scoping report very comprehensive but due to its urban nature of the report wanted to make no formal comments.

None of the four bodies had any comments on the screening statement.

## 9.0 Policy, Environmental, Social and Economic Context

Stage A of the SA/SEA process considered the policy and ‘sustainability’ context in which the SPD is being prepared. The main findings of the Stage A “Scoping Report” were as follows.

Six key implications underpinning the SPD were identified on the themes of:

- Housing
- Resources and Waste
- Transport and Access
- Pollution and Contamination
- Visual Amenity
- Climate change and Energy

- Open Space and Recreation
- Regeneration and Employment
- Use
- Heritage and Archaeology

### **Housing:**

#### **Implication**

1. The SPD may assist towards the reuse of previously developed land and by encouraging sustainable building design to help meet the 60% target for new homes to be built on previously developed land by 2016.

### **Resources and Waste:**

#### **Implication**

2. The SPD should help and encourage efficient use of resources, encourage provision of facilities within new developments to reduce waste production, increase reuse, recycling and recovery of energy from waste.

### **Transport and Access**

#### **Implication**

3. The SPD will address the environmental impacts of transport, particularly on air quality and access through encouraging a modal switch away from road based transport.
4. The SPD will assist with future transport needs of the community and ensure that development is in sustainable locations.

### **Regeneration and Employment**

#### **Implication**

5. The SPD should assist with proposals for redevelopment of land that favours a sustainable approach to job creation and the local economy.

### **Pollution and Contamination**

#### **Implications**

6. The SPD should assist with the aim to protect and improve the quality of natural resources air, freshwater resources, soil resources by reducing loss of resources and the spread of pollutants and providing remediation where necessary.
7. The SPD considers the various environmental effects of tall buildings and issues relating to sustainable design.

### **Climate Change and Energy Use**

### **Implication**

8. The SPD looks at the development and construction implications of energy usage and other resources in contributing towards sustainable development

### **Open Space and Recreation**

#### **Implication**

9. The SPD promotes attractive and safe public spaces and how proposals provide for open space and the development of the public realm.

### **Heritage and Archaeology:**

#### **Implication**

10. The SPD outlines design criteria, which looks at the effects of tall buildings on the historic environment including conservation areas, historic buildings and archaeological remains.

### **Visual Amenity**

#### **Implication**

11. The SPD seeks development that will make a positive contribution to and mitigate against impacts on visual amenity.

The overall impacts of the SPD when assessed against each SA objective are documented in table 3 below: -

**Table 3: Overall Impact of the SPD**

<b>SA/SEA objective</b>	<b>Comments and overall assessments</b>	<b>Recommendations</b>
1. To ensure that the existing and future housing stock meets the housing needs of all communities.	I  The SPD would help promote and reuse previously developed land, encourage sustainable building design and help achieve density targets. However although the SPD specifies that 106 contributions will be sort to improve the wider area, nothing is specified for what the contribution will be sort, nor whether affordable housing will be sort.	The SPD specify what contributions will be sort by the 106 agreements, and that a percentage of affordable housing will also be sort.

2. To improve health and reduce health inequalities by promoting healthy lifestyles, protecting health and providing health services	++	The SPD would help to improve health through good design of tall building and only supported development with features such as good ventilation and use of natural sunlight.
3. To provide better opportunities for people to value and enjoy the City's heritage and participate in cultural and recreational activities.	++	The SPG will ensure that any proposed tall buildings will be of sympathetic designs, which will protect the heritage of Leicester, and that planning gain will be used to enhance local recreational facilities.
4. To protect, enhance and manage the rich diversity of the natural, cultural and built environmental and archaeological assets of the city	+	The protections of assets are part of the development plan framework, which the SPD forms a part of. Any proposal that may potentially have an effect on these assets is subject to the relevant policies in the local plan.
5. To enhance and conserve the environmental quality of the City by increasing the environmental infrastructure.	+	The SPD will seek to protect open space, and will seek to improve increase open space provision thought the process of planning gain.
6. To manage prudently the natural resources of the City including water, air quality, soil and minerals.	+	The SPD will promote only tall buildings which will have limited environmental impact to Leicester's Natural Resources, and will discourage development which will cause increased impact to air quality in areas in which problems currently exist, and developments which effect the microclimate.
7. To minimise energy usage and to develop	+	The SPD will only promote development that

renewable energy resource, reducing dependency on non-renewable resources.	encourages the use of public transport, and promote mixed use schemes which will limit the extent that the car is used.
8. To protect and enhance the unique townscape and urban character of the city	+           The SPD will encourage tall buildings of excellent architectural quality, and development, which does not impact the unique character of Leicester.
9. To create high quality employment opportunities and to develop a culture of on going engagement and excellence in learning and skills.	+           The SPD will encourage tall buildings, which will be of excellent architectural quality, and will therefore encourage high quality business and therefore high quality employment.
10. To provide the physical conditions for a modern economic structure, including infrastructure to support the use of new technologies	+           The SPD will assist in seeking to ensure that new technologies will be encouraged in the building of tall buildings
11. To ensure that the location of development makes efficient use of the existing physical infrastructure	++           The SPD will strongly promote development on Brownfield sites, importantly with good existing infrastructure links, and will discourage development, which causes disruption to the existing infrastructure.
12. To promote and ensure high standards of sustainable design and construction, optimising the use of previously developed land and buildings	++           The SPD will ensure that tall buildings are only built with design and methods, which are sustainable. Only tall buildings, which are mixed use, and are easily convertible to other uses, will be acceptable. Tall buildings will be strongly encouraged to be developed on Brownfield sites.

13. To minimise waste and to increase the re-use and recycling of waste materials	+	It would be expected that tall buildings would help minimise the potential impact caused waste by using locally sourced materials, and using recycled materials in the construction process.
14. To improve accessibility to jobs and services by increasing the use of public transport, cycling and walking, and reduced traffic growth and congestion.	+	The SPD will ensure that tall buildings will be located with close proximity to public transport, and will discourage development, which will cause increased impact to the existing road network.
15. To limit impacts associated with expected climate change, including flooding and drought.	+	The SPD will discourage tall buildings which impact the microclimate of the area, and the SPD will encourage development will promote low emissions, in both the construction process and in the actual operation of the building.

### Key to table 3

++	Likely to have a very positive impact
+	Likely to have a positive impact
0, +/-	Likely to have neutral impact, or positive impacts would be out balance out negative impacts
	Unlikely to have an impact
-	Likely to have a negative impact
--	Likely to have a very negative impact
	Could have either a positive or negative impact depending on how it is implemented
*	Nothing specific to this character area – refer to generic policies

The SPD updates and revises existing guidance found within the City of Leicester local plan therefore inevitably the option of not having an SPD would mean that the City Council would not be able to offer important and detailed guidance regarding a subject as important in modern planning as Tall Buildings, and in turn limit the potential impact upon sustainability which tall buildings can have.

The appraisal shows that the SPD cumulatively meets sustainability and environmental objectives.



# Guidance on tall buildings

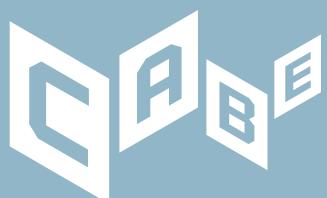
## Consultation draft January 2007

CABE and English Heritage have reviewed and updated their joint *Guidance on tall buildings*, first published in 2003, to reflect changes to the planning system and their experience of evaluating planning applications for tall buildings. The revised document, which appears here in consultation form, will supersede the previous guidance. Information about the consultation on the revisions to the guidance can be viewed on the English Heritage and CABE websites.

Responses are invited by 1 May 2007.



ENGLISH HERITAGE



## 1 Evaluating tall buildings proposals

### 1.1

Cities and their skylines evolve. In the right place, tall buildings can make positive contributions to city life. They can be first-rate works of architecture in their own right; some of the best post-war examples are now listed buildings. Individually, or in groups, they affect the image and identity of a city as a whole. In the right place they can serve as beacons of regeneration, and stimulate further investment. The design and construction of innovative tall buildings can also serve to extend the frontiers of building and environmental technology.

### 1.2

However, by virtue of their size and prominence, such buildings can also harm the qualities that people value about a place. Where tall buildings have proved unpopular, this has generally been for specific rather than abstract or general reasons. In many cases one of the principal failings is that many were designed with a lack of appreciation or understanding of the context in which they were to sit. There have been too many examples of tall buildings that have been unsuitably sited, poorly designed and detailed, badly built or incompetently managed (although this has been equally true of many low-rise buildings). The existence of a tall building in a particular location will not of itself justify its replacement with a new tall building on the same site or in the same area. The same process of analysis and justification should be required.

### 1.3

Policies derived from sustainability and demographic considerations tend to support increased density. In some cases the desire for high-density development has been used to support proposals for tall buildings. However, it is clear that tall buildings represent only one possible model for high-density development. While tall buildings with a large total floor area have a correspondingly large impact on their location in terms of activity and use, this can be equally true of large and dense developments which are not so tall. In both cases there are likely to be positive and negative effects. Projects need to be considered in the round.

### 1.4

*Planning policy statement 1 (PPS1)* states that design should take the opportunities available for improving the character and quality of an area and the way it functions. This key test applies to all development proposals, including tall buildings. CABE and English Heritage will therefore assess proposals in terms both of the contribution and any adverse impacts which they may bring. These proposals should be considered as pieces of architecture in their own right, and as pieces

of urban design sitting within a wider context; and in this respect they should be assessed in the same way as any other project, and against the most demanding standards of quality. The CABE publication *Design review* sets out CABE's method of evaluating designs. English Heritage is publishing *Conservation principles*, by which it will evaluate the impacts of development on the historic environment early in 2007.

## 2 Planning policy

### 2.1

The planning and design of tall buildings has to take into account many components of national, regional and local planning policy. *PPS1: delivering sustainable development*, which underlines the importance of good design in securing high-quality, inclusive, safe and sustainable developments that show respect for their surroundings and context, and *Planning policy guidance note 13 (PPG13): transport*, will always be relevant. *PPG15: planning and the historic environment* and *PPG16: archaeology and planning* are likely to be relevant in most cases. *PPS3: housing*, which requires the provision of high quality, well-designed housing in locations with good access to social and physical infrastructure, will apply to all new residential development. *PPS6: planning for town centres* will be relevant to office development. Meeting targets for carbon emissions and renewable energy, as set out in *PPS22: renewable energy*, regional and local planning policy, is also a particular challenge for tall buildings. Regional spatial strategies will also need to be taken properly into account. The *London Plan*, adopted in 2004, contains policies that relate directly to locations where tall buildings may be acceptable and the management of views in the capital. The emerging *London view management framework* supplementary planning guidance, which, when formalised, will supersede *Strategic view directions* (RPG Annex A November 1991), will be particularly important to explain how designated views are to be managed. The increasing recognition of the importance of design quality as a consideration within the planning system, referred to above, is set out in *PPS1* and *By design* (DETR/CABE 2000).

### 2.2

At present, local planning authorities in England vary in the extent to which specific tall buildings policies are contained in plans, or are amplified in supplementary planning documents. Where plans specifically address tall buildings, some identify geographical areas where tall buildings will or will not be appropriate based on thorough urban design analysis.

## 2.3

Government policy is to get the right developments in the right places. It states that all new development including tall buildings should be of excellent architectural quality and designed in full cognisance of its likely impact on the immediate surroundings and the wider environment. The government encourages local planning authorities to identify suitable locations where tall buildings are, and are not, appropriate, in areas where such developments are a possibility.

## 2.4

Both CABE and English Heritage strongly endorse this approach, and recommend that local planning authorities identify appropriate locations in development plan documents. These should be drawn up through effective engagement with local communities and with proper regard to national and regional planning policies and matters such as the local environment. Such an approach will ensure that tall buildings are properly planned as part of an exercise in place-making informed by a clear long-term vision, rather than in an ad hoc, reactive, piecemeal manner.

## 2.5

A development plan-led approach to tall buildings:

- enables areas appropriate for tall buildings to be identified in advance of specific proposals within the local development framework
- enables the spatial, scale and quality requirements for new tall buildings to be established within the local development framework
- ensures an appropriate mix of uses is considered
- enables proper public consultation at the plan-making stage on the fundamental questions of principle and design
- reduces the scope for unnecessary, speculative applications in the wrong places
- protects the historic environment and the qualities which make a city or area special
- highlights opportunities for the removal of past mistakes and their replacement by development of an appropriate quality
- sets out an overall vision for the future of a place.

## 2.6

Local planning authorities will need to consider the scope for tall buildings, where they are a possibility, as

part of strategic planning. This may include how they contribute to areas of change. In identifying locations where tall buildings would and would not be appropriate, local planning authorities should, as a matter of good practice, carry out a detailed urban design study. This should:

- take into account historic context through the use of historic characterisation methods of the wider area (the English Heritage publications *Conservation bulletin issue 4: characterisation, using historic landscape characterisation* and the forthcoming *Using urban characterisation*, provide useful guidance)
- carry out a character appraisal of the immediate context, identifying those elements that create local character and other important features and constraints, including:
  - natural topography
  - urban grain
  - significant views of skylines
  - scale and height
  - streetscape
  - landmark buildings and areas and their settings, including backdrops, and important local views, prospects and panoramas.

– identify opportunities where tall buildings might enhance the overall townscape

– identify sites where the removal of past mistakes might achieve a similar outcome.

## 2.7

Having identified the constraints and opportunities through an urban design study, specific policies and locations should be included in development plan and supplementary planning documents clearly identifying, in map-based form, areas that are appropriate, sensitive or inappropriate for tall buildings. In some places, historic environment considerations may be of such significance that no tall buildings will be appropriate.

## 2.8

In areas identified as appropriate, or sensitive, to tall buildings, local authorities should consider commissioning more detailed, three-dimensional urban design frameworks to be adopted as supplementary planning documents as support policies to core strategies and/or as area action plans. The potential impact of buildings of various heights and forms can be modelled to assess their effect on context including on other local authority areas, and on each other. This should help to inform the decision-making and place-making process.

## 2.9

Local planning authorities will have to address issues relating to tall buildings as part of the strategic environmental assessment (SEA) of their plans and programmes in areas where significant levels of development are proposed.

## 3 Planning applications

### 3.1

The Planning and Compulsory Purchase Act (2004) sets out the requirement for applications for both outline and full planning permissions to be accompanied by a design and access statement. This must explain and justify proposals and may be used as a basis to control any matter reserved by planning condition or reserved matters approval. The statement accompanying outline applications must also explain the process and principles that will be followed at reserved matters stage. *Design and access statements: how to write, read and use them* (CABE 2006) and *Circular 01/06: guidance on changes to the development control system* (DCLG 2006) provide guidance on matters to be covered by the statement. The greater the size and impact of a project, the more comprehensive this statement needs to be. Because of the intensity of land use which they represent, and because of the degree of change to the environment which their construction will bring about, both CABE and English Heritage look to local planning authorities to require all applicants for major tall buildings to present their proposals in the context of their own urban design study for the immediate and wider areas affected, and to demonstrate how their proposals respond to local planning authority studies where they exist, including a character appraisal. *By design* contains useful advice on the objectives of urban design and other considerations which should inform such a study, and on the preparation of a design and access statement. Where there are concurrent proposals for other tall buildings, or where others are likely to follow, the potential cumulative effect of these should be addressed by the study.

### 3.2

Without representational material of appropriate scope, quality, clarity and detail, it is not possible to assess the architectural quality of a tall building or its effect on the immediate and wider context. Local planning authorities should therefore advise applicants during pre-application discussions what visual material will be required to determine any application, identifying views they consider significant and defining appropriate visualisation techniques. In many cases, studies showing what a scheme would look like in context at

varying heights or a physical model of a tall building in relation to the wider area may be helpful. The level of detail and range of material required will depend on the size and effect of the proposals, and the stage reached in the design process.

### 3.3

All proposals for tall buildings should be accompanied by accurate and realistic representations of the appearance of the building. These representations should show the proposals in all significant views affected, near, middle and distant, including the public realm and the streets around the base of the building. This will require methodical, verifiable 360 degree view analysis. Where a tall building is justified by its relationship to a cluster, the proposals should be illustrated in the context of proposed and approved projects where this is known, as well as the existing situation. The appearance of materials should be accurately rendered in a range of weather and light conditions, although applicants and local planning authorities should be aware that visualisation techniques will not precisely replicate how the proposals will appear to the human eye.

### 3.4

Planning applications for tall buildings are likely to require a full environmental impact assessment (EIA). The planning authority must ensure that the environmental statement that will normally accompany applications addresses the likely significant environmental effects of a tall building proposal and must be confident that a proper analysis has taken place.

### 3.5

On the rare occasions where outline applications may be acceptable (see 5.1 below), the environmental statement may still require a significant amount of detail. Outline planning applications for tall buildings will need to include a comprehensive assessment of the site context and a visual impact assessment based on maximum and minimum scale parameters as part of the EIA. A separate further EIA may also be required for reserved matters applications.

## 4 Criteria for evaluation

### 4.1

Criteria for evaluating tall building proposals are set out in this section. It is not considered useful or necessary to define rigorously what is and what is not a tall building. It is clearly the case that a 10-storey building in a mainly two-storey neighbourhood will be thought of as a tall building by those affected, whereas in the centre of a large city it may not. The criteria below are

relevant to buildings which are substantially taller than their neighbours and/or which significantly change the skyline. The criteria are not listed in order of importance; the relative importance will depend on the circumstances of the site and the project. In the case of exceptionally tall buildings, some of the criteria will apply over a wide geographical area, and it will be necessary for the applicant's urban design study, referred to above, to address this. Applicants seeking planning permission for tall buildings should ensure therefore that the following criteria are fully addressed:

**4.1.1** The **relationship to context**, including natural topography, scale, height, urban grain, streetscape and built form, and the effect on the skyline. Tall buildings should have a positive relationship with relevant topographical features and other tall buildings; the virtue of clusters when perceived from all directions should be considered in this light.

**4.1.2** The **effect on the whole existing environment**, including the need to ensure that the proposal will preserve and/or enhance historic buildings sites, landscapes and skylines. Tall buildings proposals must address their effect on the setting of, and views to and from historic buildings, sites and landscapes over a wide area including:

- World Heritage sites and their settings, including buffer zones
- Scheduled ancient monuments
- Listed buildings
- Registered parks and gardens, and registered battlefields
- Archaeological remains
- Conservation areas
- Other open spaces, including rivers and waterways
- Other important views, prospects and panoramas.

**4.1.3** The **effect on World Heritage sites**. The government has an international obligation to protect the outstanding universal value of World Heritage sites as defined by their specific statement of significance. Part of this obligation is the adoption of a management plan for the World Heritage site, including the buffer zone, by stakeholders. The statement of significance and the management plan are key material considerations in the planning process.

**4.1.4** The **relationship to transport infrastructure**, aviation constraints, and, in particular, the capacity of public transport, the quality of links between transport and the site, and the feasibility of making improvements, where appropriate. Transport is important in relation to tall buildings because of the intensity of use, as well as density, that they represent.

**4.1.5** The **architectural quality of the building** including its scale, form, massing, proportion and silhouette, facing materials and relationship to other structures. The design of the top of a tall building will be of particular importance when considering the effect on the skyline.

**4.1.6** The **sustainable design and construction** of the proposal. For all forms of development, good design means sustainable design. Tall buildings should set exemplary standards in design because of their high profile and local impact. Proposals should therefore exceed the latest regulations and planning policies for minimising energy use and reducing carbon emissions over the lifetime of the development. The long-term resource and energy efficiency of tall buildings will be enhanced if their design can be adapted over time.

**4.1.7** The **credibility of the design**, both technically and financially. Tall buildings are expensive to build, so it is important to be sure that the high standard of architectural quality required is not diluted throughout the process of procurement, detailed design, and construction. Location, use, the commitment of the developer, and ability and expertise of the consultant team will have a fundamental bearing on the quality of the completed building.

**4.1.8** The **contribution to public spaces and facilities**, both internal and external, that the development will make in the area, including the provision of a mix of uses, especially on the ground floor of towers, and the inclusion of these areas as part of the public realm. The development should interact with and contribute positively to its surroundings at street level; it should contribute to safety, diversity, vitality, social engagement and 'sense of place'.

**4.1.9** The **effect on the local environment**, including microclimate, overshadowing, night-time appearance, vehicle movements and the environment and amenity of those in the vicinity of the building.

**4.1.10** The **contribution made to the permeability** of a site and the wider area; opportunities to offer improved accessibility, and, where appropriate, the opening up, or effective closure, of views to improve the legibility of the city and the wider townscape.

**4.1.11** The **provision of a high-quality environment** for those who use the buildings including function and fitness for purpose, as far as this is relevant to planning decisions.

## 4.2

In addition to these criteria, and going beyond the powers of their planning responsibilities, local authorities

will need to consider a range of broader issues including access, means of escape and public safety requirements. Applications should demonstrate that these issues have been taken into account as part of the overall design and development process.

#### 4.3

Major building projects offer opportunities to enrich the public realm in terms of external and internal space. In the case of many significant tall building proposals, it will be desirable to dedicate substantial parts of the ground floors, and possibly other lower levels, of tall buildings to public uses. Where appropriate, it should also be possible for members of the public to enjoy the views afforded from tall buildings. However, it may not be possible to achieve all of the desired benefits within the confines of the planning application site – for example, when the proposed building fills the site. In many cases, planning agreements (section 106 agreements) will be an important mechanism for delivering the public benefits, including the public realm treatment, of tall building proposals. Such agreements will often be the only way of ensuring that a tall building is integrated with its immediate surroundings in a satisfactory way at the lower levels.

#### 4.4

To be acceptable, any new tall building should be in an appropriate location, should be of first-class design quality in its own right and should enhance the qualities of its immediate location and wider setting. It should produce more benefits than costs to the lives of those affected by it. Failure on any of these grounds will make a proposal unacceptable.

## 5 Protection of design quality

### 5.1

Proposals for tall buildings should not be supported by local planning authorities unless it can be demonstrated through the submission of fully justified and worked-up proposals that they are of excellent architectural quality and in the appropriate location. For this reason CABE and English Heritage consider that outline planning applications are appropriate only in cases where the applicant is seeking to establish the principle of a tall building as an important element within a robust and credible masterplan for an area to be developed over a long period of time. In those cases, it is critical that the planning authority makes the principles established in the design and access statement a condition of planning approval to ensure that high quality can be achieved through proactive control of reserved matters.

### 5.2

Where full planning permission for a tall building is to be granted, the detailed design, materials and finishes, and treatment of the public realm should be secured through the appropriate use of planning conditions and obligations, including section 106 agreements, where appropriate. Adequate guarantees are essential to maintain the original architectural quality and ensure that inferior details and materials are not substituted at a later date.

## 6 Consultation with CABE and English Heritage

### 6.1

CABE and English Heritage have an important role to play in evaluating tall building proposals, which are usually of more than local significance. Both organisations recognise the importance of managing change in the built environment to continually improve its quality. Their different roles and remits are complementary. In assessing major proposals for tall buildings, the two bodies liaise and take into account each other's views when arriving at their own conclusions. However, there may be occasions on which the two bodies arrive at different conclusions about a particular proposal.

### 6.2

The statutory function of CABE is to promote high standards in architecture and the design of the built environment across England. CABE is a non-statutory consultee in the planning process. When reviewing projects, CABE provides expert advice on whether a tall building proposal, in the round, is an excellent piece of architecture and urban design. CABE is producing *Design review-ed: tall buildings* (due for publication 2007), a document that will draw lessons from tall building projects it has reviewed.

### 6.3

English Heritage's statutory responsibilities include the preservation and enhancement of the historic environment, and it is a statutory consultee in the planning process. As the government's advisor on the historic environment, its remit will be to assess whether the impact of the proposal is acceptable in terms of its effect on the wider local environment. That assessment should first establish whether the site is an appropriate one for tall buildings and only then address other factors including design quality as a response to its context.

## Consultation with CABE

### 6.4

A letter from the Department for Communities and Local Government to planning authorities (December 2006) and *DCLG Circular 01/06* (para 76) set out the criteria for consulting CABE about new building proposals. Most tall building projects are likely to come within one or more of these criteria, which include 'proposals which are significant because of their size'. Details of this, and of the operation of CABE's design review function, are given on CABE's website, [www.cabe.org.uk](http://www.cabe.org.uk), and in its publication *Design review*.

### 6.5

CABE strongly encourages pre-application discussions at the earliest possible opportunity, and will always seek to involve local authority planning departments at that stage. Local authorities are encouraged to draw this to the attention of the promoters of projects.

## Consultation with English Heritage

### 6.6

Many tall buildings will have an effect on the wider historic environment as well as local contexts. In every case, early pre-application consultation should be carried out with English Heritage staff in the appropriate regional office to ensure that all the implications are fully understood and explicitly portrayed in supporting illustrative material. Applicants should justify fully why these effects should be acceptable in the context of national, regional and local policies that relate to the management of change in the historic environment, and supplementary guidance by English Heritage. Details of English Heritage contacts are given on [www.english-heritage.org.uk](http://www.english-heritage.org.uk) and in the publication *Planning and development in the historic environment: a charter of English Heritage advisory services* (English Heritage 2005).

## Further reading

*Planning policy statement 1: delivering sustainable development*

(Office of the Deputy Prime Minister, 2005)

All relevant national planning guidance can be found on [www.communities.gov.uk](http://www.communities.gov.uk)

*By design: urban design in the planning system: towards better practice*

(Department for Environment, Transport and the Regions/CABE, Thomas Telford, 2000)

*Circular 01/06: guidance on changes to the development control system* (DCLG 2006)

*Design and access statements: how to write, read and use them* (CABE, 2006)

*Protecting design quality in planning* (CABE, 2003)

*Design review-ed: tall buildings*  
(CABE, due for publication 2007)

*Building in context*  
(CABE/English Heritage, 2002)

*Conservation bulletin issue 47: characterisation*  
(English Heritage 2005)

*Using historic landscape characterisation (HLC): English Heritage's review of HLC applications 2002/3* (English Heritage and Lancashire County Council 2004)

*Using urban characterisation*  
(English Heritage, due for publication 2007)

*Planning and development in the historic environment: a charter of English Heritage advisory services.*  
(English Heritage, 2005, to be updated 2007)

*Conservation principles, policies and guidance consultation* (English Heritage, February 2007)

The Historic Environment Local Management (HELM) website [www.helm.org.uk](http://www.helm.org.uk) provides accessible information for all those whose actions affect the historic environment.

The government's advisor  
on architecture, urban design  
and public space

1 Kemble Street  
London WC2B 4AN  
T 020 7070 6700  
F 020 7070 6777  
E [enquiries@cabe.org.uk](mailto:enquiries@cabe.org.uk)  
[www.cabe.org.uk](http://www.cabe.org.uk)

English Heritage

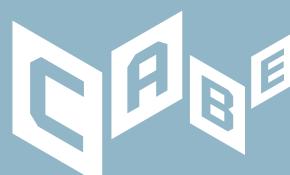
The government's  
statutory advisor on the  
historic environment

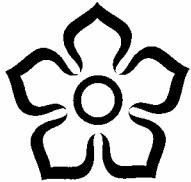
1 Waterhouse Square  
138-142 Holborn  
London EC1N 2ST  
T 020 7973 3000  
F 020 7973 3001  
[www.english-heritage.org.uk](http://www.english-heritage.org.uk)

If you would like to discuss  
this consultation document,  
please call Charles Wagner at  
English Heritage,  
telephone 020 7973 3826  
email [tall.buildings@english-heritage.org.uk](mailto:tall.buildings@english-heritage.org.uk)



ENGLISH HERITAGE





Leicester  
City Council

## WARDS AFFECTED ALL WARDS

**Housing and Community Safety Scrutiny  
Cabinet**

**28<sup>th</sup> March 2007  
2<sup>nd</sup> April 2007**

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### **Leicester Domestic Violence Inter-Agency Strategy 2007/09**

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#### **Report of the Corporate Director of Adults and Housing Department**

##### **1. Purpose of Report**

1.1 This report provides information on the first Domestic Violence Interagency strategy in Leicester and seeks comments and commitment to assist the delivery of the strategy.

##### **2. Summary**

2.1 A number of agencies work to reduce domestic violence through prevention, support and protection in Leicester. These include Police, Courts, Hospitals, Housing providers, Teachers, Midwives, GP's, Victims Support, Probation Service, Social Workers and Specialist Domestic Violence Support Agencies.

2.2 Leicester City Council is one of the key partners working with the Leicester Domestic Violence Forum Partnership (LDVFP) to plan and develop services for anyone who has, or may be, affected by domestic violence in Leicester and the surrounding areas. Since the introduction of a new BVPI around domestic violence from April 2005, it is clear that the Government wants local authorities to take more strategic responsibility for domestic violence jointly with the local Domestic Violence Forum and to adopt a multi-agency strategy.

2.3 The first Domestic Violence Inter-Agency Strategy 2007/09 sets out the vision for domestic violence service provision in Leicester. The vision takes account of national best practice guidance contained in the Safety and Justice Green Paper and the National Domestic Violence Plan.

##### **3. Recommendations**

3.1 The Housing and Community Safety Scrutiny Committee is requested to:-

- provide comments on the Domestic Violence Inter-Agency Strategy
- note that a city council action plan is produced which sets out the councils contribution and commitment to deliver the strategy.

3.2 Cabinet is asked to endorse the Leicester Domestic Violence Inter-Agency Strategy 2007/09

**4. Headline Financial and legal Implications**

***Financial Implications***

4.1 The purpose of this report is to brief Members on the key points of the proposed Strategy. The funding streams needed to resource some of the new developments are not yet identified, and therefore aspects of the Strategy could not currently be progressed. It will also be important to ensure that appropriate Council procedures are followed in accessing funds to further this work, and that no activity is commenced until the funding is identified.

Colin Sharpe, Head of Finance Adult and Community Services, x8800

***Legal Implications***

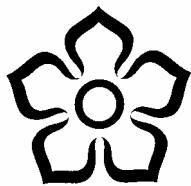
4.2 Legal implications are covered in the report  
Peter Nicholls

**5. Report Author/Officer to contact:**

Shobhana Patel  
Community Safety Development Officer  
0116 2526033  
[Shobhana.patel@leicester.gov.uk](mailto:Shobhana.patel@leicester.gov.uk)

**DECISION STATUS**

<b>Key Decision</b>	No
<b>Reason</b>	N/A
<b>Appeared in Forward Plan</b>	N/A
<b>Executive or Council Decision</b>	Executive (Cabinet)



Leicester  
City Council

WARDS AFFECTED ALL WARDS

**Housing and Community Safety Scrutiny  
Cabinet**

**28<sup>th</sup> March 2007  
2<sup>nd</sup> April 2007**

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**Leicester Domestic Violence Inter-Agency Strategy 2007/09**

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## **SUPPORTING INFORMATION**

### **1. Leicester Domestic Violence Forum Partnership**

- 1.1 The Leicester Domestic Violence Forum Partnership (LDVFP) provides an organisational lead and strategic approach to responding to domestic violence in the city. The LDVFP has a strategic group, steering group and a number of specific specialist sub-groups. The LDVFP feedbacks to the Safer Leicester Partnership that leads on the "Safer" block of "The Strategy for Leicester" which is co-ordinated and performance managed by the Leicester Strategic Partnership. The City Council is represented well at the different levels of the domestic violence structure.
- 1.2 To ensure that activities of the LDVFP are communicated to other key service areas the council also have an Internal City Council Domestic Violence Project Team. The purpose of the project team is to assist the co-ordination of domestic violence within the council, look at cross-cutting departmental issues, co-ordinate how the council contributes to the LDVFP objectives and progress on meeting all areas of the BVPI 225.
- 1.3 BVPI 225 is a new indicator, which was given to local authorities from April 2005. The indicator covers eleven different areas of local service provision around domestic violence and cuts across different departments and multi-agency work. This indicator will form part of the CPA indicators from April this year. A list of the eleven areas listed in the BVPI is shown in Appendix A, adopting and agreeing a multi-agency strategy is one of the areas.

### **2. Contents of the Inter-Agency Domestic Violence Strategy**

- 2.1 The strategy (Appendix B) provides a detailed understanding of what domestic violence is and who is affected by it. The definition of domestic violence used by the forum is listed below that is similar to the definition used by the Council.

"Domestic violence involves the misuse of power and is based on a range of control mechanisms which include: physical, sexual, psychological, social or economic abuse or neglect of an individual by a partner, ex-partner, carer or one or more family member, in an existing or previous domestic relationship. This is regardless of age, gender,

sexual orientation, religious, cultural or political beliefs, ethnicity, disability, HIV status, class or location".

2.2 Domestic violence is a cross cutting issue for departments and organisations. Currently domestic violence has a place within a number of strategies and plans in the Council, for example: Children and Young Peoples' Plan, Safeguarding Adults, Community Safety Strategy, Homelessness Strategy, Supporting People Strategy, Teenage Pregnancy Strategy and Youth Offending Plan. Responding effectively to domestic violence has a positive outcome for everyone.

2.3 In Leicester during 2005/06 there were 6208 domestic violence incidents reported by victims to the Police, this equals on average of 517 victims a month, 17 victims a day. These are only the cases which are reported, according to the BCS(British Crime Survey) only 35% of actual domestic violence is reported to the police. Within the Council we know that in Leicester :-

- The number of children on the child protection register at the end of March 06 was 288. This represents a percentage figure of 42.3 children per 10,000 under 18 years and is above the family average for similar authorities of 30.4 per 10,000.
- 40% of young offenders who have committed a violent offence had previously witnessed violence in a family context. If only female young offenders are considered, 100% have previously witnessed violence in a family context (6 month sample).
- Domestic violence continues to be a significant factor for homelessness, with nearly 20% of acceptances being due to domestic violence.
- 27% of safeguarding adult referrals involved abuse from a family member (Leicester, Leicestershire & Rutland).
- An average of 16% of referrals to the Children and Young People's Duty and Assessment Service were related to domestic violence

2.4 The strategy aims is to reduce domestic violence through working together to **prevent** domestic violence, and to provide **support** and **protection** to anyone who has been, or may be, affected by domestic violence.

- a) The protection strand is about responding to high risk cases of domestic violence, preventing revictimisation through work with victim and perpetrator, sharing information across agencies to ensure that the risk is adequately assessed and to work in partnership to reduce and manage the risk.
- b) The support element concentrates on medium risk domestic incident, support for those who have experienced domestic violence either as a adult or children and to limit the potential harmful impact. Support can include accommodation options and assistance, support to victims who want to stay in their own home, financial support due to their immigration status.

c) The prevention aspect focuses on culture change around domestic violence and preventing domestic violence from happening in the first place. Working with young people towards positive and healthy relationships is key to this area, general raising awareness via campaign work, and training for professionals to recognise domestic violence, and providing information to victims on how they can access support and preventing offenders from re-offending.

2.5 The strategy has identified areas where improvement needs to be made for each of the three themes. The table below is from the strategy, a definition of the current performance can be found on page 38 of the draft strategy.

	<b>Strategic Objective</b>	<b>Current Performance</b>
<b>P R E V E N T I O N</b>	Children and young people to receive education related to domestic violence and healthy relationships.	Working towards
	Children, young people and adults affected by domestic violence are identified and receive appropriate interventions.	Working towards
	Adults to have a basic understanding of domestic violence issues and the resources available.	Some success
	Organisations have a local understanding of the issues of domestic violence.	Some success
<b>S U P P O R T</b>	Organisations to recognise the issue of domestic violence and make a commitment to take appropriate responsibility for the welfare of their clients and employees.	Some success
	Public sector organisations to actively engage in partnership work on domestic violence, including making a commitment to the domestic violence forum/partnership at all appropriate levels.	Some success
	The Domestic Violence Forum Partnership to ensure that there is accessible, appropriate and sufficient, good quality specialist and general provision for people affected by domestic violence	Working towards
	Organisations build a strong evidence base of positive outcomes.	Gap identified
<b>P R O T E C T I O N</b>	Those aware of domestic violence, suffering from domestic violence or perpetrating domestic violence to seek assistance at an early stage	Working towards
	Employees to have the skills, knowledge and confidence to identify domestic violence and take appropriate measures.	Working towards
	Organisations to identify manage and reduce the risk of (further) harm to staff, volunteers and service users, sharing information (personal and anonymous) appropriately in a safe manner.	Gap identified
	Multi-agency systems and protocols in place for risk management and safety planning of high-risk domestic violence victims.	Gap identified

2.6 To assist in the delivery of the strategy the LDVFP has eight action areas, which will achieve the strategic objectives listed above. In many cases an action area will meet more than one of the strategic objectives across the three themes. Resources for the delivery of the strategy will be key for the LDVFP. As tackling violent crime is a priority for the Leicester Strategic Partnership and the Safer Leicester Partnership and a quarter of all violent crime are domestic crimes, the LDVFP will work with the planning and commissioning process of the Leicester Partnership and the Safer Leicester Partnership to help deliver the objectives of Partnerships. The LDVFP will need to seek

resources to establish new initiatives and at the same time they will need to work with their members to help sustain current provision.

2.7 The table below outlines some of the possible implications for the Council. It must be stressed that this is an estimate and that a more detailed Leicester City Council Action Plan will be completed by June 2007.

Themes	LDVFP Action Area	Possible City Council Implications
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Themes	LDVFP Action Area	Possible City Council Implications
Prevention	<p>1. Sustain and develop campaigning and promotional activity</p> <p>3. Improve Evidence base</p> <p>6. Sustain and develop therapeutic and preventative work with children and young people, including the development of earlier intervention opportunities.</p>	<p>1. Work with the LDVF Partnership to deliver the campaign, distribute and circulate publicity to all council offices open to the public, actively participate in the campaign.</p> <p>Resources maybe required to review the local directory (area one of the BVPI) produced last year, which needs to be reviewed every 2 years.</p> <p>Resources to continue the delivery of the Corporate Domestic Violence Awareness Training to council staff in all departments.</p> <p>3. To encourage different city council service providers to collate data on victim and perpetrator of domestic violence and contribute to establishing a holistic understanding around domestic violence. Officer time</p> <p>6. Resources need to be found for Cracking Conflict Against Violence (CCAV). CCAV project works with pupils in secondary schools to increase their awareness around domestic violence, sexual violence and healthy relationships (area 10 of the BVPI). The project co-ordinator will both manage and deliver the training with trained facilitators.</p>
Support	<p>2. Improve strategic commitment and response to Domestic Violence through the LDVF Partnership</p> <p>3. Improve Evidence base</p> <p>4. Sustain current level and develop outreach and refuge provision, including Independent Domestic Violence Advisors</p>	<p>2. Senior Officer and Councillor attendance at LDVF Partnership. Maybe finding resources or officer support to progress initiatives, increasing the profile of domestic violence within the City Council and other Partnerships.</p> <p>The City Council mainstreamed the Domestic Violence Co ordinator's post from April 2006.</p> <p>There may be some resource implications for area 5 of the BVPI in relation to "support and facilitate LDVF at least four times a year."</p> <p>3. Same as above</p> <p>4. Supporting People currently fund most of the outreach and supported housing provision. Please refer to the "Strategic Review of Floating Support Services Update" report also on the agenda.</p> <p>Resources will need to be found for the ASK project approximately £20,000 a year. ASK project provides additional security measures for victims of domestic violence who would like to stay in their own home and emotional support.</p> <p>Officer time on working groups, possible secondments opportunities</p> <p>Resources for Independent Domestic Violence Advisors (IDVA) or increase provision for male victims of domestic violence.</p>

<b>Support</b> Continued	6. Sustain and develop therapeutic and preventative work with children and young people, including the development of earlier intervention opportunities	6. Same as above
<b>Protection</b>	<p>2. Improve strategic commitment and response to Domestic Violence through the LDVF Partnership</p> <p>4. Sustain current level and develop outreach and refuge provision, including Independent Domestic Violence Advisors</p> <p>5. Increase capacity for accredited court and non-court perpetrator programmes and multi-agency risk assessments.</p> <p>6. Sustain and develop therapeutic and preventative work with children and young people, including the development of earlier intervention opportunities</p> <p>7. Improve performance on equality and diversity</p> <p>8. Improve Court Response</p>	<p>2. Same as above</p> <p>4. Same as above</p> <p>5. A key element of this action is the implementation of Multi Agency Risk Assessment Conference (MARAC). This is a multi agency approach where cases on high risk victims of domestic violence are brought to a MARAC and an action plan to safeguard the victim is established and the perpetrator is managed effectively. The IDVA are key to on-going support to the victims. This area has linkages with the safeguarding children and adults and housing. A key tool for this to work is the establishment of a protocol between all the agencies for sharing personal information, and agencies undertaking similar risk assessments procedures for victims of domestic violence.</p> <p>Assist LDVF Partnership to seek resources for non-court mandated perpetrator programmes. Linkages with the parenting agenda and work with families maybe refer clients to perpetrator programmes.</p> <p>6. Same as above</p> <p>7. Officer time to assist multi-agency group</p> <p>8. Officer time to support a multi-operational steering group for the development of Specialist Domestic Violence Courts.</p>

2.8 Detailed action plans are currently being developed for the eight action areas. The progress of these action plans and strategy will be monitored by the steering group and reported to the LDVFP regularly.

### **3 Recommendations**

3.1 The Housing and Community Safety Scrutiny Committee is requested to:-

- provide comments on the Domestic Violence Inter-Agency Strategy
- agree that a city council action plan is produced which sets out the councils contribution and commitment to delivery the strategy.

3.2 Cabinet is asked to endorse the Leicester Domestic Violence Inter-Agency Strategy 2007/09.

### **4. FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

#### **4.1. Financial Implications**

The purpose of this report is to brief Members on the key points of the proposed Strategy. The funding streams needed to resource some of the new developments are not yet identified, and therefore aspects of the Strategy could not currently be progressed. It will also be important to ensure that appropriate Council procedures are followed in accessing funds to further this work, and that no activity is commenced until the funding is identified.

Colin Sharpe, Head of Finance Adult and Community Services, x8800

#### **4.2 Legal Implications**

Legal implications are covered in the report

Peter Nicholls

### **5. Other Implications**

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	Yes	Domestic violence affects all communities, but some communities find it harder to access support and advice.	
Policy	Yes	LCC has a domestic policy relating to staff, which complements this strategy	
Sustainable and Environmental	No		
Crime and Disorder	Yes	Domestic violence is a priority with the community safety strategy, LAA and Home Office	
Human Rights Act	Yes	Human Rights Act states that everybody has Right to be free from torture or inhuman or	

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
		degrading treatment.	
Elderly/People on Low Income	Yes	Domestic violence affects all communities, special effort needs to be made to ensure socially excluded groups can access help and support	

## 6. Risk Assessment Matrix

Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/appropriate)
1 Risk of not adopting strategy.	L	M	To provide comments, agree and adopt the strategy. As a key partner on the LDVFP may place risk of the strategy not being adopted by other key partners, therefore will not achieve co-ordinated approach for victims/survivors.

## 7. Background Papers – Local Government Act 1972

Local Government Association “Implementing The New Domestic Violence Best Value Performance Indicator.”

Draft Domestic Violence Inter-Agency Strategy 2007-09

## 8. Consultations

Members of the Domestic Violence Project Team

## 9. Report Author

Shobhana Patel  
Community Safety Development Officer  
0116 2526033  
[Shobhana.patel@leicester.gov.uk](mailto:Shobhana.patel@leicester.gov.uk)

**BVPI 225 Action Against Domestic Violence****Appendix A**

The BVPI 225 is a new indicator introduced in April 2005 and will form part of a CPA indicator from 2007. The indicator focuses on eleven areas of service provision around domestic violence. The services listed cut across all council departments and multi-agency work with the Domestic Violence Forum. The table below list the eleven areas where the council needs to report on and the progress made up to March 2006

	Areas	Performance as at March 06	Performance as at 28 Feb 07
1.	Has the local authority produced a directory of local services that can help victims of domestic violence?	Green	Green
2	Is there within the local authority area a minimum of 1 refuge place per ten thousand population	Green	Green
3	Does the local authority employ directly or fund a voluntary sector-based domestic violence co-ordinator	Green	Green
4	Has the local authority produced and adopted a multi-agency strategy to tackle domestic violence developed in partnership with other agencies?	Amber/Green	Amber/Green
5	Does the local authority support and facilitate a local multi-agency domestic violence forum that meets at least four times a year?	Green	Green
6	Has the local authority developed an information-sharing protocol and had it agreed between key statutory partners?	Amber/Red	Amber/Green
7	Has the local authority developed, launched and promoted a 'sanctuary' type scheme to enable victims and their children to remain in their own home, where they choose to do so and where safety can be guaranteed?	Green	Green
8	Has there been a reduction in the percentage of cases accepted as homeless due to domestic violence that had previously been re-housed in the last two years by that local authority as a result of domestic violence?	Red	Green
9	Does the council's tenancy agreement have a specific clause stating that perpetration of domestic violence by a tenant can be considered grounds for eviction? (For local authorities that have transferred their housing stock, the clause should be contained in the LSVT organisations' tenancy agreement.)	Green	Amber/Green
10	Has the local authority funded and developed a domestic violence education pack in consultation with the wider domestic violence forum?	Amber/Green	Green
11	Has the local authority carried out a programme of multi-agency training in the last twelve months covering front line and managerial staff in at least two of the following groups: housing staff, social services staff providing services in the local authority area; education staff; health staff; and front line police officers.	Amber/Red	Green

By the end of March 2006, we had achieved 64% (7 out of the 11) of the areas. It is hoped that by the end of March 2007 82% (9 out of the 11).

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## Appendix B

### Leicester Inter-Agency<sup>1</sup> Domestic Violence<sup>2</sup> Strategy 2007-09

#### Contributors to this draft<sup>3</sup>:

▪ LCC Housing & Community Services Supporting People Team	Anita Adatia and Mel Elliot Suki Kaur, Glynis Middleton and Darren Youngs
▪ DVIRP	
▪ LCC Housing & Community Services Safer Leicester Partnership	Louise Lavelle
▪ Witness Cocoon	Denise Taylor
▪ Refugee Action	Amanda Soraghan
▪ LCC Children & Young Peoples Services	Paul Conneally, Ellen Collier
▪ New Futures	Jennie Skelding
▪ Braunstone Community Association	Janice Vare
▪ Bridges	James Lynch and Margaret Cole
▪ LCC Children & Young Peoples Services	Penny Brown and Irene Dooher
▪ LCC Housing & Community Services	Shobhana Patel
▪ Leicestershire & Rutland Probation Area	Sean Reynolds
▪ LCC Housing & Community Services	Sangeeta Patel
▪ CAFCASS	Sheila Mosley
▪ Leicester City PCT	Carole Devaney
▪ Leicestershire Constabulary	Superintendent Chris Garnham, Sarah Turner, Pete Williams
▪ Connexions Leicester Shire	Kristel Bhatia

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<sup>1</sup> A glossary of common abbreviations is included in the appendices. Every attempt has been made to detail each abbreviation on its initial use.

<sup>2</sup> This document uses the terms aggrieved, victim, survivor, perpetrator, abuser and offender. We use these terms to note harm, resourcefulness and responsibility. We acknowledge that people may not identify with these terms. The term violence is used to include all violating behaviours, and as such can be interchangeable with 'abuse'.

<sup>3</sup> The term 'contributors' is applied to mean people who supplied comments, and in some instances suggestions for amendments. Additional contributions have been received through the process of consultation workshops and development days 2006-6.

## Leicester Inter-Agency Domestic Violence Strategy 2007-09

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**Forward**

[Short paragraphs and photographs from the following:]

Chair of the Safer Leicester Partnership

Chair of Leicester Domestic Violence Forum Partnership

## Executive Summary

Effective inter-professional working can lead to more effective service delivery and improved user outcomes<sup>4</sup> and it is essential in an area such as Domestic Violence. Domestic Violence has a negative impact on Healthier Communities and Older People, Economic development and Enterprise, Children & Young People and Safer & Stronger Communities. Domestic Violence represents a consistently high proportion of the violent crime occurring in the city.

There are clear economic and moral arguments for improving our response to Domestic Violence. The British Crime Survey estimates that 34% of incidents go unreported (to the police), so we can suppose that there are in the region of 200 incidents of Domestic Violence occurring every week in our city. No year has passed in the last five without a homicide related to Domestic Violence.

Local public services spend in excess of £3million on specific Domestic Violence Projects, and the actual cost of Domestic Violence in our city is far higher, as it includes the indirect costs absorbed by general Health, Criminal and Civil Justice, Education, Housing and Child Protection services.

Whilst homelessness in the City is falling, Domestic Violence continues to be a significant factor, with nearly 20% of acceptances being due to domestic violence. 25% of Leicestershire & Rutland Probation Area clients have experience of domestic violence in their history, as either a perpetrator or victim.

Domestic Violence affects everyone, and occurs all over the world (WHO 2006). As an issue that relates to the abuse of power and control, particular attention has to be paid to those individuals and communities who may already be socially excluded, under served or oppressed due to their individual circumstances.

The vision and strategic priorities contained within this document are based on the principle that a co-ordinated community response<sup>5</sup> is required to reduce domestic violence. It includes those who are victims, survivors, perpetrators and witnesses; workers, volunteers and members of the public; children, young people and adults. The foundation blocks are those of Protection (High risk), Support (Medium to High risk) and Prevention (Culture Change).

It is our vision to reduce domestic violence through working together *to prevent* domestic violence, and to *provide support and protection* to anyone who has been, or may be, affected by domestic violence.

We will do this through continuing to build our knowledge base, with a commitment to campaigning for culture change, and a commitment to listen to those who often go unheard: In partnership.

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<sup>4</sup> Guy 1986 cited by Hudson 2002 'Interprofessionality in health and social care: the achilles' heel of partnership?' Journal of Interprofessional Care Volume 16, Number 1 Taylor & Francis

<sup>5</sup> National Domestic Violence Delivery Plan Progress Report 2005-6 (2006)

## 1. INTRODUCTION

Domestic Violence is a priority for Leicester and there are discrete targets within the Local Area Agreement (LAA) for the city on Domestic Violence that are related to a Local Public Service Agreement (LPSA), and therefore have the possibility of financial reward attached.

Domestic Violence has a negative impact on Healthier Communities and Older People, Economic development and Enterprise, Children & Young People and Safer & Stronger Communities. Domestic Violence also represents a consistently high proportion of the violent crime occurring in the city. The Local Area Agreement targets that are supported by work on Domestic Violence are listed in annex E.

Leicester Domestic Violence Forum (LDVF) has been the lead agency for this area of work in the City since 1999. It has managed partnership work in the area of Domestic Violence whilst also directly managing some services. Partnership work, and a strategic approach to Domestic Violence, is essential in order to increase safety, reduce the risk of harm, and to make the best use of the resources we have available.

In April 2006 Leicester Domestic Violence Forum began the process of winding down its registered charity and company limited by guarantee status to move towards a more inclusive partnership with stronger strategic capacity. This strategy marks the beginning of this new phase, where the organisation will be known as the LDVF Partnership.

Current provision of Domestic Violence services is good, as we have the following core services in existence:

- Helpline for men and women affected by domestic violence;
- Refuge and floating outreach provision for women fleeing violence, both generic and specifically for Asian women;
- An integrated project very active within the Forum that provides the helpline service, independent advisors to women from Black and Minority Ethnic Communities, is developing community (self-referral) work with perpetrators, leads the ASK project<sup>6</sup>, operates the helpline service and hosts the Cracking Conflict – Alternatives to Violence (CC-AV) Project (preventative work with children and young people).

The local Police have increased their resources for domestic violence work, particularly within the city centre, and the City Council have mainstreamed the LDVF Partnership post of Domestic Violence Co-ordinator. The Leicester Strategic Partnership (LSP), through the Neighbourhood Renewal Fund, significantly supported an Integrated Response to Domestic Violence in the City during the 2002-2006 funding programme.

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<sup>6</sup> Additional Security KeepSafe Project involves increasing emotional and practical security. For further information see the support section, page 30.

Each year we develop a clearer picture of Domestic Violence locally. We monitor information on reports to both Police and Non-Police agencies and compare this information against census and other general population information we have available. We know that an average 120 incidents are reported to the police each week, and as the British Crime Survey reports that 34% go unreported, we can estimate nearly 200 incidents occurring each week in our city.

There are clear economic and moral arguments for improving our response to Domestic Violence. Leicester City Council spends approximately £2641,595.00 each year on specific Domestic Violence Projects. Force wide, the Police estimate that £1462,442.00 is spent on initiatives to tackle Domestic Violence. The actual cost of the impact of Domestic Violence in our city is far higher and includes indirect costs such as those of Health, Criminal and Civil Justice, Education, Housing and Child Protection.

A report by Sylvia Walby (2005), used in government literature, states that domestic violence costs the criminal justice system in the UK around £1billion a year, with civil legal costs estimated at £0.3billion a year, about half of which is borne by legal aid and half by the individual. The total cost to the UK economy, estimated within this study, is £23billion a year.

An initial increase in investment in a co-ordinated response to domestic violence can generate longer term cost savings. One organisation, assisting the Government with the Domestic Violence National Plan Implementation, estimates a minimum of £510,000 could be saved annually in a city with a population of 300,000 (CAADA 2005), through the introduction of some of the Co-ordinated Community Response Model elements.

The vision and strategic priorities contained within this strategy are based on the principle that a co-ordinated community response is required to reduce domestic violence. It includes those who are victims, survivors, perpetrators and witnesses to domestic violence; workers, volunteers and members of the public; children, young people and adults. The foundation blocks are those of Protection (High risk), Support (Medium to High risk) and Prevention (Culture Change).

### **Protection**

Protection includes the prevention of further harm. We need to prevent repeat incidents, through work with both the perpetrator(s) and victim(s). A key element in this focus is to share information appropriately across agencies to ensure that risk is adequately assessed and to work in partnership to reduce and manage that risk.

### **Support**

Support needs to be available for those who have experienced Domestic Violence, either as children or as adults, to limit the potential harmful impact of that experience. Support to children and young people has shown improvements in behaviour and relationships. Support to adult victims has shown increased satisfaction in the criminal justice system, improved brought to justice outcomes and improved safety and wellbeing for those individuals and their families.

**Prevention**

Leicester has a strong history of actively recognising the importance of preventative work in the area of domestic violence. Working with young people to encourage positive, healthy relationships is a core element of our work. Children and young people are integral partners in working towards this aim and are highly supportive of this work.

## 2. UNDERSTANDING AND DEFINITION

Domestic Violence is a phenomenon that incorporates a systematic abuse of power and control that can manifest in a variety of behaviours that are violating<sup>7</sup>.

The government has adopted the following cross-departmental definition:

'Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) *between adults* who are or have been *intimate partners or family members*, regardless of their gender or sexuality' (areas of variance from the LDVF Partnership definition below are in italics).

The definition used by Leicester Domestic Violence Forum is:

'Domestic violence involves the misuse of power and is based on a range of control mechanisms which include: physical, sexual, psychological, social or economic abuse or neglect of an individual by a partner, ex-partner, carer or one or more family member, in an existing or previous domestic relationship. This is regardless of age, gender, sexual orientation, religious, cultural or political beliefs, ethnicity, disability, HIV status, class or location'.

### **Hidden Issues**

Domestic violence often remains hidden, and is still be considered by some as a private matter. The personal and intimate nature of this issue is connected to the shame and stigma that can surround it; all of which can result in not reporting or discussing the issue. The BCS (2006) reported that 34% of women have probably never told anyone about the abuse that they are suffering.

One of the risk factors for serious injury or homicide is the point of separation. The fear of disclosing Domestic Violence is justified. Almost half of all women murdered by their partners had left or were in the process of leaving the relationship when they were murdered.

Domestic Violence includes acts such as forced marriage and female genital mutilation, and other harm committed in the name of honour. Research indicates that sexual violence is present in the vast majority of cases of domestic violence. National statistics show that 47% of serious sexual assaults, and 54% of rapes (including attempts), are committed by a current or former partner of the victim.

The areas of sexual violence and domestic violence share many overlapping issues, including the taboo nature of the subjects, the violation of intimate boundaries, the sense of loss, and the shame often internalised by the victim. In terms of managing offenders, we now know that people who commit sexual violence within a domestic violence context often go on to sexually assault strangers (Richards 2004).

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<sup>7</sup> hence the interchangeable terms of violence and abuse.

Victims of domestic sexual violence are likely to have suffered sustained and severe violence in other forms. 29% of women leaving a sexually violent relationship, compared to 18% leaving a violent relationship, found that the violence continued after the relationship was terminated, in the form of harassment and stalking.

80% of New Futures<sup>8</sup> service users in 2005-6 had been a victim of domestic violence and sexual violence. Women may be forced into prostitution as part of the domestic violence, or be more vulnerable in general to involvement in prostitution, through substance use issues related to coping with the violence, prior exposure or other experiences.

### **Gender and Sexuality**

Domestic violence takes place within same sex and heterosexual relationships, as well as within family and carer relationships. Both men and women can be victims of domestic violence and can be perpetrators of domestic violence. People who are transgender can also suffer from domestic violence.

Between 25 and 50% of women experience domestic violence at some point in their lifetime (Walby 2004). 89% of those suffering four or more incidents are women.

Men can be victims of domestic violence, from their female partners or ex partners, from family members or from male partners or ex-partners. The fact that male victims of female perpetrators are not in the majority can be a barrier for men to face in terms of seeking help, due to potential disbelief, isolation and stigmatisation.

Our understanding of the gender dynamics of Domestic Violence is growing all the time. A project established to support men affected by Domestic Violence found that up to 50% of those men presenting as victims of Domestic Violence, were perpetrators of Domestic Violence (Rowlands 2006). This has practice implications for services working with both men and women, particularly the need for screening tools and mechanisms.

There are fewer studies into the prevalence of Domestic Violence amongst Gay and Lesbian relationships. Available research does echo a similar rate to that found amongst heterosexual women: a rate of one in four lesbian, gay and transgender people having experienced domestic violence at some point in their lives. This abuse can be from a partner or ex-partner, or from family members, related to issues of sexuality: homophobic, trans-phobic and bi-phobic domestic violence.

### **Black and Ethnic Minority Communities**

Leicester has a significant population of refugees, asylum seekers, refused asylum seekers and migrant workers. The latter two groups may not have recourse to

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<sup>8</sup>a local agency working with women and young people engaged in or at risk of prostitution

public funds and therefore be particularly vulnerable. Leicester also has several Traveller sites and groups in the area.

There are several issues to take into account in order to understand and provide a response to Domestic Violence as it impacts upon people from BME communities. These include:

- How to reach people to raise awareness of Domestic Violence (identifying new communities; the 'invisibility' of migrant workers and refused asylum seekers; language; location; information relating to legal rights and responsibilities; housing).
- How to ensure that services are accessible and appropriate (people with no recourse to public funds due to their immigration status; poverty, women with large families; location of services; inclusion of Faith groups; attention to spirituality and religion; racism; isolation; language).
- Taking into account potential layers of abuse and oppression, for example those fleeing national conflict, the aftermath of war, rape camps, refugee camps, detention centres and possible torture.
- Barriers to reporting such as confidentiality breaches, easy identification and concepts of shame and honour such as Izzat and Sharam. For example, someone fleeing violence may fear being found by the perpetrator or being known by the support agency if they come from a small BME community. Concepts of shame and honour may be firmly embedded in individual and community identity, particularly where people feel that the family and community must be valued above the needs of the individual.

### **Children**

There is a considerable body of research which shows that children who grow up in families where there is Domestic Violence are at increased risk of significant harm<sup>9</sup>. Many who witness domestic violence as children, go on to lead fulfilling relationships with a commitment to non-violence. Others may struggle with their relationship with their parents and may struggle to attain an adult relationship free from such experiences.

Domestic violence is frequently present in cases of child abuse, with some studies showing correlations as high as 75%. 2 out of 7 incidents subject to serious case review (involving the serious injury to or death of a child) in Leicestershire stated Domestic Violence as a significant issue (1998—2004).

We also know that many young offenders, male and female, who have been convicted of a violent offence have witnessed violence in the family context<sup>10</sup>.

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<sup>9</sup> Cleaver et al 'The response of children protection practices and procedures to children exposed to domestic violence or parental substance misuse' 2006;page 2

<sup>10</sup> Local snapshot data from the Youth Offending Service based on a 6month time frame found that 100% of female offenders charged with a violent offence had witnessed family violence.

Domestic violence can have a significant harmful impact against each of the 5 key outcomes for children and young people detailed in Every Child Matters:

- Staying safe
- Making a positive contribution
- Being healthy
- Enjoying and achieving
- Achieving economic well-being

It is important that services are available to safeguard children and young people and help those who have been affected by domestic violence to come to terms with their experience and offer them ways to rebuild their strength and resources to create positive relationships.

### **Drugs and Alcohol**

The links between Domestic Violence and substance misuse are controversial, largely undocumented and require much greater scrutiny (Stella Report 2003). What we do know is that reports to the police do increase on a Saturday and Sunday, where there may be higher levels of substance misuse, and alcohol in particular. Local police figures suggest that 17% of perpetrators of Domestic Violence were perceived as being under the influence of alcohol by Police Officers (2007 Domestic Violence Problem Profile).

Victim only drinking is rare. However victims can begin or increase their substance use as a coping mechanism for the abuse they are facing. Substance misuse may be a distinct element of the Domestic Violence, with the perpetrator introducing, withholding or otherwise controlling the use of substances, including methadone<sup>11</sup>.

An American study has shown that up to 90% of women accessing a drug treatment centre have experienced Domestic Violence within the last 12 months (Stevens & Arbiter cited in the 2003 Stella Project Report). Domestic Violence and substance misuse is therefore an issue for both the Domestic Violence sector and the Drugs and Alcohol sector to consider.

### **Summary**

Responding effectively to domestic violence has a positive impact on:

- Safeguarding children and adults
- Reducing crime, and violent crime in particular
- Increasing public confidence in the criminal justice system
- Social cohesion and sustainable communities
- Economic Prosperity
- Mental and physical health
- The 5 Every Child Matters Outcomes
- People achieving their potential

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<sup>11</sup> There can be misuse and abusive control of a wide range of prescribed medication.

Domestic Violence affects everyone, and occurs all over the world (WHO 2006). As an issue that relates to the abuse of power and control, particular attention has to be paid within a strategic response to Domestic Violence to those individuals and communities who may already be socially excluded, under served or oppressed due to their individual circumstances.

People may choose not to report Domestic Violence to any agency, including the Police for several reasons, some of which have been mentioned above. Fear and doubt can surround help seeking. Including the fear of losing children through custody disputes or through statutory intervention<sup>12</sup>. Initiatives to encourage help seeking need to consider the impact of Domestic Violence, how to reduce some of the barriers mentioned above and how to increase the options available.

### **Recognition in key local plans and strategies**

Domestic violence is noted as a priority within the following local documents:

Homelessness Strategy 2003

Crime, Disorder & Drugs Reduction Strategy 2005-8

Children and Young People's Plan 2006-7

Supporting People Strategy 2005-10

NHS Leicester, Leicestershire and Rutland Domestic Violence Strategy

Local Safeguarding Children Board Business Plan 2006-8

Additional documents make reference to domestic violence:

Cultural Strategy 2006-8

Carers Strategy 2005-7

Local Transport Plan 2006-11

Local Area Agreement 2006-9

Teenage Pregnancy Strategy

Leicester, Leicestershire and Rutland Safeguarding Children Board's Business Plan 2006-8

Adult Protection Multi Agency Policy & Procedures

Prostitution Strategy (in development)

The following national documents have significantly shaped domestic violence work:

- Vision for Services for Children and Young People (2005)
- Safety & Justice (2003)
- Violence at Home (2004)
- Local Government Association Tavistock Institute Research on Effective Domestic Violence Partnerships (2005)
- Responding to Domestic Abuse: A Handbook for Health Professionals 2006 Department of Health

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<sup>12</sup> These fears will often be used as part of the abuse.

- Working Together to Safeguard Children: A Guide to inter-agency working to safeguard and promote the welfare of children (2006a)
- National Supporting People Strategy

The legislative framework for this area is vast, and includes:

- Crime & Disorder Act 1998
- Human Rights Act 2000
- Children & Adoption Act 2001
- Children & Adoption (Amendment) Act 2006
- Domestic Violence, Crime and Victims Act 2005
- Family Law Act 1996
- Homelessness Act 2002
- Housing Act 1996
- Immigration Act 2000
- Data Protection Act 1998
- Children Act 2004

### 3. CONTEXT

#### National Statistics

##### *Prevalence*

- Findings from self-completion questionnaires within the British Crime Survey (2001) suggest that somewhere between 1 in 2 and 1 in 4 women will experience domestic violence in their lifetimes.
- Nationally, the NSPCC reported that 1 in 5 young women had experienced domestic violence and over 1 in 3 of these had witnessed domestic violence at home (NSPCC Sugar Survey 2004).
- Research highlights that up to 75% of children on the 'at risk' register of social service departments, have experienced domestic violence.
- Roughly 150 people die each year in the UK, murdered by their current or ex-partner, more than 100 being women.
- Police, on average, attend one incident of Domestic Violence every minute, every hour, every day (Stanko 1999).
- 35% of incidents are reported to the Police.

##### *Who*

- Men are increasingly reporting domestic violence, with figures of between 1 in 6 and 1 in 10 stating that they have experienced domestic violence in their lifetimes.
- 89% of those suffering four or more incidents are women.
- The British Crime Survey states that approximately 50% of those experiencing domestic violence have dependent children.
- In 90% of Domestic Violence incidents, children were in the same or next room.

##### *What*

- Over 45,000 women and children stay in a refuge each year.
- £23billion each year is used to manage the impact of Domestic Violence (Walby 2004). Domestic Violence is believed to cost business as much as £2.7billion a year in lost productivity.
- Domestic Violence accounts for 31% of all violence against women and 5% of all violence against men (BCS 2005-6).

- Domestic Violence makes up between 17-25% (and more) of all recorded violent crime (2005).
- 13% of the households accepted as homeless by local authorities were fleeing Domestic Violence in 2005.

### Local Statistics

There are a variety of approaches to identifying domestic violence issues. The Domestic Violence Data Harmonisation Group has worked across the city and the county for a number of years to encourage and support organisations to collect data on Domestic Violence.

A sample database (known as the 'DV1'), developed by this group, is in use by some local agencies. Others have added a question on Domestic Violence into their own monitoring systems.

Domestic incidents are identified through a number of avenues in the police domain. The majority occur through the use of the 999 and non-emergency line; other referrals are received through: the enquiry desk, the crime input bureau, police officers, other agencies and as a result of other enquiries.

Leicester has some of the most disadvantaged areas in the whole of England, measured by the Index of Deprivation, which takes into account income, employment, health deprivation and disability, education skills and training, the living environment and crime. There are vast differences across the city and within super output areas (those areas listed as in the worst 5% for the previous categories).

The number of children on the child protection register in Leicester City at the end of March 06 was 288. This represents a percentage figure of 42.3 children per 10,000 under 18 years and is above the family average for similar authorities of 30.4 per 10,000<sup>13</sup>.

The following local Domestic Violence data represents one year (2005-6), unless otherwise stated. These figures represent a sample of the information we have collated and analysed through the DV data collation report 2004-6, currently in production. We have found that bringing agencies together to analyse Domestic Violence Data is the only way to gain an accurate sense of the local picture.

- 148 applications for injunctions were made to the county court (the vast majority of which will have related to domestic violence).
- 6208 reports of domestic violence were made to the Police in Leicester City: average 120 reports every week, 17 every day.
- 40% of male and female young offenders who have committed a violent offence had previously witnessed violence in a family context. If only

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<sup>13</sup> Page 19 Leicester, Leicestershire and Rutland LSCB Annual Report 2005-6

female young offenders are considered, 100% have previously witnessed violence in a family context (6 month sample, small figures were analysed).

- Whilst homelessness in the City is falling, Domestic Violence continues to be a significant factor, with nearly 20% of acceptances being due to domestic violence.
- 27% of safeguarding adult referrals involved abuse from a family member (Leicester, Leicestershire & Rutland).
- 73% of young people completing an online Connexions survey on domestic violence stated that they had experienced domestic violence.
- 35% of reports to the police of domestic violence recorded children as being present.<sup>14</sup>
- An average of 16% of referrals to the Children and Young People's Duty and Assessment Service were related to domestic violence.
- 25% of Leicestershire & Rutland Probation Area clients had experience of domestic violence in their history, as either a perpetrator or victim.
- 25% of people reporting domestic violence to the police had already experienced an incident of domestic violence in the past 12 months. This was 32% in 2003-4.
- The Domestic Violence Integrated Response Project (DVIRP) recorded 1070 calls to their helpline.
- In some Local Policing Units, reporting of Domestic Violence incidents is increasing at the same time as repeat incidents are decreasing, highlighting positive responses to Domestic Violence.
- Some local areas record low rates of concern about Domestic Violence but are high in comparison to others in terms of reporting, and others report fairly high levels of concern and low levels of reporting.
- The market place and clock tower appear as a hot spot for Domestic Violence incidents reported to the police, which defies common assumption of Domestic Violence only taking place in private places.
- Police data reports that 17% of Domestic Violence incidents between 2003 and 2006 involved an offender believed to be under the influence of alcohol.

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<sup>14</sup> This was taken from a random sample and used CIS data.

- 77% of Domestic Violence incidents recorded by the police were from women reporting as victims, and 23% were men. 12% of offenders identified by the police were female and 88% were male.
- 58% of the cases of Domestic Violence reaching the Crown Prosecution Service resulted in a successful outcome.
- Approximately 50% of incidents reported to the Police are recorded as 'non-recordable', and are not progressed further. Non-recordable (non-crime) incidents include malicious telephone calls, first harassment incidents and other incidents, which are not offences within the criminal law. For these instances it is inappropriate to use the terms 'aggrieved' 'suspect' or 'offender' as the field 'aggrieved' is used to record details of all those involved in the dispute.

#### **4. LEICESTER DOMESTIC VIOLENCE FORUM PARTNERSHIP VISION AND STRATEGIC PRINCIPLES**

It is our vision to reduce domestic violence through working together *to prevent* domestic violence, and to *provide support and protection* to anyone who has been, or may be, affected by domestic violence.

We will do this through continuing to build our knowledge base, with a commitment to campaigning for culture change, and a commitment to listen to those who often go unheard: In partnership.

##### **Prevention**

- a. Children and young people to receive education related to domestic violence and healthy relationships.
- b. Children, young people and adults affected by domestic violence are identified and receive appropriate interventions.
- c. Adults to have a basic understanding of domestic violence issues and the resources available.
- d. Organisations have a local understanding of the issues of domestic violence.

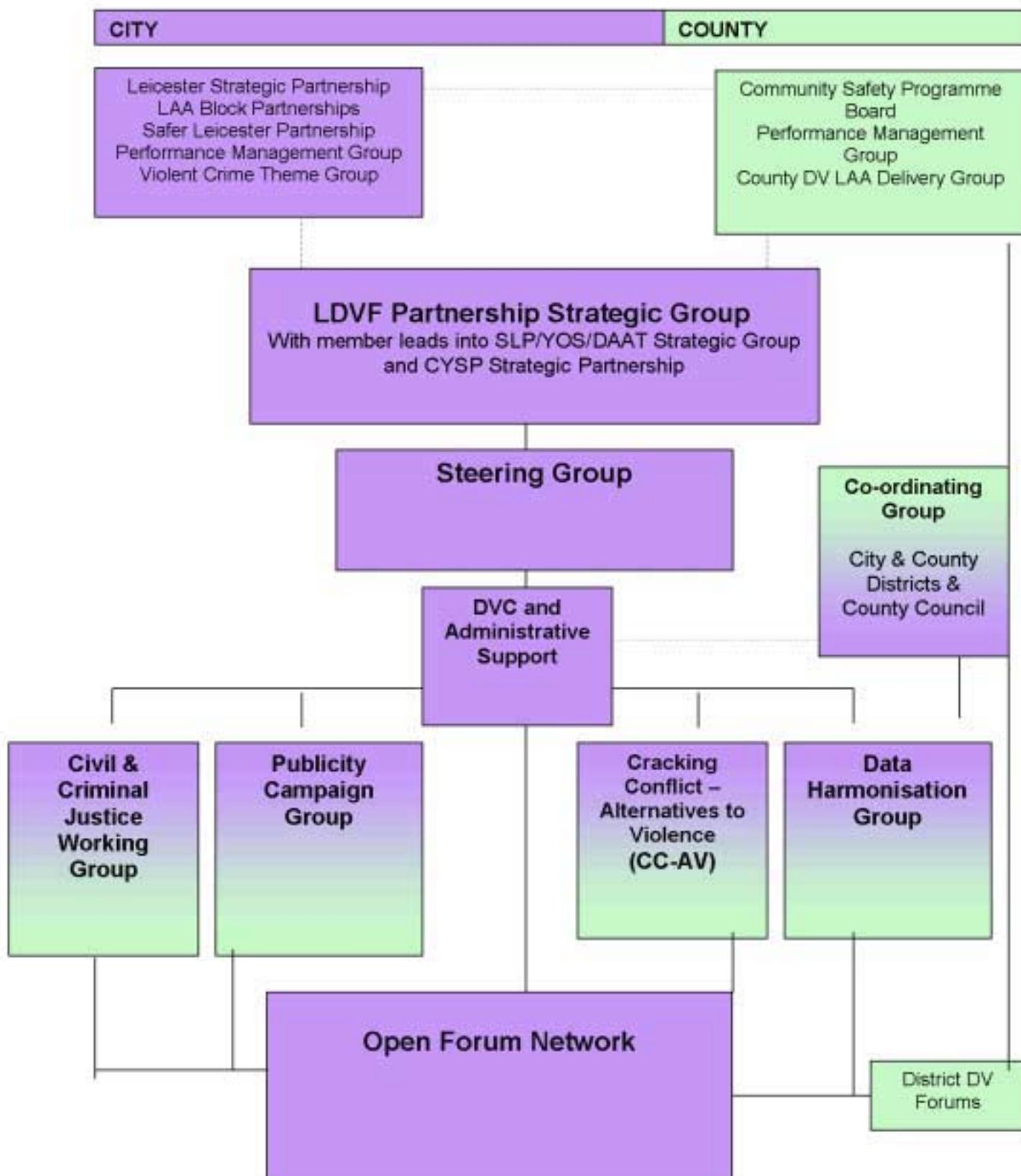
##### **Support**

- a. Organisations to recognise the issue of domestic violence and make a commitment to take appropriate responsibility for the welfare of their clients and employees.
- b. Public sector organisations to actively engage in partnership work on domestic violence, including making a commitment to the domestic violence forum/partnership at all appropriate levels.
- c. The Domestic Violence Forum Partnership to ensure that there is accessible, appropriate and sufficient, good quality specialist and general provision for people affected by domestic violence
- d. Organisations build a strong evidence base of positive outcomes.

##### **Protection**

- a. Those aware of domestic violence, suffering from domestic violence or perpetrating domestic violence to seek assistance at an early stage
- b. Employees to have the skills, knowledge and confidence to identify domestic violence and take appropriate measures.
- c. Organisations to identify manage and reduce the risk of (further) harm to staff, volunteers and service users, sharing information (personal and anonymous) appropriately in a safe manner.
- d. Multi-agency systems and protocols in place for risk management and safety planning of high-risk domestic violence victims.

## 5. DELIVERY STRUCTURES



## **Delivery Structures Continued**

### **Aim of the Leicester Domestic Violence Forum (LDVF) Partnership**

Provide an organisational lead and strategic approach to responding domestic violence in Leicester City.

#### **Governance**

The LDVF Partnership Strategic Group has the responsibility for ensuring that there is a strategic approach to Domestic Violence in Leicester. This means that work on Domestic Violence is co-ordinated and that collaboration between agencies is actively encouraged in order to improve provision and effectiveness.

The LDVF Partnership operates as a Partnership, rather than as a registered charity or company limited by guarantee. It supports the framework of the Leicester Strategic Partnership (LSP). As such, it provides an effective body for consultation, planning and commissioning Domestic Violence work.

The LDVF Partnership Strategic Group nominate a Chair and Vice Chair annually. These positions hold additional responsibilities. Key stakeholders are invited to become members of the group and additional agencies may be invited to present papers as appropriate.

Each group within the structure has terms of reference and a membership list, which can be accessed through the Domestic Violence Co-ordinator or the Team Assistant (DV) of the Safer Leicester Partnership.

#### **Groups**

The Steering Group consists of multi-agency service managers and senior officers who can input into planning and delivery of services required for the strategic vision to be realised. This group monitors progress against an annual action plan and reports regularly on emerging gaps or areas where improvement is required.

The sub -groups noted on the structure diagram as beneath the steering group are well established and the need for people to focus on these specific areas is likely to continue due to the amount of current and planned activity. The need for further groups is discussed as necessary.

These sub groups, lead by different organisations operate across the city and county areas. Current leads are provided by:

Leicester City Primary Care Trust (NHS)  
Connexions Leicester Shire (Publicity)  
Children and Family Court Advisory and Support Service (CAFCASS) (Civil and Criminal Working Group)  
Domestic Violence Integrates Response Project (DVIRP) (Cracking Conflict – Alternatives to Violence)

These groups may well establish additional task groups for discrete pieces of work, such as the report on Specialist Domestic Violence Courts, which necessitates a different group of people. Practitioners of all levels of seniority are engaged at this level. Many are giving their time 'voluntarily', or as a 'contribution in kind' as Domestic Violence partnership work is not included or funded in their job remit. For this reason, capacity issues have to be carefully considered.

The Open Forum Network Meeting is held four times a year and is an opportunity for wider information sharing and consultation amongst practitioners interested in the area of Domestic Violence work. The mailing list for this Network incorporates all of the aforementioned group members and items of importance are distributed as necessary.

### **Membership**

Members of the voluntary, statutory and commercial sectors are invited to join the work of the Domestic Violence Forum Partnership. For a full list see Annex B.

### **Finance & Resources**

The LDVF Partnership has a minimal amount of funding 'in reserve', accumulated since its' inception in 1995. Funding for ongoing activities such as the Domestic Violence Campaign has to be secured annually. Leicester City Council fund and employ the post of Domestic Violence Co-ordinator (with part time administrative support) for the LDVF Partnership.

Initiatives of the sub groups that require funding are co-ordinated through the joint action planning process and it is the responsibility of the steering and strategic groups, with the Domestic Violence Co-ordinator, to secure funds for the action plan initiatives.

LDVF Partnership funds are held within City Council, and managed as stated within the Service Level Agreement between City Council and the LDVF Partnership Strategic Group.

### **Staff**

The LDVF Partnership, through City Council, employs one full time Domestic Violence Co-ordinator and a part time administrative assistant to aid the delivery of the Domestic Violence Inter-Agency Strategy. The successful delivery of the strategy is dependent upon the support of many agencies offering their staff time and other resources.

## 6. BEST PRACTICE

In 2003, the Government Green Paper 'Safety and Justice' established a framework for dealing with domestic violence based around Protection, Support and Prevention. In 2005 the first national delivery plan was devised for domestic violence and in 2006 the objectives of this first plan were re-defined. These objectives are currently:

- To increase the early identification of, and intervention with, victims of domestic violence earlier by utilising all points of contact with key front line professionals.
- To build capacity within the domestic violence sector to provide effective advice and support to victims of domestic violence.
- The promotion and promulgation of a co-ordinated community response to domestic violence
- To increase reporting and arrests rates for domestic violence.
- Increase the rate at which sanction detections are converted into offences brought to justice, particularly in high incidence areas and/or communities as well as in areas with high attrition rates.
- To support victims through the Criminal Justice System and manage perpetrators to reduce risk.
- Develop the evidence base to close key knowledge gaps, particularly around
  - Understanding the nature and scope of domestic violence
  - Understanding what works in reducing the prevalence of domestic violence

Key elements of best practices have emerged through the independent evaluation of Domestic Violence Projects around the country. These elements have now been incorporated into the Co-ordinated Community Response Model, which is being supported by national Government, as evidenced in the objectives above.

Findings from such projects include:

- Increased reporting and prosecution
- Reduction in victim retractions
- Dramatic reductions in repeat incidents
- Increase in victim satisfaction
- Increase in referrals for a Child Protection assessment
- Decrease in reports to Accident & Emergency Departments
- Increase in guilty pleas and convictions
- Reduction in discontinuances and cases where no evidence is offered

For very modest costs (mainly in terms of staff to set up specialist procedures), all Specialist Domestic Violence Courts (from which this model emerged) showed value in: facilitating good multi-agency working across the Criminal Justice System and finding ways to begin reducing repeat victimisation. The main costs incurred were for advocacy, training, allocation of police officers to the courts and monitoring of cases. Training and monitoring are both essential for good practice

and thus should be 'built-in' to the costs of delivering effective DV services (SDVC Evaluation Report 2005).

*Integration*

In Leicester, we have already integrated key services through the Domestic Violence Integrated Response Project (DVIRP). This project integrated the work of Leicester Action on Domestic Violence, the Domestic Violence Helpline, the Domestic Violence Co-ordinator (now separate), and the domestic violence project within the Community Helpline. The DVIRP holds strong potential for further integration of domestic violence services, as noted by the Local Government Association Domestic Violence Consultant Anthony Wills (2006).

Appropriate and timely support is an integral factor for reducing domestic violence, and the work of Cardiff Women's Safety Unit, Portsmouth Early Intervention Project, Leeds Inter-Agency Project and Standing Together have been forerunners in improving provision in this regard.

*Independent Domestic Violence Advisors/ Advocates*

Independent Domestic Violence advisors have been found to reduce violence, increase use of safety behaviours and increase access of community resources (Ramsay, Rivas and Feder 2005). They have also been found to increase satisfaction, public confidence and the number of offenders brought to justice (Domestic Violence Courts evaluation 2005).

Independent Domestic Violence Advisors (alternatively referred to as advocates) are domestic violence practitioners trained to a high standard in court process, supporting victims of domestic violence and liaising with other professionals on their behalf.

The organisation CAADA (Co-ordinated Action Against Domestic Abuse), estimate that 10.5 advocates would be required in an area with a population of 300,000. The majority of cases of domestic violence would not require high-level interventions – they estimate that only 15% would require more than advice, signposting or level one intervention support. High and medium risk cases constitute 20% of survivors and 80% of criminal justice system costs.

*Perpetrator Work, both Court Mandated and Community Programmes*

It has recently been evidenced that perpetrator programmes are most effective over the long term (4yrs plus) when knitted into an integrated community response (Gondolf 2005), including partner support, inter-agency risk assessment, and work with children. The main finding from a four year follow up study with the partners of Domestic Violence perpetrators indicated that the vast majority of men did eventually stop their violence and decrease their non-physical abuse and intervention (Gondolf 2002).

*Multi-Agency Information Sharing and Risk Assessment and Management*

Multi-Agency Risk Assessment Conferences (MARACS) are another major facet of a co-ordinated community response to Domestic Violence. These conferences ensure that those high-risk offenders are discussed in a multi-agency manner, with Domestic Violence practitioners central to this process, with a view to reducing the risk they present. This work complements the Risk Assessment Management

Panels (RAMPS) that are a part of the Multi-Agency Public Protection Panels (MAPPA).

#### Enforcement

The Police Standards Unit (PSU) has provided additional resources in key areas concerning violent crime performance. In 2006 a campaign centred on Domestic Violence Enforcement, and tied in to the Football World Cup Tournament. This campaign focussed on:

- Improved investigation at call receipt/ control room;
- Improved evidence gathering at the scene; and
- Targeting of offenders.

The report of the campaign contains several recommendations, including increased and effective training for Police staff, targeting of prolific offenders and media and marketing campaigns aimed at both victims and offenders.

#### Employers

The Crown Prosecution Service (CPS) Employee Domestic Violence Policy is heralded as good practice in the National Plan Progress Report (2006). The Corporate Alliance Against Domestic Violence (CAADV) was launched in 2005 and is a group of 'progressive companies and organisations working individually and collectively to address the impact of Domestic Violence in the workplace'.<sup>15</sup> The local NHS group has also developed an employee policy that is regarded nationally as best practice.

#### Developing the evidence base

'External' university departments or researchers evaluated Cardiff Women's Safety Unit, Portsmouth EIP and the SDVC pilots<sup>16</sup>, and these reports have greatly informed knowledge of best practice. These evaluations have included the design of monitoring systems

Domestic Violence projects and partnerships around the country have adopted various IT systems to record and, in some instances track incidents of Domestic Violence across agencies. PALOMA and Canary are two types of software that have been recommended.

#### Specialist Domestic Violence Courts

The Specialist Domestic Violence Courts Programme places the courts firmly within the co-ordinated community response model. In the main the courts have followed models which either cluster adult criminal domestic violence cases in a particular courtroom or which fast track cases of adult criminal domestic violence<sup>17</sup>. There is a detailed programme of implementation that reaches far beyond the courts and includes all of the work mentioned above in this best practice section.

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<sup>15</sup> Domestic Violence National Plan Progress Report 2005-6 (2006) page 16

<sup>16</sup> The evaluation of the SDVC pilots was carried out by a group of researchers from several universities.

<sup>17</sup> 'Value & Feasibility Report for SDVCs in Leicestershire' Marshall et al 2007

## 7. STRATEGIC OBJECTIVES

Issues frequently overlap in the area of Domestic Violence. We have chosen to structure our work around the following interlocking concepts:

1. Protection (high risk cases)
2. Support (standard risk response)
3. Prevention (changing culture)

### Protection

Protection includes the prevention of further harm. We need to prevent repeat incidents, through work with both the perpetrator(s) and victim(s). A key element in this focus is to share information appropriately across agencies to ensure that risk is adequately assessed and to work in partnership to reduce and manage that risk.

Many agency reviews and inspections have been published in recent years, showing that there remain failings in risk assessment and management, including:

- Hmcpsi Violence At Home: A Joint Thematic Inspection of the Investigation and Prosecution of cases involving Domestic Violence HMIC February 2004
- Getting Away With It: A Strategic Overview of Domestic Violence, Sexual Assault & Serious Incident Analysis 2004 MPS
- Domestic Violence, Safety & Family Proceedings. Thematic Review of the handling of domestic violence issues by the Children & Family Court Advisory and Support Service and the administration of family courts in Her Majesty's Court Service October 2005

Service providers and service users need to feel confident in procedures and practice in relation to sharing personal information with other agencies. The limits of confidentiality need to be explained clearly, pro-actively and with support to guard against feelings of further abuse of power and control, and further risk to those already vulnerable.

There is a need to ensure that data is shared appropriately in relation to pupil records: when children and young people move to escape Domestic Violence or as part of a witness protection programme, services responsible for updating records (i.e. centrally held pupil databases) need to know that this is the reason for the move. They can then ensure that they are not put at risk by their new location being recorded.

Key to protection is being able to identify domestic violence, and being equipped to manage that knowledge appropriately. We need to secure quality standards and be confident that those working with domestic violence are supported to continue doing that work effectively.

Risk and need assessment and management processes can be variable and fragmented. Many public sector agencies do routinely make such assessments, for clients and staff. The degree to which Domestic Violence is specifically considered, including the knowledge gained from research into Domestic Violence homicides and 'near misses', within these systems is diverse.

It is now acknowledged, within the Children and Adoption Act 2006, that witnessing Domestic Violence is an indicator of significant harm for children. Reviews into the death or serious injury to a child routinely mention Domestic Violence as an issue. Anger management, perhaps due to a lack of other resource, is often considered an option for someone identified as perpetrating domestic violence. This is often not appropriate in many instances and may collude with the perpetrators' sense of being a victim and there being justifiable provocation. This can be extremely dangerous. It does not take into account the calculated abuse of power and control that may be present, or challenge perceptions of masculinity.

We also need to be aware that as we support a full definition of domestic violence that includes male and female partners, family members and carers, the systems we use need to identify Domestic Violence and the options available, need to be further developed. Screening methods to establish the particular dynamics of the relationship are essential if we want to avoid placing people at further risk. This facet of protection work has been greatly informed by the work of the Dyn project in Cardiff, which supports heterosexual, bi-sexual and gay male victims of Domestic Violence. Rowlands (2006) found that 50% of men reporting as victims were perpetrators. His work has also highlighted the high risk that male victims may face.

Services must endeavour to avoid:

- Colluding with the perpetrator
- Providing services to people who don't need them
- Equipping a perpetrator with information they can use against the victim
- Failing to accurately assess the risk presented, for all those involved (for example assuming children do not need to be considered in a relationship between two gay men)

#### Local Picture

Leicester has been a forerunner in combining community, otherwise known as 'self-referred', perpetrator programmes with court mandated perpetrator programmes. Demand on this service, and loss of funding for partnership work in this area, has recently led to the withdrawal of services for self-referred men and this is a significant loss. Multi-agency risk assessment and management for non-court perpetrators also requires improvement, with no system in place for multi-agency work outside of MAPPA, where Domestic Violence cases rarely feature.

Funding for protection work largely sits with Leicestershire & Rutland Probation Area, as they are the key providers of work with perpetrators. Each Integrated Domestic Abuse Programme (IDAP) group is estimated at £9000. Leicestershire &

Rutland Probation Area has a Domestic Violence team consisting of a women's safety worker, group facilitators, treatment manager and programme manager (the latter two posts work in additional areas).

The Local Safeguarding Children Board is also a key partnership in relation to this area, and the Business Plan for 2006-8 prioritises improved links with the local Domestic Violence Forum Partnership. We do not currently have figures on how many reports of concern are made by agencies working with Domestic Violence in relation to safeguarding children or adults.

#### Current activities

- At any one time there are up to 6 different IDAP groups of up to 12 men on each, running. There is high, and increasing demand from the Courts for IDAP (integrated domestic abuse programme) groups, leading to increased pressure on the whole Probation IDAP team, including the Women's Safety Worker element.
- Individual work takes place, but no programmes specifically run for female perpetrators, or other specific groups (for example Lesbian, Gay, or Transgender, BME groups).
- DVIRP are developing a programme, in partnership with Relate, to use with self referred male perpetrators, and are seeking funding to deliver this programme. This programme will be in line with national guidelines and will hope to be accredited by Respect.
- We have an overarching information sharing protocol for anonymous data but there is not a specific data exchange agreement in place to cover sharing personal information in relation to cases of Domestic Violence. This work is in progress.
- In relation to children missing education (CME), systems are being developed to ensure that central recording of data regarding pupils who have moved due to Domestic Violence is appropriate in order to protect their new location. In addition to this, work is ongoing in relation to supporting the education admissions process of all children and young people who come into the city, some of whom will have moved away from situations where Domestic Violence is present.
- City Council has established a rolling training programme for staff across all departments.
- DVIRP currently deliver some training sessions on request, as do Witness Cocoon and Women's Aid, however this is mostly at tier 1: basic awareness, and more specialised training remains in high demand with very limited capacity to meet the need.

- Health agencies have trained over 1000 practitioners 2005-6 and have embedded Domestic Violence training into many mandatory, discretionary and academic courses.
- A Performance Management Framework has been developed for agencies to apply and undertake self-assessments against domestic violence performance. This is based on good practice indicators for Domestic Violence work.
- Information booklets on domestic violence were produced in 2006 for members of the public and practitioners, together with service leaflets and safety planning guidance.
- Social Care & Safeguarding operate a contact centre to facilitate safe, supervised contact between parents and their children who are in care on legal orders. This is not available for cases of custody disputes and safe contact arrangements.

## Support

Support needs to be available for those who have experienced Domestic Violence, either as children or as adults, to limit the potential harmful impact of that experience.

Support to children and young people has shown improvements in behaviour and relationships. It helps them to 'Stay Safe', as listed as one of the 5 key outcomes for every child. Support to adult victims has shown increased satisfaction in the criminal justice system, improved brought to justice outcomes and improved safety for those individuals and their families. Independent Domestic Violence Advisors (IDVAs) are heralded as best practice in this area<sup>18</sup>.

Domestic violence is often prolonged and can have complex after effects, including poor physical and mental health. One such impact is Post-Traumatic Stress Disorder (PTSD). PTSD is a name for a series of symptoms that anyone can experience following trauma. It is a normal reaction to experiences where your life, or those you care about, is threatened – an *abnormal* event. Therapeutic work, including group work and counselling, can help people who have experienced Domestic Violence re-engage in the community, and build new resources for managing any PTSD symptoms and also issues such as loss, shame, body image, anger and guilt which may be a barrier to wellbeing and positive relationships.

Women's Aid nationally has received funding from the Government to produce service standards for work with victims of Domestic Violence and a draft was released in 2006<sup>19</sup>. The work towards the accreditation of perpetrator programmes, being undertaken by Respect, includes the essential work to support partners and children.

Education, employment and training work with people who have experienced Domestic Violence, particularly women, is very valuable and appears to indicate a positive outcome in terms of maintaining safety in the long term (Newham Asian Women's Project).

## Local Picture

Face to face provision in line with the advisor model, is reasonable within Leicester. There are generic and specialist (Asian and BME) providers of Domestic Violence support schemes. However, different agencies apply different models of approach, so there remains an element of overlap. Floating outreach work funded through Supporting People may echo support work offered by organisations such as DVIRP and FWA. As there is the experience and expertise available locally, there is an opportunity to build a network of advisors across different agencies, or develop the Independent Domestic Violence Advisor (IDVA<sup>20</sup>) function within one specific non-statutory organisation. It is estimated that a

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<sup>18</sup> See page 24

<sup>19</sup> National Service Standards for Domestic and Sexual Violence, Women's Aid Federation of England.

<sup>20</sup> See page 22 for a full description of this role

minimum of two IDVAs are required if the focus is only to be on those at very high risk and engaged in the criminal court system. 10.5 IDVAs is thought to be the ideal number<sup>21</sup>.

We have core, specialist services available for adult domestic violence victims/survivors. However, many of these services are not financially secure beyond the next 6 months, and there is no dedicated provision for children and young people. There is also space for further integration and co-ordination across the service providers.

DVIRP and staff from the Common Mental Health Service undertook a pilot project in 2005, working with women who had experienced Domestic Violence. This project involved a jointly delivered therapeutic group programme for the women (identified through DVIRP), and was positively evaluated, however continued funding was not secured.

Funding of support services for adult victims of Domestic Violence comes mainly through various funding streams within City Council (Adult & Community; Supporting People; Safer Leicester Partnership), and grant making bodies. Indirectly, money is also spent through general services such as housing, education, health, welfare benefits and other voluntary sector projects supporting victims and witnesses.

Braunstone Community Association, through the New Deal for Communities Fund, are able to offer additional outreach support in their area to women affected by Domestic Violence, and have entered into another 3 year commitment (2005-8) with Women's Aid Leicestershire Ltd to provide this service to local residents. This service has been evaluated by Focus Consultants and they report that service users rate the service very highly.

#### Current activities

- The Forum developed a Performance Management Framework for agencies to adopt and complete on an annual basis, as a self-assessment tool for progressing work on domestic violence.
- We are in the valuable position of having a local helpline that is a key support and signpost agency operating 7 days a week and now operating as part of an integrated response project, being able to internally refer on to BME specialist workers, and those working with probation on perpetrator programmes. The helpline supports both men and women over the age of 16 affected by domestic violence and is in the process of securing accreditation with the National Helplines Association.
- Refuge provision in Leicester meets national standards for the bed space: population ratio, indeed it appears to be well above the minimum requirements of 10 spaces per 10,000 of the population. We have three refuges specifically for Asian women, and a general refuge. We also have

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<sup>21</sup> CAADA calculation based on population size.

experienced supported housing providers whose main client group is women fleeing Domestic Violence included in these figures.

- The unit cost for supported housing provision relating to Domestic Violence (including floating support) is significantly above the national average, and this will be considered in a future sector review.
- Refuges continue to be in position where they sometimes have to turn people away due to lack of a bed space, and it appears that there is extremely limited provision for disabled women. Refuge provision for male victims is controversial, with some projects supporting men who have experienced Domestic Violence stating that this is not a primary concern. However, the value of floating support for men who have experienced Domestic Violence remains incontestable.
- Size, location and condition of local refuges are other issues that need to be reviewed in terms of suitability. Many providers have been in place for a number of years in the same building/ location, whilst population needs, such as location confidentiality, family size and new minority communities that are non-Asian are changing considerably.
- Outreach provision, through the Supporting People programme, also shows 'overspend' for our population size. There are two organisations providing a floating support service to women affected by Domestic Violence. However agencies continue to report waiting lists and some organisations choose not to approach outreach services because of the known shortage in supply. This has been considered as part of the wider strategic review of floating services.
- Domestic Violence services work informally with local Employment, Training and Education schemes.
- Family Welfare Association (FWA) run Freedom Programme support groups for women who have experienced Domestic Violence.
- DVIRP are the lead agency for the ASK project (Additional Security, Keep Safe). This project is a partnership between DVIRP, the Police and local Housing Department, and involves risk assessment, practical and emotional support and security interventions and ongoing safety planning. The project is an option for people who wish to remain in their own home and think that they could be safe to do so with some additional help. Research into housing and Domestic Violence was undertaken locally in 2005. This research concluded that many people did know of their rights in relation to housing and proposed further work in this area. ASK is one aspect of this, and further development could include the appointment of an IDVA with specific knowledge and links relating to homelessness and housing management.

## **Prevention**

Leicester has a strong history of actively recognising the importance of preventative work in the area of domestic violence. We have undertaken annual awareness campaigns for over 10 years and have been developing multi-agency work in schools for a similar length of time. Working towards positive, healthy relationships is a core element of many of our local priorities and children and young people are integral partners in working towards this aim.

We wish to increasingly prevent domestic violence from occurring in the first instance, and we also wish to prevent domestic violence from re-occurring once it has already taken place. We know from national and international research that domestic violence is one of the highest offences for repeat incidents and is also severely under reported. We also know from domestic violence homicide reviews that there are often many opportunities for intervention that are missed, both by agencies and family and friends (Greenway, Sully and Reeves 2005).

Prevention is a challenging task, with information on domestic violence still in its infancy in terms of predictive factors and getting a 'true' picture of the issue in our society. Public Health work in this area does, however, indicate that Domestic Violence is both predictable and preventable.

Funding for prevention work has mainly come through donations and, more recently, through the Safer Leicester Partnership.

### Current picture:

We have limited information on the number of children and young people currently affected by domestic violence, and this needs to improve before we can adequately meet their needs and target prevention work appropriately.

In previous years we have benefited from a partnership project working specifically with children and young people affected by Domestic Violence: Going Forwards. This is no longer in existence, but some of the local expertise remains.

The Cracking Conflict – Alternatives to Violence project within the LDVF Partnership, has developed resources for work with young people aged 14-16 that is increasingly going out in to secondary schools and youth groups, to positive acclaim.

### Current activities

- We have developed an educational resource aimed at 14-16yr olds, called Cracking Conflict – Alternatives to Violence (CC-AV), and have piloted a dance project based on these materials (House Devil Street Angel 2005).
- We are in the process of reviewing the education pack to suit a wider range of intervention options, age ranges, and specific needs groups

- The CC-AV materials are to be delivered in 9 city schools at the time of writing. Between April 05 and March 06, CC-AV reached some 323 students in the city, delivering a total of 17 sessions.
- The NHS Trusts, major employers in the area, have joined CAADV<sup>22</sup>, and Leicestershire Constabulary are in the process of reviewing their employee policy. The NHS Trusts locally also operate a strategic group focussed on domestic violence service improvements.
- The Forum works to secure funds each year for a campaign against domestic violence to raise awareness of the forms it takes and the specific issues for people who may generally go unheard or unseen, such as those experiencing same sex domestic violence. The campaign aims to encourage help seeking, reduce tolerance and inform about options. Evaluation shows that this is a valuable week, with calls to both Domestic Violence agencies and the Police increasing at this time of year and participants speaking highly of the value of events held.
- We have a healthy relationships questionnaire for adult members of the public that is currently being revised. This questionnaire will be revised to enable us to gauge tolerance, knowledge of lawfulness and awareness of the different forms of DV and the different relationships in which it can occur.
- The Common Assessment Framework (CAF), which will shortly be held electronically, is currently being explored as a model for referral amongst Domestic Violence agencies for cases involving children. The CAF has an indicator built into it that prompts practitioners to consider whether Domestic Violence is an issue. Guidance in training will be given regarding the sensitive nature of Domestic Violence as an indicator and the dangers of increasing risk if information is shared inappropriately. Current active evidence of Domestic Violence within a household should result in a consultative dialogue with the Social Care, Children and Young Peoples service function of the local authority to determine whether there is a child in need/ child at continuing risk of significant harm as a consequence of the Domestic Violence. The security mechanisms embedded in the eCAF will be the highest currently available and will be continually reappraised for further learning.
- Discussions are in the early stages in relation to the development of 'third party' reporting. We are aware that many people report to agencies other than the Police, or report to many agencies. The unique identifier system was developed in Leicester, in conjunction with the Domestic Violence database, to assist with the anonymous tracking of people reporting issues of Domestic Violence. This was designed to help us assess demand, areas requiring further co-ordination and in general service planning and delivery. However, it has been slow to be adopted.

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<sup>22</sup> Corporate Alliance Against Domestic Violence, see page 25.

- There is a specialist Midwife for Domestic Violence and this post has established positive working practices in local hospitals and with Refuge providers. Routine questioning has been introduced by maternity services. Named health visitor links have also been identified between refuges and community nursing services.

## 9. EQUALITY & DIVERSITY

As mentioned in previous sections, there are specific gaps in relation to equality and diversity that need to be addressed, and these are listed below. More areas will emerge as each agency improves their own understanding and monitoring in relation to this issue.

At the time of writing this strategy a full analysis of local data on Domestic Violence 2004-6 is in progress. This report will provide further information in regard to who is accessing which services in terms of age, gender, sexuality, ethnicity, disability and religion. This may highlight further areas where improvement is required.

The Department for Communities and Local Government (DCLG) considers those who have experienced Domestic Violence, as a socially excluded group. This is in recognition that without such a distinct status, large agencies and partnership structures would be likely to ignore or inadequately consider the needs of people who have experienced Domestic Violence.

The role of the voluntary sector is significant in this area. Work of the Victims and Witnesses Alliance, Leicester, undertook a key shift into improving the sustainability and impact of the voluntary sector in 2006, through the initiative it undertook to employ a fundraising consultant on a collaborative basis. One of the agencies taking part, and benefiting from, this initiative was the DVIRP.

### *Disability*

- The Leicester Domestic Violence Forum Partnership previously worked with the Centre for Integrated Living on a disability audit, however this is now out of date and we do not have a clear picture of what agencies have put into place to ensure that there services are accessible.

### *Black & Minority Ethnic Communities*

- Leaflets, literature, and support available in community languages, and visibility amidst communities are important accessibility issues. With scarce resources and new communities this presents a challenge to the sector and one that requires ongoing innovation and focus.
- Some partners have mentioned the need for provision for minority communities that is non-Asian specific. Whether this needs to be refuge or floating outreach type provision is currently unknown. Links with the Multi-Agency Refugee and Asylum Seeker Forum have recently been established, but more work needs to be done in this area. Connected to this is the work that is demanded by the local and national issue of trafficking of women for the purposes of sexual exploitation.
- Volunteers are actively recruited by local Domestic Violence services, and these often reflect the diverse community of Leicester.

- We do not have clear figures available for the number of local young people who have been affected by forced marriage, and it is unclear how we could get to a position of having robust data available in this area.

#### *Gender*

- Women wishing to exit prostitution, or women who have suffered from trafficking, are in need of safe and supported accommodation, and there are high correlations with Domestic Violence for these women. Specific needs in relation to language, substance use, volume of numbers, vulnerability and potentially having no recourse to public funds all present challenges for us to meet.
- Women who have experienced Domestic Violence may value specific help around Employment, Education and Training. This needs to be explored further.
- A piece of work needs to be undertaken with refuge providers about the challenges of providing safe accommodation for pregnant women with children who may require help with safe child care during labour. Difficulties relating to child-care for women fleeing Domestic Violence often appear, and some further work is required to see if a multi-agency initiative can ease these barriers.
- We do have some local services that support male victims of Domestic Violence, both generic services and the DVIRP, who have specifically recruited and trained male volunteers for the DV helpline service. We know that men are increasingly reporting as victims of Domestic Violence and we need to explore what services would most appropriately meet their needs.

#### *Substance Use*

- We need to improve the identification of people accessing help for Domestic Violence and/or substance use who are experiencing difficulties with one or both issues.

#### *Sexuality*

- Victims of Domestic Violence within same sex relationships appear particularly under represented in the local statistics. Recording practices may partly explain this, but it is very likely that this is an area of significant under reporting.

#### *Age*

- Domestic Violence is a significant issue for adults and children and young peoples' services. There are many competing agendas in both areas, and there is perhaps a particular vulnerability for teenagers who may fall between definitions and service criteria and who may not identify with generic publicity materials on Domestic Violence.

*Simultaneous and Complex Needs*

- Many people may wish to flee Domestic Violence but feel unable to do so because they have adult dependents, need live in carers, have male children over the age of 14, pets, multiple needs in relation to substance use or mental health or have large families that cannot be accommodated in current refuge provision. These areas of 'complex need' need to be considered in terms of the future development of local refuge provision, and statistical information relating to such 'unmet need' needs to improve.

*Mechanisms*

- A service user consultation system needs to be established. This will improve the picture of local provision, and inform future development. This group or process needs support from, yet also be independent of, current providers of services to victims of Domestic Violence.

## 10. AREAS FOR IMPROVEMENT

The Government's crime and disorder self-assessment guidance suggests the following ratings for performance:

**Gap Identified:** the partnership feels that, at present, it is not achieving the standard and that there is therefore a gap in its current practice. Alternatively, the partnership has made only very limited progress towards achieving the standard.

**Working towards:** the partnership is not achieving the standard, has identified a gap in current practice and has developed responses or actions to address it. Partial achievement of the standard has been made, but substantial further work is required.

**Some success:** the partnership has achieved substantial progress against the standard.

**Doing well:** the partnership is delivering well on all aspects of the standard. There may remain some areas of development and refinement even where a partnership assesses itself as doing well against standards.

Strategic Objective Prevention	Current Performance
Children and young people to receive education related to domestic violence and healthy relationships.	Working towards
Children, young people and adults affected by domestic violence are identified and receive appropriate interventions.	Working towards
Adults to have a basic understanding of domestic violence issues and the resources available.	Some success
Organisations have a local understanding of the issues of domestic violence.	Some success
Strategic Objective Support	Current Performance
Organisations to recognise the issue of domestic violence and make a commitment to take appropriate responsibility for the welfare of their clients and employees.	Some success
Public sector organisations to actively engage in partnership work on domestic violence, including making a commitment to the domestic violence forum/partnership at all appropriate levels.	Some success
The Domestic Violence Forum Partnership to ensure that there is accessible, appropriate and sufficient, good quality specialist and general provision for people affected by domestic violence	Working towards
Organisations build a strong evidence base of positive outcomes.	Gap identified
Strategic Objective Protection	Current Performance
Those aware of domestic violence, suffering from domestic violence or perpetrating domestic violence to seek assistance at an early stage	Working towards
Employees to have the skills, knowledge and confidence to identify domestic violence and take appropriate measures.	Working towards
Organisations to identify manage and reduce the risk of (further) harm to staff, volunteers and service users, sharing information (personal and anonymous) appropriately in a safe manner.	Gap identified
Multi-agency systems and protocols in place for risk management and safety planning of high-risk domestic violence victims.	Gap identified

In light of the Domestic Violence National Plan objectives (page 22), and a review of performance against our local strategic objectives (see above), areas of improvement emerge for our attention.

Strategic Objective	Primary Objective	Key Performance Indicator <sup>23</sup>
Prevention 4 Support 1,2,3 Protection 2	Improve the strategic response to domestic violence; the clarity of lead and co-ordination of commissioning and planning, through the LDVF Partnership.	Strategic Plans mentioning DV Referrals of concern for a child Referrals of concern for an adult <b>BVPI 225</b>
Support 4	Improve the evidence base.	Data submissions on DV Data submissions on outcomes
Support 3	Sustain current levels and develop outreach and refuge provision, including Independent Domestic Violence Advisors	DV Safety Plans Completed <b>Reducing Repeat Incidents</b>
Protection 1, <sup>3,4</sup>	Increase capacity for accredited court and non-court perpetrator programmes and multi-agency risk assessment.	MARACS held People referring for perpetrator programmes Perpetrator programmes delivered Referrals to ASK
Prevention 1,2	Sustain and develop therapeutic and preventative work with children and young people, including the development of earlier intervention opportunities	Sessions delivered to young people
Protection 2, <sup>4</sup>	Improve court responses	Practitioners receiving DV training <b>Successful brought to justice outcomes</b>
Support 3, <sup>4</sup> Protection 4	Improve performance on equality and diversity	<b>Reporting to Police</b> Reporting to Non Police agencies
Prevention 3	Sustain and develop campaigning and promotional activity	<b>Reporting to Police</b> Calls to DV helpline

<sup>23</sup> Indicators listed in bold are already performance indicators for the 2005-8 Crime Disorder and Drugs Reduction Strategy and also, in the instance of reporting and repeats, are subject to a LPSA agreement 2005-8.

## 11. IMPLEMENTATION

The delivery structure shown on page 19 will ensure that progress is made in the above areas of development. Clearly, these areas are vast and a mechanism for prioritising work will need to be identified within each action area relating to:

- Ease of implementation;
- Risk of not implementing;
- Current performance level.

Many of the areas are inter-related and require continued or additional funding of varying amounts. If this funding is not secured, there will be a significant threat to achieving the actions.

The Domestic Violence Steering Group will secure lead practitioners for each of the areas. These leads will ensure that the action areas note potential threats and key partners. If partner are not able to commit, there will again be a significant threat to progress.

If necessary, the Steering Group will establish new working groups to ensure that progress is made.

More detailed action plans will exist for each of the eight areas for improvement, as working documents, and performance will be monitored through the Steering Group.

### Action Area 1: Sustain and develop campaigning and promotional activity

**Key Partners:** Leicestershire Constabulary, DVIRP, WALL, Panahghar, Suruksha, Witness Cocoon, Victim Support, City Council, NHS Family, LCJB.

Second Level Objectives
Develop new publicity materials focussed on an aspect of domestic violence for November Campaign
Deliver public events in local neighbourhoods
Deliver a conference on domestic violence – November Campaign
Publish an evaluation report
Improve knowledge and skills of practitioners
Increase awareness of members of the public
Increase resources and awareness of young people
Promotion of DV Campaign branding
Target under represented groups

**Action Area 2: Improve strategic commitment and response to Domestic Violence through the LDVF Partnership.**

**Key Partners:** Leicestershire Constabulary, Leicestershire & Rutland Probation Area, DVIRP, WALL, Panahghar, Victim Support, Leicester City Council, NHS Family, LCJB.

**Second Level Objectives**

- Agree and promote an Inter-Agency Domestic Violence Strategy
- Review and development partnership resources for domestic violence
- Improve internal evaluation mechanisms for domestic violence
- Establish a commissioning process for domestic violence projects
- Increase the number of partners with domestic violence action plans connected to the strategy
- Increase partner attendance and participation
- Develop inter-agency protocols
- Secure core funding for priority areas
- Monitor the level of reporting for safeguarding adults and children – concern referrals

**Action Area 3: Improve the evidence base.**

**Key Partners:** Leicestershire Constabulary, DVIRP, WALL, DAAT, Panahghar, Leicester City Council, Leicestershire & Rutland Probation Area, Victim Support, Suruksha, FWA, Witness Cocoon, Relate.

**Second Level Objectives**

- Produce bi annual strategic assessments on domestic violence
- Produce statistics on domestic violence and substance use
- Increase data on ethnicity
- Increase use of 'tracking' software
- Improve outcome evidence
- Analyse and compare areas of higher and lower reporting
- Develop local costing maps
- Improve the information for young people 19yrs and under

**Action Area 4: Sustain current levels and develop outreach and refuge provision, including Independent Domestic Violence Advisors**

**Key Partners:** Leicester City Council, DVIRP, WALL, Panahghar, Suruksha, Leicestershire & Rutland Probation Area, NHS family, Relate.

**Second Level Objectives**

- Agree a service specification for IDVA project
- Deliver telephone counselling for people affected by domestic violence
- Increase gender specific provision for male victims
- Expand ASK
- Secure counselling placements within domestic violence projects
- Secure secondments to multi-agency projects
- Assessment of provision against relevant WAFE service standards
- Deliver therapeutic group programme for survivors

**Action Area 5: Increase capacity for accredited court and non-court perpetrator programmes and multi-agency risk assessment.**

**Key Partners:** Leicester City Council, Leicestershire Police, Leicestershire & Rutland Probation Area; DVIRP, Relate, WALL, Panahghar, Victim Support, Witness Cocoon, NHS Family.

**Second Level Objectives**

Implement MARACS

Adopt an information exchange agreement for personal data in cases of domestic violence

Deliver multi-agency risk assessment training

Increase the capacity of inter-agency training on domestic violence beyond tier 1

Develop and deliver a community group programme for perpetrators of domestic violence to meet emerging Respect standards

Increase the number of IDAP groups delivered

Produce a report on the local management of risk in relation to domestic violence

**Action Area 6: Sustain and develop therapeutic and preventative work with children and young people, including the development of earlier intervention opportunities**

**Key Partners:** DVIRP, CAMHS, Juniper Lodge, WALL, Panahghar, FWA, Leicester City Council, Leicestershire Police, Leicester Fire & Rescue, NHS Family

**Second Level Objectives**

Sustain and develop preventative and educational sessions 11-16 year olds on domestic violence and sexual violence

Expand preventative and educational sessions to 5-11 year olds.

Establish therapeutic group work programme for CYP affected by domestic violence

Establish individual support for CYP affected by domestic violence

Increase CCAV delivery in non-school settings

Deliver CCAV in more secondary schools

Deliver a domestic violence project for CYP involving an arts medium

Deliver a 'teenage perpetrators' pilot group programme

**Action Area 7: Improve performance on equality and diversity**

**Key Partners:** Panahghar, WALL, DVIRP, Leicestershire Constabulary, Leicestershire & Rutland Probation Area, Victim Support, Witness Cocoon, Leicester City Council, NHS Family.

**Second Level Objectives**

Agree priority areas

Establish a working group to plan and deliver on actions

Increase accessibility to support services and prevention materials

Increase monitoring and identification of issues

Attain at least one fully DDA compliant refuge (DV entry criteria)

**Action Area 8: Improve Court Response**

**Key Partners:** HMCS, DVIRP, Leicestershire Constabulary, LCJB, Victim Support, Witness Cocoon.

**Second Level Objectives**

Support the proposal for an Implementation Manager for SDVC work programme
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Support a Multi-Operational Steering Group
--

Involvement in training connected to SDVC
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**ANNEX A****Acronyms**

ASK	Additional Security Keepsafe
CC-AV	Cracking Conflict – Alternatives to Violence
CDRP	Crime & Disorder Reduction Partnership (Safer Leicester Partnership)
CPS	Crown Prosecution Service
DVIRP	Domestic Violence Integrated Response Project
DVOs	Domestic Violence Officers (Police)
FSU	Family Services Unit (now part of FWA)
FWA	Family Welfare Association
GOEM	Government Offices for the East Midlands
LCC	Leicester City Council or Leicestershire County Council
LDVF	Leicester Domestic Violence Forum
LGA	Local Government Association
LCJB	Local Criminal Justice Board
LSCB	Local Safeguarding Children Board (previously ACPC: area child protection committee)
LPSA	Local Public Service Agreement
PCTs	Primary Care Trusts
SDVCs	Specialist Domestic Violence Courts
SLP	Safer Leicester Partnership (City CDRP)
SVN	Sexual Violence Network
VAL	Voluntary Action Leicester
WALL	Women's Aid Leicestershire Ltd

ANNEX F Membership List<sup>24</sup>

Action Homeless - Bridge House	Dodds & Partners	LCC Housing Management	NSPCC Bal Raksha
Addulam Homes Housing Assoc	DVIRP	LCC Housing Options	Child & Adolescent Mental Health Service
Age Concern	Education Psychology Service	LCC Social Care & Health	Primary Mental Health Team
Anima Dance	Education Welfare Service	LCC Supporting People Team	Quetzal Project
Apna Ghar	Elmfield House	LCC Youth Offending Service	Rape Crisis
ASRA Midlands Housing Association	Emery Johnson Solicitors	Local Criminal Justice Board	Refugee Action
Bethany Project	Fairdeal	Leicester Anti Social Behaviour Unit	Relate Leicester
Bhagini Women's Centre	Family Welfare Association	Leicester Children Fund	Robinsons Solicitors
Border House Hostel	Fern Training	Leicester City Magistrates	Sure Start Beaumont Leys
Braunstone Health & Social Care Centre	First Step	Leicester City PCT	Sure Start Braunstone
Bridges	Forest Lodge Education Centre	Leicester City Youth Service	Sure Start New Parks
CAFCASS	Foundation Housing Association	Leicestershire Constabulary	Sure Start Saffron
CBII	HMP Gartree	Leicester County Court	Sure Start St Matthews
Central Lending Library	Homestart	Leicester Drug & Alcohol Team	Sure Start Thumby & Crown Hills
Central Reference Library	JobCentrePlus	Leicester Housing Association	The Suraksha Project
Centre for Fun and Families	Jones & Duffin	Leicester Life	Turning Point Women's Centre
Child Behaviour Intervention Initiative	Juniper Lodge	Leicester MALE	Unison
CMHP Service	LAMP	Leicester Mediation Service	University Hospitals of Leicester NHS Trust
Connexions	Lancaster Boys School	Leicester Partnership Trust	Victim Support
LeicestHERday Trust	LCC Adult & Community Services	Leicestershire & Rutland Probation Area	Women's Aid Leicester Limited
Coventry Panahghar	LCC Children's Service Planning Unit	Leicester University Nightline	Wilson Browne Solicitors
Crown Prosecution Service	LCC Community Drugs Team	Nelson's Solicitors	Witness Care Unit
Dept of Criminology, University of Leicester	LCC Community Safety Team	New Futures Project	Witness Cocoon
Diversity Hub	LCC Housing Department		Witness Service, Leicester Magistrates Court

<sup>24</sup> This list represents City organisations only. Agencies in the County are also on the LDVF Partnership mailing list at their request

**ANNEX C**  
**Services and Projects (2005-6)**

Nature of Work	Mainstream	Time Parameters	Cost (based on last year unless otherwise stated)	Contact & Evidence <sup>25</sup>	Outcome
<p>LCC Human Resources are currently reviewing the employee policy on Domestic Abuse, have established an internal project team, implemented a programme of training and are exploring ways to increase data collection on DV.</p>	Yes			Shobhana Patel	
<p><b>Housing &amp; Related Support Services.</b> Providers listed below include domestic violent as primary &amp; * secondary client groups and the total unit capacity is 221)</p> <ul style="list-style-type: none"> <li>• Womens Aid – Floating Support Service &amp; Refuge (also funded by Adult and Community Services Voluntary Sector Service)</li> <li>• Coventry Panahgar – Refuges &amp; Floating Support (also funded by Adult and Community Services Voluntary Sector Service)</li> <li>• Suraksha – Refuge</li> <li>• Bridge House – Refuge</li> <li>• Apna Ghar – Supported Accommodation</li> <li>* Bethany – Supported Accommodation</li> <li>• Border House Hostel –Supported Accommodation</li> <li>• *Kirton Lodge – Supported Accommodation</li> </ul> <p>Not housing related, WALL, Panahgar and DVIRP receive some funding from Housing &amp; Community Services for aspects of their service delivery (work with children and the DV helpline)</p>	Yes	<p>Ongoing (but subject to contract renewal and service review)</p>	<p>£2,445,295 (supporting people fund)</p>	<p>Anita Adatia Sue Talton Total £128,300 (adult &amp; community services voluntary sector)</p>	<p>Adult &amp; Community Services</p>

<sup>25</sup> Evidencing outcomes for work that takes place in such a sensitive, pervasive and critical arena is often complex. Qualitative information such as case studies and client testimony is often very insightful, yet takes resources and skill to obtain and record, and cannot be compared across agencies very easily.

The projects in the city are becoming more adept at being able to record outcomes on perceptions of safety, repeat incidents, repeat offending, parenting and general health and well-being. This requires ongoing work, as the most vulnerable voices can often remain hidden in an area such as this.

Nature of Work	Mainstream Parameters	Time Parameters	Cost (based on last year unless otherwise stated)	Contact & Evidence <sup>25</sup>
<p>DV Co-ordinator and part time administrative support, based within the SLP team, with associated budget, co-ordinating work only) across the voluntary, statutory and commercial sectors through multi-agency partnership structures.</p> <p>Supporting task groups where necessary to develop new partnership initiatives on DV, support all sectors to improve practice and policy on DV and improve data collection, monitoring and awareness work.</p>	Yes (salaries		£68,000 (based on full project costs)	Stephanie McBurney 0116 252 8566
<p><b>Domestic Violence Integrated Response Project (DVIRP)</b></p> <p>Provides a DV helpline 7 days a week, a specialist BME advocacy project, a risk assessment manager, volunteer service, support of CCAV (education and prevention work in schools) and therapeutic support for children and young people. DVIRP also undertake a significant amount of campaigning work in this area, provide the lead agency function for ASK, deliver the LCC training programme and offer awareness sessions for other organisations.</p>	No		£250,000	Suki Kaur Project Manager 0116 255 0003
<p><b>Braunstone Community Association</b> fund additional outreach support and administration specifically for Braunstone residents through Women's Aid Leicestershire Ltd.</p>	No	3 years	£211,000 (2005-8)	Janice Vare (BCA) 0870 170 6984  Pamela Richardson (WALL) 0116 285 8079
<p><b>Social Care &amp; Safeguarding</b></p> <p>Leicester City Council works with children and families within tier 3-4 level of need, working to protect children and young people from significant harm from domestic violence. Audits are undertaken from Child Protection Conferences for Domestic Violence as an issue and further work is ongoing to improve data collection. Work is also ongoing in relation to Safeguarding Adults.</p>	Yes			Penny Brown  Kala Subbuswamy

Nature of Work	Mainstream Time Parameters	Cost (based on last year unless Evidence <sup>25</sup> otherwise stated) Contact & Outcome
<p><b>Police</b></p> <p>1 Inspector, 1 DV/ Vident Crime Sergeant, 5 Domestic Violence Officers, 6 Constables dealing with domestic violence repeat offending in the central area and DVOs in East and West areas which cover parts of the City boundaries.</p> <p>Standard implementation of risk assessment, help implement initiatives with partner agencies such as the ASK project.</p> <p>Ongoing training program which last year trained 13 officers on DV attachments enabling them to return to shifts and provide competent DVO experience and advice at the earliest opportunity.</p> <p>Provide staff to train partner agencies in the role of the police to foster understanding of working practices.</p> <p>Have devised and implemented the first DV repeat offender database for bad character information.</p> <p>Employ a force wide DVO/ Co-ordinator, who chairs the DV steering group, supports the DV data harmonisation group, attends the County LAA delivery group and supports the publicity campaign and the dissemination of information.</p>		<p>£1,462,442 (for the Sergeant Peter Williams entire Force area) 0116 248 6669</p>

Nature of Work	Mainstream Time Parameters	Cost (based on last year unless otherwise stated) Contact & Evidence <sup>25</sup>
<b>Health</b> The Public Health Directorate for the City PCT provides a leadership function for the Group, which has no dedicated finances or administration but has undertaken a significant range of work. Membership is drawn from the City & County PCTs, Leicestershire Partnership Trust & University Hospitals Leicester. This includes the development of training packages; delivery of training to over 1200 health staff and trainee clinicians in 2005-6 through a pool of trainers; interventions such as the development of a direct referral scheme from refuges into midwifery services, peer support networks for NHS Staff and safety planning leaflets; audits and surveys and production of policies and guidelines. The group has developed a DV strategy for the local NHS family which compliments the Inter-Agency DV Strategy	Yes	Carole Devaney 0116 295 1514

## ANNEX D Resource List

The following resources are available from the Domestic Violence Co-ordinator and Safer Leicester Partnership Team Assistant (DV).

- Domestic Violence Information Booklet for Members of the Public
- Domestic Violence Information Booklet for Practitioners
- Working Together to reduce Domestic Violence DVD (Introduction to the work of the Forum Partnership and DVIRP)
- Domestic Violence Data Collection Report 2003-4
- Domestic Violence Data Collection Report 2004-6 (forthcoming)
- Terms of Reference for the LDVF Partnership Groups
- Domestic Violence Services Leaflet
- House Devil Street Angel DVD
- Off Limits DVD and Work pack
- LDVF Annual Report 2004-5
- LDVF Annual Report 2005-6

## ANNEX E

### Targets

1.1. Leicester City has a Local Area Agreement with rewards attached for the achievement of specific stretch targets for work on domestic violence.

#### 1.2. LPSA (and LAA SSC2.3) DV Targets 2005-8:

- Increase the number of reported incidents (to the police) of domestic violence by 33%. This carries a 40% importance weighting. We need to secure 8,160 reports of DV for 2007-2008.
- Decrease the percentage of reported incidents (to the police) that are repeat incidents in the last twelve months by 4%. This carries a 60% importance weighting. We need to secure 28% of CIS reports showing as repeats for 2007-2008.
- The baseline for these figures is from 2003-4. Target 1 is set from performance review figures, which are monitored monthly. Target 2 is set from CIS figures on reporting and repeats and is monitored quarterly. Target 2 measures the percentage of times any person is a repeat victim (within a 12 month period).

#### 1.3. Additional Community Safety Strategy Targets 2005-8

- Establish a baseline and then increase the percentage of offenders brought to justice for domestic violence crimes
- Attain and sustain 100% on the BVPI 225 (local authority performance indicator on DV)

### Related LAA targets

- CYP21            a) Reduce rates of teenage conception
- CYP22            Promoting positive mental health (development target)

- CYP3.1 (i)(ii) Child protection registrations
- CYP3.3 Improve safeguarding for new communities
- CYP4.7 Increase the number of young people up to 19 who achieve a full level qualification
- SSC3.1 The percentage of people who think that the police in their area are doing a good or excellent job is higher than the baseline year.
- SSC4.3 Increase in volunteering as expressed by the % of residents who affirm that they carried out voluntary work in an organisation once a month or more in the past year
- SSC4.4 Growth of the community and voluntary sector as expressed by the % of VCS groups and organisations (i) affirming growth in activity – financial (ii) accessing capacity building (iii) accessing training opportunities
- SSC6.1 Access to cultural activity and institutions as expressed by access by priority groups
- SSC10.1 The % of households attending housing options interviews where homelessness was prevented.
- HCOP1.3 Reduced infant mortality rate
- HCOP1.9 Reducing inequalities by improving access to health and social care facilities and services: © Number of integrated health and social care facilities
- HCOP2.1 (b) Reduce rate per 100,000 of new diagnoses on Gonorrhoea
- HCOP2.5 Reduce harm from alcohol
- EDE1.5 Reduction in the number of working age families claiming key benefits (Income Support, Job Seekers Allowance and Incapacity Benefit)

## ANNEX F: 2007-8 Action Plan

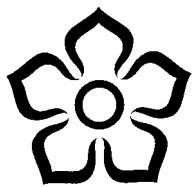
Primary Objective	Secondary Objective	Lead	Target	Resource Implication
<b>Sustain and develop campaigning and promotional activity</b>	<ul style="list-style-type: none"> <li>Develop new publicity materials focussed on an aspect of domestic violence for November Campaign</li> <li>Deliver public events in local neighbourhoods</li> <li>Deliver a conference on domestic violence – November Campaign</li> <li>Publish an evaluation report</li> <li>Improve knowledge and skills of practitioners</li> <li>Increase awareness of members of the public</li> <li>Increase resources and awareness of young people</li> <li>Promotion of DV Campaign branding</li> <li>Target under represented groups</li> </ul>	Kristel Bhatia, Connexions Leicester Shire	<p>Increase the number of reports to the Police (CIS) by 20% on same week, previous year.</p> <p>Increase the number of calls to the DVIPR Helpline by 20% from same week, previous year.</p> <p>Increase the % of attendees who felt that their knowledge and skills had increased following the event (immediately and 3 month follow up).</p> <p>Establish a baseline for the number of people (members of the public) who are aware of the Campaign.</p>	<p>Staff and volunteer time</p> <p>£3000 November Campaign Events.</p> <p>£6000 Publicity Materials</p> <p><b>TOTAL: £9,000</b></p>
<b>Improve strategic commitment and response to Domestic Violence through the LDVF Partnership.</b>	<ul style="list-style-type: none"> <li>Agree and promote an Inter-Agency Strategy</li> <li>Review and develop partnership resources</li> <li>Improve internal evaluation mechanisms</li> <li>Establish a commissioning process</li> <li>Increase the number of partners with domestic violence action plans connected to the strategy</li> <li>Increase partner attendance and participation</li> <li>Develop inter-agency protocols</li> <li>Secure core funding for priority areas</li> <li>Monitor the level of reporting for safeguarding adults and children – concern referrals</li> </ul>	Stephanie McBurney LDVF Partnership	<p>2 resources developed or updated and reproduced</p> <p>70% attendance for all group members</p> <p>Baseline and increase participation in DV partnership initiatives</p> <p>Increase number of members internal DV action plans</p> <p>Improve internal evaluation mechanisms of DV projects</p> <p>Increase the number of independent multi-agency evaluations of DV projects</p> <p>Establish commissioning systems for DV projects</p> <p>Collate and increase the number of inter-agency protocols relating to DV</p> <p>Sustain and develop financial resources to for the LDVF Partnership core activities and action plan.</p>	<p>Senior staff time.</p> <p>£30,000 external multi-agency evaluation project.</p> <p>£8000 DVF Partnership core work.</p> <p>£10,000 Resources</p> <p><b>TOTAL: £48,000</b></p>

<b>Improve the evidence base.</b>	<ul style="list-style-type: none"> <li>Produce bi annual strategic assessments on domestic violence</li> <li>Produce statistics on domestic violence and substance use</li> <li>Increase data on ethnicity</li> <li>Increase use of 'tracking' software</li> <li>Improve outcome evidence</li> <li>Analyse and compare areas of higher and lower reporting</li> <li>Develop local costing maps</li> <li>Improve the information for young people 19yrs and under</li> </ul>	Carole Devaney  Leicester City PCT	6 agencies supplying quarterly statistics at DV1 level of detail.  3 agencies using 'tracking/identification' software.  Workshop on outcome measure options.  4 agencies submitting data on DV and substance use.  2 data collation reports.	Staff time.  £6000 analyst support.  £1000 report printing.  <b>TOTAL: £7000</b>
<b>Sustain current levels and develop outreach and refuge provision, including Independent Domestic Violence Advisors</b>	<ul style="list-style-type: none"> <li>Agree a service specification for IDVA project</li> <li>Deliver telephone counselling for people affected by domestic violence</li> <li>Increase gender specific provision for male victims</li> <li>Expand ASK</li> <li>Secure counselling placements within domestic violence projects</li> <li>Secure secondments to multi-agency projects</li> <li>Assessment of provision against relevant WAFE service standards</li> <li>Deliver therapeutic group programme for survivors</li> </ul>	Chair LDVF Partnership	160 ASK interventions.  30 support contacts with men affected by domestic violence.  2 secondments to multi-agency DV projects.  30 counselling sessions delivered.  5 assessments against WAFE criteria.  50% increase in DV Helpline referrals.	Staff time.  £100,000 for three IDVA, including one specifically for male victims.  £3000 IT equipment.  £20,000 ASK capital and revenue.  <b>Health costs for joint programme?</b>  <b>TOTAL: £123,000</b>

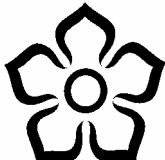
<b>Increase capacity for accredited court and non-court perpetrator programmes and multi-agency risk assessment.</b>	<ul style="list-style-type: none"> <li>Implement MARACS</li> <li>Adopt an information exchange agreement for personal data in cases of domestic violence</li> <li>Deliver multi-agency risk assessment training</li> <li>Increase the capacity of inter-agency training on domestic violence beyond tier 1</li> <li>Develop and deliver a community group programme for perpetrators of domestic violence to meet emerging Respect standards</li> <li>Increase the number of IDAP groups delivered</li> <li>Produce a report on the local management of risk in relation to domestic violence</li> </ul>	Pete Williams Leicestershire Constabulary Suki Kaur DVIRP Andrew Chivers Leicestershire & Rutland Probation Area Shobhana Patel LCC	80% completion rate for perpetrator programmes. 60 referrals for non-court perpetrator work. 10 MARACS held 6 IDAP groups. 3000 staff receiving DV training	Staff time. £5000 MARAC training. £40,000 Programme Manager Post £9000 IDAP group.  <b>TOTAL: £64,000</b>
<b>Sustain and develop therapeutic and preventative work with children and young people, including the development of earlier intervention opportunities</b>	<ul style="list-style-type: none"> <li>Sustain and develop preventative and educational sessions 11-16 year olds on domestic violence and sexual violence</li> <li>Expand preventative and educational sessions to 5-11 year olds.</li> <li>Establish therapeutic group work programme for CYP affected by domestic violence</li> <li>Establish individual support for CYP affected by domestic violence</li> <li>Increase CCAV delivery in non-school settings</li> <li>Deliver CCAV in more secondary schools</li> <li>Deliver a domestic violence project for CYP involving an arts medium</li> <li>Deliver a 'teenage perpetrators' pilot group programme</li> </ul>	Darren Youngs DVIRP	200% increase in CCAV sessions. 200% increase in young people receiving CCAV sessions. Primary school pilot. Out of school pilot. 2 arts based programmes. 15 active facilitators. 10 week group programme for young people 60 CYP supported	Staff time. CCAV Project Manager plus project revenue £40,000 £6000 Arts Project £30,000 CYP DV worker plus revenue (PT)  <b>TOTAL: £76,000</b>

<b>Improve performance on equality and diversity</b>	<ul style="list-style-type: none"> <li>Agree priority areas</li> <li>Establish a working group to plan and deliver on actions</li> <li>Increase accessibility to support services and prevention materials</li> <li>Increase monitoring and identification of issues</li> <li>Attain at least one fully DDA compliant refuge (DV entry criteria)</li> </ul>	Sobia Shaw Panahghar	Staff time £1000 Translation of materials.  <b>TOTAL: £1000</b>
<b>Improve Court Response</b>	<ul style="list-style-type: none"> <li>Support the proposal for an Implementation Manager for SDVC work programme</li> <li>Support a Multi-Operational Steering Group</li> <li>Involvement in training connected to SDVC</li> </ul>	Rachel Marshall HMCS	Staff time: £25,000 Implementation Manager (PT)  <b>TOTAL: £25,000</b>
			<b>£343,000</b>

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Leicester  
City Council



Leicester  
City Council

**WARDS AFFECTED**  
**Freeman**

## **FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:**

**Housing and Community Safety Scrutiny Committee  
Cabinet**

**28<sup>th</sup> March 2007  
2<sup>nd</sup> April 2007**

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**Disposal of Frederick Thorpe House Sheltered Housing Accommodation.**

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### **Report of the Corporate Director of Housing**

#### **1. Purpose of Report and Summary**

There is a growing elderly population in the City, and a growing number of frail elderly. Patterns of care have changed and most older people prefer to receive health care and social support in their own homes. In this context the demand for the Council's own Sheltered Accommodation is falling, although individual schemes remain popular and some have a waiting list.

In the last year a number of initiatives were taken to increase demand for the sheltered accommodation. There are, however one scheme where there is still low demand and the report describes the implications of considering its closure.

#### **2. Recommendations for Scrutiny**

To advise of the view of Housing and Community Safety Scrutiny on the proposal to close Frederick Thorpe House.

#### **3. Recommendations for Cabinet (subject to outcome of consultations)**

3.1 To consider the comments from the Adult & Housing Scrutiny Committee and indicate whether, Frederick Thorpe House Sheltered Housing Scheme should be closed.

3.2 If the scheme is to close

(i) Agree that residents receive highest priority for rehousing and are paid statutory homeloss payment, their removal expenses and practical assistance with moving.

4. **Financial Implications written by Danny McGrath**

The closure of Frederick Thorpe House would have financial implications for both the HRA and the General Fund.

a) HRA

The effect would depend to a large extent on whether the existing tenants are relocated to other vacant HRA properties. Assuming they all are, and that the vacated properties are sold or otherwise removed from the HRA, the effects would be as follows.

Years	First Year	Subsequent
	£000	£000
Increased Housing Subsidy	-	(27)
Reduced maintenance& premises costs	(48)	(48)
Home Loss and Removal Payments	95	-
Lower Capital Resources (MRA)	-	15
<b>Net Cost /Saving</b>	<b>47</b>	<b>(60)</b>

As included above, there would be a reduction of £15,000 pa in the Major Repairs Allowance, starting in the year following disposal, which would affect the Capital Programme. However this would be offset by a reduction in commitments, against the HRA Capital Programme provision for Sheltered Housing Improvements, which for 2007/08 is £200,000.

Any capital receipt from the disposal of the property would be fully reusable for the financing of HRA Capital expenditure.

b) General Fund

The staffing and associated costs of Sheltered Housing are met from Supporting People Grant from April 2003. The effect of the closures would depend on negotiations with SP Team on changes to the funding of the reduced service.

## **5. Legal Implications written by John McIvor**

It must be established whether any of the tenants affected will be entitled to home loss and disturbance payments. If the tenants are entitled, the payments will need to be assessed in accordance with the rules set out in S20 of the Compulsory Purchase Act 1965, S10A of the Land Compensation Act 1961 and S37 of the Land Compensation Act 1973 (as amended).

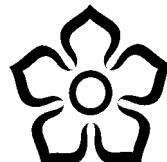
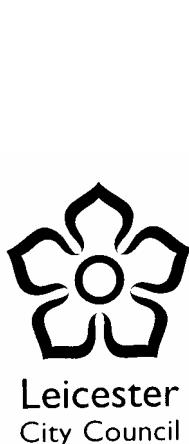
Legal Implications relating to any potential disposal will be addressed in the subsequent report referred to above.

John McIvor  
Team Leader (Management and Development)  
Legal Services ext 7035

## **6. Report Authors:**

Jean Denyer MBE Service Manager Sheltered Housing  
Legal Implication – John McIvor  
Financial Implications –, Danny McGrath Housing Finance

<b>Key Decision</b>	Yes
<b>Reason</b>	Is significant in terms of its effect on communities living or working in an area comprising more than one ward.
<b>Appeared in Forward Plan</b>	Yes
<b>Executive or Council Decision</b>	Executive (Cabinet)



Leicester  
City Council

## WARDS AFFECTED

### Freeman

## **Adults & Housing Scrutiny Committee Cabinet**

**28<sup>th</sup> March 2007**  
**2<sup>nd</sup> April 2007**

## Future of Frederick Thorpe House Sheltered Housing Accommodation

## SUPPORTING INFORMATION

## 1. Background

There is a growing elderly population in the city and a growing number of frail elderly. Patterns of care have changed and most older people prefer to receive healthcare and social support in their own homes. In this context the demand for the Council's sheltered accommodation is falling. Falling demand for sheltered accommodation is a national issue. Many local authorities have much larger provision than Leicester and face much larger problems of low demand.

The Council's 15 sheltered schemes were largely built in the late 1960's and early 1970's. The idea at the time was that people would move from family size homes into sheltered and then from sheltered to residential care if they became frail. This has changed with the growth in owner occupation and care in the community. The approach now is to support people in their own homes, using short stays in Intermediate Care if needed for health reasons.

A new concept of Extra Care has also been developed. These schemes are like the Council's sheltered schemes in that they are places where people have their own independent tenancies. However, there is 24 hour health and social care on site and, most importantly, accommodation is in one bedroom flats built to be fully wheelchair accessible. Often meals are available on the premises in a café.

style environment. Hanover Housing is currently building an extra Care scheme in the Humberstone area of the City.

The Council has made improvements to its own sheltered housing over the last few years. Lifts have been installed in most of the sheltered schemes and there is capital programme provision for improvements to corridors, communal areas and the grounds.

**2. Reviewing the way care and support is provided in the Council's sheltered schemes.**

Supporting People now finance the housing related care element of many of the sheltered schemes in the city (e.g. in the Council's scheme they fund the Sheltered Housing Officers). The Council is only one of the providers of Sheltered Housing in the City.

Supporting People have assessed the citywide demand and reviewed all sheltered schemes during 2004/5. They have stated that there is an over supply of sheltered housing in the City and have other areas of priority housing for other client groups, i.e. Learning Disabilities. Adult and Housing are currently looking at the way community care packages are delivered to tenants in schemes across the City.

**3. Falling Demand in the Council's Sheltered Accommodation**

The Council runs 15 sheltered housing schemes, which have a total of 429 flats and bed sits let as individual assured and introductory tenancies to people over the age of 50years.

Tenants surveys show that security and company are the key reasons for wanting to live in sheltered schemes. Many schemes are very popular and tenant satisfaction, in those schemes is high.

In 2001/2002 the overall vacancy rate was 8.5% (number of void weeks as % units x 52 weeks).

Lily Marriott House and William Smith House were closed down in 2004 due to low demand.

**3.1 The following initiatives have been taken to increase overall demand: -**

- New promotion material distributed widely.
- Regular advert in Link for particular schemes
- Sheltered Housing promoted on the Council's website.

- Capital programme investment in upgrading schemes: showers, corridor improvements, lifts
- Programme of activities in schemes organized by Outreach Worker.
- Regular tenant magazine "Reach Out"
- Conversion of ex-staff homes into new flats, including wheelchair adapted flats.
- Reduction of age criteria to 50
- Tenants Incentive Scheme
- Regular meetings of Sheltered Tenants Forum

3.2 The chart below shows the current position with vacancies at Frederick Thorpe House

The rent loss in the financial period 2005/06 at this scheme was £16,016, in the current year the loss is predicated to be of a similar amount.

Appendix 1 shows the level of voids across the schemes on the 5<sup>th</sup> February 2007.

Scheme	Current Void	No. of void weeks last year	Number of Tenants	No's of tenants to rehouse if closed	Cumulative vacancies elsewhere
Frederick Thorpe House	7 plus staff house	248	19 (One couple)	18	15

#### 4. Analysis

- As of the 5<sup>th</sup> February 2006 there are 15 vacancies within the sheltered housing stock to offer rehousing within other schemes to displaced tenants. It is predicated that further vacancies will occur in the schemes prior to the date of closure.
- If Frederick Thorpe House is closed there are two other schemes within the area Rupert House (Featherstone Drive) and Cromwell House (Saffron Lane), which could be offered to those wanting to remain in this area. Please see the attached map. There are currently 2 vacancies being held.

- Sheltered Housing Officers are funded through Supporting People who have been involved in discussions on the withdrawal or reconfiguration of services.

## **5. Implications of closing a sheltered housing scheme**

Tenants are on assured or Introductory Tenancies. They do not have the Right To Buy.

Tenants will be eligible for homelessness payments, which will be £4,000 plus removal expenses and disturbance allowances. The Department would arrange packing and practical help with the move.

Tenants would have priority rehousing to all other sheltered schemes, one-bed flats and bungalows, once a decision to close was made. As at 5/2/2007 there were 15 vacancies in Sheltered Schemes across the City. There are obviously concerns about requiring older people to move home, and there would need to be close liaison with Adult & Housing and Health Department, particularly for those with community care support.

## **6. Tenants Views**

In January 2007 a meeting was held at FTH with the tenants and some family members to discuss with them the possible closure of the scheme. Some of the tenants welcomed the opportunity to be able to move to other accommodation in the City and also the County to be nearer relatives. The tenants were advised to contact the department if they had any comments regarding the closure, to date none have been received. Minutes of the lounge meeting were circulated to all tenants. Ward Councillors were advised about the meeting.

After the cabinet decision there will be a meeting with the tenants to advise them of the decision. If the scheme were to be closed each tenant would be visited to establish where they would like to be rehoused.

## **7. Future use of vacant schemes**

There will be a separate report on the future use of the building if the case for closure is accepted.

## **8. Financial Implications written by Danny McGrath**

The closure of Frederick Thorpe House would have financial implications for both the HRA and the General Fund.

a) HRA

The effect would depend to a large extent on whether the existing tenants are relocated to other vacant HRA properties. Assuming they all are, and that the vacated properties are sold or otherwise removed from the HRA, the effects would be as follows.

Years	First Year	Subsequent
	£000	£000
Increased Housing Subsidy	-	(27)
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Lower Capital Resources (MRA)	-	15
<b>Net Cost /Saving</b>	<b>47</b>	<b>(60)</b>

As included above, there would be a reduction of £15,000 pa in the Major Repairs Allowance, starting in the year following disposal, which would affect the Capital Programme. However this would be offset by a reduction in

commitments, against the HRA Capital Programme provision for Sheltered Housing Improvements, which for 2007/08 is £200,000.

Any capital receipt from the disposal of the property would be fully reusable for the financing of HRA Capital expenditure.

b) General Fund

The staffing and associated costs of Sheltered Housing are met from Supporting People Grant from April 2003. The effect of the closures would depend on negotiations with SP Team on changes to the funding of the reduced service.

**9. Legal Implications written by John McIvor**

It must be established whether any of the tenants affected will be entitled to home loss and disturbance payments. If the tenants are entitled, the payments will need to be assessed in accordance with the rules set out in S20 of the Compulsory Purchase Act 1965, S10A of the Land Compensation Act 1961 and S37 of the Land Compensation Act 1973 (as amended).

Legal Implications relating to any potential disposal will be addressed in the subsequent report referred to above.

John McIvor  
Team Leader (Management and Development)  
Legal Services ext 7035

## **10. Other Implications**

OTHER IMPLICATIONS	YES/NO	Paragraph References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	Yes	Throughout

## **11. Background Papers – Local Government Act 1972**

Files held by Director of Housing.

## **12. Consultations**

Legal Services. Supporting People. Residents. Ward Councillors.

## **13. Aims & Objectives:**

The Aim of the Housing Department is 'A decent home within the reach of every citizen of Leicester'. This report supports objective no 3 – "to reduce the number of empty homes".

## **14. Report Authors:**

Jean Denyer MBE Service Manager Sheltered Housing  
Legal Implication – John McIvor  
Financial Implications –, Danny McGrath Housing Finance

## Sheltered Housing Void Properties as at 5<sup>th</sup> February 2007

### Appendix 1

Scheme Name	No. Flats	No. voids @ 05/02/07	No. of void weeks 06/02/06 – 05/02/07	Estimated Rent loss <sup>3</sup>	Staff Accommodation
Frederick Thorpe Hse	26	7	209	13,858	Void
Barnett Janner Hse <sup>1</sup>	33	5	190	12,359	SHO living in
Dudley Hse	26	0	77	5,005	SHO living in
Oronsay Hse	28	2	68	4,489	Converted to flats
Rupert Hse	35	2	63	4,095	Converted to flats
Gumbrell Hse	28	2	60	3,978	Converted to flats
Cromwell Hse	26	0	56	3,640	Passed to management
Bowder Hse	26	0	47	3,106	Converted to flats
Bob Trewick Hse	25	1	39	2,580	None
John Minto Hse	35	1	34	2,234	Converted to flats
Irene Pollard Hse	28	0	33	2,172	Converted to flats
Helena Roberts Hse	35	0	25	1,658	Converted to flats
Norfolk Hse	28	1	23	1,501	Converted to flats
Frederick Jackson Hse	28	1	18	1,194	Converted to flats
Bridges Hse <sup>2</sup>	21	0	16	1,088	Passed to management
<b>Total</b>	<b>429</b>	<b>22</b>	<b>933</b>	<b>50,325</b>	

Staff accommodation excluded.

<sup>1</sup> Flats 2 & 3 on long-term void. For conversion.

<sup>2</sup> West wing handed to management 12/2005.

<sup>3</sup> Based on £65 p/week for studio flat & £68 p/week for 1 bed flat.

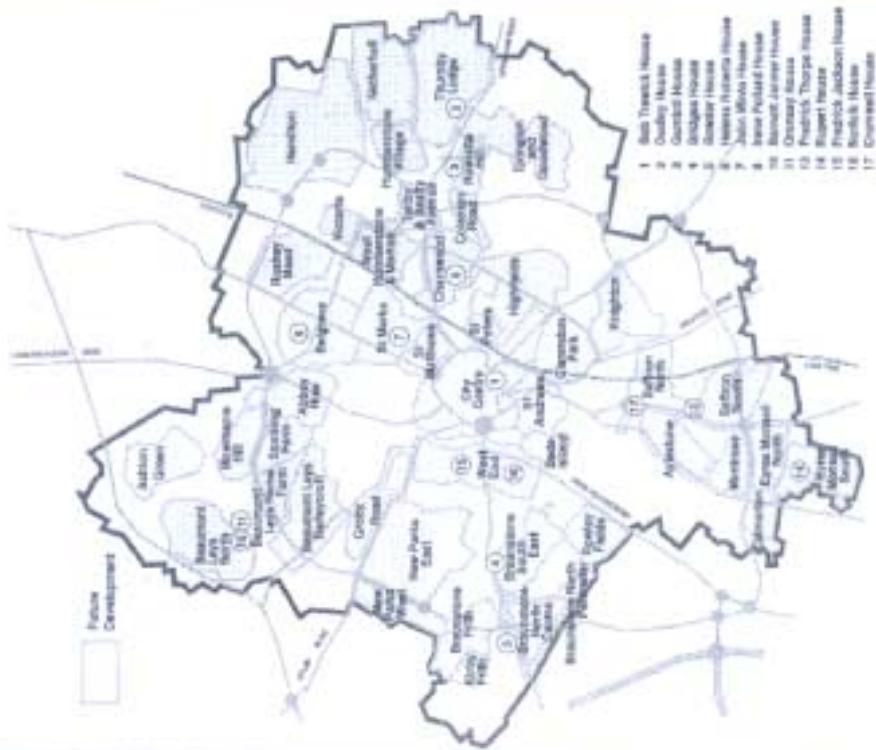
## City Allocation Areas

Council Sheltered Accommodation

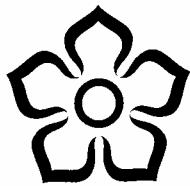
Frederick Thorpe House is shown at number 13 on the plan, some of the residents will be rehoused at both Rupert House, shown as number 14 on the plan and at Cromwell House, shown as number 17.



Leiter  
City Council  
Planning



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Leicester  
City Council

**WARDS AFFECTED: ALL**

**DECISION TIMETABLE:**

**Date of Meeting**

Resources & Corporate Scrutiny Committee  
Cabinet

15<sup>th</sup> March 2007  
2<sup>nd</sup> April 2007

**Application of Discretion under the Teachers Pensions Scheme**

**Report of the Corporate Director of Resources**

**1. Purpose of Report**

To seek a decision on the continued provision of added years for teachers following the consultation process on this aspect of the early retirement policy for teachers.

**2. Summary**

The report identifies the latest information on the consultation with Teacher Unions regarding the withdrawal of added years.

**3. Recommendations (or OPTIONS)**

**3.1 Cabinet to agree:**

To note the outcome of the consultation process and in the light of the response from the TCC, confirm whether the provision of added years should be withdrawn for Teachers.

**4. Headline Financial and legal Implications**

**4.1 Financial**

The financial implications of this report are that savings can be made in the actuarial costs of early release of pension to redundant employees who have access to the Teachers Pension Scheme.

**Legal**

Legal Services are being consulted on this report.

**5. Consultation**

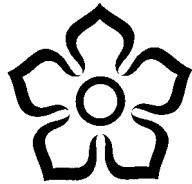
Cabinet should note that a formal response has been received from the Teacher's Union representative and is attached at Appendix A. The Resources Scrutiny Committee considered this response and the minute of their meeting should be available to Cabinet in time for their meeting.

**6. Report Author/Officer to contact:**

**Ian McBride**  
**Service Director**  
(Business Improvement)  
Ext: 6003  
Email: [ian.mcbride@leicester.gov.uk](mailto:ian.mcbride@leicester.gov.uk)

**DECISION STATUS**

<b>Key Decision</b>	No
<b>Reason</b>	N/A
<b>Appeared in Forward Plan</b>	N/A
<b>Executive or Council Decision</b>	Executive (Cabinet)



Leicester  
City Council

**WARDS AFFECTED: ALL**

**DECISION TIMETABLE:**

**Resources & Corporate Scrutiny Committee  
Cabinet**

**15<sup>th</sup> March 2007  
2<sup>nd</sup> April 2007**

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**Discretion for Added Years for Early Severance Under the Teachers Pensions Scheme**

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## **SUPPORTING INFORMATION**

**1. Report**

The term added years refers to the facility, contained within the Local Government and Teachers Pension Schemes, by which councils could add up to 10 years assumed service to enhance the pension of a redundant employee. The Council's policy provided for up to five added years for teachers and five years for non-teaching staff.

The purpose of the added years facility was to recognise the service of the employee and also to act as an incentive for volunteers to come forward where there was a surplus of employees in a group following a budget cut or organisational review.

The pension regulations with regard to local government employees changed with effect from 1st October, 2006, and removed the facility for councils to grant added years. There was also a requirement to review the position under the Teacher's Pension Scheme from that date. At the same time, concerns had been expressed by the Employees Retirement Committee at the significant cost to the Council of added years which partially negated the savings accruing from the reduction in service/staffing.

The District Auditor also had commented on the tendency within the Council to move to the permitted local maximum of five added years which was regarded as both unnecessary and expensive in many cases.

This culminated in a report to Cabinet on 4th September, 2006 where a decision was made not to replace the added years facility with alternative provisions created under the pension scheme which provided for a one off payment, to be merged with any

redundancy payment, or an enhancement to the employees' pension fund, known as augmentation.

Because of the limited period between the passing of the new regulations, in a period of considerable uncertainty and national trades union litigation, there was not a great deal of time to consult trades unions on the changes, particularly so as the summer months preceded the change on 1st October, which required a report to Cabinet on 4th September, when the teachers' representatives were not available, in line with their terms and conditions of service. As it was, all trades union representatives made themselves available where they could, but the technical consultation requirements of the Teachers' Pension Scheme were not satisfied and consultation with teachers' representatives had to be restarted.

The reaction of the trades union representatives generally was to be anticipated: one of disappointment and opposition, as the added years facility made the operation of budget cuts and the securing of volunteers more palatable to their membership.

At a recent meeting of the Retirements Committee, however, some cases of retirement amongst teachers were received where, although as present there is a continued existence of the added years facility, the individual employees were not offered the opportunity of added years. However it was raised with the Retirements Committee that, as the consultation period had not been completed, the support of Committee was sought pending a challenge being received before a revised scheme is agreed.

The state of play with the teachers' representatives is as follows:

The teacher unions have been given a 30 day period of consultation until 12<sup>th</sup> March 2007 to respond to the proposed changes.

The teacher unions whilst recognising the consultation period are also stating their intention to request an urgent meeting with Cabinet representatives.

Cabinet should note that the response to the consultation process is appended to this report and the minute from the RCI Scrutiny Committee held on the 15<sup>th</sup> March should be available in time for the Cabinet meeting.

### **Response to the TNC Comments**

The decision by Cabinet to end the provision of added years for Council employees was taken on the grounds of cost savings and consistency of application between all Council employees. The response by the TNC (Appendix A), would, if implemented, result in continued inconsistency between Teachers and other Council employees and will also result in additional costs compared with the preferred policy of no added years.

## APPENDIX A

ASCL; ATL; NAHT; NASUWT; NUT; PAT.

# Teachers Negotiating Committee

Unit 3b, Pilot House, 41, King Street, Leicester LE1 6RN

Telephone: 0116 2555311. Fax: 0116 2555312

### **Response to the Consultation on the withdrawal of the discretionary power to grant Added Years to teachers.**

Teachers' Negotiating Committee Teachers' Panel notes with pronounced regret the proposal by the Local Authority to withdraw the facility for teachers to be granted added years as part of their Premature Retirement Compensation package. The use of PRC with added years has served the authority and its schools well over the years, enabling changes in the number of teachers employed to be managed in a humane way and helping to avoid compulsory redundancies. This was particularly the case during the Secondary Review.

TNCTP recognises the pressures that the LA faces in terms of the financial burden that arises from PRC. TNCTP also recognises the desire of the authority to be seen to treat all of its employees equally. However, it is our view that treating all employees equally badly is a poor advertisement for the city. Furthermore, in reality employees cannot simply be seen as a totality. They have different pay and conditions arrangements which necessarily involve a range of differing entitlements. They also face differing demands in the workplace. Teaching is recognised as one of the most stressful occupations in the UK. Given this, we are disappointed that the council has so far declined to acknowledge that it is in its own interests to retain flexibility when dealing with reductions in the school workforce.

We regard having a range of options that can be deployed in the management of workforce contraction as a virtue. Having flexible arrangements enables the LA to respond to problems that arise on a case by case basis rather than on a bureaucratic, 'one size fits all' basis. It is the retention of some of that flexibility that we are seeking, whilst recognising that the current arrangements may no longer be fit for purpose and have had the effect of making what should be a discretion to offer added years into a

universal entitlement. Our proposals, detailed below, will, we believe, allow the authority to continue to manage workforce contraction sensitively, to recognise loyal service to the city while at the same time not jeopardising financial stability.

One of the standard means of managing job loss is through redeployment. The Local Authority has a redeployment agreement for teachers which has been in place for many years. However, in practice this agreement is moribund. The employment of teachers in schools is determined by school governing bodies, not by the Local Authority. As a result there is no realistic prospect of redeployment for teachers. Redeployment of teachers became increasingly difficult following the introduction of Local Management of Schools. This removed the right of a council to determine at which school a teacher was employed. Thus, during the secondary review, while schools did indeed co-operate magnificently by giving prior consideration to staff displaced by the closure of six schools, they were under no obligation to take those teachers. Since then, the situation has become more rigid, so that in practice there is no longer a redeployment scheme for teachers. Whilst the Council has indicated that it will look to redeploy teachers to other posts within the local authority, there are a number of problems with this as an option.

1. There has been very little success with redeployment from a teaching post to another type of post within the council in the past. We have specifically sought such a redeployment in collaboration with Human Resources on several occasions and been unable to find suitable alternative employment.
2. Other types of posts within the council are, by definition, not teaching posts and are therefore neither similar nor comparable to a teaching post. One of the expectations of any redeployment scheme is that staff will be offered a reasonable alternative post that is broadly comparable to the previous post held.
3. The pay and conditions arrangements for other council posts are radically different from those that pertain for teaching posts. A qualified teacher with 10 years experience can expect to be earning £34k even without any management responsibilities in the school. Thus, a teacher in his/her fifties who holds a post of responsibility in a school is likely to be earning up to £40k. The number of posts in this salary bracket that might be available in order to prevent a compulsory redundancy are few and far between.

It is our view, therefore, that teachers employed by Leicester City Council will not be subject to equal treatment by the authority under the proposed new arrangements since they will not have access to the same redeployment opportunities as most other employees. In the absence of an effective redeployment regime, all teachers will have on offer is the choice between voluntary or compulsory redundancy. We do not regard this as an acceptable state of affairs.

We believe that, over time, the absence of incentives to remain working in the city will affect the recruitment and retention of teachers to city schools which, as is well known, in many cases face challenges far greater than those in most other schools, in the county for example. If experienced teachers seek to move to an easier working environment in the knowledge that they will lose nothing by doing so then that can only exacerbate the difficulties of those schools facing the greatest challenges.

An important driver in the LA's desire to end the use of added years has been the recurring calls on the PRC budget by New College. This has been raised with us on a number of occasions by councillors. We recognise the legitimate concerns that the authority has about staff who have worked only briefly for the city benefiting from the added years arrangements. However, we do not regard the total removal of the option to grant added years as an appropriate response. This effectively penalises teachers who have given long service to this city for a situation that is not of their making.

It is worth reflecting on the continued shrinking of New College that has taken place since 1999. Beginning as a projected school of 2,300 (including the sixth form) the school has radically shrunk to the point where it now serves a little over 900 pupils. Indeed the proposed new PAL for the school is 180 giving a maximum main school of 900. If the projected size of year 7 for 2007 is anything to go by, then an intake of 120 for the next few years would be optimistic. This would imply a school of around 600 pupils. Such a dramatic reduction in rolls has inevitably led to redundancies and is likely to continue to do so.

The six teacher associations warned the Leicester City Council that the creation of New College was not only ill-advised but likely to prove a disaster. We warned of the likely consequences in terms of poor behaviour, poor results and a drift of pupils to the county from the Western Park area. We also warned that an extremely large school was unsuitable for the needs of pupils in the New Parks and Braunstone areas. It was the councillors and the LEA officers who chose to ignore our concerns – and those of parents – and proceed with New College. It is deeply regrettable that every single teacher in the city is now being penalised by the same council for one of the consequences of that mistaken and foolhardy decision.

#### **TNC Proposal for Future Management of Early Retirement of Teaching Staff.**

In Paragraph 2.2 of the current agreement 'Early Retirement for Teaching Staff'. Delete second sentence and insert.

"This will include an examination of the possibility for a teacher to be redeployed to another post within Leicester City Council.

Voluntary early retirement for reasons of redundancy will not normally attract added years. However, where a school governing body deems that a teacher who has volunteered for early retirement has made a continuing contribution to education in the city through extended loyal service they may nominate that teacher to be considered by Schools Forum for voluntary early retirement with added years.

Voluntary Early Retirement of such a teacher may attract added years on the following scale related to length of service within schools in the city:

<b>Reckonable Service:</b>	<b>Added years.</b>
5-8 years	1
8 years – under 11 years	2
11 years – under 14 years	3
14 years – under 17 years	4
17 years – and over	5

(\* This is the current scale but applied only to service in city schools).

Where Schools Forum approves a proposal for an individual teacher to receive PRC with added years this remains at the discretion of Leicester City Council and can only be approved where it is manageable within the PRC budget delegated to Schools Forum or will result in other savings that are reasonably similar to the costs of the added years."

**This paper is submitted by the Teachers' side of Teachers' Negotiating Committee. It has been developed and agreed by the association secretaries of ASCL, ATL, NASUWT, NUT and PAT who are all signatories to this document.**

**Geoff Butler – ASCL.**

**John Bellamy – ATL.**

**John Mark – NASUWT.**

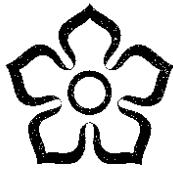
**Jane Rolfe – NUT.**

**Geraldine Everett – PAT.**

**It has also been approved by TCC and is signed on behalf of TCC.**

**Peter Flack – Secretary TCC Teachers' Panel.**

**March 9<sup>th</sup> 2007.**




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## PARTNERSHIP WORKING WITH BLUEPRINT IN THE WATERSIDE AREA

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### Report of the Acting Corporate Director of Regeneration and Culture

#### 1. Purpose of Report

This report seeks Cabinet approval to the principle of City Council engagement with Blueprint within the Waterside Intervention Area. This Area is outlined in Plan 1 attached to this report.

#### 2 Summary

2.1 This report outlines the broad proposals both the City Council and Blueprint have for the Waterside Intervention Area, and how working together in partnership can create a mutually beneficial outcome. It will describe the basic process for the waterside regeneration project and seek Members approval to the principle of engagement with Blueprint to progress. The report also describes the structure and ethos of Blueprint.

2.2 Any formal agreements arising from the partnership working as recommended below (e.g. Development Agreements, Land Sale Agreements and Compulsory Purchaser Order (CPO) Indemnity Agreements) will be subject to further Cabinet resolutions.

#### 3. Recommendations

3.1 Cabinet is recommended to approve the principle of working in partnership with Blueprint and the Council's other regeneration partners: English Partnerships (EP), East Midlands Development Agency (EMDA) and the Leicester Regeneration Company (LRC) within the Waterside Intervention Area.

3.2 Cabinet is recommended to approve the principle of working in partnership with Blueprint and the Council's other regeneration partners (EP, EMDA and the LRC), if appropriate on other regeneration/development proposals, which it is thought are beneficial to the City Council.

3.3 Cabinet are to note that further reports will be brought as required to formalise agreements and other issues arising from partnership working.

3.4 That cabinet recommend that the service directors for Legal and Finance are satisfied that all proper legal, financial and procurement procedures (including where appropriate EU procurement rules) have been satisfied or addressed prior to agreement on further engagement with the agencies referred to in paragraphs 3.1 and 3.2 above.

**4. Financial and legal Implications**

Financial Implications – (Nick Booth, Extn. 7460)

4.1 This report proposes that the Council engages with Blueprint regarding the waterside intervention area, and as such, there would be no direct financial implications from this report, as any results from these discussions (such as any proposed development agreement or CPO indemnity agreement) would be subject to further cabinet approval.

4.2 The Council owns 5 plots of land in the waterside intervention area, the value of which would be expected to increase as a result of regeneration. Blueprint are a 50%/50% public/private developer and as such may be expected to assist in obtaining substantial public sector subsidy from English Partnerships which it is believed is required to promote regeneration of the area.

Legal Implications – (John McIvor, Extn. 7035)

4.3 Any disposal of the Council's land referred to in the report will be subject to the Council's legal duty to obtain the best consideration pursuant to Section 123 of the Local Government Act 1972. The Council will also need to ensure that its fiduciary duty to its taxpayers is complied with. The legal issues arising from these requirements (see para 1.21 in the Supporting Information), will need to be fully explored and addressed during any consideration of the disposal of Council and any prospective development agreement.

4.4 A consequence of entering into a lock-out agreement is that the Council will be unable to treat with any other party with regard to its landholdings in the area contained within the agreement. If considered necessary, The District Auditor will continue to be consulted during the period of the lock-out agreement.

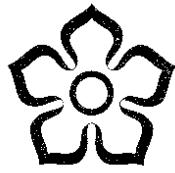
4.5 The Decision to make a CPO is a matter reserved to the Council, and is subject to such decision being made on the basis of a full proposal and formal request for the Council to use its powers. The Council will also need to comply with the requirements for making a CPO as set out in the Department for Communities and Local Government Circular 06/2004, which sets out the matters that need to be addressed when considering and making a CPO. This includes a requirement that the Council has the necessary resources (both in respect of funds and staffing) to carry out the CPO process and to pay any compensation.

- 4.6 In the event that the City Council resolves (at its discretion and if it considers it necessary and appropriate) to make a CPO then the Council must be certain, (assuming the Order is confirmed by the Secretary of State), that the costs of acquisition are available. The Council may require any developer to provide it with a CPO Indemnity Agreement, which will commit the developer to reimburse all the City Council's costs paid out in compensation to the displaced owners and occupiers.
- 4.7 In the event that the Council proposes to enter into more formal arrangements with Blueprint by way of a development agreement, the Council will need to be satisfied that all procurement issues (including where necessary compliance with EU procurement rules) have been addressed prior to the Council entering into such arrangements.

**5. Officer to contact:**

Andy Thomas  
Head of City Development  
Ext. 6516

**Andy Keeling**  
**Acting Corporate Director of Regeneration of Culture**



Leicester  
City Council

**WARDS AFFECTED:**  
**ABBEY WARD**

**CABINET**

**2 April 2007**

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## **PARTNERSHIP WORKING WITH BLUEPRINT IN THE WATERSIDE AREA**

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**Report of the Acting Corporate Director of Regeneration and Culture**

### **SUPPORTING INFORMATION**

**1. Report**

Background to Blueprint

- 1.1 EMDA needed to maximise funding for physical regeneration projects in the region's cities. EMDA had inherited from EP the regions portfolio of 550,000 sq.ft. of ex-English Estates public sector industrial buildings. This portfolio has an estimated capital value of around £20m.
- 1.2 In order to utilize the value in this portfolio to promote physical regeneration, EMDA conceived the 'East Midlands Property Investment Fund'. This placed the aforementioned portfolio in a delivery vehicle along with other EMDA owned development sites with matching equity investment from a private equity partner.
- 1.3 EP then offered their own development sites plus cash up to the same value as EMDA. The potential disposable resources are therefore around £80m on a 50/50 public/private basis (plus any borrowing) to be deployed in Leicester and the other cities in the EMDA region. The long term target is a completed development value of around £500m.
- 1.4 EMDA/EP obtained detailed legal advice before setting up this delivery vehicle and EU agreement to the vehicle for state aid purposes was obtained. The private sector partner was then sought competitively and Igloo Regeneration Fund was selected. The competition for a private sector partner was rigorous and attracted around 80 initial expressions of interest. The vehicle was then launched under the operating name of 'Blueprint'.

- 1.5 The Igloo Regeneration Fund is the specialist regeneration part of Morley Fund Management. Morley Fund Management was at 31 December 2005 the largest property fund manager in Europe. Property assets managed by firms within the Morley Group of companies were valued in excess of £27 billion. The value of the Igloo Regeneration fund is approximately £200m.
- 1.6 As explained above, Blueprint is a public/private limited partnership with a ten-year lifespan. Igloo hold 50% and EMDA and EP 25% each. The board is made up with senior people from all 3 organisations and an experienced executive team has been recruited.
- 1.7 Blueprints function is to hold and manage the investment portfolio transferred to it by EMDA and to take forward sites in the target areas through land assembly, masterplanning and project delivery. EP/EMDA sites are offered to Blueprint on the basis that, if accepted, they will deliver on them the vision in the relevant masterplan/SPD for that area. Blueprints stated aim is not to carry out full development of all the sites it facilitates, but particularly to put later phases to the market, with careful briefing, to engage normal commercial developers.
- 1.8 According to its website, Blueprints remit is to:-

“Deliver social, economic and environmental outputs within a commercial framework, with its overall goal being to facilitate, through regeneration, environmentally sustainable and transformational property development, the delivery of EMDA and EP’s core objectives (the creation of a flourishing region and sustainable communities).

- 1.9 The focus of activity is in those areas of need where the market, left to its own devices, would not deliver the optimum regeneration solution and where there is a need to accelerate or catalyse the process of change”.
- 1.10 As described earlier and as outlined in the recommendations of this report, approval is also sought to collaborate with Blueprint in areas other than the Waterside Intervention Area where it is thought to be beneficial to the City Council. As with this report on the Waterside Intervention Area, any collaboration work will be subject to further Cabinet reports, providing full details, prior to any formal agreements being entered into.

#### Background Information on Waterside

- 1.11 The Waterside Intervention Area is one of the original five intervention areas outlined in the LRC’s Master plan published in 2003. The Master plan was designed to re-balance Leicester’s economy and supporting that aim by improving the City’s image and quality of life.

- 1.12 The Masterplan vision for the Waterside Intervention Area was for large-scale regeneration of the river and canal side in an area immediately west and northwest of the City Centre adjacent to the River Soar. The regeneration when completed is expected to create at least 3,500 new homes, 28,000 sq.m. of restaurants, leisure facilities and commercial premises as well as improved school, health care and community facilities, focused on existing and new water frontage.
- 1.13 The Masterplan vision was enhanced by a draft Supplementary Planning Document (SPD) in July 2005 titled Leicester's New Waterside. This document received Cabinet approval. It is anticipated that an Interim SPD will be formally adopted in April 2007. This document will only be interim because work will still be on-going on the Highway Transport Assessment and S.106 developer contributions tariff. It is hoped these will be added soon after April 2007 to achieve a completed formally adopted Waterside SPD.
- 1.14 It was always anticipated that to successfully develop the Waterside Intervention Area as per the SPD would require substantial public sector subsidy especially for areas like the public realm and highways. It is envisaged this public subsidy would be enhanced by the S.106 developer contributions tariff. At present the vast majority of public sector funding is expected to be provided by EP, however, infrastructure works in the area may be a candidate for Growth Point funding in the future, if available.
- 1.15 The main area that Blueprint is proposing to develop is the Exemplar Area, which was previously known as the 'Pilot Area'. The Exemplar Area (the area of which extends along Soar Lane, along the river and canal to Northgate and along Northgate to its junction with Soar Lane/Sanvey Gate) has an area of approximately 12 acres and comprises over 40 separate ownerships. Blueprint has acquired a small number of plots (totaling approximately ¼ of the total area) and is in active negotiations with several more, but it is still very likely that the comprehensive development required will require a Compulsory Purchase Order (CPO).
- 1.16 EP is the main public sector funder for the Waterside Intervention Area and Blueprint is their chosen delivery vehicle, therefore the City Council should engage with them to deliver the objectives for the Waterside Intervention Area. The stated objectives of Blueprint match the Council's vision for the Waterside Intervention Area and a working relationship has already been forged. The formal agreements can ensure these stated objectives are actually delivered when the area is developed.

1.17 As well as the Waterside, Blueprint currently owns or has options on other sites at Abbey Park Road, Rocket Studios on Wolsey Island and Morledge Street. They are more active in Leicester than most of the region's other cities.

**The Waterside Proposals**

1.18 The provisional boundary of the exemplar area runs along Soar Lane, along the river and canal to Northgate and along Northgate to its junction with Soar Lane/Sanvey Gate. This boundary will be kept under review with Blueprint as the project proceeds (the provisional area is shown on plan 1). It is expected to utilise the River Soar and the Grand Union Canal water frontages to create a desirable residential-led mixed-use development. Blueprint has already embarked on substantial investment here by purchasing several key sites on an opportunity basis.

1.19 The purpose of the Blueprint led development is to deliver an exemplary standard development, both in terms of design and sustainability. One of the specific objectives, at present, is to deliver a wider range of size and type of accommodation than could be achieved through a traditional speculative development approach. The proposal is anticipated to create new market types of accommodation that might not otherwise be viable in this location. The hope is that if it is successful it will persuade developers of surrounding sites to diversify the types and sizes of property they develop.

1.20 This vision is to be subjected to a 'Housing Market Assessment' from a leading team of external consultants. This will inform the likely levels of demand over time and unit type, mix, size and tenure. This should be completed by the end of April and will inform the masterplanning process that will be required as part of the process of achieving a successful planning consent.

1.21 The recommendation in this report also allows discussions to begin with Blueprint outside the exemplar area but within the Waterside Intervention area as a whole should opportunities arise which are beneficial to both parties. At present there are no discussions taking place with Blueprint for sites outside the exemplar area within the Waterside Intervention Area.

**Issues to be resolved**

1.22 Before a further Cabinet report be considered by Members detailing and seeking approval for formal agreements for the Waterside Intervention Area, several areas need clarification.

If the Council agrees to work in partnership with Blueprint, these are the other issues that need to be considered:-

i) **Compulsory Purchase**

The Council may consider the use of its powers to make CPO's on a case-by-case basis, in order to facilitate the regeneration of the Waterside Intervention area in accordance with its general policy and practice on the use of CPO powers as envisaged by the draft Waterside SPD (July 2005). The decision to use CPO powers is a decision for Cabinet and at present the Council is precluded from fettering its discretion as to whether or not it should agree to use its powers. To use its CPO powers the Council will need to demonstrate there is a compelling case in the public interest.

The Council will need to assess the benefits of the project (including viability) on an objective basis. Before agreeing to use its powers, the Council will need to consider a full and comprehensive proposal for the scheme as well as entering into an acceptable CPO Indemnity agreement, which covers the Council's costs in connection with exercising its CPO powers.

ii) Land and Property Issues

The Council is under a legal obligation to obtain best consideration reasonably obtainable in the circumstances for the sale of its land, as well as ensuring its fiduciary duty is satisfied and capital programme achieved. Again the final decision for disposal of Council land and property is one for Cabinet.

The Council may also require proposed development parties to enter into a Development Agreement, in order to ensure the development is carried out to the Council's satisfaction. Again, Cabinet approval will be sought for any Development Agreement to be entered into.

iii) Relocation

The development of the Waterside Intervention Area will result in some current occupiers requiring relocation.

The Council plans to adopt its current relocation policy, which states that:-

"Insofar as it is not inconsistent with City Council policies [it will] seek to use land holdings and maximise available flexibility in disposal arrangements in support of the LRC Master plan".

Blueprint will need to convince the City Council of a real and present need for any property to be earmarked as a potential relocation site. If it is decided to assist in relocating companies from the Waterside to City

Council held land, the issues on best consideration as outlined in (ii) above will need to be resolved.

iv) Lock-out Agreements

The Council may consider use of these where appropriate. Their use will be subject to the Council's own land and property requirements and should not conflict with the Council's programme for land and property disposals. Again its use is reserved for Cabinet.

v) Officer time

It is normal practice for the City Council to recover all its costs for undertaking a CPO, through the Indemnity Agreement. To deviate from this set procedure would again be a matter for Cabinet.

vi) Other Issues

The City Council would also wish to give consideration to ensuring that following issues are covered as part of any collaboration process:-

- a. That regular project management liaison takes place and is established via project boards and project teams.
- b. A clearly defined transparent establishment of roles and responsibilities.
- c. Responsibility for costs is clearly defined.
- d. That FOIA and "Public Agenda" to which the Council is subject are observed and addressed.
- e. That the Council's Community Cohesion Strategy is considered.
- f. The City Council's discretion in its role and responsibilities as a public and statutory body should not be fettered.
- g. The City Council's procurement regime should be adhered to.

Corporate Commitment

1.23 The amount of officer time and Council resources required to implement the Waterside Intervention Area as proposed by the SPD cannot be underestimated. It is clear from the work undertaken so far by other developers in the area that comprehensive development in areas of multiple land ownerships is hard to deliver.

1.24 As stated in 1.15 above, the main area that Blueprint is proposing to develop is the Exemplar Area, which was previously known as the "Pilot Area". Blueprint and its regeneration partners have informally requested the Council

to investigate the use of these powers to achieve this aim. The Council will require a formal request to proceed with a CPO (subject to the issues raised in 1.22(i) above being satisfied). A successful CPO will create certainty for Blueprint and the Council and minimise risk.

- 1.25 As well as any CPO, the Council is likely to have to commit to disposing of its small landholding in the area (5 plots) and to entering into a development agreement with Blueprint.
- 1.26 Areas in which substantial officer time may be required are:-
  1. Masterplanning of the Waterside Area.
  2. S.106 tariff work.
  3. Grant applications for various streams of public sector funding.
  4. Compulsory Purchase Order and Indemnity Agreement.
  5. Property Agreements (Development Agreement and Land Sale Agreement).
  6. Highway strategy and potentially alterations.
  7. Project management of all these processes.
- 1.27 The above list is not exhaustive and there may be other areas of work required to deliver the Blueprint led development in the Waterside Intervention Area. More detailed information will be given in later Cabinet reports, should the current ideas be worked up into substantial, detailed plans, which are deliverable and acceptable to the City Council.

#### **Other City Council involvement with Blueprint**

- 1.28 In addition to the Waterside Area, Members are aware that the Council is developing a relationship with Blueprint in the project to replace the Phoenix Theatre. Issues arising out of this process will be developed in the later reports on this project to Cabinet.

## **2 FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

### **2.1 Financial Implications (Nick Booth – Extn. 7460)**

See Summary Report.

### **2.2 Legal Implications (John McIvor – Extn. 7035)**

See Summary Report.

### **3. Other Implications**

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	NO		
Policy	NO		

Sustainable and Environmental	YES	Sustainability and environmental issues will form part of the masterplanning process.
Crime and Disorder	NO	
Human Rights Act	NO	
Elderly/People on Low Income	YES	The proposals will include an element of residential development and it is anticipated that this will include some form of affordable housing provision.

**4. RISK ASSESSMENT ANALYSIS**

As yet the risks to the City Council are not yet clear and will not be until later Cabinet reports when the heads of terms will be drawn up for the various formal agreements.

As always the City Council will only enter into agreements that minimize its risk, and at present it is not envisaged there will be any major risks to the City Council by working in partnership with Blueprint.

**5. Consultations**

Neil Gamble – Head of Property Development, Property, Resources Department.

Brendan McGarry, Principal Valuer, Regeneration Team, property, Resources Department

Deborah Rose, Development Team Manager  
Extn. 7202

Joanne Ives, Lead Officer for the replacement of the Phoenix Theatre  
Extn. 6524

**6. Officer to contact:**

Andy Thomas  
Head of City Development  
Ext. 6516

**Andy Keeling**  
**Acting Corporate Director of Regeneration and Culture**

