

15 January 2018

## **Update paper**

### **Purpose of report**

For information.

### **Summary**

The report outlines issues of interest to the Board not covered under the other items on the agenda.

### **Recommendation**

That the Safer and Stronger Communities Board members note the update.

### **Action**

Officers to progress as appropriate.

**Contact officer:** Mark Norris  
**Position:** Principal Policy Adviser  
**Phone no:** 0207 664 3241  
**E-mail:** mark.norris@local.gov.uk

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## Update paper

### Counter extremism

1. The Special Interest Group on Countering Extremism (SIGCE) was formally launched at Smith Square on 23 November. Cllr Colin Spence chaired the event, which attracted over 100 elected members and officers, and heard from Baroness Williams, Minister of State for Countering Extremism, and Lord Bourne, Parliamentary Under Secretary of State, Minister for Faith.
2. The SIGCE is a local authority led network co-chaired by Cllr Hazel Simmons (Leader, Luton Council) and Cllr Debra Coupar (Executive Member for Communities, Leeds City Council), partnered by the LGA, the Centre for Trust, Peace and Social Relations at Coventry University, and funded by the Home Office and DCLG (with funding secured for two years).
3. The network will bring together councils in England and Wales to share learning and experience, and promote good practice on countering extremism beyond terrorism. Its work programme will include developing guidance on counter extremism tools and resources available to councils; organizing a number of expert seminars to build understanding around particular themes; and helping to facilitate links across local authorities. It will be supported by an online Knowledge Hub, which will be used to disseminate outcomes, share resources and host forum discussions around particular issues.
4. Members are encouraged to sign up to the SIGCE's Knowledge Hub group, which can be accessed via [this link](#). For further details or assistance in accessing the knowledge hub site, please contact [Rachel.duke@local.gov.uk](mailto:Rachel.duke@local.gov.uk).

### Anti-social Behaviour, Crime and Policing Act 2014 – Updated Statutory Guidance 2017

5. The Home Office published updated [statutory guidance](#) in December 2017, on the use of anti-social behaviour powers for frontline professionals. The Home Office said that changes had been made to the guidance to ensure there is greater focus on the impact of anti-social behaviour on victims and on their needs, ensuring relevant legal tests are met before powers are used, ensuring the powers are used to tackle specific anti-social behaviour, and ensuring there is local consultation, accountability and transparency.
6. The Home Office have noted in particular that the updated guidance emphasises the importance of ensuring the powers are used appropriately to provide a proportionate response to the specific behaviour that is causing harm or nuisance without impacting adversely on behaviour that is neither unlawful nor anti-social.
7. For Community Protection Notices, a new sentence has been included which states “agencies should have sufficient evidence to satisfy themselves that the behaviour in question is genuinely having a detrimental effect on others’ quality of life, in terms of the

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nuisance and harm that is being caused to others, rather than being a behaviour that others may find annoying.”

8. For Public Spaces Protection Orders (PSPOs), an additional paragraph has been added to clarify the following: “Given that these orders can restrict what people can do and how they behave in public spaces, it is important that the restrictions imposed are focused on specific behaviours and are proportionate to the detrimental effect that the behaviour is causing or can cause, and are necessary to prevent it from continuing, occurring or recurring.”
9. The guidance now strongly recommends that the council engages in an open and public consultation on PSPOs. It has also been updated to state that before an order is made, the council must publish the draft order in accordance with the regulations published by the Secretary of State and ensure that the draft order is made available on its website.
10. A new section has been added which states that PSPOs should not be used to target people based solely on the fact that someone is homeless or rough sleeping. It recommends councils should consider whether the use of a PSPO is the appropriate response and should also consider consulting with national or local homeless charities on the issue.
11. There is additional guidance for Parish and Town councils who wish to deal with dog control issues but cannot use PSPOs. The guidance recommends these councils should discuss the issue with their principal authority and whether a PSPO would address the issues being experienced by the local community.
12. There is a new section on groups hanging around, standing in groups or playing games. The guidance suggests that councils should not inadvertently restrict everyday sociality in public spaces and the PSPO should target specifically the problem behaviour that is having a detrimental effect on the community’s quality of life. If restrictions are put in place, the guidance recommends that councils also consider whether there are alternative spaces that they can use.
13. The guidance also provides a brief update on the notice required to a tenant with regards to secure or assured tenancies, minor changes to the use of civil injunctions, and the Community Trigger process.

#### **Domestic violence and abuse – update**

14. Cllr Blackburn and Mark Norris previously met with Home Office officials in November 2017 to discuss the Government’s proposals for new domestic violence and abuse legislation ahead of a formal consultation, to outline the potential implications for councils. The Home Office had expected to publish the consultation in December, but this has now been postponed until February at the earliest. The Bill team have said they are planning some non-legislative announcements on domestic violence and abuse to coincide with the Bill’s introduction to Parliament.
15. The Government have also introduced the [Secure Tenancies \(Victims of Domestic Abuse\) Bill](#) in the House of Lords. The Bill seeks to make it a requirement that social

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housing tenants in England who currently have a life-time tenancy and are fleeing domestic violence be granted a similar life-time tenancy in their new home. We briefed in support of the Bill and suggested that housing associations should also offer these tenancies to victims of domestic abuse, in order to offer the widest possible protection. In our briefing to parliamentarians, we raised the issue that our housing crisis in limiting councils' ability to offer the right tenancies to our residents. Ending the current restrictions on councils' borrowing to invest in housing would mean more secure social homes become available for vulnerable tenants.

16. On Friday 5 January, the LGA submitted its response to the [DCLG consultation on improving access to social housing for victims of domestic abuse](#), following feedback from the Safer and Stronger Communities Board (SSCB), and the Environment, Economy, Housing and Transport (EEHT) Board. In our response, we outlined that many councils already included exemptions for victims of domestic violence for residency and local connection tests when applying for social housing as part of their allocation policy. We suggested that new statutory guidance could help to provide additional clarity for councils, and ensure consistency across local government, whilst also ensuring councils retain their local flexibility and powers. It was also important to raise the issue of the national housing shortage, which we called on the Government to urgently address, in order to make necessary provision for all groups of people in need of housing.

### **Taxis/PHVs update**

17. The Ministerial working group on taxi/PHVs licensing has now met several times to discuss key themes including passenger safety, cross border hiring and drivers' working conditions. The final meeting before Christmas heard evidence from witnesses including a drivers' union; Unite the Union; the Metropolitan police and Uber. Further meetings in January will hear from a range of other witnesses before reviewing the evidence, discussing outstanding issues and considering a final report. Minister for Taxis, John Hayes MP, has agreed to provide the keynote speech at the LGA's annual licensing conference in February (see below).
18. Work has commenced to build the national register of taxi/PHV licence refusals and revocations, which the LGA has commissioned. This is due to be ready for testing by the project user group at the end of the month, with the release date scheduled for April 2018.

### **Annual licensing conference**

19. The LGA's Annual Licensing Conference is taking place on 7 February 2018. Minister, John Hayes MP, has been confirmed as the keynote speaker and will be updating on progress of the taxi/PHV working group. Other speakers will include Daniel Zeichner MP, Cllr Simon Blackburn, Cllr Kate Haigh, the Gambling Commission, and a number of local authorities sharing best practice from across various parts of licensing. Cllr Clive Woodbridge will be chairing the event.

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## **Modern slavery**

20. The LGA and Independent Anti-Slavery Commissioner have published a guide for local authorities on modern slavery. The guide sets out what modern slavery is, the legislative framework and the duties of local authorities. The council role can be separated into four distinct areas:
- 20.1. Identification and referral of victims.
  - 20.2. Supporting victims – this can be through safeguarding children and adults with care and support needs and through housing/homelessness services.
  - 20.3. Community safety services and disruption activities.
  - 20.4. Ensuring that the supply chains councils procure from are free from modern slavery.
21. Modern slavery intersects with many different areas that councils are involved with, and a number of different departments may come across it whilst going about their everyday duties. The guide can be found on the LGA's website: [www.local.gov.uk/modern-slavery-council-guide](http://www.local.gov.uk/modern-slavery-council-guide).
22. The LGA will also be running a number of free modern slavery regional events to support the guide and provide councils with the opportunity to hear from a range of experts and case studies:
- 22.1. [London](#) – 17 January 2018
  - 22.2. [Newcastle](#) – 25 January 2018
  - 22.3. [Manchester](#) – 31 January 2018
  - 22.4. [Bristol](#) – 27 February 2018
  - 22.5. [Nottingham](#) – 7 March 2018