

Other Business Update - Decisions and Actions Required

Decisions

1. For information, to note the update on current issues.

Actions Required

2. As noted within the update.

Action by: LGA and LACORS officers

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Other Business Update

New Ministerial teams

1. The Prime Minister Gordon Brown has completed his appointments to the ministerial teams at the Home Office and the Ministry of Justice. The Home Secretary is Jacqui Smith MP and her Ministerial team includes Tony McNulty and Liam Byrne who remain as Ministers of State and Vernon Coaker who remains as a Parliamentary Under Secretary of State. New to the team are Admiral Sir Alan West GCB DSC, who joins the Home Office as a Parliamentary Under Secretary of State in the House of Lords, and Meg Hillier who also joins the department as a Parliamentary Under Secretary of State.

Joining Jack Straw at the Ministry of Justice are: Ministers of State David Hanson MP and Michael Wills MP and Parliamentary Under Secretaries of State Bridget Prentice MP, Lord Philip Hunt, and Maria Eagle MP.

At CLG, Parmjit Dhanda MP, as a Parliamentary Under Secretary, takes on the day to day fire and rescue portfolio. John Healey MP, Minister of State, will maintain an overview of these issues.

The Youth Justice Board and Respect teams move to the newly formed Department for Children, Schools and Families. The Better Regulation Executive moves from the Cabinet Office to the new Department Business, Enterprise and Regulatory Reform.

The LGA is writing to new Ministers to set out the key issues for local government and will be proposing meetings with them as issues arise as part of our lobbying strategy.

Floods

2. Councils, police authorities and fire and rescue authorities in Yorkshire, the East Midlands, West Midlands and elsewhere have done a sterling job in responding to the disruption and damage caused by recent flooding. The LGA is supporting their work in the short term through engagement with Government on improved access to Bellwin funding and the need for additional resources to address the hardship caused and to aid recovery. The Government has announced an additional £14M on top of enhanced Bellwin arrangements – this includes a grant fund of £10m to support the work of authorities and partner organisations in taking forward recovery work. It is envisaged to be for particular use in helping those members of local communities who have lost everything and are in need of immediate support, with flexibility to be allowed to local authorities to decide how best to approach that in individual local circumstances. An additional £200M has been announced for flood defences from 2010/11. We will also engage with councils and Departments on lessons to be learned from the experience for future emergency planning (including challenges around multi-agency and cross-boundary responses) and for longer term planning issues as we explore the balance between prevention and adaptation to climate change. In addition, LACORS are engaged on environmental health and intelligence on “cowboy builders.”

Safer Communities Funding

3. The Home Office announced in mid-June a substantial reduction (10-14%) in its funding of the Safer and Stronger Communities block of Local Area Agreements. Paul Coen has raised the issue directly with the Permanent Secretaries at the Home Office and CLG. We have argued that late notice cuts to LAA grants cause real problems for councils and partners in delivering agreed targets in-year: there is limited scope to move money around at the local level. This needs to be taken into account in assessing performance. And it risks undermining confidence in the LAA process if the Government can change its side of the deal with no notice. The LGA hopes for better engagement as we move to three year deals under CSR07

Homicide Reviews – Domestic Violence

4. Following a consultation exercise in 2006, the Home Office Domestic Violence Team is to reconvene the working group that was set up by the Home Office Domestic Violence Team to look at developing the draft guidance on establishing and conducting domestic homicide reviews under section 9 of the Domestic Violence, Crime and Victims Act 2004.

The LGA made a detailed submission to the consultation and we highlighted our concern at the delay in issuing guidance in the final report to the Safer Communities Board on the work of the domestic violence project in January this year. The Home Office now wants to move forward with finalising the guidance and has invited the LGA to be represented on the working group. The Head of Crime and Disorder Reduction at Westminster attended the first meeting of the reconvened group on 5 July and it is expected that the long awaited guidance should be issued later in the year.

Emergency Planning

5. A national exercise to test the UK's ability to respond to a major electricity supply catastrophic failure and associated consequences took place on 4th and 5th July. Exercise Long Shadow was played only at official level and was much smaller scale than the flu pandemic exercise, Winter Willow that was played earlier this year. The focus of the LGA's briefing was to give a realistic appraisal of impact on councils, raise awareness of issues and problems facing local government and seek agreement to deal with any obstacles as soon as possible. The key issues identified were:

- Maintenance of critical services, especially to vulnerable people**
- Provision of emergency rest centres, particularly for those stranded due to transport failure**
- Community leadership: warning and informing the public, advice to public services and businesses**
- Resilience of local responders.**

Criminal Justice Bill

6. The draft Criminal Justice Bill was published on 26 June, although a slot for Parliamentary consideration has not yet been identified. The Bill covers a number of issues of interest to the Safer Communities Board on which we shall brief MPs and Lords as the Bill makes its passage through Parliament. These include:

- **renewed emphasis on young people as victims of crime and the role of alternatives to custodial sentences, including a new statutory community sentence for young offenders. The Youth Rehabilitation Order (YRO) would be available as a sentence for offenders under 18, replacing nine existing juvenile community sentences with a single generic sentence. This will consist of a menu of interventions including programmes, reparation, treatment for mental health issues and drug misuse, supervision and curfew, which the court can choose from to meet the needs of the individual offender.**
- **alternative approaches to dealing with prostitution – instead of fines - that are designed to encourage and enable people involved in prostitution to address the causes of their offending and find a way out. There is some amendment to terminology around “common prostitution” although this may not go far enough to address previous LGA concerns.**
- **measures to strengthen approaches to anti-social behaviour, based on a previous Home Office consultation. This includes a new power for the police and local authorities to apply for a court order to close premises at the centre of significant and persistent disorder.**

Burial Law Reform

7. The government has given the go-ahead to proposals to allow the reuse of burial grounds to provide space for burials in the coming years. This announcement follows a public consultation that showed there is widespread public support for reforming and modernising the burial system and the results of a survey that shows that there is approximately an average of 30 years left before space runs out in burial grounds in England and Wales. In some urban areas, the time is less. For example, in London the average is 12 years of useable space left.

The proposals will allow local authorities to re-use graves, but only where they are over 100 years old and the permission of the family has been sought. The Government will utilise existing legislation wherever possible (for example, to enable old graves to be re-used), by developing appropriate new advice and guidance (for example, to encourage more efficient and effective provision and maintenance of burial grounds), and to introduce other necessary changes to primary legislation as and when opportunities arise.

Smoke Free England

8. The long-awaited Smoke Free legislation came into effect on the 1st July 2007, providing a significant boost to public health through the ending of smoking in enclosed public places. Experience in Scotland shows a high degree of voluntary compliance is likely, and the LGA is working with other Smokefree England partners to counter the more lurid recent journalistic approaches to this issue.

LACORS has produced a key messages document which covers the key messages with supportive text, potential questions relating to councils' work and some examples of work councils have been doing.

LACORS, in conjunction with the LGA, have put together a series of smokefree factsheets on why smokefree is needed, why it is wanted and why it is workable. The 'workable' factsheet covers information about the success of smokefree legislation in other countries plus some information about businesses in England that have already gone smokefree.

Licensing Act 2003 - England and Wales

9. The revised version of the Guidance to licensing authorities on the discharge of their functions under the Licensing Act 2003 was laid before Parliament and came into force on 28 June 2007. This Guidance will inform councils' 3 year policy statement review, which are, or will soon be, underway. Regardless of the date it was originally agreed, the current policy will remain valid until the 7th January 2008, and this is the date that heralds the beginning of the next 3 year cycle.

ASBO Toolkit

10. LACORS has launched the ASBO Toolkit, a guide for trading standards practitioners on the use of Acceptable Behaviour Contracts and Antisocial Behaviour Orders. The guide, developed with assistance from Trading Standards Southeast, provides step-by-step guidance and real-life examples of the use of these valuable enforcement tools. Copies will be available to members on request.

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