

Update on Regulatory Services issues

Purpose of report

For information.

Summary

This report provides an update on developments affecting regulatory services that will be of interest to the Safer and Stronger Communities Board.

Recommendation

That the Board notes the activities outlined.

Action

Officers to progress as appropriate.

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Update on Regulatory Services

Background

1. The following update sets out some current issues of relevance to local authority Regulatory Services and their contribution to safer and stronger communities.

Key Issues

Government examines the role of regulatory services

2. At the end of 2011, the Government committed to reviewing the red tape faced by businesses and the activities of both national and local regulators. The Better Regulation Executive (BRE) is leading this review, which will fundamentally examine the role that councils have in delivering regulation. The review will also present an opportunity for councils to highlight unnecessary or confusing regulations that impact on councils and local businesses.
3. The LGA has already met with BRE to express our support for work aimed at reducing the red tape faced by businesses. We have also taken the opportunity to emphasise that full engagement with local government will be fundamental to an effective and robust review process.

LGA responds to 'Seizing the tourism opportunity taskforce report'

4. At the end of January 2012, the Government published a review led by industry representatives about the regulatory burdens faced by the tourism sector. The review raised specific concerns about unnecessary red tape relating to both licensing and health and safety.
5. The LGA response to the report welcomes the taskforce and Government's overall agenda of reducing needless red tape, complexity and bureaucracy. We also commend the taskforce for effectively tackling a range of complex issues to produce a concise report with clear recommendations. However, we express some concern about the lack of engagement with local government during the review because of the key role that councils have in promoting and supporting the visitor economy.

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LGA Licensing Conference is a huge success

6. A total of 112 delegates attended the LGA Licensing Conference representing 78 different organisations, including 74 councils. The event generated lively and invaluable debate around changes to alcohol licensing as a result of the Police and Social Responsibility Act and about Government proposals to deregulate entertainment. Contributions made by attendees will be used to inform LGA work on both of these areas. Feedback received about the event has been excellent.
7. Future conferences on Managing the Night-Time Economy and Licensing have been scheduled for 26 September 2012 and 5 February 2013 respectively. The next Safer Communities conference is scheduled for 7 October 2012.

Alternative Vision for the High Streets

8. The LGA has launched an Alternative Vision for the High Street in response to Mary Portas' review, which we contend did not go far enough. We are also critical of CLG's continued tinkering at the edges, rather than investing in a strategic and coherent way in economic development. The online pamphlet contains sections from each of the LGA Boards outlining an ideal high street and how it can be enabled. Cllr. Khan's article explores how councils can work with police and crime commissioners, businesses, and residents to create a safe high street at night.

Protection of Freedoms Bill

9. The LGA is urging Government to overturn an amendment to the Freedoms Bill which would mean environmental health and trading standards officers have to seek a warrant through the courts to carry out basic inspections, unless given permission to enter by the business owner. If passed it would mean an end to on-the-spot-inspections and delays of hours or even days before council officers can respond to complaints made by residents in relation to food hygiene, product safety, animal welfare, licensing and environmental protection.

Deregulation of entertainment and Live Music Bill

10. The Live Music Bill has passed through Parliament and will receive Royal Assent shortly. It is expected that the provisions in the Act will commence on 1st October. The Bill will deregulate the playing of live music at events with fewer than 200 people.
11. We have no date for the DCMS analysis of consultation responses to their proposals to deregulate events with fewer than 5000 people present. However,

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DCMS colleagues advise us that the majority of responses were not favourable and that proposals will need to be reconsidered in light of this. The LGA licensing conference unanimously rejected the proposals and Don Foster MP agreed to pass this information to John Penrose as the minister responsible.

Dangerous dogs

12. The LGA been working to reflect the concerns of our members about the rising number of incidents linked to dangerous dogs and the need to develop specific tools to help councils address community concerns about this issue. At the end of January, Cllr Canver delivered a presentation on behalf of the LGA at a parliamentary reception hosted by the RSPCA. The aim of the event was to exemplify the eagerness of councils, charities and the police to work together and support Government in the development of a sustainable model to tackle this issue.
13. The LGA are expecting a further Government consultation about the introduction of compulsory micro chipping. In the past we have expressed concern about this approach because of the burden it would place on the vast majority of already responsible dog owners. We have strongly advocated that Dog Control Orders would provide councils and local delivery partners with a more proactive model to tackle community concerns associated with dangerous dogs.

Tackling 'legal highs'

14. During 2010 there were a number of high profile incidents where individuals, usually young adults, died or were injured as a result of taking 'legal highs'. The LGA have now responded to a request from the All Party Parliamentary Policy Group for Drug Policy Reform to recognise the devastating impact that 'legal highs' can have on individuals and their families, however, we have also highlighted the limitations on action that can currently be taken by Trading Standards services with powers that are not designed to address this issue. The LGA response goes on to acknowledge the potential role that councils could have in the regulation of 'legal highs', but only where specific tools are provided along with resource and training to implement these. Regulation of 'legal highs' is complicated by the large number of emerging products, high levels of internet sales, the potential for sellers to be located abroad and the ability of those developing new products to exploit loopholes in the law.

Successful LGA presence at the Year Ahead event for regulatory services

15. Cllr. Paul Bettison and Cllr. David Rogers both provided plenary presentations at the annual Year Ahead event for regulatory services. We received specific



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feedback about the positive and constructive contributions made by the LGA, which had been received well by attendees.