

Agenda

Executive Advisory Board: Supplemental Agenda

Thursday 21 July 2022

2.15 pm

Smith Square 1&2, Ground Floor, 18 Smith Square, London, SW1P 3HZ

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LGA Lobbying Headlines 21/07/2022

Critical issues

Growing financial and service pressures – Our analysis suggests cost pressures are £2.4 billion higher in 2022/23 than they were when councils were planning their 2022/23 budgets in autumn last year. There is also a funding gap of £4.5 billion in 2024/25. We will continue to make the case for sustainable funding. The forecasted increase in the National Living Wage (NLW) could cost councils at least £400 million over the next two years. We are calling on Government support to cover the cost to ensure that councils are not in a position where they must cut services. With pressure on council capacity and budgets, Whitehall departmental reforms will need greater capacity and coordination in places. We continue to push the Government to provide clarity on reforms such as the Fair Funding Review, business rates reset and the New Homes Bonus.

Cost of living pressures in communities – The LGA continues to call for more sustainable funding for local welfare support and a greater focus on strengthening households' financial resilience in the longer term. The LGA is working with councils to take a cross-cutting approach to addressing cost of living pressures, bringing together services including health, housing, welfare, social care, employment, education and the environment. While the measures in the Energy Security Bill are positive, we need to go further to urgently decarbonise energy and insulate homes to make households more resilient to rising energy costs. We are also disappointed that the Government decided not to take forward recommendations from the National Food Strategy to improve access to healthy, sustainable food, particularly for families on low incomes.

Ukraine – The Homes for Ukraine scheme will now begin processing existing applications from children under 18 not travelling with or joining their parent or legal guardian. We and national partners have stressed the need for guidance to clarify the legal framework and roles and responsibilities of councils, sponsors and parents; with particular concerns when children come to stay with adults they don't know or don't know well. Councils continue to raise concerns about supporting arrivals beyond the six-month period. Our lobbying will continue to focus on clarifying safeguarding issues, confirming ongoing funding and longer-term solutions to ensure councils can effectively support the scheme beyond 6 months. Councils remain keen to see the family visa scheme put on a similar basis to Homes for Ukraine so that where family arrangements break down those people can be rematched with a sponsor, and for shared data to have a shared understanding of current pressures. We continue to press for systematic engagement with councils based on a mapping of the increasingly complex system.

Workforce capacity – Workforce capacity concerns continue to dominate councils' risk profiles as both senior leadership and front-line service delivery roles encounter challenges in recruiting and retaining staff. Maintenance of service delivery could be compromised in some areas as a result of the lack of sufficient suitable staff, a situation exacerbated by COVID related absences.

Levelling Up – The LGA believes that devolution deals should be about the transfer of powers from Whitehall to local government. We are pleased that the Government has proposed to make good on its commitment to offer all of England the opportunity to benefit from a devolution deal by 2030. We continue to lobby DLUHC to ensure that the new independent data body is co-designed with the sector. Specifically, we are making the case that data must be made available about the activity of other public sector bodies and central government at the local level if it is going to help local leaders shape their places.

Planning – We continue to lobby on the Government's revived planning reforms. With the omission in the Levelling Up and Regeneration Bill of incentivising developers to build out, we will continue to lobby the Government on providing councils with powers to encourage a timely build out of schemes. We will also continue to lobby for the removal of permitted development rights, which undermines a democratic, plan-led approach to planning. It is good to see that any new Infrastructure Levy will be non-negotiable and set at a local level. We want to work with the Government to ensure that the new Infrastructure Levy

is a success. Empowering councils with further powers to bring vacant properties back into use is also an encouraging step and we will work with Government to ensure that these are simple, inexpensive and effective for councils to use. It is vital that the proposal to introduce a new approach to environmental assessment strengthens environmental protections whilst ensuring that councils can still deliver the new homes and supporting infrastructure that the country needs.

Adult social care – We remain very concerned that the funding allocated for the Government's adult social care reforms is likely to be inadequate, and that councils' capacity to deliver the reform programme – alongside the large range of other pressures - is extremely stretched. We have raised these concerns through various routes with Ministers and officials and want to discuss options to manage pressures and public expectations. Our recent survey of lead members showed 98% did not believe that funding available would cover the costs of reform and we want the Government to learn from the trailblazer authorities before rolling out the reforms to all authorities.

Fragility of children's services – There is significant pressure on placements for children in care, in particular those with the most complex needs, with placement costs for all children expected to increase further as a result of the cost of living crisis. Workforce pressures are also causing significant challenges, while recent tragic cases are anecdotally driving increased referrals. We are in regular contact with the DfE to identify short term actions to be taken and to influence the implementation of the Review of Children's Social Care, Competition and Markets Authority Report, and recent National Panel Report.

Covid – The latest estimates suggest 1 in 19 people in England had Covid-19 in the week ending 6 July. The latest rise in Covid infections is being driven by two new fast-spreading sub-variants of the Omicron variant, called BA.4 and BA.5. Everyone over 50 will be offered a Covid booster vaccine this autumn. The UK Health Security Agency are expecting an early influenza wave in the UK because there has not been a proper flu season since the start of the Covid pandemic.

Other issues of importance for the sector

Health and Care Act 2022 – We have produced an explainer which summarises the key provisions of the Act with most relevance to local authorities: <https://www.local.gov.uk/publications/get-act-health-and-care-act-2022>. We continue to stress to Government and NHS England the importance of the NHS and local government working together as equal partners to improve the health outcomes for their populations. The LGA has been working with Government on several pieces of statutory and non-statutory guidance relating to the implementation of the Health and Care Act 2022, which were due to be published before parliamentary recess on 21 July. We understand that the publication date has been delayed due to recent Ministerial changes, but the Government intend to publish during the summer recess. Integrated Care Boards (ICBs) and their statutory committees, Integrated Care Partnerships (ICPs), 'went live' on 1 July and clinical commissioning groups were abolished. This was an important milestone in integration, but it is not the end of the journey. ICBs and ICPs will continue to develop and mature throughout 2022/23 and beyond and LGA will continue to work with councils to ensure that they play their full part as equal partners in the new health and care landscape. Please contact alyson.morley@local.gov.uk if you have any concerns about ICBs or ICPs in your area.

Monkeypox – The monkeypox outbreak continues to grow, with at least 1,235 confirmed cases in the UK. Information from confirmed cases continue to show that the overwhelming majority of cases are in gay, bisexual or other men who have sex with men. Significant demand pressures have been reported at local authority commissioned sexual health services. Insufficient supply of vaccine for pre-exposure and post exposure due to worldwide shortage. Self-isolation for 21 days is proving difficult for some without self-isolation payments in place. We are calling on the government to cover the additional demand pressures experienced by local authority commissioned sexual health services and to reimburse local authorities for any discretionary self-isolation payments they may have provided for individuals and their contacts.

Health Disparities White Paper – To truly level up the nation's health, we urge the Government to bring forward the Health Disparities White Paper, which was missing from the Queen's Speech, as soon as

possible. We continue to argue that the White Paper must address the social determinants of health, as well as acknowledging the deeply entrenched and complex factors influencing poor health to support health improvement, and it should embed improving health and wellbeing as an objective across Government Departments.

Asylum and resettlement – Pressures caused by asylum dispersal and the Afghan schemes remain extremely acute, particularly around the emergency use of hotels. A formal consultation is ongoing with each region to develop a regional plan for a more equitable approach to asylum dispersal and a refusals policy in the Afghan schemes. We continue to push for systematic oversight and engagement across all schemes, better data and councils to be involved in matching for Afghan families to support quicker moves from hotels into permanent accommodation

SEND: Dedicated Schools Grant deficits – We welcomed many of the proposals set out in the SEND Green paper, but it will take a number of years for those proposals to be implemented. In the meantime, councils are continuing to struggle with rising Dedicated Schools Grant (DSG) deficits as demand for SEND support rises year-on-year. In response the Government has made additional high needs funding available for all councils for 2020/21, 2021/22 and 2022/23 and via the ‘safety valve’ programme for councils with the largest DSG deficits and the recently announced ‘Delivering Better Value in SEND’ programme. This is welcome, but we are calling for the Department for Education to go further and develop a plan that eliminates the Dedicated Schools Grant deficits of every council.

Education – A report by the Children’s Commissioner for England estimated that there were 1,782,000 pupils persistently absent in the Autumn 2021 term. To tackle this, we would like the Government to work to raise the profile of children missing formal full-time education, and resource councils adequately to fulfil their responsibilities in ensuring all children receive a suitable education. This should include adequate funding for local services to work together to provide wraparound support for children’s mental health. Councils also need powers to hold schools to account for the support they provide to pupils with SEND, to boost mainstream inclusion.

Environment and development – Housing planning permissions have been put on hold in 70 local authority areas by a moratorium imposed by Natural England due to excess levels of river pollution, we estimate banning around 20,000 new homes a year. The LGA is lobbying for a long-term solution that protects the environment by improving water quality and reducing pollution, while also delivering the homes and infrastructure that the country needs. We will publish new research alongside launching a new policy enquiry into the solution.

Mental health – We support the reforms in the new Mental Health Act. It will have significant resource implications for councils which need to be fully funded on a long-term basis. The LGA is working with the Government to identify any new burdens arising from the Act and to ensure councils and our partners are adequately resourced to support effective implementation.

Civility in public life – The LGA launched a new report on the findings of the Call for evidence of abuse and intimidation of councillors at LGA conference, alongside key recommendations for improvement and a major campaign. Key recommendations are for Government to amend the existing legislation on pecuniary interests, so that councillors may choose not to have their full home address on the public register, as they now can on the ballot paper when standing for election.

Decision-making – The LGA has called again for councils to be allowed the flexibility to use virtual meeting options. It has been a year since the Government’s call for evidence on remote council meetings closed and the Government has yet to respond to it or publish any findings. At the same time, evidence continues to mount that exclusive requiring in-person attendance is less efficient and accessible than more flexible, virtual and hybrid arrangements. Democratic service offices are reporting a perfect storm of COVID-19, high petrol prices and transport strikes are affecting the viability of some council meetings.

Homelessness – We are now seeking an explicit, national-level focus on homelessness prevention work and an associated funding regime that enables and encourages councils to avoid residents reaching crisis and reduces demand for emergency responses.

Housing – We want to work with the Government and the Regulator of Social Housing to ensure that there is a proportionate, risk-based approach to inspection, and we call on the Government to urgently provide clarity on how this will be delivered and funded. We would welcome more clarity on the proposal to enable the Regulator to act more quickly and act where it has concerns about the decency of a home. At present, there is a £5,000 cap on fines that the Regulator can impose on social landlords. The Government must consider carefully the implications of lifting the cap on the fines that the Regulator can issue to a landlord who fails to meet required standards. Fines on council landlords would in effect end up being paid for, at least in part, out of tenants' rents, to the detriment of local service provision – they should only be used as a last resort.

Climate change – We continue to press that climate change remains a high priority in Government, particularly as energy costs increase. We are working with Government to establish the new local/central forum on NZ to deliver the national ambitions of the Net Zero Strategy and lead adaptation in communities.

Children and young people – In relation to the Online Safety Bill, we welcome the ambition to ensure children are safe online and broadly welcome the duty of care placed on in-scope services. However, the Bill can be strengthened by accounting for cross-platform harm, despite the nature of much online harm and exploitation occurring in this way. Services must therefore be instructed to work with one another in addressing cross-platform risk.

Transport – Following the introduction of the Transport Bill, we would welcome further measures being brought forward to protect and enhance bus services. We will also continue to lobby for further legislation to be brought forward to help councils tackle the scourge of pavement parking, deal with obstructive parking that is a danger to pedestrians and vulnerable people and regulate the sale and use of private e-scooters

Culture, tourism and sport – The viability of the public leisure sector remains a concern and we are working with partners to increase Government awareness of the challenge, publishing a [new roadmap for reform](#), and collaborating with DCMS on evidencing the impact of energy increases – please can councils alert us in confidence about any potential closures. Recent survey work suggests many swimming pools will close in the next six months without financial support. Our [Culture Commission](#) has launched a [call for evidence](#) to help inform its recommendations, which will be developed over the Summer. The Government has published a consultation on regulating short-term lets and holiday accommodation.

Digital – We are particularly concerned about the implications of the Public Switch Telephone Network (PSTN) switchover which will see the 1.7 million vulnerable people, who rely on technology enabled care, at risk of being left without a connection. While the PSTN upgrade is an industry-led process, the LGA is calling on the Department for Digital, Culture, Media and Sport (DCMS) to coordinate the multiple bodies involved with the switchover. Coordination and accountability will be vital to align communications messaging and ensure sectors and consumers, including the most vulnerable, are protected and prepared for the upgrade process.

Note of last Executive Advisory Board meeting

Title: Executive Advisory Board
Date: Thursday 9 June 2022
Venue: Smith Square 1 & 2 and online via Microsoft Teams

Attendance

An attendance list is attached as **Appendix A** to this note

Item Decisions and actions

1 Welcome, apologies for absence and declarations of interest

The Chairman gave thanks to former councillors Nick Forbes and Rosemarie Harris who had served on the Executive Advisory Board for a number of years.

Apologies for absence were received from Cllr Shabir Pandor and Cllr Houghton.

There were no declarations of interest.

2 LGA Political Balance

Mark Lloyd, Chief Executive, introduced the report which set out the definitive figures for the LGA's proportionality for 2022/23. The report set out the new proportionality and its implications for the distribution of seats amongst the political groups on the LGA's governance structures.

Decision

That Executive Advisory Board **endorsed** the proportionality figures for 2022/23 meeting year.

Action

Political groups to agree the allocation of places across all LGA structures.

3 Lobbying document

Mark Lloyd, Chief Executive, introduced a report summarising the LGA's lobbying headlines. Mark highlighted the LGA's work in supporting councils through the following issues:

1. Homes for Ukraine scheme
2. Extension of right to buy scheme
3. Cost of living pressures
4. Integrated Care Systems
5. Adult Social Care
6. Planning

7. Nitrates in the water stream

In the subsequent discussion members raised the following concerns:

- Home Office response times moving on new arrivals from bridging hotels, particularly Afghans
- Special Educational Needs and Disability (SEND) and Dedicated Schools Grant
- Fragility in Children's Services and an exodus of trainee social workers
- Capacity in the Adult Social Care sector
- Unaccompanied Children arriving from Ukraine
- Risk of mass swimming pool closures due to increased costs

Decision

The Executive Advisory Board **agreed** to note the report.

4 Queen's speech

The Chairman introduced **Mel Haslam** (Acting Head of Public Affairs and Stakeholder Management) to introduce the report and answer any questions on the item.

The 2022 Queen's Speech was delivered on 10 May and set out the Government's legislative agenda for the coming parliamentary session. The Speech was comprised of 38 Bills, the highest number announced for a parliamentary session since 2005.

Much of the legislation centred around the Government's 12 Levelling Up 'missions', which Ministers had already committed to enshrining in law in February 2022. Government also announced a wide range of proposals of interest to local government, including measures relating to devolution, planning, housing, council tax, education, energy, mental health, data reform, public procurement, local audit and post-Brexit regulation.

The LGA published a briefing circulated to councillors, chief executives, parliamentarians and external stakeholders in the week the speech was delivered providing an overview of the key Bills of interest to local government and setting out an initial LGA view. This can be found in annexe A.

The LGA also responded to a number of the key Bills in the media and promoted its priorities on social media. The Chairman hosted a virtual briefing event for Vice-Presidents.

Mel sought approval on the Bills the LGA should prioritise, based on the organisation's business plan and advocacy priorities, for the purpose of its lobbying.

Mel highlighted the LGA's high and medium priority Bills;

High priority

- Levelling Up and Regeneration Bill

- Schools Bill
- Renters Reform Bill
- Social Housing Regulation Bill

Medium priority

- Energy Security Bill
- Transport Bill
- Draft Mental Health Act Reform Bill
- Online Safety Bill
- Modern Slavery Bill
- Draft Victims Bill
- Draft protect Duty Bill
- Animal Welfare (Kept Animals Bill)
- Non-Domestic Rating Bill
- Procurement Bill
- Data Reform Bill
- Product Security and Telecommunications Infrastructure Bill

Decision

The Executive Advisory Board **agreed** the recommended prioritisation of the LGA's legislative lobbying for the next parliamentary session.

Action

Take forward the LGA's legislative lobbying.

5 Independent Inquiry into Child Sexual Abuse - code of practice for councils

The chairman introduced **Louise Smith** (Senior Adviser) to introduce the report and answer any questions on the item.

Decision

The Executive Advisory Board approved the code of practice for consultation without comment.

Action

Officers to publish the code of practice and publicise to councils.

6 Equalities Advocates

The chairman introduced **Rupinder Parhar** (Senior Adviser) to introduce the report and answer any questions on the item.

Decision

The Executive Advisory Board **agreed** to note the proposed update on the progress of board Equality Advocates work and the next steps outlined from paragraph 16 of the report.

Action

Equalities Advocates to meet more regularly. Officers to report back to a future

meeting of the Executive Advisory Board.

The chairman then moved into confidential session.

7 Civility in Public Life - Abuse and intimidation of councillors

The chairman introduced **Jess Norman** (Senior Adviser) to address the Executive Advisory Board in confidential session.

Decision

The Executive Advisory Board agreed to the recommendations set out in paragraphs 8-14, subject to recommendations 1 and 3 being strengthened via the political group leaders.

8 National Living Wage

The Chairman invited Naomi Cooke, Head of Workforce to address the Executive Advisory Board in confidential session.

Decision

The Executive Advisory Board **agreed** to approve public raising of the impact of the projected increases in the National Living Wage on councils.

9 2022 Cost Pressures Update

The Chairman invited Cllr Shaun Davies, Chair of the Resources Board, to address the Executive Advisory Board in confidential session.

Decision

The Executive Advisory Board **agreed** to note the cost pressures analysis.

10 Note of the previous Executive Advisory Board meeting

The Executive Advisory Board agreed the minutes of the previous meeting held on Thursday 10 March 2022.

Appendix A - Attendance

Position/Role	Councillor	Authority
	Cllr James Jamieson OBE (Chairman)	Central Bedfordshire Council
	Cllr Izzi Seccombe OBE (Vice Chairman)	Warwickshire County Council
	Cllr Joe Harris (Vice-Chair)	Cotswold District Council
	Cllr Marianne Overton MBE (Vice-Chair)	North Kesteven District Council
	Cllr John Fuller OBE	South Norfolk District Council
	Cllr Teresa O'Neill OBE	Bexley Council
	Cllr Robert Alden	Birmingham City Council
	Cllr David Renard (Board Chair)	Swindon Borough Council
	Cllr David Fothergill (Board Chair)	Somerset County Council
	Cllr Peter Fleming OBE (Board Chair)	Sevenoaks District Council
	Cllr Kevin Bentley (Board Chair)	Essex County Council
	Cllr Michael Payne (Deputy Chair)	Gedling Borough Council
	Cllr Tudor Evans OBE (Deputy Chair)	Plymouth City Council
	Cllr Georgia Gould (Deputy Chair)	Camden Council
	Cllr Nesil Caliskan (Board Chair)	Enfield Council
	Cllr Shaun Davies (Board Chair)	Telford and Wrekin Council
	Mayor Marvin Rees (Board Chair)	Bristol City
	Cllr Bridget Smith	South Cambridgeshire District Council
	Cllr Gerald Vernon-Jackson CBE	Portsmouth City Council
	Cllr Hannah Dalton (Deputy Chair)	Epsom and Ewell Borough Council
	Cllr Paul Woodhead (balancing member)	Cannock Chase Council
	Cllr Nicolas Heslop	South East Councils
	Cllr Chris Poulter	East Midlands
	Cllr Sam Chapman-Allen	District Councils Network
	Cllr Tim Oliver	County Councils Network
Apologies		Authority
	Cllr Anntoinette Bramble (Board Chair)	
	Cllr Robert Stewart	
	Cllr Marc Bayliss	
	Cllr John Hart	
	Cllr Peter John OBE	
	Cllr Graeme Miller	
	Cllr Linda Haysey	
	Cllr David Baines	
	Alderman Sir David Wootton	
	Sir Stephen Houghton CBE	
	Cllr Shabir Pandor (Deputy Chair)	

