

# Safer and Stronger Communities Board

## Agenda

Monday, 3 September 2018  
11.00 am

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

**To:** Members of the Safer and Stronger Communities Board  
**cc:** Named officers for briefing purposes

[www.local.gov.uk](http://www.local.gov.uk)

This meeting is



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The LGA also offers the Govroam network, a Wi-Fi network which gives Members seamless roaming internet access across multiple public-sector locations if you have also signed up for this service. This network is enabled throughout our Westminster building and allows Members and staff from other authorities who are part of the Govroam network to seamlessly connect to our Wi-Fi.

### **Further help**

Please speak either to staff at the main reception on the ground floor, if you require any further help or information. You can find the LGA website at [www.local.gov.uk](http://www.local.gov.uk)

Safer & Stronger Communities Board  
3 September 2018

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There will be a meeting of the Safer & Stronger Communities Board at **11.00 am on Monday, 3 September 2018** Westminster Room, 8th Floor, 18 Smith Square, London, SW1P 3HZ.

A sandwich lunch will be available at 1.00pm.

**Attendance Sheet:**

Please ensure that you sign the attendance register, which will be available in the meeting room. It is the only record of your presence at the meeting.

**Political Group meetings:**

The group meetings will take place in advance of the meeting. Please contact your political group as outlined below for further details.

**Apologies:**

Please notify your political group office (see contact telephone numbers below) if you are unable to attend this meeting.

<b>Conservative:</b>	Group Office: 020 7664 3223	email: <a href="mailto:lgaconservatives@local.gov.uk">lgaconservatives@local.gov.uk</a>
<b>Labour:</b>	Group Office: 020 7664 3334	email: <a href="mailto:Labour.GroupLGA@local.gov.uk">Labour.GroupLGA@local.gov.uk</a>
<b>Independent:</b>	Group Office: 020 7664 3224	email: <a href="mailto:independent.grouplga@local.gov.uk">independent.grouplga@local.gov.uk</a>
<b>Liberal Democrat:</b>	Group Office: 020 7664 3235	email: <a href="mailto:libdem@local.gov.uk">libdem@local.gov.uk</a>

**Location:**

A map showing the location of 18 Smith Square is printed on the back cover.

**LGA Contact:**

Benn Cain  
0207 072 7420 | [benn.cain@local.gov.uk](mailto:benn.cain@local.gov.uk) | 07554 334 900

**Carers' Allowance**

As part of the LGA Members' Allowances Scheme a Carer's Allowance of up to £7.83 per hour is available to cover the cost of dependants (i.e. children, elderly people or people with disabilities) incurred as a result of attending this meeting.

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The twitter hashtag for this meeting is #lgassc

## Safer & Stronger Communities Board – Membership 2018/2019

Councillor	Authority
<b>Conservative ( 8 )</b>	
Cllr Morris Bright MBE (Vice Chairman)	Hertsmere Borough Council
Cllr Eric Allen	Sutton London Borough Council
Cllr Keith McLean	Milton Keynes Council
Cllr John Pennington	Bradford Metropolitan District Council
Cllr Colin Spence	Suffolk County Council
Cllr Judith Wallace	North Tyneside Council
Cllr Katrina Wood	Wycombe District Council
Cllr Nick Worth	South Holland District Council
<b>Substitutes</b>	
Cllr Jo Beavis	Braintree District Council
Cllr Ruth Clark	Redbridge London Borough Council
Cllr Mohan Iyengar	Borough of Poole
<b>Labour ( 7 )</b>	
Cllr Simon Blackburn (Chair)	Blackpool Council
Cllr Jim Beall	Stockton-on-Tees Borough Council
Cllr Carole Burdis	North Tyneside Council
Cllr James Dawson	Erewash Borough Council
Cllr Kate Haigh	Gloucester City Council
Cllr Farah Hussain	Redbridge London Borough Council
Cllr Alan Rhodes	Nottinghamshire County Council
<b>Substitutes</b>	
Cllr Kim McGuinness	Newcastle upon Tyne City Council
Cllr Claudia Webbe	Islington Council
<b>Liberal Democrat ( 2 )</b>	
Cllr Anita Lower (Deputy Chair)	Newcastle upon Tyne City Council
Cllr Jeremy Hilton	Gloucestershire County Council
<b>Substitutes</b>	
Cllr Dine Romero	Bath & North East Somerset Council
<b>Independent ( 1 )</b>	
Cllr Hannah Dalton (Deputy Chair)	Epsom and Ewell Borough Council
<b>Substitutes</b>	
Cllr Clive Woodbridge	Epsom and Ewell Borough Council
Cllr Becca Thackray	Lambeth London Borough

## Agenda

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### Safer & Stronger Communities Board

Monday 3 September 2018

11.00 am

Westminster Room, 8th Floor, 18 Smith Square, London, SW1P 3HZ

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<b>1. Declarations of Interest</b>	
<b>2. Safer and Stronger Communities Board 2018/19: Terms of Reference, Membership and Appointments to Outside Bodies</b>	1 - 6
a) Appendix A - Terms of Reference for the Safer and Stronger Communities Board	7 - 8
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c) Appendix C - Safer and Stronger Communities Board Outside Body Appointments	11 - 12
d) Appendix D - List of Future Safer and Stronger Communities Board Meetings for 2018/19	13 - 14
e) Appendix E - Board Member Champions Role Description	15 - 16
<b>3. Safer and Stronger Communities Board Policy Priorities for 2018-19</b>	17 - 24
<b>4. National FGM Centre</b>	25 - 30
Leethen Bartholomew, Head of the National FGM Centre, will attend the meeting to provide an overview of its work which is run in partnership between the LGA and Barnardo's.	
<b>5. Civil resilience and Operation Black Start</b>	31 - 36

Lord Toby Harris will give a presentation on one of the risks which local

resilience forums (including local authorities) are being encouraged to consider as part of their resilience planning: a 'black start' electricity blackout scenario.

<b>6.</b>	<b>Fire Safety in High Rise Buildings</b>	<b>37 - 44</b>
a)	Appendix A - LGA Response to Dame Judith Hackitt's review of building regulations and fire safety	45 - 52
b)	Appendix B - LGA Response to MHCLG consultation on banning the use of combustible materials in the external walls of high-rise residential buildings	53 - 60
<b>7.</b>	<b>Update Paper</b>	<b>61 - 66</b>
<b>8.</b>	<b>Notes of previous meeting</b>	<b>67 - 75</b>

**Date of Next Meeting:** Monday, 12 November 2018, 11.00 am, Smith Square  
1&2, Ground Floor, 18 Smith Square, London, SW1P 3HZ







## Safer and Stronger Communities Board 2018/19: Terms of Reference, Membership and Appointments to Outside Bodies

### Purpose of report

For information and approval.

### Summary

This report sets out how the Safer and Stronger Communities Board operates and how the LGA works to support the objectives and work of its member authorities.

Members are asked to note the Board's membership and agree its Terms of Reference and nominations to Outside Bodies for the 2018/19 year.

### Recommendations

That the Safer and Stronger Communities Board:

- i. agrees note its Terms of Reference (**Appendix A**);
- ii. formally notes the membership for 2018/19 (**Appendix B**);
- iii. agrees the Board's nominations to outside bodies (**Appendix C**);
- iv. notes the dates of the future meetings (**Appendix D**); and
- v. review and appoints member champions (**Appendix E**).

### Action

As directed by Members.

<b>Contact officer:</b>	Benn Cain
<b>Position:</b>	Member Services Officer
<b>Phone no:</b>	020 7072 7420
<b>E-mail:</b>	<a href="mailto:Benn.cain@local.gov.uk">Benn.cain@local.gov.uk</a>

## **Safer and Stronger Communities Board 2018/19: Terms of Reference, Membership and Appointments to Outside Bodies**

### **Background**

1. The LGA's Boards seek to lead the agenda for local government on the key challenges and issues within their remit and support the overall objectives of the organisation as set out in the [LGA's Business Plan](#).
2. They take an active role in helping to shape the Association's business plan through extensive engagement with councils and oversight of the programmes of work that deliver these strategic priorities.

### **2018/19 Terms of reference and membership**

3. The Safer and Stronger Communities Board's Terms of Reference, Membership and future meetings dates are set out at **Appendix A, B and D** respectively for agreement and noting.

### **Safer and Stronger Communities Board Lead Members**

4. The LGA seeks where possible to work on the basis of consensus across all four groups. The Safer and Stronger Communities Board is politically balanced, and led by the Chair and three Vice/Deputy Chairs, drawn from each of the four political groups. This grouping of members – known as Lead Members – meet in between Board meetings, shape future meeting agendas, provide clearance on time sensitive matters, represent the Board at external events, meetings and in the media, as well as engaging with the wider Board to ensure your views are represented.
5. The Lead Members for 2018/19 are:
  - 5.1 Cllr Simon Blackburn, Chair
  - 5.2 Cllr Morris Bright, Vice-Chairman
  - 5.3 Cllr Anita Lower, Deputy Chair
  - 5.4 Cllr Hannah Dalton, Deputy Chair

### **The Safer and Stronger Communities team**

6. The Board is supported by a cross cutting team of LGA officers, with Policy colleagues and designated Member Services Officer, being those which you are likely to have regular contact with.
7. The Safer and Stronger Communities team supports the LGA's work on the Board's priorities, and also a number of other issues which are within the Board's remit. The team works with Board Members, the LGA press office and political groups to maintain local

government's reputation on community safety issues in the media, directs our lobbying work (according to Members' steer) in conjunction with the Parliamentary affairs team, and works collaboratively with other Boards across relevant cross cutting policy and improvement issues.

8. The team supports Members in person or by briefing when they represent the LGA on external speaking platforms or at Ministerial or Whitehall events. We will provide briefing notes and/or suggested speaking notes as required in advance if each engagement.
9. The team also participate in a number of officer working groups and programme boards, representing the sector's interests and putting forward the LGA's agreed policy positions.

### **Communications and Events**

10. There are a number of internal and external communications channels available to help the Safer and Stronger Communities Board promote the work it is doing and to seek views from our member authorities.
11. Upcoming events:
  - 11.1 31 January 2019 – Joint APCC/LGA event - VAWG Service Transformation Fund
  - 11.2 February 2019 – Annual Licensing Conference
  - 11.3 12-13 March 2019 – Annual Fire Conference and Exhibition
12. We also have a dedicated section on the LGA website, regular e-bulletins with a personal introduction from the Chair of the Board, outside speaking engagements and interviews, advisory networks, features and news items in First magazine as well as twitter accounts which are used to keep in touch with our members.

### **Safer and Stronger Communities Board outside body appointments**

13. The LGA benefits from a wide network of member representatives on outside bodies across all boards. These appointments are reviewed on an annual basis across the Association to ensure that the aims and objectives of the outside bodies remain pertinent to the LGA and accurately reflect its priorities.
14. A list of the organisations to which the Board is asked to appoint member representatives is attached at **Appendix C**. The Board are asked to nominate the appointments for this meeting cycle, which as far as possible are to be made in proportion with political representation across the LGA. As an LGA representative, Members appointed to these roles should speak for the Association, and not one particular political Group.
15. The Board has previously made appointments to the Criminal Justice Council, which was established to keep the criminal justice system under review, and to advise the government on the form and manner of implementation of criminal justice reforms as well as to make proposals for reform. However the Council has not meet for at least eighteen months and currently appears to be inactive. It is suggested that the Board therefore makes no appointment to the Council, but if it is reactivated, and the LGA invited to participate, views will be sought from the Board on a nomination to serve on it.

16. Over the last year the Board has been represented on the Ministry of Justice's (MoJ) Advisory Board on Female Offenders by Cllr Kate Haigh. Following publication of the Female Offender Strategy in the summer the MoJ is committed to ensuring there is a more open and transparent process for appointing stakeholders to the Advisory Board. There is now an open process of submitting expressions of interest to be part of the Board. This involves submitting a curriculum vitae and a 500 word expression of interest from the applicant on why they are interested in serving on the Advisory Board. The MoJ have indicated they would welcome an application for a place on the Board from the LGA.
17. To maximise the value of attending regular or ad-hoc outside engagements, Members appointed to represent the LGA on an outside bodies are asked to provide regular feedback, either through the Board meetings, or alternative mechanisms.

### **Member Champions**

18. For 2017/18, the Board appointed the following member champions:

- 18.1 Abuse, exploitation and modern slavery – Cllr Alan Rhodes
- 18.2 Anti-social behaviour – Cllr Anita Lower
- 18.3 Bereavement services – Cllr Nick Worth
- 18.4 Civil resilience – Cllr Clive Woodbridge
- 18.5 Community cohesion and integration – Cllrs Janet Daby and Jo Beavis
- 18.6 Licensing – Cllrs Kate Haigh and Chris Pillai
- 18.7 Domestic abuse – Cllrs Katrina Wood and Cllr Jim Beall
- 18.8 Prevent and counter-extremism – Cllrs Simon Blackburn and Colin Spence
- 18.9 Regulatory services – Cllr Anita Lower
- 18.10 Water Safety – Cllr James Dawson

19. The LGA has recently agreed to become a member of the Friends Against Scams campaign. FAS is a campaign run by the National Trading Standards Scams Team, and aims to protect and prevent people from becoming victims of scams by empowering communities and businesses to 'take a stand against scams.' To help promote FAS and our involvement in it, we are looking to appoint a 'Scambassador' champion from among the Board.
20. A role description for member champions is set out at **Appendix E**. The Board is requested to review the current areas covered by member champions and consider whether these should continue, or whether different areas need to be addressed.



**Financial Implications**

21. There are no substantial financial implications arising directly from this report.  
Reasonable travel and subsistence costs will be paid by the LGA for expenses incurred by a member appointee, whilst carrying out a representative role on an outside body on behalf of the LGA.



## **Appendix A – Terms of Reference for the Safer and Stronger Communities Board**

1. The purpose of the Safer and Stronger Communities Board is to provide strategic oversight of all the LGA's policy, regulatory and improvement activity in the promotion of the safety of local communities, including issues of crime and anti-social behaviour, policing, licensing, and emergency planning – in line with LGA priorities.
2. The Board will also have responsibility for LGA activity in relation to fire and rescue authority issues where the issues are of a cross-cutting nature or involve the setting of a new LGA policy. On such matters the Board may choose to seek recommendations or guidance from the Fire Services Management Committee, and from time to time may be requested by the Committee to consider recommendations on such matters.
3. Boards should seek to involve councillors in supporting the delivery of these priorities (through task groups, Special Interest Groups (SIGs), regional networks and other means of wider engagement); essentially operating as the centre of a network connecting to all councils and drawing on the expertise of key advisors from the sector.
4. The Safer and Stronger Communities Board will be responsible for:
  - 4.1 Ensuring the priorities of councils are fed into the business planning process.
  - 4.2 Developing a work programme to deliver their brief, covering lobbying, campaigns, research, improvement support in the context of the strategic framework set by Improvement & Innovation Board and events and linking with other boards where appropriate.
  - 4.3 Sharing good practice and ideas to stimulate innovation and improvement.
  - 4.4 Representing and lobbying on behalf of the LGA, including making public statements on its areas of responsibility.
  - 4.5 Building and maintaining relationships with key stakeholders.
  - 4.6 Involving representatives from councils in its work, through task groups, SIGs, regional networks and mechanisms.
  - 4.7 Responding to specific issues referred to the Board by one or more member councils or groupings of councils.
5. The Safer and Stronger Communities Board may:
  - 5.1 Appoint members to relevant outside bodies in accordance with the Political Conventions.
  - 5.2 Appoint member champions from the Board to lead on key issues.



**Quorum**

6. One third of the members, provided that representatives of at least 2 political groups represented on the body are present.

**Political Composition**

Conservative group	8 members
Labour group:	7 members
Liberal Democrat group	2 members
Independent group	1 members

7. Substitute members from each political group may also be appointed.

**Frequency per year**

8. Meetings to be held five times per annum.

**Reporting Accountabilities**

9. The LGA Executive provides oversight of the Board. The Board may report periodically to the LGA Executive as required, and will submit an annual report to the Executive's July meeting.



## **Appendix B – Safer and Stronger Communities Board Membership 2018/19**

<b>Councillor</b>	<b>Authority</b>
<b>Conservative (8)</b>	
Cllr Morris Bright MBE (Vice-Chairman)	Hertsmere Borough Council
Cllr Eric Allen *	Sutton Council
Cllr Keith McLean *	Milton Keynes Council
Cllr John Pennington *	Bradford Council
Cllr Colin Spence	Suffolk County Council
Cllr Judith Wallace	North Tyneside Council
Cllr Katrina Wood	Wycombe District Council
Cllr Nick Worth	South Holland District Council
<b>Substitutes</b>	
Cllr Joanne Beavis	Essex County Council
Cllr Ruth Clark **	London Borough of Redbridge
Cllr Mohan Iyengar **	Poole Council
<b>Labour (7)</b>	
Cllr Simon Blackburn (Chair)	Blackpool Council
Cllr Kate Haigh	Gloucester City Council
Cllr Alan Rhodes	Nottinghamshire County Council
Cllr Jim Beall	Stockton-on-Tees Borough Council
Cllr James Dawson	Erewash Borough Council
Cllr Farrah Hussain*	London Borough of Redbridge
Cllr Carole Burdis	North Tyneside Council
<b>Substitutes</b>	
Cllr Claudia Webbe **	London Borough of Islington
Cllr Kim McGuinness **	Newcastle City Council
<b>Liberal Democrat (2)</b>	
Cllr Anita Lower (Deputy Chair)	Newcastle Upon Tyne City Council
Cllr Jeremy Hilton	Gloucestershire County Council
<b>Substitute</b>	
Cllr Dine Romero **	Bath & North East Somerset Council
<b>Independent (1)</b>	
Cllr Hannah Dalton (Deputy Chair) *	Epsom and Ewell Borough Council
<b>Substitute</b>	
Cllr Clive Woodbridge	Epsom and Ewell Borough Council

\*New Member

\*\*New Substitute



## **Appendix C – Safer and Stronger Communities Board Outside Body Appointments**

<b>Organisation / contact details</b>	<b>Background</b>	<b>Representatives 2017/18</b>	<b>Allowances/ Expenses</b>	<b>LGA Contact Officer</b>
<b>Advisory Board for Female Offenders</b>  Contact: Hugh Howell Tel: 07989659213 Email: <a href="mailto:hugh.howell@justice.gov.uk">hugh.howell@justice.gov.uk</a>	The Board is a ministerial chaired board and meets quarterly to bring together key stakeholders and partners to provide expert advice and challenge around the multiple and often complex needs of female offenders. A new process has now been put in place for appointments to this Board involving submitting expressions of interest.	<b>1 place</b>  Cllr Kate Haigh (Labour)	The LGA will cover reasonable travel and subsistence.	Mark Norris, Principal Policy Adviser 020 7664 3241 <a href="mailto:mark.norris@local.gov.uk">mark.norris@local.gov.uk</a>
<b>HMIC's Police Efficiency Effectiveness and Legitimacy Effectiveness Reference Group</b>  Contact: Danny Hayes Tel: 020 3513 0524 Email: <a href="mailto:Danny.Hayes@homeoffice.gsi.gov.uk">Danny.Hayes@homeoffice.gsi.gov.uk</a>	To provide advice and expertise from outside HMIC to inform PEEL inspections of police forces at quarterly meetings.	<b>1 place</b>  Cllr Janet Daby (Labour)  Substitutes: Cllr Keith McLane Cllr Clive Woodbridge	The LGA will cover reasonable travel and subsistence.	Mark Norris, Principal Policy Adviser 020 7664 3241 <a href="mailto:mark.norris@local.gov.uk">mark.norris@local.gov.uk</a>
<b>National FGM Centre Advisory Group</b>  Contact: Jessica Norman	The Advisory Group meets quarterly to provide advice and support to the development of the National FGM Centre, a joint project between the LGA and Barnardo's.	<b>2 Places</b>  Cllr Anita Lower (Lib Dem) Cllr Jo Beavis (Con)	The LGA will cover reasonable travel and subsistence.	Jessica Norman Adviser 020 7664 3221 <a href="mailto:jessica.norman@local.gov.uk">jessica.norman@local.gov.uk</a>
<b>National Oversight Group on Domestic Abuse</b>  Contact: Bhavan Jandu Tel: 020 7035 3884 Email: <a href="mailto:bhavan.jandu@homeoffice.gsi.gov.uk">bhavan.jandu@homeoffice.gsi.gov.uk</a>	The National Oversight Group is chaired by the Home Secretary and meets approximately quarterly to oversee progress against the recommendations from HMIC's reviews of the police response to domestic abuse.	<b>1 Place</b>  Cllr Simon Blackburn (Chair)	The LGA will cover reasonable travel and subsistence.	Rachel Phelps Adviser 020 7664 3119 <a href="mailto:rachel.phelps@local.gov.uk">rachel.phelps@local.gov.uk</a>
<b>Serious Violence Taskforce</b>  Contact: Serious Violence Taskforce Secretariat Tel: 020 7035 0125 Email: <a href="mailto:seriousviolencetaskforce@homeoffice.gov.uk">seriousviolencetaskforce@homeoffice.gov.uk</a>	The Serious Violence Taskforce is chaired by the Home Secretary and meets approximately every other month to oversee progress against the government's Serious Violence Strategy.	<b>1 Place</b>  Cllr Simon Blackburn (Chair)	The LGA will cover reasonable travel and subsistence.	Rachel Phelps Adviser 020 7664 3119 <a href="mailto:rachel.phelps@local.gov.uk">rachel.phelps@local.gov.uk</a>



**Safer and Stronger Communities Board**

03 September 2018

<p><b>Motorcycle, moped and scooter related crime meetings</b></p> <p>Contact: Tony O'Donnell Tel: 020 7035 0371 Email: <a href="mailto:Tony.ODonnell@homeoffice.gov.uk">Tony.ODonnell@homeoffice.gov.uk</a></p>	<p>The meetings are jointly chaired by the Minister for Policing and Fire and the Parliamentary Under Secretary of State for Crime, Safeguarding and Vulnerability. They started as a one off roundtable meeting to discuss crimes related to mopeds and scooters and what could be done to address that, but have continued, broadly meeting on a quarterly basis. It is not clear how many further meetings there will be.</p>	<p><b>1 Place</b></p> <p>Cllr Simon Blackburn (Chair)</p>	<p>The LGA will cover reasonable travel and subsistence.</p>	<p>Rachel Phelps Adviser 020 7664 3119 <a href="mailto:rachel.phelps@local.gov.uk">rachel.phelps@local.gov.uk</a></p>
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**Safer and Stronger Communities Board**

03 September 2018

**Appendix D – List of Future Safer and Stronger Communities Board Meetings for 2018/19**

Future meetings of the Safer and Stronger Communities Board will be held on:

- Monday 12 November 2018; 11.00 am – 1.00 pm
- Monday 14 January 2019; 11.00 am – 1.00 pm
- Monday 18 March 2019; 11.00 am – 1.00 pm
- Monday 10 June 2019; 11.00 am – 1.00 pm

All meetings will be held in Smith Square 1&2, Ground Floor, 18 Smith Square, London, SW1P 3HZ.



## **Appendix E - Board Member Champions Role Description**

1. Board member champions, and support member champions, where required, take responsibility for a specified subject area or programme and act as spokesperson. This is in addition to any formal role representing the LGA on outside bodies.

### **Accountabilities**

2. To be the main spokesperson for the LGA Safer and Stronger Communities Board (SSCB) in relation to a specified subject area or programme, including media interviews, writing articles and making speeches at appropriate events.
3. To keep abreast of developments locally and nationally in relation to a specified subject area or programme.
4. To attend residential conferences and other events initiated by the board, leading and chairing sessions as required.
5. To engage actively with councils and groupings of councils to secure the views and involvement of the wider membership to inform the board's specific policy line on the specialist subject.
6. To communicate back to the wider membership the work and successes of the board in relation to the specified subject or programme area.
7. To lead/participate in task and finish groups set up to look in more detail at the specific areas of policy.
8. To be the principal representative of the Board on that subject area or programme at meetings with partner bodies and other key decision-makers.

### **Knowledge and Experience**

9. Member champions may be portfolio holders for that policy area in their home authorities or have experience/knowledge of, and special interest and commitment to, the policy area.

### **Appointment and support**

10. The expectation is that the SSCB will review these roles at the start of the Board cycle every September, along with formal appointments to outside bodies.





## **Safer and Stronger Communities Board Policy Priorities for 2018-19**

### **Purpose of report**

For decision.

### **Summary**

This paper sets out proposals for the Safer and Stronger Communities Board's (SSCB) priorities and work programme for 2018-19. The proposals are based on corporate LGA priorities and options for broader work based on a continuation of ongoing work (including responding to recent policy announcements by Government) and areas of interest previously indicated by Board members.

### **Recommendation**

That the Safer and Stronger Communities Board discuss and agree the Board's priorities and work programme for 2018-19.

### **Action**

Officers will undertake the projects set out in the report.

<b>Contact officer:</b>	Mark Norris
<b>Position:</b>	Principle Policy Adviser
<b>Phone no:</b>	020 7664 3241
<b>Email:</b>	mark.norris@local.gov.uk

## **Safer and Stronger Communities Board End of Year Report 2017/8 and 2018/9 Work Plan**

### **Background**

1. At this first meeting of the Safer and Stronger Communities Board (SSCB), members are asked to consider the policy priorities for the work programme for the coming year. In making these decisions, members are asked to consider two issues:
  - 1.1. The work that the LGA Leadership Board has asked Boards to undertake based on the overall policy priorities of the LGA.
  - 1.2. Specific policy priorities based on the remit of this Board.
2. This paper builds on the draft priorities outlined in the end of year report considered by the Board in June.

### **Work commissioned from the LGA policy boards by the LGA Leadership Board**

3. As in previous years, LGA policy Boards are being asked to incorporate cross-cutting LGA priorities within their work programmes. The LGA's business plan is currently being refreshed, and sets out the following corporate priorities:
  - 3.1. Britain's exit from the European Union
  - 3.2. Devolution and funding for local government
  - 3.3. Inclusive growth, jobs and housing
  - 3.4. Children, education and schools
  - 3.5. Adult social care and health
  - 3.6. Supporting councils
  - 3.7. Providing a single voice for local government
4. The work of the Safer and Stronger Communities Board makes a contribution to a number of these overarching themes, with the proposed work programme at paragraphs 14-18 intended to be incorporated throughout the business plan subject once confirmed by the Board.
5. The work of this Board also has a significant contribution to make to two corporate priorities, on Brexit and on supporting councils to respond to the Grenfell tragedy.

### ***Britain's exit from the EU***

6. Following the vote to leave the European Union (EU) in June 2016, the Safer and Stronger Communities Board developed a position paper on its priority issues in light of the fact that the UK will be leaving the EU in early 2019. Our early work on Brexit focused on the possible opportunities for legislative change after withdrawal, and

provided a set of agreed principles for considering potential changes, as well as a detailed overview of relevant legislation.

7. Since the announcement that the EU Withdrawal Bill will incorporate existing EU law into UK law we have been focusing on the implications for relevant council services of operating the current legal framework once we are outside the EU. The Safer and Stronger Communities Board remit includes regulatory services that help to protect the public at ports of entry and exit (ie, seaports and airports) and inland, for example in relation to specific types of food and feed products, consumer goods etc.
8. Our work with councils on these issues has indicated a number of possible resourcing impacts for these services depending on the deal that the UK agrees with the EU as it leaves the EU; for example, if EU goods were to be treated as existing 'third country' goods, more checks would be needed and more capacity required to deliver this. The safer communities team has been working with the LGA Brexit Task and Finish group alongside the SSCB to ensure these issues and risks are highlighted to Government. This work will continue as the date of EU exit draws nearer and the details of the withdrawal agreement become clearer.

***Supporting councils to respond to the Grenfell tragedy***

9. The safer communities team has also led work on supporting the sector to manage the implications arising from the Grenfell fire tragedy, reporting to an LGA Grenfell Task and Finish group alongside the SSCB. This has had a significant impact this on the workload of the team and, in light of the fact that this position is expected to continue for some time, additional capacity has been brought in to help support this work over the coming year.
10. The anticipated ongoing work relating to Grenfell over 2018-19 includes:
  - 10.1. Working with government to deliver those recommendations from Dame Judith Hackitt's Review of fire safety, which will deliver a regulatory system for high-rise and high-risk buildings fit for the 21st century.
  - 10.2. Responding to a number of Government consultations including proposed bans on the use of combustible materials on the exterior of high-rise buildings and the use of desktop studies, and revisions to the building regulations guidance on fire safety (Approved Document B).
  - 10.3. Working with councils and the Ministry of Housing, Communities and Local Government (MHCLG) to identify those private high-rise buildings with Aluminium Composite Material cladding, and lobbying for the changes to regulations needed for councils to take action where building owners are not taking remedial action.
  - 10.4. Continuing to explore issues with external wall insulation and large panel system buildings.

**Specific work of relevance to this Board's remit**

11. Alongside Brexit and Grenfell, LGA Boards will continue to develop specific work within their policy areas which underpin the LGA corporate priorities. These priorities will be reported back to the LGA Executive.
12. As set out in the 2017-18 end of year report in June, we are proposing to retain the same five overarching key themes the Safer and Stronger Communities Board has focused on for the past two years. This reflects the fact that work in these areas is still in progress and will continue into this year, as well as taking account of the Government's policy agenda and legislative plans for this area. The five themes are:
  - 12.1. Prevent, counter-extremism and cohesion;
  - 12.2. Community safety;
  - 12.3. Blue light services and civil resilience;
  - 12.4. Licensing and regulation; and
  - 12.5. Crematoria, coroners and medical examiners.
13. The following sections set out proposals for specific activities under each of these headings.

**Prevent, counter extremism and cohesion**

14. We will:
  - 14.1. Continue work to support councils in countering extremism and implementing the Prevent duty, including holding further training for councillors, sharing good practice through supporting the Special Interest Group on Countering Extremism, trialing approaches to community engagement and the publication of guidance and case studies.
  - 14.2. Respond to the new Contest strategy and support councils to implement changes, particularly around Prevent; feed into the development of the revised Hate Crime Strategy, and represent the views of local government to the Commission for Counter Extremism.
  - 14.3. Continue to work with MHCLG as it takes forward the response to the Integrated Communities Strategy Green Paper, putting forward the views of councils on key issues. We will also engage with the five local integration area pilot councils, and host further learning events to share best practice across councils.

### **Community safety**

#### 15. We will:

- 15.1. Lobby Government and Parliament in regard to the forthcoming Domestic Abuse Bill and Government's wider work on accommodation and support services for those impacted by domestic abuse.
- 15.2. Support the LGA's input to the Serious Violence Taskforce.
- 15.3. Take forward our recent work on modern slavery by holding two further events to support councils on specific aspects of modern slavery, developing a case study document and exploring work looking at changing consumer habits in key areas.
- 15.4. Run a small campaign directed at LGA members around drowning prevention.
- 15.5. Explore opportunities for follow up work on community and neighbourhood policing.
- 15.6. Explore the scope for a cross-cutting piece of work on mental health and community safety issues.

### **Blue light services and civil resilience**

#### 16. We will:

- 16.1. Update the LGA's existing councillor guidance on civil contingencies, host a series of councillor masterclasses on this around the country and work with the Society of Local Authority Chief Executives (SOLACE) to explore other opportunities for guidance and training. We will also explore the scope for strengthening existing mutual aid arrangements between councils, through guidance and practical tools.
- 16.2. Liaise with the new National Association of Police and Crime Panels, including looking at the scope to review the existing suite of police and crime panel guidance and develop new guidance on complaints.
- 16.3. Continue to support fire and rescue authorities over the potential transfer of governance of fire and rescue services to Police and Crime Commissioners.

- 16.4. Continue to support the fire and rescue sector work on fire reform initiatives including the results from the first round of fire and rescue authority inspections and the establishment of a new standards body for the fire and rescue service.

### **Licensing and regulation**

#### 17. We will:

- 17.1. Publish a new councillor handbook on the Licensing Act 2003, and work with councils to support them to develop innovative approaches to managing the night-time economy.
- 17.2. Identify opportunities to provide further support for councils on harmful gambling issues, and continue to lobby for the reduction of maximum Fixed Odds Betting Terminal (FOBT) stakes to £2 as soon as possible, engaging with the All Party Parliamentary Group (APPG) on FOBTs and publishing research on the costs of a delay.
- 17.3. Support councils to strengthen local licensing by publishing guidance for councils on introducing a requirement for CCTV in taxis and private hire vehicles (PHVs) and working with them to support use of the new information sharing mechanism, the National Register of taxi / PHV licence Refusals and Revocations (NR3). Following publication of the report of the Department for Transport working group into taxi / PHVs legislation, and the Government's response to it, we will also work with the Department to explore legislative solutions to current challenges in taxi and PHV licensing.
- 17.4. Work with councils to explore best practice in commercialisation to support the sustainability of regulatory services, and work with the police to develop tools to support effective enforcement of the Scrap Metal Dealers Act.

### **Crematoria, coroners and medical examiners**

#### 18. We will:

- 18.1. Continue to engage with the Department of Health and Social Care's programme to introduce a new medical examiner service in 2019 to ensure it takes account of the impact on coroners and registrars' services.
- 18.2. Contribute to the Competition and Market Authority's review of funeral costs, and respond to any recommendations in relation to crematoria and funeral provision.

### **Legislation and parliamentary work**

19. A number of key pieces of legislation anticipated over the next year will be directly relevant to the Board, in particular the Domestic Abuse Bill, and Brexit legislation as it

relates to the withdrawal agreement and impact on local regulatory services. The House of Commons Home Affairs Select Committee is in the process of conducting a number of inquiries relevant to the Safer and Stronger Communities portfolio, in particular, Modern Slavery and Serious Violence. The Modern Slavery inquiry is expected to feed into the independent review of the Modern Slavery Act being led by Maria Miller, Frank Field and Baroness Butler-Sloss. We will continue our engagement with relevant select committee inquiries as they are announced and with APPGs who are active on safer communities issues (such as the APPG on FOBTs).

### **Conferences, events and media**

20. There are a number of internal and external communications channels available to help the Safer and Stronger Communities Board promote the work it is doing and to seek views from our member authorities.
21. We have a full programme of conferences and events which support the draft priorities and are designed to support members and officers with new issues and improving their ability to protect the public and communities they serve. Conferences and training events already being planned include:
  - 21.1. PREVENT Leadership Essentials: 30-31 October Warwick
  - 21.2. Disrupting Modern Slavery: 20 November, London
  - 21.3. Emergency Planning and Civil Resilience Masterclass: 22 November, Leeds
  - 21.4. Fire and Rescue Leadership Essentials: 28-29 November, Warwick
  - 21.5. Cohesion and Integration Leadership Essentials: 11-12 December, Warwick
  - 21.6. Counter Extremism Leadership Essentials: 17-18 January, Warwick
  - 21.7. Annual Licensing Conference: 5 February, London
  - 21.8. Fire and Rescue Leadership Essentials: 26-27 February, Warwick
  - 21.9. Emergency Planning and Civil Resilience Masterclass: TBC 2019, London
22. We also have a dedicated section on the LGA website, regular e-bulletins with a personal introduction from the Chair of the Board, outside speaking engagements and interviews, advisory networks, features and news items in First magazine as well as twitter accounts which are used to keep in touch with our members.

**Implications for Wales**

23. Where the proposed policy area relates to a non-devolved issue we will liaise as appropriate with the Welsh Local Government Association (WLGA), and where it relates to devolved issues our focus will be on English authorities with the WLGA leading on work in Wales.

**Financial Implications**

24. The work priorities identified for 2018/9 will be delivered within the planned staffing budget, which includes dedicated capacity to support work on cohesion, extremism and Prevent, and new additional capacity to support Grenfell work.
25. Additional supporting projects may be commissioned subject to funds being available from a small directorate / team budget.

**Next steps**

26. The Board are asked to consider and comment on their priorities for 2018/9.



## **National FGM Centre**

### **Purpose of report**

For discussion.

### **Summary**

This report provides background information on the work of the National FGM Centre, which is run in partnership between the LGA and Barnardo's. Leethen Bartholomew, Head of the Centre, will attend the meeting to provide an overview of its work.

### **Recommendations**

That the Safer and Stronger Communities Board notes the work of the Centre, its wider remit since 2017 and discusses the issues raised.

### **Actions**

Officers to continue working with the National FGM Centre to raise awareness of the work of the Centre in tackling FGM, breast flattening and child abuse linked to faith or belief.

<b>Contact officer:</b>	Lucy Ellender
<b>Position:</b>	Adviser
<b>Phone no:</b>	020 7664 3321
<b>Email:</b>	<a href="mailto:lucy.ellender@local.gov.uk">lucy.ellender@local.gov.uk</a>

## **National FGM Centre**

### **Background**

1. In 2015 the LGA and Barnardo's created the National FGM Centre, with funding from the Department for Education's (DfE) children's social care innovation fund. The Centre worked with six pilot local authorities in areas with a low prevalence of Female Genital Mutilation (FGM).
2. Building on that work, in July 2017 the Centre received further funding from the DfE to provide support over three years. The funding was given on a tapered basis, with the grant from DfE reducing each year, with the aim of making the Centre sustainable by 2020. In October 2017 the remit of the Centre was expanded to include breast flattening and child abuse linked to faith or belief.
3. Leethen Bartholomew, Head of the National FGM Centre, will attend the meeting to outline the work that they have already undertaken, discuss the expanded remit of the Centre and how this links in with wider community safety issues.

### **Issues**

4. The Centre's Vision is "to keep children and young people safe from FGM, breast flattening and child abuse linked to faith or belief, including our aim to end new cases of FGM by 2030." To achieve this the Centre has developed a four part model:
  - 4.1. Social work provision: specialist social workers are embedded in local authorities and provide support in cases where FGM, breast flattening or child abuse linked to faith or belief are a concern. This can range from advice and guidance to frontline professionals, to child protection investigations and applications for FGM Protection Orders.
  - 4.2. Community outreach: engaging communities is key to prevention, through changing attitudes and behaviour. The Centre's community engagement work has included working with men and boys and faith leaders and undertaking stakeholder events, peer research and community intervention programmes with community groups. They have also worked with schools to engage with parents and local communities.
  - 4.3. Consultancy and professional development: the Centre offers training on FGM, breast flattening and child abuse linked to faith or belief.
  - 4.4. The Knowledge Hub: The Knowledge Hub brings together resources to provide a "one stop shop" for guidance, resources, research and information on FGM, breast flattening and child abuse linked to faith or belief.

5. The Centre's work was at first concentrated on areas that had a low prevalence of FGM: Essex, Hertfordshire, Thurrock, Suffolk, Norfolk and Southend. However since receiving the additional part funding in July last year the Centre will be working with three low prevalence and 3 high prevalence areas – including Essex, Hertfordshire, Thurrock, Brent, Harrow and Redbridge. The Centre is also received separate funding from Staffordshire Police and Crime Commissioner to provide services to Children's Social Care in Stoke-on-Trent and Staffordshire.
6. Since September 2015 the Centre has worked on referrals for 320 families in two and half years. These families included 416 girls under 18, and 199 boys under 18 as well as 43 unborn children of unknown gender. The Centre has also been involved with 19 FGM Protection Orders, which accounts for around 9 per cent of all orders made across the country.
7. The LGA administers the Centre's Advisory Board, chaired by Cllr Anita Lower. The Board has membership from a range of organisations, with representatives from the NHS and specialist health services, education and the police.
8. LGA and Barnardo's officer hold regular partnership and sustainability meetings to look at the running of the Centre.

#### **Expended remit of the Centre**

#### **Breast Ironing/Flattening**

9. Breast flattening, also known as breast ironing, is the process during which young pubescent girls' breasts are ironed, massaged, flattened and/or pounded down over a period of time (sometimes years) in order for the breasts to disappear or delay the development of the breasts entirely.
10. In some families, large stones, a hammer or spatula that have been heated over scorching coals can be used to compress the breast tissue. Other families may opt to use an elastic belt or binder to press the breasts so as to prevent them from growing.
11. Breast flattening usually starts with the first signs of puberty, which can be as young as nine years old and is usually carried out by female relatives.
12. It should also be acknowledged that some adolescent girls (and boys in some instances) may choose to bind their breast using constrictive material due to gender transformation or identity, and this may also cause health problems.
13. Breast flattening can happen anywhere in the world and has been recorded in a range of countries.
14. There can be a range of health implications of flattening including abscesses, cists, infection, and tissue damage as well as having an impact on the children's social and psychological wellbeing.

15. Although there is no specific law within the UK around breast flattening, it is a form of physical abuse and if professionals are concerned a child may be at risk of, or suffering significant harm, they must refer to their local safeguarding procedures. More information on breast ironing can be found on the Centre's website:  
<http://nationalfgmcentre.org.uk/breast-flattening/>

**Child abuse linked to faith or belief**

16. There is a variety of definitions associated with abuse linked to faith or belief. [The National Action Plan](#) includes the following definition when referring to Child Abuse Linked to Faith or Belief (CALFB):
- 16.1. "Belief in concepts of:
- 16.1.1. witchcraft and spirit possession, demons or the devil acting through children or leading them astray (traditionally seen in some Christian beliefs),
  - 16.1.2. the evil eye or djinns (traditionally known in some Islamic faith contexts) and
  - 16.1.3. dakini (in the Hindu context);
  - 16.1.4. ritual or muti murders where the killing of children is believed to bring supernatural benefits or the use of their body parts is believed to produce potent magical remedies;
  - 16.1.5. use of belief in magic or witchcraft to create fear in children to make them more compliant when they are being trafficked for domestic slavery or sexual exploitation.
17. This is not an exhaustive list and there will be other examples where children have been harmed when adults think that their actions have brought bad fortune, such as telephoning a wrong number which is believed by some to allow malevolent spirits to enter the home.
18. As with FGM and breast flattening, CALFB can have a number of health and wider implications including physical injuries, emotional abuse and neglect. Children who have been singled out can also be vulnerable to sexual abusers within the family, community or faith organisation.
19. There are a number of laws in the UK that allow the prosecution of those responsible for abuse linked to faith or belief.
20. Further information on CALFB can be found on the Centre's website:  
<http://nationalfgmcentre.org.uk/calfb>

**Implications for Wales**

21. The Centre has formed links with the South Wales Police and has delivered multi-agency safeguarding children training on FGM. The Centre will be launching its FGM Assessment Tool in Cardiff on 11 October 2018.

**Financial Implications**

22. There are no financial implications.

**Next steps**

23. The LGA will continue to help promote and support the Centre to ensure that there is awareness of both its work and the issues it is working on.



## **Civil resilience and Operation Black Start<sup>1</sup>**

### **Purpose of report**

For discussion.

### **Summary**

Supporting councils to strengthen their emergency planning arrangements and local resilience is one of the draft work priorities for the Board for 2018-19. This paper sets out our planned activity in this area, and introduces a presentation by Lord Toby Harris on one of the risks which local resilience forums (including local authorities) are being encouraged to consider as part of their resilience planning: a 'black start' electricity blackout scenario.

### **Recommendation**

The Board approve the civil resilience activities proposed in this paper.

### **Action**

Officers to take forward as directed.

<b>Contact officer:</b>	Ellie Greenwood
<b>Position:</b>	Senior Policy Adviser
<b>Phone no:</b>	020 7664 3219
<b>Email:</b>	ellie.greenwood@local.gov.uk

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<sup>1</sup> Both 'Operation Black Start' and 'Operation Black Sky' are used to refer to a national blackout scenario. This paper uses the term Operation Black Start.

## **Civil resilience and Operation Black Start**

### **Background**

1. The Safer and Stronger Communities Board portfolio includes within its scope the theme of civil resilience and emergency planning.
2. Following the series of emergencies which councils responded to in 2017 – including four terrorist attacks and the Grenfell fire tragedy – there is significant interest across both local and central government in strengthening local authorities' emergency preparedness and resilience.
3. Earlier this year, the team produced a short write up of a Chief Executive's session at the 2017 LGA annual conference which heard from chief executives involved in responding to the Westminster and Manchester Arena attacks. We also piloted a well-received councillor masterclass session on emergency planning and resilience.

### **Issues**

4. Given the continuing interest among councils in learning the lessons of 2017 and the Cabinet Office Civil Contingencies Secretariat / Ministry of Housing, Communities and Local Government (MHCLG) Resilience and Emergencies Division's interest in strengthening local capability on this issue, we have developed further plans for activity on this issue in 2018-19. The issue is also one of the areas of support identified in the LGA-MHCLG Memorandum of Understanding.
5. Our proposed activities include:
  - 5.1. Updating our councillor guide to civil resilience. Although this was only developed in 2016, it has a strong focus on flooding emergencies which although still valuable now seems slightly outdated in the context of the emergencies experienced in 2017. A draft of the document will be circulated to members in advance of the Board meeting, and we would welcome any general feedback.
  - 5.2. We are also working with the Society of Local Authority Chief Executives to develop a case studies document to sit alongside the councillor guide which will look at the 'life cycle' of two different emergencies, and how councils responded to them.
  - 5.3. We expect to run a series of councillor (and potentially officer) training events on resilience issues, building on the pilot held in March. The first of these is scheduled for Leeds in November; a further event is being planned in London in early 2019. In



addition to that, we are looking to hold two or three regional events developed in collaboration with different local areas.

6. We are also working with the government to look at options for strengthening mutual aid arrangements between local areas, and local authorities in particular. In the first instance, this is likely to include the provision of tools including guidance and template mutual aid agreements. Government is also interested in the scope for providing more systemised national arrangements for mutual aid. We are exploring the potential mechanisms for achieving this within current funding arrangements, following a steer that there is no additional funding available to support this ambition. Clearly, part of our feedback to Government on this issue has been to highlight some of the challenges for councils in offering sustained periods of mutual aid given the significantly reduced capacity they have after years of austerity.
7. One other area we intend to explore is whether there are materials we could develop to assist councillors in building local community resilience. The emergencies of 2017 highlighted councils' crucial civic and community leadership role in the event of a major incident in their area; over the course of the year, we experienced both the positive impact of doing this well and the difficulties that can arise when there is gap in this space.
8. A core part of councillors' community leadership role, at the very local level, is in understanding their communities, their vulnerabilities, their assets and networks; information that can prove critical in an emergency response. We would be interested in members' views in how councillors already fulfil this role and whether there are tools that might help to strengthen community mapping and councils' ability to tap into local networks and capability.
9. We would welcome the Board's views on other forms of support that councillors would find useful in strengthening emergency planning and civil resilience.

### **Operation Black Start**

10. Operation Black Start refers to scenario planning for a national blackout extending over a sustained period of time.
11. A total failure of the national electricity system is one of the highest rated risks in the National Risk Register (NRR) compiled by the Government, in terms of being a low probability but high impact risk. The NRR, which was updated in 2017, is intended to provide a steer for Local Resilience Forums (of which councils are part) to think about potential risks in their own areas.
12. A national blackout would be caused by a failure of the national electricity transmission system (as distinct to a failure in the electricity distribution system, which would lead to a

regional outage). This would be most likely to be caused by extreme weather, but terrorism, a cyber-attack and technical issues could also be possible causes.

13. The National Grid has a process called 'Black Start' to recover the electricity network from a total or partial shutdown; however, based on current plans, Black Start recovery could take up to five days with potential for additional disruption beyond that in the event of significant network damage.
14. Clearly, there are huge implications for local communities in the event of a prolonged Black Start scenario, with the consequences including:
  - 14.1. Disruption or loss of essential services, particularly transport, food, water and sewerage, fuel, gas, finance, communications (all types);
  - 14.2. Disruption to health care and emergency services;
  - 14.3. Disruption to businesses via lost working hours; and
  - 14.4. Potential public disorder and possible physical / psychological casualties.
15. The UK has never experienced a national blackout scenario, although other countries have. However, in 2015, around 50,000 households in Lancaster were without power for almost three days following flooding in the area.<sup>2</sup> In a summary of the experience, a local resident Professor Roger Kemp highlighted the following:
  - 15.1. Internet and broadband capability was lost; and mobile phones did not work after around twenty minutes of the blackout. Traditional fixed phone lines worked; wireless ones did not.
  - 15.2. Crucial services including care homes and health centres lost their connectivity; schools could not communicate with parents. Hospitals were able to remain open as back-up systems worked, but they were unable to contact staff or patients.
  - 15.3. Care homes were hard hit, with no TV to distract residents and cooking facilities not functioning; the delivery of care in community was particularly difficult.
  - 15.4. While some impacts on households could be predicted (such as loss of lighting and heating) others (such as the failure of cash machines and card payments) were not anticipated. Shops which operate on a 'just in time' basis found it hard to restock their shelves.

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<sup>2</sup> The mains water supply remained reliable.

- 15.5. How individual households were affected was determined by housing and how people live. Houses with wood burners, gas hobs and camping equipment managed sufficiently; for those in flats it was much harder.
- 15.6. In an emergency, people naturally turn to the local authority but many services, particularly schools, are outside of council control.
16. The Lancaster experience was a locally contained blackout, but clearly illustrates the importance of council emergency planning teams and councillors considering key issues such as enabling communication when there is no electricity, the resilience of key services in the event of an emergency, and where there may be particular risks in their communities.
17. Lord Toby Harris, who has worked closely with the Board as Chair of National Trading Standards, has been working with the Electrical Infrastructure Security Council on work to strengthen the UK's critical infrastructure resilience.
18. Lord Harris will be attending the Board meeting to discuss work on Black Start, the implications for local authorities, and how councils can be thinking about the issue in their emergency planning work.
19. The Board may wish to consider the following questions in the context of Lord Harris's presentation:
- 19.1. How council councils and councillors fulfil their political, civic and community leadership roles in the event of a sustained blackout?
- 19.2. What planning is being undertaken with LRFs, and local authorities specifically, in relation to a blackout scenario?
- 19.3. How are councillors being engaged in this process?
- 19.4. What role could community resilience and mapping play in the response to a blackout scenario?
- 19.5. Would the Board find it useful to hear more about the Lancaster blackout from the perspective of the council / local councillors?

### **Implications for Wales**

20. Welsh authorities are subject to the same requirements as English authorities under the Civil Contingencies Act 2004; however resilience and emergency planning is, broadly, a devolved issue. We will liaise with colleagues at the Welsh Local Government

Association to ensure they are aware of our work and able to adapt it and engage this as appropriate.

### **Financial Implications**

21. The work identified in this paper will be undertaken out of existing budgets, including part of the sector led support grant provided by MHCLG.

### **Next steps**

22. The Board are asked to provide any feedback on the revised councillor document and planned activities; insight into their own experience of resilience and emergency planning issues at their local councils, and suggestions for further support which the LGA could provide.



## **Fire Safety in High Rise Buildings**

### **Purpose of report**

For information.

### **Summary**

This report sets out the LGA's building safety related work since the last Board meeting, including our response to Dame Judith Hackitt's final report, the LGA's response to the consultation on the ban on the use of combustible materials on high-rise residential buildings, and work related to remediating private high-rise buildings with combustible cladding systems.

### **Recommendations**

Members are asked to note and comment on the LGA's building safety programme work.

### **Actions**

Officers to proceed as directed.

<b>Contact officer:</b>	Mark Norris
<b>Position:</b>	Principal Policy Adviser
<b>Phone no:</b>	020 7664 3241
<b>Email:</b>	mark.norris@local.gov.uk



## Fire Safety in High Rise Buildings

### Background

1. At its last meeting the Board considered the recommendations from Dame Judith Hackitt's final report on building regulations and fire safety published in May. Since then the LGA's work has focused on the implementation of the recommendations, responding to related government announcements and consultations, problems related to fire doors, and progressing issues related to the private sector high-rise building safety programme. This report updates the Board on the LGA's activity since June.

### Review of building regulations and fire safety

2. The Board's views on Dame Judith's recommendations to reform the building control system informed the LGA's response to her final report. The response was also informed by discussions at the Grenfell Task and Finish Group and with the Lead Members of other relevant LGA Boards, including Fire Services Management Committee. A copy of the LGA's response is attached at **Appendix A**.
3. At the heart of Dame Judith's proposals was the creation of a new regulator, the Joint Competent Authority (JCA), to oversee better management of safety risks. Dame Judith's final report suggested this would be a mechanism to enable existing regulators to operate collectively rather than being a new body, although no further detail was provided on how it was envisaged that these regulators would be brought together. A specific team has been established by the Ministry of Housing, Communities and Local Government (MHCLG) to work up proposals for how the JCA would operate in practice, and preliminary discussions have been held between MHCLG officials and the National Fire Chiefs Council (NFCC), Local Authority Building Control (LABC) and the LGA. The LGA has also been involved in meetings with the NFCC and LABC to discuss how the JCA would work in practice, and further discussions with these and other interested organisations are planned for September.
4. In MHCLG's response to publication of Dame Judith's final report, the department indicated it would be consulting on banning the use of combustible materials on the external walls of high-rise residential buildings. The consultation was published on 18 June and closed on 14 August. The LGA's response to this consultation was considered by the Board's Lead Members as well as those from other relevant LGA Boards and the members of the Grenfell Task and Finish Group. A copy of the LGA's response is attached at **Appendix B**.
5. In addition to the consultation on banning the use of combustible materials MHCLG published a revised version of the guidance on how to meet the fire safety requirements of the building regulations – Approved Document B – on 19 July. The LGA will be responding to the consultation which closes in October, and can be found here:



<https://www.gov.uk/government/consultations/fire-safety-clarification-of-statutory-guidance-approved-document-b>

6. Dame Judith's recommendations were also considered by the Housing, Communities and Local Government Select Committee. The LGA, along with a range of other organisations, were asked to provide evidence to the Committee. Its [report](#), published on 18 July, agreed with the LGA's assessment of Dame Judith's recommendations: that there is a need for a significant culture change in the industry, the building regulations require simplification, the recommendations on high-risk residential buildings should apply more widely than those over 10 storeys in height, it is right to ban the use of combustible materials on the external walls of high-rise residential buildings, and there is a need for a new testing regime that better reflects real world conditions and is more transparent. The Committee also recommended the retrofitting of sprinklers in high-rise residential buildings, and the introduction of a low interest loan scheme for owners of private high-rise residential buildings so the cost of remediation work is not passed on to leaseholders.
7. The [Social Housing Green Paper](#) published by MHCLG in August seeks views from respondents on those elements of Dame Judith's recommendations about sharing information on fire safety with tenants, giving residents a means of raising fire safety concerns with their landlord, and a clear route for escalating concerns along with an ability to seek redress where these are not addressed. The LGA's Environment, Economy, Housing and Transport Board will be leading the response to this consultation, and as it develops a draft response we will seek views from the Board on those elements related to Dame Judith's recommendations.

### **Social housing high-rise buildings**

#### *Progress in remediation work*

8. Progress continues to be made in carrying out remediation to the 45 council owned and 100 plus housing association blocks with combinations of aluminium composite material (ACM) cladding and insulation that have been found not to meet the building regulation standards.
9. The statistics published by MHCLG on the 23 August show that remediation has started on 121, or just over three-quarters, of the 159 social housing blocks. Work has finished on 14 of these buildings, and in the case of the council blocks the cladding has already been removed from a significant majority, with the work underway to remove it from the remaining buildings.



*Materials to use in remediation*

10. The LGA has been pressing MHCLG for a considerable time for clarity around what materials can be used to replace combustible ACM cladding systems when carrying out remediation work. In May MHCLG confirmed that as part of the conditions for funding remediation work by councils and housing associations, only cladding that meets the A1 and A2 European classifications could be used.
11. Since that announcement however questions have been raised about whether A2 classified materials are actually non-combustible. A report on the BBC's Newsnight programme on Friday 6 July suggested that an A2 cladding panel had recently failed a large scale test (the BS 8414 test). The manufacturer contests these test results though, saying the panel that had been tested had previously passed a BS 8414 test last year.
12. MHCLG has been investigating the conflicting claims and whether or not the panel in question satisfies the criteria to be classified as an A2 material. In the event the panel is correctly classified as an A2 material this will raise further questions about the robustness of the BS 8414 test and whether its results can be relied on.

*Costs of the remediation work*

13. As was reported to the last Board meeting the government announced on 16 May that it would be fully funding the removal and replacement of unsafe cladding. Details on how councils can apply for funding were published on 3 July 2018.

**Private high-rise buildings**

*Data collection*

14. While those social housing high-rise blocks with ACM cladding systems were identified last year, councils' work to identify private high-rise residential buildings with ACM cladding has taken a number of months. This is because they have had to gather information on over 6,000 buildings. The deadline for gathering this information was the end of May, and the results were first published in the data released by MHCLG at the end of June 2018.
15. Updated data published by MHCLG in August showed 150 further private high-rise residential buildings with ACM cladding systems had been identified by councils as part of this process in addition to the 143 identified by the owners. In total there are therefore 293 private high-rise buildings with ACM cladding. This number may increase slightly as there are approximately 60 buildings where councils have not yet been able to confirm whether the cladding on the building is ACM or not. It is anticipated that between 3-5% of





these buildings will have ACM cladding. So far remediation work has begun on 34 of the private high-rise buildings with ACM cladding, and has been completed on 9 of them.

*Secretary of State's announcement*

16. With remediation work currently underway on only a small number of these private high-rise building, and MHCLG only aware of plans for starting that work on another 93 buildings, the Secretary of State for Housing, Communities and Local Government set out how the government would drive swifter progress by building owners in removing unsafe cladding in a statement at the end of June. The package of measures in the announcement included:

- 16.1. The establishment of a new taskforce to oversee the remediation programme on these private high-rise residential buildings, chaired by ministers and including the LGA, the NFCC, London Councils and local authorities with large numbers of these blocks as well as industry representatives.
- 16.2. The convening of a joint inspection team by the LGA and the NFCC to help councils ensure building owners start remediation work on those private high-rise residential buildings with ACM cladding, and where necessary are supported to take enforcement action. £1 million will be made available to support enforcement action by councils.
- 16.3. The development of further statutory guidance by MHCLG to make it easier for councils to use their powers under the Housing Health and Safety Rating System (HHSRS) in relation to fire safety hazards posed by ACM cladding systems.
- 16.4. Inviting industry representatives to develop their own solutions that progress the removal of unsafe cladding while protecting leaseholders from the costs. At the same time MHCLG said they would consider a range of other options if the industry does not provide solutions.

*Private sector remediation taskforce*

17. The first meeting of the new taskforce took place at the end of July. Alongside consideration of its terms of reference, it discussed what data was available on the remediation plans and work to private high-rise buildings, and agreed plans for establishing the joint inspection team.



*Joint Inspection Team*

18. The plans for the Joint Inspection Team discussed at the private sector remediation taskforce drew heavily on the proposal for such a team developed by London Councils and the LGA at the start of the year. Our preparatory work identified the skills and experience such a team would need, and the processes it will need to work through under the Housing Act and the HHSRS. We also suggested to MHCLG officials that the work of such a team would be assisted by changes to the HHSRS statutory guidance in relation to the fire safety hazards posed by ACM cladding.
19. The Joint Inspection Team will be run by the LGA, but paid for by MHCLG. We are currently in discussion with MHCLG about the size of the team and costs, and once these are concluded we intend to swiftly commence recruitment to the team. As part of this we will be contacting local authority chief executives to highlight the existence of the team and ask whether any of their environmental health officers could be seconded into the team. A further oral update on progress with establishing the team will be provided at the Board meeting.

**Fire doors**

20. Following the announcement in March that the investigation by the Metropolitan Police Service into the spread of the fire in Grenfell Tower had identified concerns about the fire doors in the block, MHCLG conducted further tests on fire doors made by the same manufacturer as those used in Grenfell Tower. The results of these tests were announced on 16 May, when MHCLG also said they would be looking at the wider fire doors market and testing fire doors from other suppliers.
21. A further announcement from the department at the end of July confirmed that fire doors from five manufacturers had by then been identified as failing to meet the requisite fire performance standard. The doors which failed the tests were glazed and unglazed doors supplied by Manse Masterdor and Masterdor Limited and glazed composite doors supplied by Specialist Building Products Limited trading as Permadoor; Solar Windows Limited; and Birtley Group Limited trading as Bowater by Birtley. All the doors known to have failed to meet the standards have been withdrawn from the market.
22. The advice from the government's Expert Panel and the NFCC remains unchanged that the risk to public safety is low, as even when doors do not meet the required standard they will provide some protection from the spread of fire. The advice to building owners issued by the Expert Panel in May was revised in light of the new findings at the end of July. The updated guidance repeated that landlords and building owners should replace doors they suspect do not meet the required standard, using a fire risk assessment to determine how quickly the doors should be replaced.



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23. The fact that doors from a number of manufacturers have failed to meet the required standards has led MHCLG to conclude there is a broader issue across the fire door market. One problem identified as a result of this work has been that some fire doors have been marketed on the basis of a single fire resistance test on one side of the door. However guidance in Approved Document B states that fire doors have to be tested on both sides to demonstrate compliance with the building regulations as most are not truly symmetrical, particularly in the case of complex door constructions. MHCLG therefore reiterated the need to ensure there was evidence that fire doors have been tested on both sides when checking their suitability in a letter to building control bodies on 31 July.
24. To address the problems in the market MHCLG has met the major fire doors suppliers to agree a plan of action to address the manufacturing failings which have been identified as part of this process. The department has also been in discussion with National Trading Standards about coordinating the response from affected trading standards teams.
25. LGA officers along with London Councils and a number of local authorities have been meeting with MHCLG officials to discuss the implications for councils of the department's work, and to share knowledge and experience between councils.

**Implications for Wales**

26. Building regulations and fire and rescue services are devolved responsibilities of the Welsh Assembly Government, and the main implications arising from the recommendations of the Hackitt Review and the government's response to it are on building regulations and fire safety in England. However the Welsh government has announced that it will be making the changes recommended in the report to the regulatory system in Wales. An expert group will be established to advise on how to incorporate these change into law, policy and practice in Wales.

**Financial Implications**

27. Although the LGA is setting up the Joint Inspection Team, the cost of doing so will be met by MHCLG. Other work arising from this report will continue to be delivered within the planned staffing budget, which includes an additional fixed term post in the safer communities team to support the LGA's building safety work.

**Appendices**

28. Appendix A - LGA Response to Dame Judith Hackitt's review of building regulations and fire safety.
29. Appendix B - LGA Response to MHCLG consultation on banning the use of combustible materials in the external walls of high-rise residential buildings.



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**Next steps**

30. Members are asked to note and comment on the LGA's building safety work.

## Appendix A

# LGA Response to Dame Judith Hackitt's review of building regulations and fire safety

July 2018



## About the Local Government Association

1. The Local Government Association (LGA) is the national voice of local government. We work with councils to support, promote and improve local government. We are a politically-led, cross-party organisation, which works on behalf of councils to ensure local government has a strong, credible voice with national government.
2. We aim to influence and set the political agenda on issues that matter most to councils so they are able to deliver local solutions to national problems. The LGA covers every part of England and Wales, supporting local government as the most efficient and accountable part of the public sector.

## Key issues

3. The LGA welcomes the publication of Dame Judith Hackitt's final report, and supports many of the recommendations in it. However there are some areas where the LGA believes the report did not go far enough, and others where there needs to be further work on the detail of the recommendations for them to be taken forward. The LGA stands ready to assist in working up the necessary detail needed to implement some of the recommendations.
4. The definition of higher risk residential buildings (HRRBs) is too narrow. The LGA's view is that HRRB's should be defined as all buildings over 11 metres (the height at which Scotland proposes to define high-rise buildings, based on the practicalities of fighting fires at height) and all buildings in which vulnerable people will sleep (other than private dwellings), including student accommodation. There may be some non-residential buildings which need to be subject to the same regulatory approach due to the difficulty in effecting evacuation in the event of fire.
5. Retrospective action should be undertaken on a risk-based not a prescriptive basis, but the requirement to take action to make buildings safe should be robust and should include Houses in Multiple Occupation (HMOs).
6. Combustible materials should be banned from external cladding systems (except where no non-combustible option exists for a necessary component, in which case a system test will be necessary); the use of desktop studies should be prohibited in relation to external cladding systems; and any testing regime for external cladding systems must be subject to third party verification of products and system construction.
7. The creation of the Joint Competent Authority (JCA) needs to respect the democratic accountability of local council building control services and fire and rescue authorities. The JCA's functions will be predominantly exercised at a local level; collaborative national structures must be designed to support those local functions.

Submission

8. New burdens must be fully funded and this must recognise the limitations of cost recovery, the need to facilitate whistleblowing and the extent to which costs will need to be covered at an early stage of the new regime's existence, both in terms of training to increase capacity and initial funding of enforcement action.

### **A new regulatory framework**

9. The new regime should apply to buildings over 11 metres (the proposed new definition of high rise for building regulations in Scotland). It should also apply to all buildings where vulnerable people sleep (except private dwellings) and HMOs.
10. This would mean that new buildings would be covered by the JCA (including building control) at the design, construction and occupation stages and that owner of existing buildings would need to demonstrate the building's safety to the JCA on a risk-based (rather than prescriptive) basis.
11. We acknowledge that work will be necessary to establish the precise meaning of vulnerable in this context but consider the essential principle to be that a building should be classed as an HRRB where the nature of its occupation means it would take significantly longer to evacuate than would usually be the case and where this delay significantly increases the risk to life.
12. It is as yet unclear what the JCA will look like. Dame Judith argued that its creation:

would not mean merging those organisations but rather providing a framework for [local authority building control, Health and Safety Executive (HSE) and fire and rescue services] to work together to more rigorously assess building safety and would create a more unified and consistent intervention process.

She added that:

The creation of the JCA is considered to be more appropriate than the creation of an entirely new single regulator that draws building safety expertise away from three pre-existing organisations who would still have critical work to take forward.
13. It is therefore unclear whether the JCA needs to exist in terms of having its own staff, premises etc. or whether it is simply an umbrella term to be applied to the liaison between its constituent parts and the enforcement undertaken by any one of those parts in pursuit of the aims set out elsewhere in her report.
14. In as much as the JCA does exist it is unclear whether this would be as a national body or a series of regional or local bodies or both.
15. Nor is it clear how, if the JCA is a concept rather than an organisation, the HSE will liaise with fire services which typically function at county level and building control services which function at district level; or how district housing services and planning authorities will liaise with it.
16. The LGA intends to undertake further work during the summer to establish a detailed position on the ideal form the JCA should take, as well as participating in joint work on this issue with the Government and other stakeholders, as it has been invited to do.

17. This work will be based on the following principles

- 17.1 The JCA must not create unnecessary bureaucracy.
  - 17.1.1 A sensible and effective balance needs to be struck between the need for a consistent approach across the country and the democratic accountability of individual councils and Fire and Rescue Authorities (FRAs).
  - 17.1.2 The starting point for striking this balance needs to establish how the regulatory regime will work at a local level and to make national arrangements that are designed to facilitate that process.
- 17.2 Whatever form the JCA takes its creation must be accompanied by new regulations and/or legislation to ensure its constituent bodies have the powers they need.
  - 17.2.1 The Lakanal House inquest recognised the need to address the regulatory vacuum that exists between the Fire Safety Order (FSO) and the Housing Act. The problems generated by the failure to do so have been clearly illustrated in subsequent years.
  - 17.2.2 Dame Judith expressed the view that the industry should ultimately take responsibility for ensuring safety. The LGA believes this can only take place alongside the creation of a stronger sanctions and enforcement regime. Without a strong and robust enforcement and sanctions regime there will be no incentives on the industry to drive the culture change Dame Judith highlights as being an essential part of the reform process.
- 17.3 The creation of the JCA itself will not solve the lack of capacity within its constituent services. Early thought needs to be given to the need for more trained staff.
  - 17.3.1 Consideration will need to be given to the fact that for some district councils, a new HHRB will be a once-in-a-generation event. There may be a need to share services in order to ensure cost effective use of capacity and to allow for the acquisition of sufficient experience.
- 17.4 Councils' housing teams have taken a lead in identifying and remediating dangerous cladding systems in the private sector. It is not clear if this work would be covered by the JCA. If it is not, the creation of the JCA must not distract attention from the role of housing environmental health officers, the challenges of asking existing council councils' housing teams to move into this new area of work and the lack of capacity within those teams at present.
- 17.5 Cost recovery powers must be adequate and an effective mechanism established for redistributing recovered costs between the constituent memberships of the JCA. Our experience is that cost recovery tends not to work in full.
  - 17.5.1 Some costs will be incurred which cannot be attributed to specific actions, for example, in establishing the new framework of regulation and enforcement, including the JCA, and providing training.

- 17.5.2 Central Government will need to fund the establishment of the JCA and some of this funding will have to go into increasing the pool of qualified staff (which will also require a lead-in time) so that we increase the number of fire engineers for example.
- 17.5.3 Where costs are incurred by one partner and enforcement action taken by another, costs may be difficult to recover under existing law.
- 17.5.4 It is not always possible to recover the costs of court action and enforcement activity. Enforcing authorities must not be deterred from acting for fear that they will be left out of pocket. The courts must be able not only to impose robust penalties for breaches of the regulations, but also to work on the basis that the JCA, fire and rescue authorities, the HSE and councils' building control departments are able to fully recover their costs when they bring prosecutions.
- 17.5.5 There may be a need for some of the funds to be held centrally. A central enforcement pot for example might have advantages over lots of smaller ones.

## **Design construction and refurbishment (chapter 2)**

18 The LGA supports the proposals in this section, in particular:

- 18.1 The moves in the Review's recommendations to increase accountability and provide greater clarity about who is responsible for what, as this will make the JCA's job easier. Without the clarity of duty-holder roles the JCA will be unable to have much impact.
- 18.2 Arming the JCA with effective sanctions and powers. The detail of the report makes it clear that the ability of the JCA to issue improvement and stop notices on duty-holders is the route by which the gaps between the FSO and the Housing Health and Safety Rating System can be filled.
- 18.3 The key information products proposal and the creation of the Fire and Emergency File in particular.
- 18.4 The idea that FRAs will have a significantly greater role in the approval process for building high-rise residential buildings. This includes being consulted at the planning stage for the building of new HRRBs, and when any applications are submitted in relation to other buildings in the immediate vicinity of a HRRB. Consideration should also be given to giving FRAs a say in highways related changes that impact on the access they have to HRRBs. FRAs will also be involved in reviewing fire safety in existing buildings. There will of course be resource implications to this for FRAs, both in carrying out the work and ensuring they have suitably qualified people. This is discussed above. We also need to build into the planning system an ability for planning committees to reject planning applications on fire safety grounds.
- 18.5 The restriction on duty-holders being able to start building work before the full plans for a building have been approved, and on allowing occupation of a building before the JCA is satisfied with the fire safety measures and the 'as-built' construction.
- 18.6 The clear requirement for duty holders to notify regulators of significant changes from the previously agreed full plans.



- 18.7 That building control oversight of HRRBs should be solely provided by local authority building control functions, with approved inspectors being utilised to expand the expertise and capacity in councils.
- 18.8 Some details will need to be considered. For example: should FRAs or building control inspectors be involved in assessing cases where they have, for instance, provided professional services through their commercial arms to a duty-holder for a HRRB? How does the JCA work where the local authority is the building owner/holder? And who leads enforcement in this case? The FRA?
- 19 We think it is essential that the JCA role at gateway one, as set out in Appendix B to the report (the planning stage), includes not only consultation with the fire service but also requires the approval of the FRS before the building can proceed to the next stage.
- 20 We note that the Ministry is currently considering responses to its consultation on the review of the National Planning Policy Framework and that this provides an opportunity to embed reform in the planning framework. We urge the Ministry to consider the Hackitt report and the preceding paragraph of this response when drafting its response to the consultation.
- 21 These proposals also have implications for councils as duty-holders. Safety cannot be compromised but problems with, for example, fire doors, as well as other as yet unknown issues, are likely to add significantly to the costs of remediating Aluminium Composite Material cladding, drawing funds away from meeting housing need and government ambitions. The Government should commit to providing assistance to any council experiencing financial difficulty in meeting its obligations as a duty-holder, as it has done in respect of the remediation of social housing blocks with flammable cladding.

### **Occupation and maintenance (chapter3)**

- 22 The LGA supports the recommendation that HRRBs will need to have a duty-holder with responsibility for the safety of all parts of the building, with a nominated building safety manager to manage the building on a day-to-day basis and act as a point of contact.
- 23 We also support the requirement that the duty-holder will have to regularly demonstrate to the JCA that they are discharging their responsibilities, subject to the frequency of the requirement to demonstrate compliance not being unnecessarily onerous.
- 24 The details of these demonstrations remain to be established and we have concerns over the capacity of enforcing bodies to meet demand. Funding is an issue here, as is competence (in particular the shortage of fire engineers in the UK).
- 25 As part of this process duty-holders for existing buildings will need to gather information on the design, structure and materials used. While we agree that this is right, there may be practical difficulties in obtaining information on some existing buildings.
- 26 It is particularly important that the JCA can enforce across the whole building and has access to robust sanctions.
- 27 The obligation on residents needs to include the right of councils as freeholders to enter leasehold flats to install and maintain automatic fire

suppression systems and either allow freeholders/duty-holders or enforcement agencies, or both, the right to inspect leasehold flats to ensure against breaches of compartmentation, removal of fire doors and door closers etc.

#### **Residents Voice (chapter 4)**

- 28 The LGA supports these recommendations and the measures Dame Judith sets out to provide reassurance and recourse for residents, many of which are already best practice in the sector. Indeed we believe many councils already go further.
- 29 The Review appears to envisage an independent body to which residents can escalate concerns, and might then refer them to the JCA. This seems somewhat convoluted and we question whether it might be more effective to have concerns flagged straight to the JCA. It could be that one element of the national JCA arrangements acts as this independent body.

#### **Competence (chapter 5)**

- 30 The report sets out concerns that the current approach regarding levels of competence is disjointed and not rigorous enough. To overcome them the report recommends that professional and accreditation bodies should present a coherent approach to government within one year. This approach should set out the remit and role of an overarching body to provide oversight of competence requirements of competent people working on HRRBs.
- 31 The LGA shares Dame Judith's concerns around competence, but this recommendation does not offer swift enough solutions.
- 32 It is unclear what the overarching body will look like and whether one body is the right approach, given the range of professions potentially affected (building control, cladding installation and maintenance, fire engineering etc.).
- 33 Nor is it clear what the relationship between it, and the work that the Construction Industry Council is now leading on competencies across the sector, will have to the Professional Standards Body that will be part of the National Fire Chiefs Council arrangements, and what role FRAs will have in these discussions.

#### **Guidance and monitoring (chapter 6)**

- 34 The LGA supports the intention of making the industry take greater responsibility for fire safety in the design, construction and refurbishment of HRRBs and to move the culture away from one where all too often meeting the guidance on fire safety is seen as a 'tick-box' exercise. The LGA believes though that industry can only have a greater role in developing new guidance, and in particular that industry can only be allowed to own new guidance, if such a transfer of responsibility is accompanied by a new, stronger and more robust sanctions regime that drives the culture change Dame Judith identified as being so crucial in improving fire safety in HRRBs. Without the creation of a stronger and more robust sanctions regime there are strong arguments in favour of responsibility for producing such guidance remaining the responsibility of the Ministry of Housing, Communities and Local Government.
- 35 The proposal that the FSO be updated, suggests that no reform of the Housing Act is necessary which in turn implies new burdens for FRAs rather than council housing enforcement. Any new burdens must be fully funded and

this is likely to include the need for up-front funding to set up new function and which will not easily be met through cost recovery.

- 36 Consideration needs to be given whether this focus on the FSO, rather than the Housing Act, is correct.

### **Products (Chapter 7)**

- 37 The LGA has already called for combustible cladding and insulation to be banned from buildings over 18 metres and where vulnerable residents sleep. It has also called for desktop studies to be banned in relation to cladding systems.
- 38 The LGA does not regard the existing BS 8414 test as reliable in that the system can be gamed and the test does not adequately reflect real world conditions. The LGA wants to see all combustible materials banned from cladding systems. However, it recognises that there may be some components which cannot be substituted by non-combustibles (sealants etc.). These should be dealt with by specific exemption and this should never be used where a non-combustible alternative is available. The LGA is open to the possibility that expert advice may mean there needs to be some form of testing or other safety verification for cladding systems to take account of unavoidable use of combustibles and the possible chimney effect in a fully non-combustible system. This testing system, if used, will require both independent third party verification of the system tested and robust random sampling of product samples used in the system's construction.
- 39 The LGA supports a stronger regime of product safety but is considering its position on the national coordination role proposed for OFFPSS. Whatever system is used will require a robust process of random testing.

### **Building information (chapter 8)**

- 40 The report recommends the creation of a digital record throughout the building life cycle. A Business Information Modelling approach is proposed, which the report says will enable the duty-holders to ensure accuracy and quality of design and construction, and a suitable evidence base to maintain the safety and integrity throughout the life cycle of the building. The review also recommends that, for existing buildings, a set of minimum building data be included in the safety case provided to the JCA when the building is being refurbished or assessed. The LGA supports this proposal, but recognises that in many cases the information referred to may not exist in relation to existing buildings.

### **Procurement and supply (chapter 9)**

- 41 The LGA supports the review's proposals.



## Appendix B

# **LGA Response to MHCLG consultation on banning the use of combustible materials in the external walls of high-rise residential buildings**

August 2018



### **About the Local Government Association**

1. The Local Government Association (LGA) is the national voice of local government. We work with councils to support, promote and improve local government. We are a politically-led, cross-party organisation, which works on behalf of councils to ensure local government has a strong, credible voice with national government.
2. We aim to influence and set the political agenda on issues that matter most to councils so they are able to deliver local solutions to national problems. The LGA covers every part of England and Wales, supporting local government as the most efficient and accountable part of the public sector.

### **Introduction**

3. The LGA welcomes the Ministry of Housing, Communities and Local Government's (MHCLG) consultation on a ban on the use of combustible materials in the external walls of high-rise residential buildings. The fire at Grenfell Tower in June of last year exposed systemic failures in the building regulation system. Dame Judith Hackitt's review of building regulations and fire safety made recommendations for the long-term reform of the system to address these failures, but as the consultation points out these will take time to implement.
4. Our immediate priority must therefore be to ensure the safety of those who live, work and visit high-rise residential buildings, so that a fire like that at Grenfell Tower never happens again. Evidence emerging from the public inquiry into Grenfell Tower, and earlier fires at Lakanal House and Garnock Court as well as those in other countries such as that in a block in Rouxbaix in France, show that using combustible material on the external walls of high-rise buildings puts people's lives at risk. The fires in these four blocks resulted in 80 deaths.
5. If we are to put people's lives first we must take the lowest risk approach. Allowing the continued use of combustible materials on the external walls of high-rise buildings means taking a risk with the lives of those who live, work and visit them. The safer approach is to only use non-combustible materials – an approach that the consultation notes Dame Judith Hackitt has indicated is a lower risk option than continuing to allow the use of combustible materials. We also believe the ban should be extended to cover all buildings where vulnerable people sleep.

**Submission**

18 Smith Square, London, SW1P 3HZ  
Email [info@local.gov.uk](mailto:info@local.gov.uk)  
Tel 020 7664 3000 Fax 020 7664 3030  
[www.local.gov.uk](http://www.local.gov.uk)

## Key issues

6. The LGA therefore supports the proposed ban on the use of combustible materials on the external walls of high-rise buildings, as the presence of flammable cladding and insulation unnecessarily increases the risk of a serious fire and the severity of that fire. Allowing combustible materials on the side of buildings is always a compromise on safety where – as is the case with cladding and insulation systems - there is a non-combustible alternative. In light of the Grenfell disaster, we do not believe there should be scope for such compromises.
7. Moreover, a ban on combustible materials would provide clarity for councils with regards to which materials they can use in the remediation work and any future refurbishment of their own buildings, as well as work on private high-rise residential buildings. In the latter case, councils are the enforcing authority under the Housing Act 2004, and fire authorities – whom the LGA also represents – have a responsibility under the Fire Safety Order. Both of these enforcing bodies have an urgent need for clarity.
8. The consultation points out that the BS 8414 test provides an alternative means of establishing if the materials used in the external walls of a high-rise residential building are safe. However the LGA does not believe that the BS 8414 test is a reliable guide to the safety of external wall systems that use combustible materials, for the following reasons:

6.1 The test does not adequately reflect what happens in real fires in real buildings. The Fire Protection Association (FPA) carried out its own tests on behalf of the Association of British Insurers to establish what actually happens in real fires in cladding systems. As a result of these tests the FPA concluded “the BS 8414 test may not give designers, specifiers or insurers confidence that cladding systems tested to it will ensure the level of building fire safety that is currently inferred by its use.”<sup>1</sup>

6.2 The test fails to reflect how cladding systems are installed in real life on building sites. The BS 8414 test is conducted on a perfectly constructed cladding system, where a pass result may depend on extremely fine tolerances, such as ensuring the gaps between components are the correct number of millimetres apart. We know in reality though that systems are not necessarily perfectly constructed. In particular, the evidence to the Grenfell Tower public inquiry showed that vital safety measures such as cavity barriers were not properly installed. We are aware of evidence suggesting this is a common problem<sup>2</sup>. The entire fire performance of a cladding system is dependent on the effective operation of cavity barriers, and even if everything else has been done correctly, too great a gap between them and other elements of the system can mean they are ineffective.

6.3 Test reports may not reflect the system that was actually tested. Dr. Barbara Lane’s report to the public inquiry demonstrates that there is no guarantee that any BS 8414 test can be relied on, as it might not have been conducted on the system described in the test report:

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<sup>1</sup> <https://www.abi.org.uk/globalassets/files/publications/public/property/2018/04/abi-cladding-systems-research-report-2018-04-19.pdf>

<sup>2</sup> Do we have a reference for this?

- 6.3.1 In Appendix E<sup>3</sup> of her report, she demonstrated that a system that passed the BS 8414 that was very different in its actual construction from the system described in the test report.
- 6.3.2 As tested on the BS 8414 test rigs, the system had significantly more cavity barriers and non-combustible material at crucial points in its construction than were described in the test report published afterwards. As a result anyone using the test report would not have been able to replicate the system that had been tested. It is not yet clear what motive lay behind this discrepancy. However, it is clear that there is the possibility that the reports describing BS 8414 test reports do not accurately reflect the system as installed on the BS 8414 rigs.
- 7 Given the unreliability of these tests, the LGA's view is that the risk of excessive fire spread via cladding systems would be most effectively addressed by using only non-combustible materials in cladding systems. Taking the lowest-risk approach of banning the use of combustible materials in cladding systems would render the existing system of BS 8414 tests and assessments in lieu of tests redundant.
- 8 It might be still be necessary to test the performance of cavities in cladding systems with a view to ensuring against the possible chimney effect in a fully non-combustible system. However, in the absence of combustible materials in cladding systems, we think this would be a far simpler and more reliable process, with the result not only that residents are safer but that they feel safer too.

### Question 3

**a. Do you agree that combustible materials in cladding systems should be banned?**

- 9 Yes. The LGA believes that all combustible materials should be banned from external cladding systems and only non-combustible materials used, except where there is no non-combustible substitute available. In the case of insulation and cladding panels, there are non-combustible substitutes available.
- 10 The Health and Safety Executive's (HSE) advice on the hierarchy of controls for managing risks in the workplace states that the first step in managing risk is "Elimination - Redesign the job or substitute a substance so that the hazard is removed or eliminated."<sup>4</sup>
- 11 The HSE take the view that mitigation of risk should only be considered if it is not reasonably practicable to eliminate the risk. The LGA's view is that the risk of excessive fire spread via cladding systems can be almost entirely removed by using only non-combustible materials in cladding systems.
- 12 However, there may be some elements of systems that need to be exempted as set out in our answer to question 7 below.

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<sup>3</sup> [https://www.grenfelltowerinquiry.org.uk/file/361/download?token=cL\\_IHqqr](https://www.grenfelltowerinquiry.org.uk/file/361/download?token=cL_IHqqr)

<sup>4</sup> <http://www.hse.gov.uk/risk/faq.htm#hierarchy>

**b. Should the ban be implemented through changes to the law?**

- 13 Yes. We do not believe that changing the guidance to building regulations, i.e. Approved Document B, would be sufficient in itself to implement a ban, as there is no absolute compulsion on industry to adhere to the guidance. We believe it would be preferable to introduce the ban through an amendment to the Building Act 1984 to ensure that any move to reverse the ban was subject to parliamentary scrutiny and debate.

**c. If no, how else could the ban be achieved?**

- 14 See above.

**Question 4**

**Do you agree that the ban should apply:**

**a. To buildings 18m or over in height?**

- 15 The definition of higher risk residential buildings (HRRBs) in Dame Judith's report is too narrow. The LGA's view is that HRRB's should be defined as all buildings over 11m (the height at which Scotland proposes to define high-rise buildings, based on the practicalities of fighting fires at height). The definition should also include all buildings in which vulnerable people will sleep (other than private dwellings), including hotels, student accommodation and Houses in Multiple Occupation.
- 16 We acknowledge that work will be necessary to establish the precise meaning of vulnerable in this context but consider the essential principle to be that a building should be classed as an HRRB where the nature of its occupation means it would take significantly longer to evacuate than would usually be the case and where this delay significantly increases the risk to life.

**b. Throughout the entire height of the wall, i.e. both below and above 18m?**

- 17 Yes, the ban should apply to the entire height of the walls of a HHRB. Irrespective of the height limit imposed on the definition of HRRBs – which we have proposed as over 11m – the presence of flammable materials below this limit could allow a fire to take significant hold on the parts of the building above this height limit.

**c. To high-rise residential buildings only?**

- 18 Please see the answer to question 4a.

**d. To all high-rise, non-residential buildings e.g. offices and other buildings, as well as residential buildings?**

- 19 There may be some non-residential buildings which need to be subject to the same regulatory approach due to the difficulty in effecting evacuation in the event of fire.

**Question 5**

**a. Do you agree that the European classification system should be used and do you consider that Class A2 or better is the correct classification for materials to be used in wall construction?**

- 20 The LGA agrees that the European classification system should be used.



- 21 We believe that only non-combustible materials should be used in cladding systems and that non-combustible must mean non-combustible. This implies that an A1 classification may be necessary. Recent allegations that two non-combustible systems have failed a BS 8414 test and about Vitacore G2 cladding (rated A2 s1 d0) raise serious questions about the suitability of products of this rating. Building owners need to be given clear information as to what is safe to put in buildings and, if this is not possible, the requirements around energy performance may need to be adjusted to permit the removal of cladding systems until their safety can be guaranteed.
- 22 We need to understand properly whether A2 materials can be relied upon to achieve the aims of the building regulations and why apparently flammable products can be found within A2 rated products. We also need to understand whether a honeycomb structure or other arrangements can seriously affect the combustibility of a product.
- 23 Until these questions are answered only an A1 rating appears to provide the certainty we believe residents need.

**b. If no, what class should be allowed in wall construction and why?**

- 24 Only the European classification system should be used as this will provide consistency, clarity and a classification system that is in line with that in use in Scotland.

**Question 6**

**a. Do you agree that a ban should cover the entire wall construction?**

- 25 Yes, the ban should cover the entire wall construction. Dr. Barbara Lane, in her report<sup>5</sup> to the Grenfell inquiry, gave evidence illustrating several different routes, and the range of materials involved, by which the fire spread along the external walls of Grenfell Tower. As the use of combustible materials, such as uPVC window frames or wooden balconies, can potentially play a significant role in allowing the fire to spread from flat to flat in a high-rise residential building thereby breaching compartmentation, it is important the ban covers the entire wall construction and all the materials used on the external walls and not just rainscreen cladding panels or insulation.
- 26 In addition some insulation products generate cyanide gas when they burn – the role this gas may have played in the death toll at Grenfell is as yet unclear, and the toxicity of the smoke and fumes produced when products burn is not currently considered in any of the testing criteria. However, there is not the same risk from using non-combustible material, and banning combustible materials from the entire wall construction would aid in addressing this risk.

**b. If no, what aspects of the wall should it cover?**

**c. Should a ban also cover window spandrels, balconies, brise soleil, and similar building elements?**

- 27 Yes. The LGA would like to see all combustible materials banned from use on the external walls of high-rise residential buildings. However, we recognise that there may be some components which cannot be immediately substituted by non-combustible materials, such as vapour membranes and gaskets and seals. These should be dealt with by specific exemptions, which phases out

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<sup>5</sup> <https://www.grenfelltowerinquiry.org.uk/evidence/dr-barbara-lanes-expert-report>

their use to allow the development of non-combustible products, and they should never be used where a non-combustible alternative is available.

#### **Question 7**

**a. Do you agree that a limited number of wall system components should, by exception, be exempted from the proposed ban?**

28 Yes. The legislation used to implement the proposed ban should list specific components by exception, and allow the Secretary of State to make others. However, the exemption for any wall system components should not be permanent. The exemption should expire after a set period of time, which would encourage the development of non-combustible alternatives, and provide time for them to be brought to market. In addition the exemption should only be allowed where no non-combustible alternatives exist.

**b. If yes, what components should be included on an exemption list and what conditions should be imposed on their use?**

29 As above, components should only be included on an exception list where no non-combustible alternatives exist, and the exemption should not be permanent, instead allowing for the phasing out of the use of combustible materials in favour of non-combustible products.

30 The LGA is open to the possibility that expert advice may conclude there needs to be some form of testing or other safety verification for cladding systems to take account of unavoidable use of combustibles. This testing system, if used, will require both independent third party verification of the system tested and robust random sampling of product samples used in the system's construction, and should also involve the testing of all the materials to be used on the external wall together.

**c. Would you recommend an alternative way of achieving the policy aims stated above?**

31 No comment.

#### **Question 8**

**Do you agree that:**

**a. A risk-based approach is appropriate for existing buildings?**

32 Yes. In line with the approach recommended by the Hackitt review, retrospective action should be undertaken on a risk-based rather than prescriptive basis. However, as set out in our answer to question 4 of this consultation, this approach should be applied to residential buildings over 11m in height, as well as buildings in which vulnerable people sleep.

**b. the ban should apply to alterations to existing buildings, including over-cladding?**

33 Yes. Without this stipulation, the ban will be significantly less effective, with existing buildings in effect being excluded from having to operate the ban, leaving the residents of existing buildings at risk.

**c. The ban should extend to projects that have been notified before the ban takes effect but work has not begun on site?**

34 Yes. Building owners will have sufficient notice in advance of the ban being implemented to change their construction plans as necessary.

**d. The ban should not affect projects where building work has already begun?**

35 We recommend that the proposed ban only affects projects where the building work began before a specified date. We further recommend that this date is shortly after the outcome of this consultation is published – 31 December 2018.

36 This approach will allow building owners sufficient flexibility to commence construction as scheduled without being unfairly impacted by a new ban. At the same time, it will prevent the system from being “gamed” by creating an excessive window of time in which building owners can begin construction work in a token or arbitrary way in order to circumvent the ban.

**Question 9**

**a. Which wall elements are likely to be affected by the proposed change – i.e. where they would pass as part of a cladding system in a BS8414 test but would not meet the proposed Class A2 or better requirement (e.g. sheathing boards or vapour barriers)?**

**b. We understand that since the Grenfell tower fire, a high proportion of relevant building work is already using elements which meet Class A2 or better. How frequently are elements which do not meet the proposed requirement, as identified in question 3, currently being used on buildings in scope?**

**c. What the impact of removing access to the BS8414 for those buildings affected by the ban test is likely to be?**

**d. What types of buildings 18m or over are likely to be affected by this change (e.g. hotels, residential, student accommodation)? What proportion of each type would likely be affected by the proposed change?**

**e. How much extra cost would typically be involved in meeting the proposed new requirements over and against a building which meets the current requirements? (Please provide any further details.)**

**f. Please provide any further comments on the likely impact of this change for construction (e.g. supply chains)**

37 We have not responded to the above questions in detail.

38 However, as a final point, we would like to emphasise that the system for ensuring cladding systems are safe has failed catastrophically. As a result, many people have died or suffered greatly, and residents in over 300 further blocks have been put at risk.

39 In fixing the system we must err on the side of safety, if we are to err at all. This is not simply a question of what is safe, but of what makes people feel safe in their homes, which we consider a basic human right.

40 We consider that a ban on the use of combustible materials on the external walls of high-rise and high-risk residential buildings would be the lowest-risk option of ensuring this safety. Its impact, all told, will be that we will be

significantly less likely to see another tragedy on the scale of the Grenfell tower fire – this should be the prime consideration of the government's response to the consultation.



3 September 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**

Members of the Safer and Stronger Communities Board note the update.

### **Action**

Officers to progress as appropriate.

### **Contact officer:**

#### **Position:**

#### **Phone no:**

#### **E-mail:**

Mark Norris  
Principal Policy Adviser  
0207 664 3241  
[mark.norris@local.gov.uk](mailto:mark.norris@local.gov.uk)

## **Update Paper**

### **Serious violence**

1. The LGA submitted written evidence to the Home Affairs Committee as part of their inquiry into [serious violence](#). In our response, we highlighted the importance of investing in early intervention and prevention, as well as taking a multi-agency approach to tackling this important issue. Cllr Simon Blackburn raised this point at the previous Serious Violence Taskforce meeting. He also called for a greater focus on the impact of watching online pornography and violent online content can have on children and younger people, and how this affects their views of healthy relationships.

### **County Lines Conference**

2. In July, Cllr Simon Blackburn co-chaired the [LGA's conference on county lines - tackling criminal child exploitation](#). Attendees had the opportunity to hear from speakers from the Home Office, the National County Lines Coordination Centre, the Violence and Vulnerability Unit, the Children's Society and from councils who have been leading the way on this important issue. Cllr Blackburn continues to outline local government views at the County Lines Working Group.

### **Domestic Abuse**

3. In July, Cllr Simon Blackburn gave [oral evidence](#) to the Home Affairs Committee as part of their inquiry into [domestic abuse](#), alongside representatives from Southall Black Sisters and Women's Aid. Cllr Blackburn referred to our LGA [written evidence submission](#) and highlighted the importance of taking a preventative approach to stop domestic abuse from occurring in the first place.

### **National Oversight Group on Domestic Abuse**

4. In June, Cllr Simon Blackburn attended a meeting of the National Oversight Group on Domestic Abuse. During the meeting, the Home Secretary Sajid Javid MP spoke about the importance of the forthcoming domestic abuse legislation and ensuring the Government delivered a comprehensive package of measures to tackle domestic abuse in all its forms.

### **Violence Against Women and Girls (VAWG) Service Transformation event**

5. The LGA held an event with the successful local government bid leads of the Home Office's Violence Against Women and Girls (VAWG) Service Transformation Fund. We have presentations from several councils who had received funding for a variety of projects, including: domestic abuse champions, perpetrator programmes, education in school outreach programmes and independent domestic violence advisers in health settings.

### **Anti-Social Behaviour, Independent Group meeting**

6. At the Independent Group meeting, Cllr Clive Woodbridge spoke about the importance of addressing anti-social behaviour in local communities and forming strong partnerships with neighbourhood police officers. There were presentations from the Manifesto Club and the London Anti-Social Behaviour Advisory Service.

### **Home Office and MHCLG Funds**

7. Ahead of Summer recess, there were a number of Government funds announced by the Home Office and the Ministry of Housing, Communities and Local Government that are of interest to community safety teams. These included the [Priorities for Domestic Abuse Fund](#), the [Children Affected by Domestic Abuse Fund](#), the [Early Intervention Youth Fund](#) and the Move On Fund. The [Trusted Relationships Fund](#) also announced the successful bids in August. The LGA requested an extension to the deadline for a number of these funds and MHCLG agreed to extend the priorities for domestic abuse fund deadline by ten days.

### **Rough Sleeping Strategy**

8. In August, the Government announced the [Rough Sleeping Strategy](#) which outlines plans to help people who are sleeping rough now and to put in place the structures to end rough sleeping overall. In the Strategy, the Government indicated it would be working with partners to develop a new training package which focuses on identifying and supporting vulnerable groups, including victims of modern slavery and domestic abuse.

### **MHCLG Review of Domestic Abuse Services**

9. The Ministry of Housing, Communities and Local Government is currently carrying out a review of how domestic abuse services are commissioned and delivered locally. MHCLG commissioner Ipsos Mori to lead an audit of local authority commissioned domestic abuse services to understand what impact services are having and to identify gaps in provided. The audit has now concluded and MHCLG will publish their findings in due course.

### **Social Housing Green Paper**

10. In August, the Ministry of Housing, Communities and Local Government announced the [Social Housing Green Paper](#). In our [LGA media response](#), we said the green paper is a step towards delivering more social homes but it is only a small step, compared with the huge and immediate need for more genuinely affordable homes. The Government made a commitment, in the green paper, to take steps towards ensuring victims of domestic abuse retain their fixed term tenancies which may have been granted by the local authority. The Government intend to bring forward legislation to achieve this when parliamentary time allows.

### **Crimestoppers County Lines Campaign**

11. In July, Crimestoppers launched a campaign in towns across England to provide the public with information about county lines and how they can help. We helped publicise the campaign to local authorities through our various LGA communications channels.

### **A Whole Council Approach to Harmful Gambling**

12. In July, we launched [guidance](#) for councils on developing a whole council approach to tackling harmful gambling. The guidance was developed with Public Health England and builds on work by authorities such as Leeds City Council, who presented to the Board last year. The guidance was launched at a well-attended event that brought together councillors, licensing officers, public health officials and others to hear about best practice and from those with direct experience of harmful gambling.

### **Safe Car Wash App**

13. In June the LGA supported the launch of the Clewer Initiative's Safe Car Wash App. Members of the public can download the app for use when they visit a hand car wash. The app provides users with a series of questions to help determine if there might be modern slavery underway in the hand car wash. If the indicators point towards there being modern slavery then users are asked to call the modern slavery helpline.
14. Within the first month of the app's release 11 modern slavery cases in car washes were opened from callers who had been using the app. The one cases indicated 69 potential victims of labour exploitation. More information can be found in the Modern Slavery Helpline's [report](#) on hand car washes.
15. The LGA will continue to support and promote the app.

### **Environmental Audit Committee**

16. On 26 June Cllr Alan Rhodes gave evidence to the Environmental Audit Committee as a part of its inquiry into hand car washes. The Committee was taking evidence on the environmental impacts of car washes, the prevalence of illegal employment practices and modern slavery among car washes.
17. Cllr Rhodes' evidence was focussed on modern slavery in hand car washes as well as planning issues and the potential introduction of a new licensing scheme for hand car washes. Cllr Rhodes outlined the work of the LGA to support our members to tackle modern slavery at a local level. Our support for the Safe Car Wash app was also discussed.
18. Our evidence was well-received, and there were a number of issues where they wanted further information, which we have provided to them.

### **Taxi / PHV updates**

#### National register for revocations and refusals (NR3)

19. In August, the LGA launched the new National Register of Taxi Licence Revocations and Refusals (NR3) and has written to councils to advise that the register is up and running, and to circulate the guidance note that has been developed to support implementation. The new register will allow licensing authorities to record details of



where a hackney carriage or PHV drivers' licence has been refused or revoked, and allow licensing authorities to check new applicants against the register.

20. There are various steps that authorities will need to take before they start to make use of the register. Firstly, licensing policies and application forms will need to be updated to make reference to the authorities use of NR3. Authorities will need to communicate with existing licence holders to inform them that the authority is intending to use NR3 and that, should their licence be revoked or a renewal refused in the future, their details will be shared on the register. Former licensees or applicants who have had a previous licence revoked or refused will also need to be contacted to make them aware that their details will be shared on the register, and given an opportunity to object to this use of their data. Once authorities have undertaken the necessary steps, they will be able to populate the register with historic data of licence revocations and refusals and begin to check new applicants against the register as part of the routine licensing processes. Suggested wording for policies and application forms as well as template letters are included in the LGAs guidance.
21. Whilst the guidance provides a comprehensive overview of the steps authorities will need to take to use the register in a way that complies with data protection requirements and human rights law, authorities will need to ensure that use of the register is proportionate and underpinned by supporting policies. For authorities receiving requests about drivers whose details they have entered onto the register, there should not be a presumption that information is shared, but rather a decision made on a case by case basis on whether a disclosure is proportionate depending on the nature and timing of the original refusal or revocation.
22. Authorities who are not members of the National Anti-Fraud Network (NAFN), who host the register, are strongly encouraged to join so that they are to make use of the register. However, we are aware that some smaller licensing authorities are unwilling to join NAFN because they feel that absorbing the £1,050 cost of this within licence fees paid by a small number of licence holders would be too significant for drivers.

#### Ministerial Working Group

23. The Ministerial working group on taxi and Private Hire Vehicle (PHV) licensing has concluded its work and the Chair of the group has shared his final report and recommendations with Minister for Taxis, Nusrat Ghani MP for consideration by Government. The report will be published in September, with the Government's response expected later this year.

#### **Leadership Essentials and SIGCE**

24. The following leadership essentials courses are being run this year:
  - 24.1 Prevent: 30-31 October in Warwick and 28-29 November in East London;
  - 24.2 Integration and Cohesion: 11-12 December Warwick; and
  - 24.3 Counter extremism: 17-8 January 2019 Warwick.

25. We are also working with councils in the North East to provide a bespoke event recognising the particular challenges facing councils which are not supported by Home Office Prevent and counter-extremism budgets and the difficulty members in some parts of the country face in attending events at Warwick or Smith Square.
26. In addition we are supporting the programme of seminars being organised by the Special Interest Group on Counter Extremism. The first seminar, on disrupting extremist activity was held in July. The second will be on Engagement of Community Groups in Countering Extremism and will take place on 26 September. Members may wish to attend and officers can provide details. Future seminars will cover:
  - 26.1 Developing Shared Leadership on Counter Extremism;
  - 26.2 An Overview of the Current Far Right and Anti-Minority Activist Landscape;
  - 26.3 The Use of Digital Space by Extremist Groups;
  - 26.4 Understanding the Role of Women in Extremist Subcultures; and
  - 26.5 Differences and Tensions between Social & Religious Conservatism and Extremism.

3 September 2018

## Note of last Safer & Stronger Communities Board meeting

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<b>Title:</b>	Safer & Stronger Communities Board
<b>Date:</b>	Monday 11 June 2018
<b>Venue:</b>	Smith Square 1&2, Ground Floor, 18 Smith Square, London, SW1P 3HZ

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### Attendance

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

Item	Decisions and actions
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<b>1</b>	<b>Welcome, Apologies and Declarations of Interest</b>
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The Chair welcomed Members to the meeting.

The Chair noted apologies received, and substitute Board Members in attendance. The Board noted Janet Davey's selection as Parliamentary Candidate for Lewisham East, and asked the Chair to write to thank her for her contribution to the Board.

No Declarations of Interest were made.

<b>2</b>	<b>Commission for Countering Extremism</b>
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The Chair welcomed Sara Khan, Lead Commissioner for Countering Extremism to the Board. Sara started by giving an overview of the Commission's work, including:

- The Commission was setup earlier this year following the series of terror attacks in London and Manchester in 2017.
- The Commission's overall aim is to build a societal response that challenges extremism, as well as building knowledge amongst the public so people can identify extremism.
- Sara stated that councils play a vital role in tackling extremism, and are on the front-line in seeing the impact of it in towns and cities.
- Sara stated that the Commission is currently building a robust set of recommendations for the government to act on, following in-depth conversations with over two hundred stakeholders, including the Special Interest Group on Counter Extremism. This is via a study being conducted to pull in evidence, and will result in a public consultation. Sara stated that her office has visited local communities and will continue to do so, as local government had the best understanding of extremism at a local level because they know their residents and communities best.
- Sara went on to outline three key themes the Commission has learnt so far:
  - There is a sense that we must and can do more to challenge extremism and the ideology behind it, which can inspire terrorism. Extremism can present in two ways; as an acute threat which provokes

- terrorism, but also in a chronic way that creates isolation and undermines democracy and our communities.
- There is an extremely strong will to do more to challenge extremism. Sara also stated that people who have been willing to challenge extremism have received a significant amount of abuse, and that councils and civil society urgently require additional support to tackle this.
- There is an issue with identifying and naming Islamist extremists, compared to identifying and naming far-right extremists; people feel more comfortable addressing the latter– something that needs to change, with people having the confidence to talk about both.

The Chair thanked Sara for the update and invited Members to comment:

- Members recognised geographical / local differences in patterns of extremism (and whether it is recognised as such) and how this affects how much support and funding councils receive to tackle extremism. .
- Members discussed the use of social media in extremism and how it can support demonstrations – Members gave the recent violent protest outside No. 10 Downing Street to release the far-right leader Tommy Robinson as an example. Members stated that posting on social media allows extremist momentum to be built; that those who seek to challenge it are abused and that leading social media sites will not take these views down.
  - Sara fed-back that she has met with social media providers, including Facebook, Google, and Microsoft; work is currently ongoing and the providers are engaged to take extremist material off their platforms, as well as tackling fake news items and providing positive content to counteract extremism.
  - The Chair stated that the Serious Violence Taskforce had looked at the role of social media in tackling knife and gun crime, and that the social media providers had recognised they needed to do more.
  - Members also discussed that often, when you tackle online extremism, you become a victim of cyber-bullying and hate messages from so-called ‘trolls’.
- Members discussed gathering intelligence through front facing roles such as licensing officers, building inspectors, and the importance of community safety partnerships.
- Members suggested councillors should receive further advice and training – in a peer setting – to help combat extremism.
  - Sara stated the need for further training in all areas of government, sharing best practices, including localised strategies.
- Members discussed the possibility of forming a Task & Finish Group to join up the various pieces of work the LGA and wider organisations undertake in this area, including modern slavery and county lines.
  - Sara stated that extremism is rising at an unprecedented rate, and perpetrators always seem to be five steps ahead. The development of a whole society approach is key, with as many stakeholders engaged as possible.
- Members discussed the numerous agencies, and how to refer a case to the right one. Members stated that this is a wider government problem, that too many agencies can cause confusion, and asked that the Commission ensures clear signposting towards the right agency.
- Members also discussed the differences between the Commission and Prevent agenda.

- Sara stated the remit of the Commission is trying to understand the relationship between extremism and violence, as well as integration and extremism, and while there was an overlap Prevent was not in the Commission's remit.
- Members discussed the causes of extremism, the need to understand its underlying causes and how it manifests, as well as its partners in violence and the subjugation of women's rights.
  - Sara stated that some driving factors include socio-economic circumstances, as well as the long-term development of fundamental, extreme religious views.

The Chair introduced the Leader of Brent, Cllr Mohammed Butt (attending this item as an observer). The Chair explained that as Leader of Brent, Cllr Butt had an interest in this area of work. Cllr Butt made the following points:

- Radicalisation is happening online rather than in mosques, but not enough work is being undertaken by social media providers, and work in this area is about safeguarding.
- It's encouraging that the Commission wants to engage with councils, rather than adopting a top-down approach, as the Home Office has done previously. Councils know their communities best.
- The approach to extremism too often focuses on faith rather than communities. Muslim communities are often victims of extremism themselves, and there are concerning issues related to far right Polish nationalism and European based Nazi groups - a far-right Polish group ran for election in the recent Local Elections in May in the Brent area.

In response to the Leader's comments, Sara stated:

- That her office does not represent the Home Office, and that she will be looking at all sorts of issues that exist in current legislation to tackle extremism, including Home Office strategies.
- Sara stated that it is all about promoting a better quality of conversation in the public domain regarding extremism.
- Sara stated that the Commission has made it clear that engaging local communities is a key part of the work being undertaken, and the activities of far right groups from other parts of Europe in the UK and its impact on extremism had already been raised with them.

Sara concluded by thanking Members for their time and said that she will share evidence the Commission receives with the Board.

The Chair thanked Sara for her attendance said the Board would welcome her attendance at a future meeting.

#### **Action**

- Members noted the presentation.
- A future invitation to be extended to Sara to attend a Board meeting in the 2018/19 cycle.

## **4 Serious Violence Strategy Update**

The Chair motioned for item four on the agenda – update on the Serious Violence Strategy – be re-tabled to agenda item three. Members agreed to this motion.

The Chair then invited Dan Greaves, Crime Director, the Home Office to give his presentation. Dan thanked the Chair and delivered his presentation to Members, which included the following information:

- The strategy doesn't cover all crime, but covers knife crime, gun crime, acid attacks and homicide.
- The strategy does not cover domestic violence or night-time crime; Dan stated that whilst these were deemed serious, they were covered under different government/Home Office strategies.
- Dan also discussed the significant increase in recorded gun and knife crime and homicide since 2016, along with robbery – which has been on the rise since, in a reversal of the previous long term downward trend. While some of this is attributable to changes in police recording, it is clear that there has been a genuine national increase, although disproportionately in urban areas. Dan also stated that there was a global component to the trend.
- Dan discussed the significant role drugs play in serious violence as a dominant driving factor, including gang violence, fuelling addiction and the effects of drug misuse.
- Dan also discussed the prevalence of county lines as a driving factor and distinct issue.
- Dan touched on the use of social media being used both to glamourise but also as a tool in serious violence; increasing numbers of at risk groups, such as looked after children, excluded children and homeless people, as well as the pressures on police forces.
- Dan outlined the four main pillars of the strategy as:
  - Action against county lines and the misuse of drugs; the Home Office will be reaching out to taxi drivers on awareness raising measures as a next step.
  - Early intervention and prevention, including with Pupil Referral Units, looked after children etc.
  - Supporting communities and local partnerships to tackle violence.
  - Law enforcement and criminal justice response, for example on knife sales and acids. A trading standards prosecution fund will launch in Autumn 2018.
- Dan emphasised the importance of working in partnership with local government during the delivery phase of the strategy, noting that Cllr Blackburn was sitting on the Serious Violence Task force. He sought the Board's view on galvanising partnerships and any potential quick wins.

The Chair thanked Dan for his presentation, and invited Members to comment and put questions to Dan:

- Members welcomed the focus on County Lines, but raised concerns over the terminology of 'County Lines' and the lack of public understanding surrounding this.
  - Dan stated that there is a plan in place, led by the National County Lines Group (which Dan Chairs), which aims to provide further guidance for stakeholders regarding the concept and risks of county lines.
  - Dan also stated the Group is focusing on the brand – what 'County Lines' means, as well as targeting families and public, spreading the word regarding county lines.
- Members expressed concerns over the reduction in early intervention work as a result of cuts in funding to youth services and targeted youth services.

While additional money was welcome it did not replace what had been cut. Consideration also needed to be given to the role of public health funding for treatment services, and members argued that the solution to these issues was not to allocate money to PCCs.

- Members discussed the serious violence strategy in relation to the Police and Crime Commissioner (PCC). Some members stated that their PCC had made it clear that funding and resources for the Serious Violence Strategy was not a priority.
- Members discussed the use of licensing – for example, only being able to buy sulphuric acid with a licence – as is the same with firearms.
  - Dan highlighted the Offensive Weapons Bill, and how the bill will introduce age restrictions and possession offences.
- Members queried whether match funding would be required for the Early Intervention Youth Fund, and whether councils could bid, raising concerns at the possibility it may be routed through PCCs.
  - Dan recognised overall funding challenges. He stated that resources would be targeted given we know where violence is concentrated, Currently Dan's office is working on the criteria and delivery of this, and will discuss this with the LGA.
- Members raised concerns about the impact of school exclusions, and lack of democratic oversight on policies about exclusions.
  - Dan noted that this was a known risk factor which DfE had been looking at, and encouraged the LGA to respond to its consultation on this.
- Members discussed Public Health engagement and funding.
  - Dan stated that the strategy is engaging with Public Health and Community Wellbeing teams and organisations.
- Members discussed the increase in drugs bought and used recreationally, and questioned whether the strategy was looking at the fundamental issue of the supply of drugs.
  - Dan broadly agreed with members' comments and referred to the National Drug Strategy, and recognised the issue of middle class drug users who don't realise or choose to ignore the wider ramifications of their drug use.
- Members discussed the possibility of decriminalising drugs, and used the Portugal model as an example.
  - Dan stated that the consequences of this would need to be looked at in significant detail.
  - Dan also disagreed with comparing different models that have different driving factors, as the variables are significantly different.
- Members requested more information in relation to the funding being made available as part of the Strategy.
  - Dan stated that he will circulate this after the Board.

The Chair thanked Dan for his time, and members for the discussion. The Chair stated that Dan would be welcome to attend a future Board meeting.

### **Action**

- Members noted the presentation.
- Circulation of the presentation to members after the Board.
- Dan Greaves to provide further information regarding funding available under the Strategy.

### **3 Update on LGA Work to Develop a National Register of Taxi Licence Revocations and Refusals (NR3)**

The Chair invited Ellie Greenwood, Senior Adviser, and Rebecca Johnson, Adviser to introduce the item.

Rebecca and Ellie gave a live demonstration of the new National Register of Taxi Licence Revocations and Refusals for Members, which included an overview of the system. Ellie and Rebecca also discussed some of the risks relating to the register – particularly pertaining to information sharing, guidance from the Information Commissioners Office, and the possibility of breaching human rights legislation without a targeted and proportionate approach to information sharing – as outlined in the paper.

The Chair thanked Ellie and Rebecca for the presentation, and invited members to comment:

- Members discussed the data retention period for information on the register, and asked what information would / would not be disclosable.
- Members discussed whether there would be an appeals process.
- Members welcomed the development but emphasised the importance of continuing to lobby on issues around public service vehicles and the DVSA.
  - Rebecca and Ellie explained that the data retention period for information on the register was proposed to be 25 years. The register itself will record only basic details of when a licence has been refused or revoked; licensing authorities will need to make a judgement about whether it is appropriate to share further information if asked, based on the nature of the refusal or revocation and the length of time that has passed. Individuals whose details are entered onto the register will be able to object to this, although as the register has been set up to support a public task, there are limited grounds for them to object. This would of course be separate to the process of appealing a decision to refuse or revoke in the first place.

The Chair thanked members for their comments.

#### **Action**

- Members noted the update.

### **5 Safer and Stronger Communities Board End of Year Report 2017/18 and 2018/19 Work Plan**

The Chair invited Mark Norris, Principal Policy Adviser, to introduce the item.

Mark stated that the paper was broadly in two parts; the first part detailed the Board's work and achievements during the 2017/18 Board cycle. The second part proposed draft Board priorities for the 2018/19 cycle – Mark invited Members to consider and agree these, ahead of a full discussion at the September meeting.

The Chair thanked Mark for the update and invited Members to comment:



- Members discussed the importance of water safety, councils' work surrounding this, and the good practice that could be shared.
- Members suggested amending the section on Gypsies, Roma and Travellers (GRT) communities, to include positive aspects GRT communities can contribute, and the balance of rights between sections of society.
- Members suggested that post-Grenfell work might include insulation and fire safety, and not just work on high rise buildings.
- Members supported the suggestion of cross-cutting work on mental health.
- Members discussed the pressures of police funding, as well as pressures to local and neighbourhood policing.

The Chair thanked Members for their comments.

### **Actions**

- Officers to include positive impacts in relation to GRT communities in future reports.

## **6 Fire Safety in High Rise Buildings**

The Chair invited Mark Norris, Principal Policy Adviser, to introduce the item. Mark stated the item outlined the recommendation from the final report of the independent review of building regulations and fire safety led by Dame Judith Hackitt. Mark stated that the report was published in May, and then ran through the implications of these for councils and fire and rescue services.

The Chair thanked Mark for the update and invited Members to comment:

- Members discussed the implications for local authorities and housing associations.
- They noted the important role of planning and planning legislation in building safety.
- Members discussed the implications on funding and the severe impact this has on councils building safe and sustainable homes.

The Chair thanked Members for their comments.

### **Action**

Members noted the update.

## **7 Update Paper**

The Chair invited Mark Norris, Principle Policy Adviser, to introduce the item.

Mark gave an overview of the report, which outlined the issues and interest to the Board not covered under other items and work streams in the agenda.

The Chair thanked Mark and invited Members to comment:

- Members discussed the modern slavery mobile phone app.
- They noted the work of the Advisory Board on Female Offenders and the forthcoming strategy on reducing female offending, and the use of women's

centres as an alternative to sentencing.

- Members expressed the need to push the Boards work – particularly in relation to domestic violence, modern slavery, fire safety and terrorism.
- Members thanked officers for their hard work in relation to Fixed Odds Betting terminals (FOBT's), and the recent announcement by government to lower the stake of these down to a £2 maximum bet.
- Members also discussed online gambling behaviour.

The Chair thanked Members for their comments.

## **8 Note of last Safer & Stronger Communities Board meeting**

Members agreed to the note of the last Safer and Stronger Communities Board meeting on 19 March 2018.

**Appendix A -Attendance**

Position/Role	Councillor	Authority
Chairman	Cllr Simon Blackburn	Blackpool Council
Deputy-chairman	Cllr Anita Lower Cllr Clive Woodbridge	Newcastle upon Tyne City Council Epsom and Ewell Borough Council
Members	Cllr Jo Beavis Cllr Chris Pillai JP Cllr Judith Wallace Cllr Katrina Wood Cllr Nick Worth Cllr Kate Haigh Cllr Alan Rhodes Cllr Jim Beall Cllr James Dawson Cllr Janet Daby Cllr Carole Burdis Cllr Jeremy Hilton	Braintree District Council Calderdale Metropolitan Borough Council North Tyneside Council Wycombe District Council South Holland District Council Gloucester City Council Nottinghamshire County Council Stockton-on-Tees Borough Council Erewash Borough Council Lewisham London Borough Council North Tyneside Council Gloucestershire County Council
Apologies Vice-Chairman	Cllr Morris Bright MBE Cllr Lisa Targowska Cllr Colin Spence	Hertsmere Borough Council Windsor & Maidenhead Royal Borough Suffolk County Council

# LGA location map

## Local Government Association

18 Smith Square  
London SW1P 3HZ

Tel: 020 7664 3131

Fax: 020 7664 3030

Email: [info@local.gov.uk](mailto:info@local.gov.uk)

Website: [www.local.gov.uk](http://www.local.gov.uk)

## Public transport

18 Smith Square is well served by public transport. The nearest mainline stations are: Victoria and Waterloo: the local underground stations are

**St James's Park** (Circle and District Lines), **Westminster** (Circle, District and Jubilee Lines), and **Pimlico** (Victoria Line) - all about 10 minutes walk away.

Buses 3 and 87 travel along Millbank, and the 507 between Victoria and Waterloo stops in Horseferry Road close to Dean Bradley Street.

## Bus routes – Horseferry Road

**507** Waterloo - Victoria

**C10** Canada Water - Pimlico - Victoria

**88** Camden Town - Whitehall - Westminster - Pimlico - Clapham Common

## Bus routes – Millbank

**87** Wandsworth - Aldwych

**3** Crystal Palace - Brixton - Oxford Circus

For further information, visit the Transport for London website at [www.tfl.gov.uk](http://www.tfl.gov.uk)

## Cycling facilities

The nearest Barclays cycle hire racks are in Smith Square. Cycle racks are also available at 18 Smith Square. Please telephone the LGA on 020 7664 3131.

## Central London Congestion Charging Zone

18 Smith Square is located within the congestion charging zone.

For further details, please call 0845 900 1234 or visit the website at [www.cclondon.com](http://www.cclondon.com)

## Car parks

Abingdon Street Car Park (off Great College Street)

Horseferry Road Car Park  
Horseferry Road/Arneway Street. Visit the website at [www.westminster.gov.uk/parking](http://www.westminster.gov.uk/parking)

