

# Safer and Stronger Communities Board

Agenda

Thursday, 14 January 2021  
11.00 am

Videoconference via Zoom

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

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This meeting is



Safer & Stronger Communities Board  
14 January 2021

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There will be a meeting of the Safer & Stronger Communities Board at **11.00 am on Thursday, 14 January 2021** Online via Zoom

**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 3263	email: <a href="mailto:labour.grouplga@local.gov.uk">labour.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>
<b>Independent:</b>	Group Office: 020 7664 3224	email: <a href="mailto:independent.grouplga@local.gov.uk">independent.grouplga@local.gov.uk</a>

**LGA Contact:**

Tahmina Akther  
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**Carers' Allowance**

As part of the LGA Members' Allowances Scheme a Carer's Allowance of £9.00 per hour or £10.55 if receiving London living wage 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 2020/2021

Councillor	Authority
<b>Conservative ( 7 )</b>	
Cllr Katrina Wood (Vice Chairman)	Buckinghamshire Council
Cllr Eric Allen	Sutton London Borough Council
Cllr Andrew Joy	Hampshire County Council
Cllr Mohan Iyengar	Bournemouth, Christchurch and Poole Council
Cllr John Pennington	Bradford Metropolitan District Council
Cllr Dave Stewart	Isle of Wight Council
Cllr Lois Samuel	West Devon Borough Council
<b>Substitutes</b>	
Cllr Richard Auger	Daventry District Council
Cllr Paul Findlow	Cheshire East Council
Cllr James Gartside	Rochdale Metropolitan Borough Council
<b>Labour ( 7 )</b>	
Cllr Nesil Caliskan (Chair)	Enfield Council
Cllr Kate Haigh	Gloucester City Council
Cllr Alan Rhodes	Nottinghamshire County Council
Mayor Damien Egan	Lewisham London Borough Council
Cllr James Dawson	Erewash Borough Council
Cllr Farah Hussain	Redbridge London Borough Council
Cllr Johnson Situ	Southwark Council
<b>Substitutes</b>	
Cllr Jeanie Bell	St Helens Metropolitan Borough Council
Cllr Daniel Francis	Bexley Council
Cllr Tim Roca	Westminster City Council
<b>Liberal Democrat ( 2 )</b>	
Cllr Bridget Smith (Deputy Chair)	South Cambridgeshire District Council
Cllr Jeremy Hilton	Gloucestershire County Council
<b>Substitutes</b>	
Cllr Jon Ball	Ealing Council
<b>Independent ( 2 )</b>	
Cllr Hannah Dalton (Deputy Chair)	Epsom and Ewell Borough Council
Cllr Philip Evans JP	Conwy County Borough Council
<b>Substitutes</b>	
Cllr Jo Beavis	Braintree District Council
Cllr Helen-Ann Smith	Ashfield District Council
Cllr Nicola Dillon Jones	North Kesteven District Council

## Agenda

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### **Safer & Stronger Communities Board**

Thursday 14 January 2021

11.00 am

Videoconference via Zoom

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**Date of Next Meeting:** Thursday, 18 March 2021, Videoconference via Teams

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## Note of the last Safer & Stronger Communities Board

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Title: Safer & Stronger Communities Board  
Date and time: Thursday 12 November 2020  
Location: Videoconference via Zoom

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### Attendance

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

Item	Decisions and actions
<b>1</b>	<b>Welcome, Apologies and Declarations of Interest</b>  The Chair welcomed members to the Safer and Stronger Communities Board meeting.  No apologies were received.  No declarations of interest were made.
<b>2</b>	<b>Notes of the previous meeting</b>  Members of the Safer and Stronger Communities Board agreed the notes of the last Board meeting, held on Thursday 17 September 2020.
<b>3</b>	<b>Business plan 2019-22 - 2020 review and update</b>  The Chair introduced the report and informed the Board that following a series of consultations and discussions, the LGA Board had approved a new 3-year business plan, built around the United Nations sustainable development goals and comprising: <ul style="list-style-type: none"><li>• six policy priorities with supporting targets</li><li>• a Supporting Councils priority with associated improvement targets and</li><li>• the LGA's internal/operational plan.</li></ul> The business plan has been revised and updated to include – " <i>Narrowing inequalities and protecting communities</i> " – to reflect events over the past 8 months and the range of actions arising from them and will be published.  Following the discussion, no comments were made by the Board.  <b>Decision:</b> That the Safer and Stronger Communities Board note the 2020/21 update of the 3-year business plan as the basis for work programmes over the coming months.

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#### **4 Update on Maritime and Coastguard Agency Review of the Legal Responsibilities for Beach Safety**

The Chair introduced the report which provided an overview of the independent review into beach safety carried out for the Maritime and Coastguard Agency (MCA). Key recommendations from the review and the potential impacts on local authorities include; legal duties, coast and lifeguarding, and broader engagement.

Following the discussion, Members made the following comments:

- More emphasis was needed around engaging and educating people about water safety. Before COVID some beaches had Beach Ambassadors who interacted with locals and visitors regarding water safety, which worked very well.
- Concerns around placing another extensive duty on local authorities, which will have an impact on costs and raises questions how this will be funded; there is also a grey area of privately owned beaches and foreshore, with fragmented ownership potentially making this very complex.
- Members welcomed the fact legislation around Coast guards is being looked at but felt the review had not considered search and rescue, which is no longer provided by the Royal Navy or Royal Air Force so is often privately operated.
- The National Coast Watch Institution which has not been mentioned in the report, has over 50 operational stations and carries out coast watch activities with trained volunteers.

Rebecca responded that the review is extensive, covering a wide depth of recommendations and impacts, but stressed that it is an independent review and not an MCA recommendation.

#### **Decision:**

Members of the Safer and Stronger Communities Board noted the report.

#### **Actions:**

- Officers to look into the National Coast Watch Institution
- Officers to review Cornwall feedback
- Officers to feed the Board's views into the consultation response.

#### **5 Law Commission Review of Weddings law**

Lucy Ellender, Senior Adviser, introduced the report which outlined proposals from the Law Commission to change the law governing weddings in England and Wales, and their potential impact on councils.

Lucy commented that the proposal has wide reaching implications for councils, especially for registration services who undertake civil preliminaries, conduct wedding ceremonies, and licence external venues for weddings.

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Lucy highlighted the following key changes in the proposals:

- The officiant of the wedding would be subject to regulation rather than the building in which the ceremony was conducted. The Government would also make a determination on allowing other groups or people to conduct legal wedding ceremonies, which can currently only be conducted by registrars and some religious groups.
- There would be significant changes to current approved venues regulation. At the moment councils issue licences to venues to allow them to hold wedding ceremonies (conducted by registrars). The new system would make it the responsibility of the officiant to check venue is safe and dignified with no licensing required by the local authority.
- There would be scope for voluntary pre-approval system for regular wedding venues which would be held by local authorities, with a fee set at a local level for inspecting the venues.
- A number of changes to fees; councils to have a fee set nationally in regulation for conducting a statutory wedding but there would be no cap on what independent officiants could charge.
- There could be changes to strengthen the civil preliminaries in advance of a wedding; at present it is an in-person interview with the couple, which would change to a two-step process; providing details remotely and an in-person interview. This would strengthen the role of registrar's role and assist in the detection of forced and sham marriages. There was a question on whether the current system on Anglican preliminaries should continue or if there should be universal civil preliminaries.

Lucy introduced Jane Parker, Head of Registrars Service and Lead Manager for Coroners Service at Suffolk County Council and Chair of the National Panel for Registration, to provide an officer perspective.

Jane stated that the National Panel recognised the need for reform of marriage laws, which date back to the Victorian era. In general, officers are not against the idea of universal civil preliminaries as there are inconsistencies in how marriages are performed. Conducting universal civil preliminaries for all marriages would incur extra costs to carry out appointments, this would need to be accompanied by an appropriate fee to cover the cost of undertaking this work. However, she noted that with the Commission keen to widen the possibility to allow marriages to take place in more locations, councils may lose current income from approving premises for weddings as it will be for the officiant to decide if a venue is "safe and dignified". There were concerns that the proposed fee structures did not reflect the full costs involved.

During the discussion of the proposals, Members made the following comments:

- Marriage law needs to be simple with a universal legal ceremony. This could then be followed by a celebration in line with the couple's wishes. It should not be governed by the state or for the state to determine what is dignified.
- The impact of the proposals on religious weddings was highlighted as a particular issue. It was noted that legal religious ceremonies would be able to be performed under the new officiant based scheme, with wider numbers of religious groups being able to perform legal ceremonies than are currently able.

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- There were concerns around what protections there would be for couples under the new proposals from venues that are operating outside of the law.
- Members felt that what made a venue “dignified” was subject to interpretation and a personal choice of how and where weddings take place.
- There is no mention of same sex marriage and if these can take place in religious places. The Terms of reference of the marriage law consultation state that the Law Commission will not consider the question of whether or not religious groups should be obliged to solemnize marriages of same sex couples. It will be for government to align the legal changes, and down to individual religious groups and trustees to allow same-sex marriage and civil partnership in their buildings.

The Chair thanked Jane for her comprehensive presentation.

**Decision:**

Members of the Safer and Stronger Communities Board considered the issues set out in the paper.

**Action:**

- Officers to produce a consultation response to capture points raised by members which will be shared with the whole Board.

## **6 Building Safety update**

Charles Loft, Senior Advisor, introduced the report which covers the work the LGA has continued with the Ministry of Housing, Communities and Local Government (MHCLG) and the Home Office to support building safety reform and the remediation of dangerous buildings.

Charles highlighted the following key points from the update:

- The government has published data on waking watch costs, showing how alarm costs are almost always lower than waking watch costs.
- The Public Accounts Committee reported on the progress of remediation at the end of September; the Sunday Times had reported it will take almost 150 years to complete at the current rate and insurance costs are increasing significantly. The LGA’s response to the PAC report urged the Government to act on its recommendations without delay, especially action to address the chronic shortage of necessary skills.
- The LGA was expecting the Government to introduce a concessionary amendment to the Fire Safety Bill, in place of an amendment proposed by the LGA, which addresses the lack of qualified and insured risk assessors to carry out risk assessments.
- The Building Safety Bill has been subjected to pre-legislative scrutiny by the HCLG select committee; this was due to be completed by the end of September. A working group has been looking at charges and cost recovery under the Bill. There is concern that the shadow regulator has yet to emerge, so it may be some years before the building safety regulator is fully up and running. Officers agreed to produce a timeline on building safety work for the next meeting.

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Following the discussion, Members made the following comments:

- Concerns raised around whether any landlords, leaseholders, or residents are aware of the waking watch costs report. Charles responded that he would look into promoting this and is in the process of putting together top tips for councillors who are approached by residents who have this issue.
- There are unrealistic deadlines for freeholders around completing claims forms for building funds by 31 December based on contractors starting work by March, which will not happen. Charles responded the EWS1 form has failed to achieve what is set out to achieve and has had massive impact on homeowners but that he had heard that the government was trying to change the form.

**Decision:**

Members of the Safer and Stronger Communities Board noted the LGA's building safety related work.

**Action:**

- Officers to share a building safety timeline at the next meeting.

## **7 Update paper**

Mark Norris, Principal Policy Adviser, introduced the report which highlighted wider issues of interest to the Board and raised the following key points:

- The LGA with feedback from Lead Members has submitted a response to the Government's consultation on Serious Violence Reduction Orders (SVROs); a proposed new court order to target known knife and offensive weapon carriers, and there has been a consultation on capacity funding for domestic abuse to help councils prepare for domestic abuse accommodation support and services.
- The LGA has been working closely with the Special Interest Group on Countering Extremism (SIGCE), which seeks to provide support and share good practice in countering extremism across councils in England and Wales, which is no longer receiving funding from the government. The LGA is working towards ensuring support can continue in the absence of funding.
- The need for effective cyber security in local authorities has been increasing with potential vulnerabilities and as more people work from home. The LGA has been working closely through the Improvement Board to improve cyber security for local authorities, providing initial technical guidance for council IT colleagues containing important advice and actions to take.

Following the discussion, Members made the following comments:

- The need to address issues around disproportionality in the use of tools such as SVROs with an apparent increase in the use of stop and search among young black men during COVID: SVROs could exacerbate the issue. The Chair noted concern that searches could take place without any suspicion, recognising that certain parts of the community would be disproportionality affected and that this could have an impact on community cohesion.

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- Members supported adding sex or gender to the protected characteristics under hate crime legislation.
- Concern around Barnardo's putting the National FGM Centre into its BAME Centre of Expertise as this is any issue that can happen in any community and will lose sight of vulnerable young girls. Mark responded that the decision was a practical financial choice and Barnardo's would prefer having a specialist bespoke approach to tackling this issue but are restricted due to funding. Members also expressed concern about use of the term BAME and the way it fails to distinguish between diverse communities.

**Decision:**

Members of the Safer and Stronger Communities Board noted the update paper.

**Actions:**

- Officers to consider the scope for the SSCB/LGA to look at use of the term BAME.

## **8 COVID-19 Compliance and enforcement and wider update**

Ellie Greenwood, Senior Policy Adviser, introduced the report which covers the COVID-19 compliance and enforcement activity the team have been supporting since the previous Board meeting, and a presentation from Birmingham City Council's Interim Assistant Director of Regulation and Enforcement, Paul Lankester.

Paul Lankester introduced his presentation on Enforcement of Coronavirus regulations, which focused on implementing enforcement measures to curb high levels of COVID-19 cases in Birmingham.

Paul highlighted the following key points:

- Birmingham City Council (BCC) have used a mixture of education and enforcement; issuing warnings and fixed penalty notices.
- As part of the proportionality assessment, BCC defined its purpose;
  - To reduce the spread of Covid-19
  - To protect residents
  - To protect businesses from further lockdown
  - To reassure the public
- The council received the highest grant from the government enforcement fund, although this presented challenges as the funding is expected to be used within four months or returned. The council intends to spend the grant on the following:
  - Funding Covid Marshals
  - Supporting BIDs - to take on board Covid Marshal works.
  - Working with the city's Universities – putting together a scheme to help reduce infection spread and ensure compliance among university students.
  - A campaign on behalf of and working with faith groups and funeral directors to get greater compliance in relation to funerals and reduce spread.
  - Substituting expenditure on linked issues, such as tackling graffiti denoting COVID-19 as 'a government hoax'.

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Following the discussion, Members made the following comments:

- Marshals in London would be helpful around 'huddle points' such as train and tube stations but recruitment, community tension and lack of tools is a major concern.
- Avoiding confrontation is not doing the community any good as positive case numbers and deaths will increase. The Chair responded that within her own borough they have rolled out Community Champions to spread public health messages within their own communities.
- Educating communities can only go so far when certain groups of people break the rules and enforcement is the only option to address the issues.
- Smaller authorities do not have the staff or resources to roll out Marshals out of hours. Paul responded that other local authorities who have resources should share their experiences of best practice to smaller authorities which would help them tackle issues within their own authorities.

The Chair thanked Paul for his detailed presentation.

**Decision:**

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

**Date of the next meeting:** Thursday, 14 January 2021, 11.00 am, Videoconference via Zoom

**Appendix A – Attendance**

Position		Authority
Chair	Cllr Nesil Caliskan	London Borough of Enfield
Vice Chair	Cllr Katrina Wood	Buckinghamshire County Council
Deputy Chair	Cllr Bridget Smith	South Cambridgeshire District Council
Deputy Chair	Cllr Hannah Dalton	Epsom and Ewell Borough Council
Committee Member	Cllr Eric Allen	London Borough of Sutton
	Cllr Mohan Iyengar	Bournemouth, Christchurch and Poole Council
	Cllr Andrew Joy	Hampshire County Council
	Cllr John Pennington	Bradford Metropolitan District Council
	Cllr Dave Stewart	Isle of Wight Council
	Cllr Lois Samuel	West Devon Borough Council
	Cllr Kate Haigh	Gloucestershire City Council
	Cllr Alan Rhodes	Nottinghamshire County Council
	Mayor Damien Egan	Lewisham London Borough Council
	Cllr James Dawson	Erewash Borough Council

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	Cllr Farah Hussain	Redbridge London Borough Council
	Cllr Johnson Situ	Southwark Council
	Cllr Jeremy Hilton	Gloucestershire County Council
	Cllr Philip Evans JP	Conwy County Borough Council
Substitute	Cllr Jo Beavis	
	Cllr Jeanie Bell	
	Cllr Richard Auger	
	Cllr Tim Roca	
	Cllr Nicola Dillon Jones	
	Cllr James Gartside	
	Cllr Daniel Francis	
	Cllr Paul Findlow	
LGA Officers	Mark Norris	
	Ellie Greenwood	
	Lucy Ellender	
	Charles Loft	
	Rachel Duke	
	Rachel Phelps	
	Jessica Norman	
	Jade Hall	
	Joe Difford	
	Tahmina Akther	
In attendance	Jane Parker	Suffolk County Council
	Paul Lancaster	Birmingham City Council

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## **Government Review of the Gambling Act 2005**

### **Purpose of report**

For discussion.

### **Summary**

This paper is intended to update the Board on the Department for Culture, Media and Sport's (DCMS) review of the Gambling Act 2005 and open a discussion to inform the Board's response to the call for evidence.

### **Recommendation**

That Members consider the report and use it as a basis to shape discussion.

### **Action**

Officers will use the discussion as a basis to develop a draft response to DCMS's review of the Gambling Act 2005, for sign off by Lead Members.

**Contact officer:** Rebecca Johnson  
**Position:** Adviser  
**Phone no:** 07887 568807  
**Email:** Rebecca.johnson@local.gov.uk

## **Government Review of the Gambling Act 2005**

### **Background**

1. In December, the Department for Culture Media and Sport (DCMS) launched a major and wide-ranging review of gambling laws to ensure they are fit for the digital age. The review was a commitment in the Conservative Party manifesto at the 2019 General Election.
2. The review of the Act is welcome given the significant changes to the gambling landscape since the Gambling Act 2005 was introduced, most notably with the shift to online or remote gambling from more traditional land-based operations like high street betting shops.
3. Government's objective for the review of the Gambling Act is to ensure the existing regulatory framework is fit for purpose and continues to meet its aims which are; to protect children and vulnerable people, prevent gambling related crime, and keep gambling fair and open. The first phase of the review is a [call for evidence](#); while the review covers the whole of the Act, the Government has identified a particular focus on:
  - 3.1. online protection – players and products
  - 3.2. advertising, sponsorship and branding
  - 3.3. the Gambling Commission's powers and resources
  - 3.4. consumer redress
  - 3.5. age limits and verification
  - 3.6. land based gambling.
4. The findings from the call for evidence will be used to inform proposed changes to the Gambling Act 2005, expected to be set out in a white paper next year.
5. As licensing authorities, councils are a key partner in gambling regulation and are responsible for overseeing land based (non-remote) gambling - for example betting shops, bingo halls, casinos and family entertainment centres - in their local areas. This involves setting the local framework for gambling through their statement of principles; considering applications and issuing licences for premises where gambling takes place and undertaking inspection and enforcement activities, including tackling illegal gambling.
6. Of the five areas of focus identified above, councils play a limited direct role in terms of gambling regulation and we therefore do not anticipate being able to contribute significantly in terms of actual evidence to the review, although we will seek the views of

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member councils on these issues. However, the themes include issues where the Board has expressed an interest and view before (eg, advertising and sponsorship). We are therefore seeking members' views on how best to respond to the call for evidence, either by providing a response focused on areas where councils do have a role to play, or alternatively developing a more in depth response which looks beyond councils' direct remit.

## Issues

### *LGA's previous work*

7. The LGA's key areas of focus previously in terms of gambling has been around Fixed Odds Betting Terminals (FOBTs) and betting shop clustering. The LGA actively lobbied government to reduce the stakes on FOBTs to £2 to bring them in line with maximum stakes playable on other high street gaming machines. Following a lengthy consultation process in 2018 Government announced that it would reduce maximum stakes on FOBTs to £2 and changes were introduced in 2019.
8. Linked to FOBTs, betting shop clustering has also been something that member councils have been concerned about and the LGA has previously called for additional powers to restrict the openings of new betting shops in areas where there are already clusters.
9. In the last 18 months there have been a number of closures of high street betting shops, some of which could be attributed to stake reductions. Closures are likely to mean that clustering has ceased to be such a pressing issue for councils. However, as a general principle we would propose that the LGA should still use the review to call for councils to have greater powers under the Act to determine whether it is appropriate for new gambling premises of any type to open in their areas. Members' views on this point would be very helpful.
10. Problem gambling is another area that the Board has taken an interest in. Over the past few years, we have been supporting councils to develop a better understanding of gambling related harm and the role councils can play to identify and support local residents and families who are affected by it (although the primary responsibility for treatment rests with other bodies). This included the development of [a handbook for councils on tackling gambling related harm](#) and a well-attended event to share good practice.
11. Whilst councils do not have a direct role in regards to gambling related harm, it is an issue that we are aware many councillors have concerns about, and may experience in their role as ward councillors. It would therefore be helpful if the Board could consider

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whether the Board has a shared view on these issues and would like to put forward a view on related issues including player protection measures, advertising and so forth, despite these issues being outside councils' immediate remit, or whether the Board would prefer a shorter and more focused response covering only those issues where councils have a specific interest.

12. As a basis for discussion the following summarise the key areas the call for evidence will cover although DCMS have been clear that this is a wide-ranging review and are open to any additional evidence.

*Online protections*

13. Since the Act was introduced technological developments mean that significant numbers of people gamble remotely; in 2019, 21 percent of adults surveyed had gambled online in the previous four weeks. Given the significant shift towards online gambling, the key focus of the review will be on the protection of online gamblers.
14. The call for evidence outlines various player protection obligations on gambling companies as conditions of their operating licenses with breaches subject to compliance and enforcement action by the Gambling Commission. Gambling operators are expected to monitor a player's behaviour and intervene when they see signs of risk or harm. They must also make it easy for players to set limits on their own play and prevent them from gambling at all if they have self-excluded.
15. However, concerns have been raised that the current system of online protections is not sufficiently effective at preventing gambling harm. There is evidence of gamblers being able to spend very large sums of money which they could not afford in short spaces of time without effective operator intervention, leading to devastating effects for individuals and their families.
16. Concerns have also been raised about the nature of online gambling products themselves. Online gamblers can access a wide variety of products, from National Lottery games, to sports betting, bingo, casino games and slots.
17. As noted above, online gambling is outside the regulatory remit of councils as licensing authorities, and the LGA does not have technical expertise/evidence to offer on specific forms of protection. **However, the Board may wish to consider whether there are general principles that they wish to advocate**, for example whether stake limits should apply consistently across machines in council regulated gambling premises as well as online (there are currently no stake limits online), or whether account based

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gambling, which is required to gamble online, should be replicated in premises to help identify harmful patterns of play.

*Advertising and sponsorship*

18. Government are keen to explore evidence of the impact of gambling advertising and sponsorship, including in relation to vulnerable groups.
19. The volume of gambling advertising has been the focus of various pieces of research in the last few years. In May, the Advertising Standards Authority (ASA) reported that TV gambling advertising exposure has remained at similar levels over the last six years.
20. However, as with other sectors, there has been a shift in focus to advertising online and via social media. Analysis commissioned by GambleAware estimated that in 2017, the gambling industry spent £1.5bn on advertising and marketing, around 80% of which was through online channels. Government is looking for evidence on harms caused by advertising as part of the call for evidence.
21. In terms of the impact of advertising on vulnerable groups, GambleAware recently commissioned research to look at the impact of gambling advertising and marketing on children, young people and vulnerable adults. The findings of the research were published in March 2020 and showed that gambling is now seen as part of everyday life for these groups. The research also revealed a link between exposure to gambling advertising and attitudes towards the prevalence and acceptability of gambling which increase the likelihood that a child, young person or vulnerable adult will gamble in the future. The research also found that children are regularly exposed to gambling advertising on social media platforms.
22. Sponsorship is also a significant channel for gambling brand marketing. Betting companies sponsor sports teams and events, including shirt sponsorship and have forged deals with sports bodies. These commercial arrangements are a significant source of income for British sports and teams, particularly horse racing and football teams. There has been growing public concern about the relationship between sport and gambling and the review is seeking evidence on the positive and negative outcomes of this relationship to make sure we can strike an appropriate balance in developing policy.
23. The LGA has previously called for greater control on the volume of gambling advertising and sponsorship. **It would be helpful to understand whether this is an issue that the Board would like to raise in response to the current call to evidence.**

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*The Gambling Commissions power and resources*

24. The review will also look at the powers and resources of the Gambling Commission and whether they are able to regulate effectively. The Gambling Commission was set up under the Gambling Act and has responsibility for regulating gambling and issuing operating licences to gambling businesses and personal licences to individuals. The Commission is funded through licence fees paid by the industry and in 2019-20 it had an income of £19.9 million. The Commission is in the process of restructuring to focus regulatory resources on the larger and more complex online gambling industry.
25. In 2020 the National Audit Office (NAO) undertook a review of gambling regulation and in particular the role of the Gambling Commission. The NAOs report concluded that the Gambling Commission and government need to do more to ensure that regulation can protect gamblers effectively.
26. Councils work in partnership with Gambling Commission to regulate gambling and have close relationships including through the Commission's regional compliance officers, a role which has recently been removed as part of the ongoing restructure. Compliance officers gave advice and support to councils with the development of local statements of gambling policy, with inspections of gambling premises as well as with training. **This support was valued by council officers and, subject to the Board's approval, we would be keen to put forward the point that the Commission must have the resources to continue to support councils in this way.**

*Land based gambling*

27. The review also includes a broad question about evidence on whether local authorities and other licensing authorities have the powers they need in respect of gambling premises to effectively fulfil their role. Government have a particular interest in the controls in place for casinos and whether they are still appropriate in a digital age.
28. The Board may recall that at the time the Gambling Act was being debated in Parliament, concern about the liberalisation of gambling laws was largely focused on casinos. Reflecting these concerns, councils are able to pass a 'no-casino' resolution preventing the opening of a new casino under the 2005 Act. In contrast, councils have virtually no powers to prevent the opening of betting shops or other gambling premises and in practice, it was this issue that has proved to be the biggest challenge for councils since the Act came into effect. While this issue may have diminished since the reduction of FOBT stakes and overall decline in the number of betting shops, the Act in its current form is imbalanced. **We would welcome the Board's confirmation of whether we**

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**should continue to advocate for councils to have stronger powers to determine the opening of local gambling premises.**

29. As part of wider stakeholder engagement to inform our response to the call for evidence, we intend to consult with local authorities to get a practitioner view and this will include seeking views of councils such as Westminster, which have a proliferation of gambling establishments, and Leeds and Blackpool, which have direct experience of regulating casinos.

*Customer Redress and Age Limits and Verification*

30. The call for evidence is also looking at the availability and suitability of redress arrangements consumer redress for individual customers who feel they have been treated unfairly by gambling operators. Currently the primary route for individuals to seek redress for social responsibility failings on the part of operators is through the courts, which can be costly and time consuming.
31. Age limits and verification is the final theme and the review will look at the effectiveness of age controls, protections for young adults, and the age limit for society lotteries. It has also been announced that the minimum age for playing the National Lottery will be raised from 16 to 18 from October 2021.
32. Of particular note for councils, the review refers to test purchasing in gambling premises and seeks evidence of the effectiveness of measures to prevent under-18s from playing on the category C gaming machines that pubs have an automatic entitlement to offer. A recent piece of work by the Gambling Commission found widespread evidence of failure to prevent under-18s from playing on these machines. We know that in previous years, the Gambling Commission has highlighted concern about the level of proactive work by councils in relation to test purchasing and broader inspection in local gambling premises.

**Implications for Wales**

33. Gambling is a reserved matter and the Act covers England, Wales and Scotland. We will seek the views of Welsh councils along with English councils.

**Financial Implications**

34. This work will be carried out within existing budgets.

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### **Next steps**

35. Officers will use the discussion as a basis to develop a draft response to the call for evidence. We will also engage with other relevant stakeholders and seek practitioner input.

## **ANNEX A: Overview of Questions in Call for evidence**

### ***Online protections - players and products***

Q1: What evidence is there on the effectiveness of the existing online protections in preventing gambling harm?

Q2: What evidence is there for or against the imposition of greater controls on online product design? This includes (but is not limited to) stake, speed, and prize limits or pre-release testing.

Q3: What evidence is there for or against the imposition of greater controls on online gambling accounts, including but not limited to deposit, loss, and spend limits?

Q4: What is the evidence on whether any such limits should be on a universal basis or targeted at individuals based on affordability or other considerations?

Q5: Is there evidence on how the consumer data collected by operators could be better deployed and used to support the government's objectives?

Q6: How are online gambling losses split across the player cohort? For instance what percentage of GGY do the top and bottom 10% of spenders account for, and how does this vary by product?

Q7: What evidence is there from behavioural science or other fields that the protections which operators must already offer, such as player-set spend limits, could be made more effective in preventing harm?

Q8: Is there evidence that so called 'white label' arrangements pose a particular risk to consumers in Great Britain?

Q9: What evidence, if any, is there to suggest that new and emerging technologies, delivery and payment methods such as blockchain and crypto currencies could pose a particular risk to gambling consumers?

Q10: Is there any additional evidence in this area the government should consider?

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***Advertising, sponsorship and branding***

Q11: What are the benefits or harms caused by allowing licensed gambling operators to advertise?

Q12: What, if any, is the evidence on the effectiveness of mandatory safer gambling messages in adverts in preventing harm?

Q13: What evidence is there on the harms or benefits of licensed operators being able to make promotional offers, such as free spins, bonuses and hospitality, either within or separately to VIP schemes?

Q14: What is the positive or negative impact of gambling sponsorship arrangements across sports, esports and other areas?

Q15: Is there any additional evidence in this area the government should consider, including in relation to particularly vulnerable groups?

***The Gambling Commission's powers and resources***

Q16: What, if any, evidence is there to suggest that there is currently a significant black market for gambling in Great Britain, or that there is a risk of one emerging?

Q17: What evidence, if any, is there on the ease with which consumers can access black market gambling websites in Great Britain?

Q18: How easy is it for consumers to tell that they are using an unlicensed illegal operator?

Q19: Is there evidence on whether the Gambling Commission has sufficient investigation, enforcement and sanctioning powers to effect change in operator behaviour and raise standards?

Q20: If existing powers are considered to be sufficient, is there scope for them to be used differently or more effectively?

Q21: What evidence is there on the potential benefits of changing the fee system to give the Gambling Commission more flexibility to adjust its fees, or potentially create financial incentives to compliance for operators?

Q22: What are the barriers to high quality research to inform regulation or policy making, and how can these be overcome? What evidence is there that a different model to the current system might improve outcomes?

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Q23: Is there evidence from other jurisdictions or regulators on the most effective system for recouping the regulatory and societal costs of gambling from operators, for instance through taxes, license fees or statutory levies?

Q24: Is there any additional evidence in this area the government should consider?

***Consumer redress***

Q25: Is there evidence of a need to change redress arrangements in the gambling sector?

Q26: If so, are there redress arrangements in other sectors or internationally which could provide a suitable model for the gambling sector?

Q27: Individual redress is often equated with financial compensation for gambling losses. However, there may be risks associated with providing financial lump sums to problem and recovering gamblers, or risks of creating a sense that gambling can be 'risk free'. Are there other such considerations the government should weigh in considering possible changes to redress arrangements?

Q28: Is there any additional evidence in this area the government should consider?

***Age limits and verification***

Q29: What evidence is there on the effectiveness of current measures to prevent illegal underage gambling in land based venues and online?

Q30: Is there evidence of best practice, for instance from other jurisdictions, in how to prevent illegal underage gambling?

Q31: What, if any, evidence is there on the number of 16 and 17 year olds participating in society lotteries?

Q32: What, if any, evidence is there to show an association between legal youth engagement in society lotteries and problem gambling (as children or adults)?

Q33: Is there comparative evidence to support society lotteries and the National Lottery having different minimum ages to play?

Q34: What are the advantages and disadvantages of category D slot machine style gaming machines being legally accessible to children?

Q35: Is there evidence on how the characteristics of category D slot machine style gaming machines (for instance whether they pay out in cash or tickets) factor into their association with harm in childhood or later life?

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Q36: What, if any, is the evidence that extra protections are needed for the youngest adults (for instance those aged between 18 and 25)?

Q37: What evidence is there on the type of protections which might be most effective for this age group?

Q38: Is there any additional evidence in this area the government should consider?

***Land based gambling***

Q39: What, if any, changes in the rules on land based gambling would support the government's objectives as set out in the document? Please provide evidence to support this position, for instance how changes have worked in other countries.

Q40: What evidence is there on potential benefits or harms of permitting cashless payment for land based gambling?

Q41: Is there evidence that changes to machine allocations and/ or machine to table ratios in casinos to allow them to have more machines would support the government's objectives?

Q42: What is the evidence that the new types of casino created by the 2005 Act meet (or could meet) their objectives for the sector; supporting economic regeneration, tourism and growth while reducing risks of harm?

Q43: Is there evidence on whether licensing and local authorities have enough powers to fulfil their responsibilities in respect of premises licenses?

Q44: Is there evidence that we should moderately increase the threshold at which local authorities need to individually authorise the number of category D and C gaming machines in alcohol licensed premises?

Q45: Is there any additional evidence in this area the government should consider?



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## **Resilient communities**

### **Purpose of report**

For discussion.

### **Summary**

This paper provides an outline of the proposed piece of work on community safety resilience, and introduces a presentation by Kersten England, Chief Executive of Bradford MBC and Solace lead for community safety and resilience.

### **Recommendation**

The Board provide their views on the proposed work on community safety resilience.

### **Action**

For discussion and direction.

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## Resilient communities

### Background

1. The Board have previously indicated that they would be interested in undertaking a piece of work exploring what makes communities resilient in the context of community safety. Although officers began initial discussions and planning on this work in 2019-20, the work was subsequently delayed by the need to divert resources to support the response to the COVID-19 pandemic. The Board reiterated their interest in this subject as part of 2020-21 work planning discussions, and officers have therefore been scoping a piece of work. This short paper sets out current thinking on how this piece of work could be developed, and seeks the Board's views on this outline.
2. To help inform this item, we have invited Kersten England, Chief Executive of Bradford MBC, to provide a perspective on community safety and resilient communities. Kersten recently took on the role of community safety and resilience lead for the Society of Local Authority Chief Executives (Solace), and acts as the lead chief executive for Yorkshire and Humber in discussions with MHCLG. Through the city's work as an integration area pilot under the Integration White Paper and a focus on hyper local and prevention/ early help approaches, there are many ways in which Bradford is already extremely active on issues relating to community resilience and development.

### Issues

3. Resilience is a term that is used regularly in different policy areas and is an issue that the Board has considered in different contexts over the past 18 months. As part of the Board's policy responsibility for civil resilience and emergency planning, we have previously held training and developed guidance for councillors on emergency responses structures and processes to help strengthen civil resilience. The Board has also discussed undertaking work to consider what has made communities more or less resilient in terms of the response to COVID-19 and how we can learn lessons from this. While there may be scope to consider this issue as part of this piece of work, officers are also expecting to be able to look into this issue in more depth later in 2021, as COVID response work reduces.
4. Members have also identified an interest in exploring what makes communities resilient in the context of community safety; specifically how do communities become more resilient to anti-social behaviour and crime, address the challenges of knife and gang crime, remain cohesive and reject the narratives of extremists? What can councils do to promote and support this? What behaviours drive resilient communities?
5. Clearly, these are critical, but extremely difficult questions. As with community cohesion and social integration, and the response the LGA made to the Government's Integration White Paper, there are a number of contributory factors – going beyond the remit of the

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SSC – that inevitably impact on communities’ overall resilience to risks and shocks, including the availability of jobs, secure accommodation and amenities, and overall prosperity: all of which require long term solutions. The Government’s levelling up agenda is intended to begin to address the structural inequalities that make some communities less resilient than others, but this is not a quick process.

6. Beyond socio-economic trends, there are more specific measures that can be taken to address community safety challenges at the local level. The College of Policing’s What Works Centre has looked at broad, top level community safety interventions and are currently looking at policing and public health initiatives and the evidence base for investing in them, while the Youth Endowment Fund are already exploring the interventions that can help divert people at risk from becoming involved in gangs and knife crime
7. To assist councils in developing a clearer picture of what is already out there and what works in building community safety resilience, we are proposing that a first phase of this work should be a literature review to identify and collate what work has been undertaken and what evidence is available. Officers have already held initial discussions with the College of Policing to inform this work, and would expect to engage with a wider range of stakeholders and councils that we are aware have undertaken work on this issue.
8. As a second strand of work, we are proposing exploring the approaches that councils themselves are taking to community safety issues, and in particular the rapidly evolving community safety landscape, in part as a follow up to our 2016/17 [review](#) of community safety partnerships (CSPs). Recent initiatives on serious violence – such as the creation of eighteen violence reduction units, the forthcoming statutory duty on tackling serious violence, the Domestic Abuse Bill requirement for local partnership Boards – are both impacting and highlighting the work of CSPs and we believe there would be a value in understanding how these developments are being managed at the local level, what is working effectively and where there are challenges, with a view to developing to any proactive asks on this issue.
9. This a broad and complex policy and service area, and we have developed these two areas of focus based on areas the Board have indicated an interest in and current developments. However, we are very keen to hear the views of the Board as to how they would like this work to be targeted and structured and whether these are the areas they would like us to focus on.

### **Implications for Wales**

10. We will liaise with the Welsh LGA in relation to this piece of work. In 2017, a [review](#) of community safety work was undertaken in Wales, which we would expect to consider in relation to the second theme outlined in this proposal.

**Financial Implications**

11. This work will be supported from existing budgets, although it is anticipated that at least part of this work may be commissioned from an external partner.

**Next steps**

12. Subject to the Board's views, officers will scope out the proposed areas of work with a view to taking them forward over the coming months.

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## **Conspiracy theories and COVID-19**

### **Purpose of report**

For information.

### **Summary**

Dr Gareth Harris, independent researcher affiliated to Coventry University, and lead Facilitator of the Special Interest Group on Countering Extremism (SIGCE), and Dr Valerie van Mulukom, a cognitive scientist at Coventry University, will provide an update to the Board on conspiracy theories in the context of COVID-19.

### **Recommendation**

That the Board notes the update.

### **Action**

Officers to take forward any actions as directed.

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## **Conspiracy theories and COVID-19**

### **Background**

1. The pandemic has presented a number of cohesion and extremism issues for local areas. This has included activists adapting long-standing narratives to try and exploit widespread fear and anxiety to extend their reach and garner support, growing levels of hate incidents on and off-line, and reports of increased community tensions. Narratives have blamed a variety of groups or communities for the initial origins of the virus, its continued spread and for breaching control measures (the specific groups blamed have evolved over the course of the pandemic but have included students, more-deprived communities, and particular religious or ethnic groups). It is thought likely that extremists will look to capitalise on the post-COVID landscape to further common narratives; economic decline, increasing unemployment and rising inequality (or perceptions of these) in particular, have traditionally provided fertile territory for extremists to exploit.
2. The pandemic has also featured unprecedented awareness and mainstream circulation or advocacy of various conspiracy theories. Uncertainty, fear and the complexity of the pandemic are likely to have contributed to their growth and appeal during this period.
3. Conspiracy narratives have again included blaming certain groups for the origins or spread of the virus, but have extended to a range of other themes, including that the virus is a hoax, is exaggerated or has been deliberately manufactured; that the 5G network has helped spread or lower immunity to it (well over 70 attacks on 5G masts were recorded last year, with engineers subject to threats of violence); plus a range of narratives linked to vaccinations, including claims that vaccinations will include microchips or are designed to achieve global depopulation. Conspiracy theories on a range of issues continue to persist, with themes united around a deep mistrust of government and the mainstream media. It is worth noting too that conspiracy theories beyond the pandemic, for instance relating to the US elections, have also received significant attention in the UK during this same period.
4. There is some debate about the extent to which “conspiracy theories” and “extremism” occupy the same space, however there are obvious concerns that conspiracy theories can fuel discrimination and polarisation; be exploited by extremists and help to draw in those at risk of radicalisation; and spread mistrust in public institutions and scientific and medical information, which are clearly of particular concern in responding to the pandemic.

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5. Dr Gareth Harris, SIGCE Facilitator, will provide an update to the Board on the growth of conspiracy theories over recent months, and Dr Valerie van Mulukom will present on what makes people vulnerable to conspiracy narratives, particularly in the context of the pandemic.

### **Responding to conspiracy theories and support for councils**

6. Nationally, much of the focus has been on the online space; the conduit for the spread of conspiracy theories. The Government consulted on an online harms white paper in 2019, which covered a wide range of online harms including illegal content, abuse and disinformation. [In the LGA's response to the white paper](#) we set out how the spread of misinformation on the internet can lead to mistrust in public services.
7. The [Government's response to the consultation](#) was published in December 2020, and sets out proposals that will make tech companies legally responsible for the online safety of their users. This will introduce a new regulatory framework establishing a duty of care on tech companies to improve the safety of their users online, which will be overseen and enforced by an independent regulator. The response proposes that companies will need to address disinformation and misinformation<sup>1</sup> that pose a reasonably foreseeable risk of significant harm to individuals (e.g., relating to public health) and that new legislation would introduce additional provisions (such as an expert working group) targeted at building understanding and driving action to tackle these.
8. The response also notes that in response to the pandemic, the Government stood up the Department for Digital, Culture, Media and Sport-led cross-Whitehall Counter Disinformation Unit, to provide a comprehensive picture of the extent, scope and the reach of disinformation and misinformation, and to work with partners to ensure appropriate action is taken.
9. At a local level, the Special Interest Group on Countering Extremism (SIGCE - a council led network chaired by Leeds and Luton Councils) provides support to councils on countering extremism. Since its launch in 2017, it has achieved considerable successes in supporting councils and partners to counter extremism, including through roundtables, webinars, training, an online officer Knowledge Hub, regional elected member networks, and working groups on Far-Right extremism and Faith-based extremism respectively. The LGA currently funds the network and supports the design and delivery of its work programme.

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<sup>1</sup> Disinformation is defined as the deliberate creation and dissemination of false and/or manipulated information that is intended to deceive and mislead audiences, either for the purposes of causing harm, or for political, personal or financial gain. Misinformation is defined as inadvertently spreading false information.

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10. As noted above we recently supported a SIGCE seminar on conspiracy theories and COVID-19. Presentations from the session are available from the [SIGCE KHub](#), and we are looking at convening some follow-up sessions with councils to explore what more local authorities can do in response.
11. Over the next couple of months, we are rolling out a training programme for officers on effective communications and engagement to counter extremist narratives more broadly. Wider work has also started to develop and trial new approaches to community dialogue and engagement at a local level to help challenge extremist narratives (although much of this has been paused with pandemic restrictions in place).

### **Implications for Wales**

12. The SIGCE provides support for councils across England and Wales.

### **Financial Implications**

13. None.

### **Next steps**

14. Members to note the updates from Gareth Harris and Valerie van Mulukom. Officers to take forward any actions arising from the discussion.

## **Building Safety update**

### **Purpose of report**

For discussion.

### **Summary**

This report updates the Safer and Stronger Communities Board on the LGA's building safety related work since its last meeting.

#### **Recommendation**

That members note and comment on the LGA's building safety related work.

#### **Action/s**

Officers to incorporate members' views in the LGA's ongoing building safety related work.

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## Building Safety update

### Remediation

#### *Advice*

1. Just before Christmas the LGA published advice for councillors on [supporting residents who have been affected by cladding issues](#).

#### *Progress*

2. [MHCLG statistics](#) show that the pace of Aluminium Composite Material (ACM) cladding remediation continues to be slow – 267 buildings (58% of all identified buildings) had had their ACM removed by the end of October 2020. At the end of April 2020 remediation was complete in 22 per cent of buildings, now it is 46 per cent. Of the 213 buildings that had completed work by the end of November, 22 finished in September, 13 in October and 11 in November. This is an improvement on recent months, reflecting both the increased pressure from the Minister and the resumption of work that had stopped as a result of Covid.
3. Of the 156 social sector residential blocks with ACM, 90 have completed work, 64 have begun work and 2 have yet to begin. In the private sector 62 have completed, 88 have begun and 63 have yet to begin. In addition, 43 Student blocks have completed with 10 underway and 1 yet to begin.
4. A recent [Sunday Times](#) article suggested work would take 150 years at the current rate and estimated that ‘about 700,000 people are still living in blocks of flats taller than 18m wrapped in dangerous materials’.

#### *Data collection on external wall systems (EWS), mortgage and insurance issues*

5. In July 2019 councils were asked by MHCLG to collect data on the external wall systems on all high-rise residential buildings in England. Although the exercise is not yet complete, it has reached a stage where [estimates of the number of buildings with little or minimal](#) cladding have been published. These estimates were drawn up to show proportions of housing stock that does not need an EWS1 form.
6. In January 2020 the Government and the Royal Institute of Chartered Surveyors introduced the EWS1 form which was [‘was designed following Government advice regarding external wall systems on buildings above 18m and was created to ensure buildings over 18m tall could be assessed for safety to allow lenders to offer mortgages’](#). However introduction of the EWS1 form has resulted in widespread reports

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of owners who cannot sell, remortgage or staircase due to their inability to get an EWS1 form.

7. Although conceived as only being used in relation to high-rise residential buildings over 18m, mortgage lenders have since its introduction been requesting EWS1 forms in respect of buildings under 18m. The [Expert Panel's Consolidated Advice Note](#) has been blamed for this development, because it stated that ACM is dangerous on building of any height and that 'remedial actions may be required in buildings below 18m where there is a risk to the health and safety of residents'. The government issued a [supplement](#) to the Consolidated Advice note in November 2020, which appears to be aimed at reducing the need for EWS1 forms. However, the spread of demand for EWS1 forms may well have taken place anyway as lenders sought to ensure that they did not make loans against property that was liable to burn down. In any case, the Expert Panel's advice was correct.
8. The Government [announced](#) on 21 November that EWS1 forms would no longer be required for buildings without cladding systems. In fact they have never been required on these buildings, although there have been some requests for them in relation to such buildings either in error or because there was uncertainty over whether a building had cladding ('brick slip' cladding, which may conceal flammable insulation is not necessarily easy to distinguish from solid brick; render may cover a wall or flammable insulation); it is unclear how the new arrangements solve this problem.
9. Apparently as part of its efforts to reduce the requests for EWS1 forms the government has issued [supplementary advice](#) to the Expert Panel's [Consolidated Advice note](#) of January 2020. The LGA has raised concerns about the potentially confusing nature of this advice with the Minister.
10. The essential problem with the EWS1 form is the shortage of surveyors who are both competent to make judgements about external wall systems and can obtain professional indemnity insurance to do so. The Government has [announced](#) nearly £700,000 of new funding to increase the number of fire risk assessors. This is most welcome, but will obviously take a very long time to deliver a solution.
11. Some buildings have seen insurance costs increase by as much as 800 per cent in a year, with a reluctance among companies to be the sole provider of insurance. The Sunday Times has provided examples as follows:
  - 11.1 a development in west London, which was built with flammable aluminium composite material (ACM) and timber cladding, saw the premium rise from £130,000 last year to £690,000 this year. The previous insurer, who used to cover the whole development, will now only cover 50 per cent, with the rest of the cover provided by a combination of four firms. Service charges had increased by nearly £1,000 p.a.;

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- 11.2 an east London development has seen insurance for two-bedroom flats up from £273 to £677;
- 11.3 a development in Manchester has seen premiums for two-bedroom apartments rise from £200 to £800 a year. The block was uninsured for a month;
- 11.4 research by the Association of Residential Management Agents shows the biggest rise in insurance was at a block in Peckham, southeast London, where last year's premium of £34,000 went up to £300,000 this year — a rise of 782 per cent.

*Public Accounts Committee*

- 12 The Government has [responded](#) to the Public Accounts Committee [report](#) on the progress of remediation, which was published at the end of September 2020. Set out below are the recommendations from the Committee with the Government's response in brackets:

- 12.1 within six months the Ministry of Housing, Communities and Local Government (MHCLG) should:

- a) be working with the new Building Safety Regulator, to begin vigorous enforcement action against any building owners whose remediation projects are not on track to complete by the end of 2021 (the Government aims to do so by Spring 2021); and
- b) begin publishing monthly updates of projected completion dates for all remaining high-rise buildings with ACM cladding, to increase transparency of progress without identifying individual buildings (Government intends to do so from February 2021).

- 12.2 within three months:

- a) publish its impact assessment of the safety risks and financial impacts on private leaseholders and social landlords (including knock-on impacts on house building and maintenance of existing stock) arising from only funding a fraction of the estimated costs of replacing non-ACM cladding from high-rise blocks (the Government claims it is unable to do so 'under the timeframe proposed because applications and registrations for non-ACM cladding removal are still being processed'); and
- b) write to the Committee, outlining its assessment of the risks to public money of committing all £1 billion of the Building Safety Fund by the end of March 2021, and how it will monitor and mitigate these risks (Government agreed to do so).

- 12.3 working with the Care Quality Commission and local authorities, should make it a priority for its forthcoming data collection exercise to identify any care homes below 18

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metres which have dangerous cladding. The Department should write to the Committee by the end of 2020 setting out progress on this and on its wider data collection (Government rejected this saying that a National Fire Chiefs Council (NFCC)/CQC MoU will be rolled out next year. It agreed to update the committee on 11-18m EWS data collection in Spring 2021).

12.4 write to us within three months, setting out what specific steps it will take to provide greater transparency for residents throughout the application and remediation process, and how it will ensure that building owners meet a standard of service in communication with residents (Government agreed to do so in December).

12.5 ensure that cross-sector work to resolve issues with the External Wall Fire Review process progress at pace. As part of this cross-sector work, the Department must ensure that professionals can acquire indemnity insurance, and leaseholders are not facing escalating insurance premiums. The Department should write to the Committee within three months setting out its assurance that these processes are operating effectively (the Government agreed but has set a target implementation date of May 2021).

12.6 within the next three months, assess the capacity of specialist fire safety skills within the sector and set out what the impact is on delivery of its timetables for the removal and replacement of unsafe cladding. It should include in this assessment options to tackle the skills shortage so that this does not become a barrier to remediation work continuing at pace (the Government agreed to do this in December 2021 – it is worth noting that the Home Office needs to do this as part of its preparation for the Fire Safety Bill's commencement).

*Fire Protection Board (FPB)*

- 13 The Building Risk Review programme overseen by the Board remains on track to ensure all residential buildings over 18m have been assessed or inspected by the end of 2021.
- 14 The LGA is seeking clarity over the extent to which the funding from MHCLG and the Home Office during 2020-21 to provide a protection uplift, implement Grenfell Tower Inquiry findings and support the FPB's work will continue into 2021-22.

*Joint Inspection Team*

- 15 As members will recall, the LGA is hosting the Joint Inspection Team (JIT) to support councils to use their enforcement powers under the Housing Act and the Housing Health and Safety Rating System. The LGA is discussing the future of the JIT with MHCLG with a view to the possible expansion of both its size and remit (to cover buildings with non-ACM cladding)

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- 16 The team is currently inspecting roughly two buildings a month, although the risk assessment of work is currently being reviewed as a result of the developing Covid-19 pandemic.

#### *Waking Watch*

- 17 The government has announced a new £30 million [fund](#) to pay for the costs of installing an alarm system in buildings with unsafe cladding. Common Alarms systems will enable costly Waking Watch measures to be replaced in buildings waiting to have unsafe cladding removed. The LGA and NFCC are involved in discussions as to how this fund will operate. The sum available is unlikely to cover the demand for alarms.

#### **Reform**

##### *Building Safety Bill*

- 18 The Housing Communities and Local Government (HCLG) Select Committee has reported on the Building Safety Bill. The committee's [recommendations](#) reflect the LGA's concerns to a large extent. The LGA had expressed the following concerns:
- 18.1 The difficulty of funding building safety measures without bankrupting leaseholders.
  - 18.2 The conflict between the new building safety system and the Government's planning white paper.
  - 18.3 The scope of the Bill, the speed at which its scope can be expanded and the constraints on its expansion.
  - 18.4 How the charging provisions in the Bill will work and set-up costs for the Building Safety Regulator.
  - 18.5 The alignment of this Bill with the Fire Safety Bill.
  - 18.6 The adequacy of the product safety provisions.
  - 18.7 The limited removal of competition in building control.
- 19 The committee called for the Government to:
- 19.1 ensure costs are not passed on to leaseholders.
  - 19.2 ensure Gateway one is not undermined by expansion of permitted development.
  - 19.3 indicate its intention to review the scope and set a timetable for doing so a firm and to consider the vulnerability of residents in the review.
  - 19.4 publish with the Bill the details of the charging regime that the regulator will operate to fund its regulatory functions, where cost recovery is practical, and commit unequivocally to ringfenced central funding to cover the cost of functions for which cost recovery will not be possible.

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- 19.5 publish statutory guidance alongside the Bill outlining how it expects accountable persons and responsible persons to co-operate in practice. In the long term, we recommend that the Government review the operation of the two regimes with a view to rationalising and simplifying the legislation.
- 19.6 publish with the Bill its proposals for improving the product testing regime and recommended that the Government provide for the publication of test failures and re-run tests and for the establishment of an independent and unified system of third-party certification in order to introduce greater transparency and rigour into the regulation of construction products.
- 19.7 remove dutyholder choice entirely from the building control system and replace it by a system of independent appointment.
- 20 MHCLG is required to respond to the committee's report by the end of this month.

*Fire Safety Bill*

- 21 The Fire Safety Bill has now passed from the Lords back to the Commons and entered ping-pong.
- 22 The Lords inserted a Government amendment offered in concession to the LGA's concerns about the effect of the Bill. This promises statutory guidance to accompany commencement, which if followed protects duty-holders from enforcement action.
- 23 As far as our long-held concerns about the impact of the Bill given the shortage of fire risk assessors are concerned, the next stage is the framing of this guidance. The Home Office will be chairing a group including the LGA, NFCC and Fire Sector Federation to oversee the production of the guidance and the risk-assessment tool it depends on.
- 24 The guidance will be aimed at the fire service, building owners and risk-assessors.
- 25 Devising the tool is a task that requires technical expertise but is entirely doable, the difficult part is how to ensure that across the building stock as a whole, the highest priority buildings get assessed first. This would be true even the following were known (which they are not):
- 25.1 The number of buildings likely to fall into different categories of risk
- 25.2 The number of assessors available to undertake the work
- 25.3 Whether insurers will be more willing to provide PII in future.
- 26 In the circumstances the best we can do is probably:

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- 26.1 to use deadlines to set expectations;
- 26.2 to ensure the guidance can be amended quickly if things go awry;
- 26.3 to encourage Government to improve the information it has in relation to the variable above. In this context it is worth bearing in mind that MHCLG has promised to get back to the Public Accounts Committee in December in relation to its recommendation that the Government 'assess the capacity of specialist fire safety skills within the sector and set out what the impact is on delivery of its timetables for the removal and replacement of unsafe cladding. It should include in this assessment options to tackle the skills shortage so that this does not become a barrier to remediation work continuing at pace'.
- 27 The Lords also inserted three other amendments. We expect these amendments to be opposed by the Government which should mean that they are overturned in the Commons and the Bill returns to the Lords. As a result, the Bill's commencement has slipped back. It can be expected two months after Royal Assent.
- 28 The estimated commencement date has slipped from February to March as a result.
- 29 Work will be necessary to ensure that enforcement activities under the Bill are aligned with those undertaken by councils under the Housing Act. Discussions on how best to achieve this are likely to take place in the next few months.

#### *Letters to Minister*

- 30 The lead members of the Fire Services Management Committee wrote to Lord Greenhalgh, the Minister for Fire and Building Safety, to ask that officials discuss with the LGA measures to ensure that extension of Permitted Development Rights does not undermine fire safety. We have yet to receive a reply. However, the government has introduced a requirement for a developer seeking to extend an existing building, which is 18 metres or more in height, by adding one or two storeys, to provide a report from a chartered engineer or other competent professional confirming that the external wall construction of the existing building complies with the Building Regulations to the local planning authority.
- 31 Last month we wrote to the Minister raising the need for action on large panel system buildings, Reinforced Autoclaved Aerated Concrete and raising our concerns about the [supplementary advice](#) to the Expert Panel's [Consolidated Advice note](#) of January 2020.

#### **Implications for Wales**

- 32 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

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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, and the LGA has been keeping in contact to ensure the WLGA is kept informed of the latest developments in England.

### **Financial Implications**

- 33 Although the LGA has set up the Joint Inspection Team, the cost of doing so is being 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.

### **Next steps**

- 34 Officers to continue to support the sector's work to keep residents safe and reform the buildings safety system, as directed by members.



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## Update Paper

### Purpose of report

For information.

### Summary

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

#### **Recommendation**

That members of the Board note and comment on the update.

#### **Action**

Officers to action any matters arising from the discussion as appropriate.

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## Update Paper

### Counter Extremism

1. In November, Cllr Caliskan wrote to Baroness Williams, Lords Minister with responsibility for counter-extremism, setting out some of the extremism challenges for councils that have emerged over recent months; expressing concern about how these might continue to evolve; and urging Government both to continue to take seriously extremism threats and retain investment in measures to build resilience and prevent division and polarisation from taking hold. The letter was co-signed by co-Chairs of the Special Interest Group on Countering Extremism (SIGCE), Cllr Hazel Simmons (Leader, Luton Council) and Cllr Debra Coupar, Deputy Leader, Leeds City Council).
2. In December we submitted our response to the Law Commission's consultation on hate crime legislation. In our response we:
  - 2.1 welcomed the review and the renewed focus on the seriousness of hate crime and its impact on individuals and on local communities, including on councillors and officers who have themselves been targets for abuse.
  - 2.2 set out councils' concerns about levels of hate crime in their areas over recent months in particular, including a resurgence of racial and racialised narratives; and community frustration, both when harmful hate-fuelled activity takes place but which does not cross a legal threshold, and with failures to enforce existing laws.
  - 2.3 welcomed efforts to amend hate crime legislation to remove discrepancies across the current protected characteristics, and supported proposals for misogyny to be recognised under the legislation.
  - 2.4 emphasised how legislative approaches to tackling hate crime must be seen alongside wider initiatives to prevent hate incidents and counter extremism, with continued focus and investment in this broader space.
3. We are developing a virtual training course for council officers on effective engagement and messaging to counter extremism, which will be delivered over the next couple of months. Officers can find out more and sign up for the sessions via [rachel.duke@local.gov.uk](mailto:rachel.duke@local.gov.uk)

### COVID-19 compliance and enforcement

4. We have supported the Ministry of Housing, Communities and Local Government (MHCLG) to [publish a good practice framework](#) which highlights examples of the work council have been doing around compliance and enforcement of COVID

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regulations. In December we held a webinar to share good practice in this area which was attended by more than 400 council officers and have a further session planned on 13 January.

5. Additionally, we have pulled together some 'lessons learnt' on the [Knowledge Hub](#) based on feedback from officers of early experiences and emerging compliance issues with the new tiered regulations, in particular challenges around substantial meal requirements and the ban on indoor household mixing in Tier 2 areas.
6. MHCLG has recently set up a cross-governmental Regulatory Services Task and Finish Group to consider the wide ranging and competing asks on councils' regulatory services relating to COVID, EU transition as well as 'business as usual' activity. Two council chief executives as well as the LGA sit on the group. The aim of the task and finish group is to agree on prioritisation of various activities and communicate a clear message to councils on what is critical and anything that can be deprioritised as a way to support local government to manage capacity. MHCLG intend to share this prioritisation work by writing out to councils in the next few weeks.

#### **Online licensing applications**

7. In December Cllr Nesil Caliskan wrote to Michael Gove MP as Minister for the Cabinet Office to raise the LGAs concerns about the potential retirement of online application forms hosted on gov.uk by March 2021. We understand that around 50 per cent of council licensing teams rely on gov.uk forms to facilitate online applications for licences under the Licensing Act and retirement of this platform without a viable replacement risks councils having to spend valuable time and resources creating their own online forms or reverting to paper based systems which is a step in the wrong direction. We have asked government not to retire the gov.uk service in March and instead work with councils to develop a replacement.

#### **Statutory taxi and private hire vehicle (PHV) standards**

8. Cllr Caliskan also wrote to Baroness Vere who is the responsible Minister for taxis at the Department for Transport. Baroness Vere is keen to see progress made by councils on the implementation of the statutory taxi and private hire vehicle (PHV) standards which were published by the DfT in July. Given the pressures on councils this year in responding to the COVID-19 pandemic it is likely that councils may not have made as much progress as they would have hoped and we have asked Baroness Vere to take this into account when asking councils to report on progress this month.

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## **Domestic Abuse**

### *Domestic Abuse Bill*

9. The Domestic Abuse Bill had its Second Reading in the House of Lords on 5 January 2021, and it will progress to Committee Stage in the coming weeks. In our [LGA briefing](#) ahead of the debate, we called for a coordinated and comprehensive approach to be taken across the whole of Government and through the Domestic Abuse Bill, rather than a piecemeal approach focusing on specific aspects of the response to domestic abuse.
10. The Bill proposes a new statutory duty on local authorities to deliver accommodation-based support to victims of domestic abuse (Tier 1 to deliver services, Tier 2 to collaborate). The Government has said it is committed to funding this type of support, as safe accommodation and support clearly plays a critical and necessary role in responding to domestic abuse.
11. The Spending Review announcement of £125 million funding to help enable local authorities to deliver the proposed new duty to support domestic abuse victims and their children in safe accommodation is welcome. We have asked for further detail on this funding as it is not yet clear how the figure has been calculated and whether it will meet the full costs of the new proposed duty.
12. In our LGA briefing, we outlined the new funding needs to fully account for any increases in demand for services, and any additional burdens identified by local needs assessments when the duty comes into force in April 2021. Children have been added into the statutory definition of domestic abuse, so it will be important to assess whether additional provision is required and therefore whether councils need additional funding to meet the new proposed duty.
13. Alongside the Bill's focus on crisis interventions and criminal justice, the LGA has highlighted that tackling domestic abuse requires a cross-government response incorporating health, housing and education. We have called for an equal focus on, and funding for, prevention and early intervention measures that aims to prevent domestic abuse happening in the first place.
14. During the debate, a number of Peers also echoed the LGA's calls for greater investment in perpetrator interventions and for the Government to introduce a National Domestic Abuse Perpetrator Strategy. We will continue to work with the Home Office on this important issue.

### *Response during COVID-19*

15. The coronavirus outbreak has been a particularly worrying time for victims of domestic abuse. In particular, the social-distancing measures required have had and

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will continue to have a serious effect on domestic abuse victims by increasing exposure to those perpetrating the crime. It is vitally important this is recognised, and we do everything possible to help tackle domestic abuse.

16. During the COVID-19 pandemic, the LGA has [published](#) a resource guide for councils on tackling domestic abuse. This has been available since April 2020 and continues to be updated with relevant resources and information.
17. Last week, [Home Secretary Priti Patel wrote to the Domestic Abuse Commissioner and the Victims Commissioner](#) about the Government's response to COVID-19 and has reminded victims of domestic abuse that they do not have to observe lockdown restrictions if they need to leave home to seek refuge or help.
18. The Government's #YouAreNotAlone campaign raising public awareness of domestic abuse issues and signposting victims to sources of support, has been extended to cover the winter period. Government is also preparing to launch a codeword scheme in conjunction with retailers, as well as working with businesses to explore opportunities to further promote information on domestic abuse through their outlets and online services.
19. Around a third of £76 million in government funding allocated to charities supporting victims of domestic and sexual abuse, vulnerable children and their families and victims of modern slavery, has now been distributed to domestic abuse organisations. The LGA will continue to work closely with the Domestic Abuse Commissioner, the Government, councils and partners on tackling domestic abuse and providing support during the COVID-19 pandemic.

#### *Violence Against Women and Girls Strategy – consultation*

20. The Government is seeking views to help inform the development of the Government's next Tackling Violence Against Women and Girls Strategy. The consultation closes at 11:45pm on 19 February 2021. Further information is [available here](#). Please contact Rachel Phelps ([Rachel.Phelps@local.gov.uk](mailto:Rachel.Phelps@local.gov.uk)) if you would like to discuss the LGA's response in further detail.

#### **Serious Violent Crime**

21. A Policing and Crime Bill is expected to be introduced into Parliament at the start of 2021. One of the provisions in the Bill will be to introduce a [new duty](#) on relevant agencies and organisations to collaborate, where possible through existing partnership structures, to prevent and reduce serious violence. Following its passage through Parliament, the Government expects the duty will come into force no sooner than 2022.

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22. The new duty will require organisations to work together to plan, share data, intelligence and knowledge, to generate evidence-based analysis of the problem and solutions to prevent and reduce serious violence in local areas.
23. The duty holders will include the police, local authorities, youth offending teams, probation, fire and rescue, and health authorities. Local authority chief executives will be responsible for ensuring adequate representation to and participation with the local partnership.
24. Educational institutions and prisons/youth custodial establishments will be under a separate duty to co-operate with core duty holders. There will be a requirement for the partnership to consult with all such institutions in their area.
25. The Government also intends to amend the Crime and Disorder Act 1998 to ensure that serious violence is an explicit priority for Community Safety Partnerships. The geographical scope of the proposed new duty is England and Wales, mirroring that of the Government's Serious Violence Strategy.
26. The new duty is intended to complement the current investment in Violence Reduction Units, in the 18 police force areas most affected by serious violence, by establishing a legal framework to support the successful delivery of this cross-sector approach, including through the extended set of partners on whom the duty will fall.
27. In our response to the new proposed statutory duty, we have outlined our support for a public health approach to tackling serious violent crime, which has become an increasing priority for councils. We have emphasised that early intervention and prevention needs to be central to this work, as opposed to relying solely on a criminal justice strategy. There should be input from a range of partners, including those in the health and education sectors.
28. Local areas need to have flexibility to tackle the types of serious violence they face, which will change from locality to locality and over time. In our [LGA response](#) to the Government's consultation, we outlined that a one-size-fits-all approach will not be effective and forcing local partners down one route risks disrupting existing successful partnerships.
29. We have also outlined our concerns that amending the Crime and Disorder Act will not create the required step-change to tackle serious violent crime, particularly if this is not supported with extra funding.
30. The Home Office has been invited to speak at our next LGA Safer and Stronger Communities Board meeting to outline the provisions in the forthcoming Bill. We will continue to work with the Government, particularly highlighting the need for long-term

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and consistent funding to prevent and effectively tackle serious violent crime. If you would like any further information, please contact Rachel Phelps ([Rachel.Phelps@local.gov.uk](mailto:Rachel.Phelps@local.gov.uk))

### **Community Trigger**

31. The LGA will be holding a [free webinar](#) on Thursday 28 January 2021 on the community trigger/ ASB case review process. The charity, ASB Help, will join the webinar and will be sharing some examples of best practice across local government. This is also a good opportunity to highlight the Home Office's Anti-Social Behaviour guidance, which highlights information about the community trigger should be provided on the websites of all the relevant bodies, signposting the public to the lead agency's website, a point of contact and the procedures for activating the process. For further information, please contact [Rachel.Phelps@local.gov.uk](mailto:Rachel.Phelps@local.gov.uk)

### **Safer Streets Fund 2021/22**

32. The Government previously announced a £25 million '[Safer Streets Fund](#)' to help local areas crack down on burglary and theft in crime hotspots. On 17 December 2020, the Government has [confirmed](#) that an additional £20 million will be made available for a second round of the Safer Streets Fund (2021/22). Given the key role that councils have in supporting safer and stronger communities, we will be calling for the second round of safer streets funding to also be open to councils to bid directly into. We expect an update on this second round of funding shortly and continue to work the Home Office on this issue.

