

# Safer and Stronger Communities Board

Agenda

Thursday, 24 March 2022  
11.00 am

Hybrid, via Microsoft Teams and Victoria  
Room, 8th Floor, 18 Smith Square, London,  
SW1P 3HZ

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

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There will be a hybrid meeting of the Safer & Stronger Communities Board at **11.00 am on Thursday, 24 March 2022**, via Microsoft Teams **and** Victoria Room, 8th Floor, 18 Smith Square, London, SW1P 3HZ.

### **LGA Hybrid Meetings**

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Please contact your political group as outlined below for further details.

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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:labgp@lga.gov.uk">labgp@lga.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>

### **Attendance:**

Your attendance, whether it be in person or virtual, will be noted by the clerk at the meeting.

### **LGA Contact:**

Tahmina Akther  
[tahmina.akther@local.gov.uk](mailto:tahmina.akther@local.gov.uk) | 0207 072 7444

### **Carers' Allowance**

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## Safer & Stronger Communities Board – Membership 2021/22

Councillor	Authority
<b>Conservative ( 7 )</b>	
Cllr Mohan Iyengar (Vice Chairman)	Bournemouth, Christchurch and Poole Council
Cllr Eric Allen	Sutton London Borough Council
Cllr Bill Borrett	Norfolk County Council
Cllr Lewis Cocking	Broxbourne Borough Council
Cllr Julia Lepoidevin	Coventry City Council
Cllr Lois Samuel	West Devon Borough Council
Cllr Arnold Saunders	Salford City Council
<b>Substitutes</b>	
Cllr Graeme Coombes	Bedford Borough 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 Asher Craig	Bristol City Council
Cllr Alan Rhodes	Bassetlaw District Council
Mayor Damien Egan	Lewisham London Borough Council
Cllr Jeanie Bell	St Helens Council
Cllr James Beckles	Newham London Borough Council
Cllr James Dawson	Erewash Borough Council
<b>Substitutes</b>	
Cllr Kaya Comer-Schwartz	Islington London Borough Council
Cllr Margaret Mullane	Barking and Dagenham London Borough
Cllr Clive Johnson	Medway Council
<b>Liberal Democrat ( 2 )</b>	
Cllr Heather Kidd (Deputy Chair)	Shropshire Council
Cllr Jon Ball	Ealing Council
<b>Substitutes</b>	
Cllr Kris Brown	Liverpool City Council
<b>Independent ( 2 )</b>	
Cllr Clive Woodbridge (Deputy Chair)	Epsom and Ewell Borough Council
Cllr Philip Evans JP	Conwy County Borough Council
<b>Substitutes</b>	
Cllr Nicola Dillon Jones	North Kesteven District Council
Cllr Karen Lucioni	Isle of Wight Council
Cllr Paul Hilliard	Bournemouth, Christchurch and Poole Council

## Agenda

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

Thursday 24 March 2022

11.00 am

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

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**Date of Next Meeting:** Thursday, 16 June 2022, 11.00 am, 18 Smith Square, London, SW1P 3HZ

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## Note of the last Safer and Stronger Communities Board

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Title: Safer and Stronger Communities Board  
Date and time: Thursday 20 January 2022  
Location: Virtual via Microsoft Teams

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### Attendance

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

Item	Decisions and actions
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#### 1 Welcome, Apologies & Declarations of Interest

The Chair welcomed members to the Safer and Stronger Communities Board meeting.

No apologies were received.

Declarations of interest were made by Cllr Lewis Cocking, who informed the Board he was Deputy Police and Crime Commissioner for Hertfordshire.

#### 2 Notes of previous meeting

Members of the Safer and Stronger Communities Board agreed the notes of the last Board meeting, held on Tuesday 9 November 2021.

#### 3 Modern Slavery

The Chair introduced the report which outlined the Local Government Associations (LGA's) recent activity in relation to tackling modern slavery, accompanied by an update to the Board from the Independent Anti-Slavery Commissioner Dame Sara Thornton DBE QPM.

The Chair invited Dame Sara to give some opening remarks. The Commissioner highlighted the following key points:

- Councils and other public authorities are under a duty to cooperate with the Commissioner, whose statutory role is to encourage good practice in – the prevention, detection, investigation and prosecution of slavery and human trafficking offences;
- the identification of victims of those offences.
- Her strategic plan for 2019-21 sets out the following priorities
  - Improve victim care and support
  - Supporting law enforcement and prosecutions
  - Focusing on prevention
  - Getting value from research and innovation

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- There had been several developments since the Commissioner last attended the Board in September 2019. These included:
- A significant increase in council NRM referrals of child victims of modern slavery. Identification of victims by local authorities had increased over the last few years.
  - In 2018, 19% of National Referral Mechanism (NRM) referrals were made by councils but by 2020, 28% of NRM referrals were made by councils - 25% of referrals for children, 2% for adults and 1% where the ages were unknown.
  - For Q1-Q3 of 2021, 26% of National Referral Mechanism NRM referrals were made by councils - 23% of referrals for children, 2% for adults and 1% where the ages were unknown.
  - The increase in numbers had largely come from local authorities identifying children who were victims of criminal exploitation.
- NRM decision making for children
  - The Commissioner recognised it would be a new burden but had previously argued that decision making for children would be made better at local level. She was pleased that in 2021 the Home Office had commenced a year long pilot running in ten local authority areas. Early feedback shows much faster decision making.
- The Commissioner also highlighted some of the difficult issues for councils around modern slavery, specifically around support for adult victims. She noted tensions between councils and the Home Office support provider over who should provide support and emphasised that support through the national contract should not prevent anyone from receiving support they are entitled to receive locally. She noted particular issues with housing and adult social care and gave an example of where a victim had been left without support as different councils looked at whether they were required to provide this or not.
- Dame Sara noted that the Care Quality Commission is to begin looking at how councils are fulfilling their Care Act responsibilities, and encouraged authorities to look at Sheffield City Council's trusted assessor model in housing support, local connection policies, links with The Salvation Army national support provider and Multi-Agency Case Conferences to strengthen their response.
- The Commissioner encouraged councillors individually to look at 3 issues:
  - How engaged their authority is in multi-agency working.
  - The level of support the authority provides at pre-, post- or non-consenting to NRM level.
  - Ensuring their authorities are prepared for the extension of supply chain requirements to councils.

Following the discussion, members made the following comments:

- The importance of taking a public health approach to the issue – the Commissioner noted that she is meeting with the domestic abuse and victims commissioners to try to promulgate this approach across the public sector.
- Members commented if enough progress had been made on addressing slavery in supply chains and if there were examples of best practice. Dame Sara replied that the issue around supply chains was highly problematic both in public and private sector, which needed to be looked at much more seriously. Councils should look at high risk sectors in particular.



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- Members highlighted that there were difficulties around housing as there was a lack of temporary and permanent accommodation available to local authorities due to funding, with more needing to be done to provide specific resources. Dame Sara agreed that there was a shortage of accommodation but argued that resources were often found eventually - the system needed to make quicker decisions so that it is less damaging to victims who were often passed around different departments and agencies.
- The Chair outlined the extensive work on modern slavery within her authority and raised that youth violence, county lines and drugs were linked to modern slavery. Dame Sara replied that she agreed that county lines was a form of modern slavery as it was child criminal exploitation, which was largely linked to the high child referral numbers.
- Members expressed that in some areas it was hard to get engagement and acceptance around the issue, particularly in more rural areas. As well as highlighting that public health support was a key component in the issue but faced cuts due to pressures of the pandemic. Dame Sara responded that modern slavery was often more hidden in rural areas as there were issues around scarcity and sparsity of support. Other members provided ideas of how they had tried to raise awareness in their areas.
- More needed to be done to discourage perpetrators from taking risks. Dame Sara explained the reason why prosecution rates were low (despite there being lots of investigations) was partly due to victims being more vulnerable and not wanting to give evidence. Cases were often far more complex as they were carried out over several years, making it harder to investigate and gather evidence to convict. There was also a lack of expertise within forces across the UK, and sometimes in the degree of priority given to this.

The Chair thanked Dame Sara for joining the Board meeting and sharing her insightful presentation.

**Decision:**

The Board agreed the LGA's ongoing work on modern slavery, and to support completion of the modern slavery survey with as many councils as possible.

**Action:**

- Officers to progress the LGA's work on modern slavery as directed.

**4 Victim's Bill consultation**

The Chair introduced the report which highlighted the key proposals within the Ministry of Justice consultation on improving victims' experiences of the justice system and requested the Board's views on the LGA's consultation response.

The Chair invited Rachel Phelps, Policy Adviser, to provide some opening remarks. Rachel highlighted the following key points:

- The deadline for responses was early February.
- Ahead of developing its response to the Victims' Bill consultation, officers had liaised with the Victims' Commissioner for England and Wales, the Association of Police and Crime Commissioners, wider partners including councils.

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- Key questions in the consultation were focused around supporting victims of crime with the aim of ensuring that when a criminal offence had taken place, the victim of crime is supported through to prosecution.
- The consultation sets out a proposal for a statutory duty focused on community-based support services for victims of domestic abuse, sexual offences and serious violence.
- The draft LGA response highlighted the importance that all approaches were to be made cohesive with current reform changes, in particular the Domestic Abuse Act 2021, Police, Crime and Sentencing Bill and Violence Against Women and Girls strategy.
- The Victim's Bill would go through a pre-legislative scrutiny process, where a draft form of the Bill will be considered, with an additional consultation period, before the Bill would formally be introduced into parliament.

Following the discussion, members made the following comment:

- Members raised concern around the language used when referring to short term funding provided by Police and Crime Commissioners (PCCs).

**Decision:**

Board members have been asked to provide direction on the LGA's response to the consultation on improving the victims' experience of the justice system.

**Action:**

- Board members to provide any feedback on the draft response by the end of January. Officers to amend the LGA consultation response based on feedback from Safer and Stronger Community Board members and submit.

**5 Community Safety Partnerships (CSPs) – CONFIDENTIAL**

The discussion for this item is confidential and has been distributed to members of the Board separately.

**6 Update paper**

The Chair introduced the report which outlined issues of interest to the Board not covered under the other items on the agenda.

Following the brief introduction, members made the following comments:

- Members commented that would like to invite a speaker to a future board meeting to discuss drug diversion schemes and how successful they were. Mark Norris, Principal Policy Adviser, responded that it would be good to hear how councils were tackling with this broad issue in light of the drug strategy, a recent 10-year plan with funding committed for 3-years.
- In regard to the phase out of Covid Plan B, it was important for local authorities to still offer advice on this issue. Members recognised that the advice laid-out by government did not always sit in line with the needs of local areas. Members highlighted that government advice for mask wearing on public transport differed in London than other parts of the UK, causing confusion and across different networks and borders.

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- Members raised concern that current pavement licence fees do not cover the full costs of issuing these.

**Decision:**

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

**Actions:**

- Officers to discuss with lead members bringing an item on the drug strategy and drug diversion schemes to a future board meeting.

**7 Building Safety update**

The Chair introduced the report which updated members on the LGA's building safety related work since the last meeting.

Following the brief introduction, members made no comments.

**Decision:**

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

**Date of Next Meeting:** Thursday, 24 March 2022, 11.00 am, TBC.

**Appendix A – Attendance**

<b>Position</b>	<b>Authority</b>	
Chair	Cllr Nesil Caliskan	London Borough of Enfield
Vice Chairman	Cllr Mohan Iyengar	Bournemouth, Christchurch and Poole Council
Deputy Chair	Cllr Heather Kidd	Shropshire Council
Deputy Chair	Cllr Clive Woodbridge	Epsom and Ewell Borough Council
Committee Member	Cllr Eric Allen	London Borough of Sutton
	Cllr Bill Borrett	Norfolk County Council
	Cllr Lewis Cocking	Broxbourne Borough Council
	Cllr Julia Lepoidevin	Coventry City Council
	Cllr Lois Samuel	West Devon Borough Council
	Cllr Arnold Saunders	Salford City Council
	Cllr Asher Craig	Bristol City Council
	Mayor Damien Egan	Lewisham London Borough Council
	Cllr James Beckles	Newham London Borough Council
	Cllr James Dawson	Erewash Borough Council
Cllr Jon Ball	Ealing Council	
Cllr Philip Evans JP	Conwy County Borough Council	

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Apologies	Cllr Jeanie Bell Cllr Alan Rhodes	St Helens Council Bassetlaw District Council
Substitutes	Cllr Paul Findlow Cllr Kris Brown Cllr Nicola Dillon Jones	
In attendance	Dame Sara Thornton DBE, QPM	UK's Independent Anti-Slavery Commissioner
LGA Officers	Mark Norris Ellie Greenwood Lucy Ellender Charles Loft Rachel Duke Rachel Phelps Jade Hall Francis Saukila Megan Edwards Guy Head Tahmina Akther	
Press	Megan Kenyon	

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## Taxi/ PHV licensing update

### Purpose of report

For information.

### Summary

This paper provides an update on current issues in taxi licensing and the LGA's work on taxi licensing reform. The Board's views on this work and the LGA's priorities would be welcome.

### Recommendation/s

SSCB members to provide their views on the future of taxi licensing and proposals for reform.

### Action/s

Officers to take forward as directed.

**Contact officer:** Jade Hall  
**Position:** Policy Adviser  
**Phone no:** 07818 577467  
**Email:** jade.hall@local.gov.uk

## Taxi/ PHV licensing update

### Background

1. Reform of taxi (hackney carriage) and private hire vehicle (PHV) licensing is a long-standing lobbying ask for the LGA. In 2014, the Law Commission reviewed taxi and PHV services and developed a draft reform bill, but this was not taken forward. A Task and Finish Group was set up in 2017 by a former Taxis Minister, John Hayes MP, to look at issues in taxi licensing, and proposed a wide set of reforms. The LGA participated in this Task and Finish Group.
2. Following the publication of the Task and Finish Group report in 2018, the Government committed to bring forward legislation to reform taxi/PHV licensing, but no date has been confirmed for a bill to be brought forward. However, some significant progress has been made outside of legislative change. In July 2020 the Department for Transport published its [taxi and PHV statutory standards](#), which are primarily focused on safeguarding: the standards adopted many of the approaches the LGA had long since recommended in our taxi licensing handbook. The Department for Transport is also due to publish best practice guidance in the coming months.
3. Most recently, the Government outlined proposals to reform taxi/PHV licensing in its [Levelling Up White Paper](#). The Government announced its intention to “*explore devolving more transport powers and responsibilities in England ... The UK Government will also explore transferring control of taxi and private hire vehicle licensing to both combined authorities and upper-tier authorities. Taxis and private hire vehicles are a key part of local transport systems, so this would allow LTAs to fully integrate these modes into their Local Transport Plans.*”
4. This follows up on the recommendation by the Task and Finish Group report that the Government should emulate the model of licensing which currently exists in London (where taxi/PHV licensing is managed by Transport for London) in large urban areas as well as consider the consolidation of non-metropolitan licensing areas.

### Issues

5. Piecemeal changes to legislation in recent years have not kept pace with rapid advances in technology, which have changed the way taxis/PHVs operate in the 21st century. While largely welcomed by consumers, this has in some regards made it increasingly difficult for councils to fulfil their duties around public protection and has undermined the previously very localist approach to PHV licensing in particular.
6. While the legislation relating to taxis/PHVs is extensive, it is mainly concentrated in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions)

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Act 1976. Within London, taxis and PHVs are licensed under the Metropolitan Public Carriage Act 1869 and London Cab Order 1934. This legislation provides a broad framework for the licensing of drivers, vehicles and operators, but the detail of how this is done, including standards and conditions, is the responsibility of individual district and unitary councils.

7. A key challenge is the increase in the volume of out of area working by licensed drivers, partly facilitated by the widespread use of app based private hire models, with drivers no longer dependent on a radio link to a local operator base. This has raised concerns about how new taxi/PHV service operating models fit into the current framework, with many drivers now working outside the area they are licensed in. This causes issues including enforcement officers being unable to take action against drivers and vehicles licensed outside their areas; congestion and disruption to local residents where certain areas attract large numbers of drivers; and frustration about an uneven playing field, with drivers licensed according to different standards in different areas.
8. The taxi trade also has many frustrations with the current taxi/ PHV licensing system. For example, taxi drivers have argued that app based PHV models are effectively permitting electronic plying for hire, while PHV drivers and firms are unhappy about the different standards applying to drivers operating in the same area due to out of area working. Similarly, newer, national operators have expressed frustration about the complexity of navigating the different licensing frameworks of different licensing authorities. Undoubtedly, technological changes have led to changes in the market which have blurred the boundaries between taxis and PHVs and expanded the areas in which drivers, and firms, can operate.
9. Alongside changes to the market, over the past decade there has been increased awareness of the critical importance of safeguarding within taxi/PHV licensing. The reviews by Professor Alexis Jay and Dame Louise Casey into child sexual exploitation in Rotherham exposed the extent to which failures in taxi/PHV licensing had enabled exploitation to take place and highlighted that this needed to be the key consideration for councils overseeing taxi/PHV licensing frameworks.
10. More recently the trade has been significantly impacted by the COVID-19 pandemic, with many drivers choosing to leave the trade having secured new jobs elsewhere. This has left many taxi/PHV operators with a shortage of drivers.
11. The LGA has undertaken a significant amount of work to try and address the challenges outlined above, such as training workshops for members and officers focusing on safeguarding issues, developing a taxi and PHV licensing handbook, and developing and funding the national register of licence revocations and refusals, or NR3, as it is more commonly known. NR3 provides a mechanism for licensing authorities to record details

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of where a taxi or PHV drivers' licence has previously been refused or revoked. This allows licensing authorities to check new applicants against the register and make an informed decision on whether an applicant is fit and proper when making a licensing decision. It is intended to prevent someone having a licence revoked in one authority but securing elsewhere without declaring their earlier licensing history. As the Board are aware, use of NR3 (or an equivalent database) is set to become mandatory as a result of Peter Gibson MP's Private Member's Bill, which is expected to pass later this month.

12. While there have been positive developments such as this, the LGA and others still believe that overall reform is needed to update taxi/PHV legislation and make it fit for the 21<sup>st</sup> century. We have been lobbying Government to introduce a comprehensive Taxi and PHV Reform Bill that covers the full range of safeguarding, market and enforcement issues that need addressing. However, the proposed consultation set out in the Levelling Up White Paper indicates that legislative reform would inevitably consider fundamental changes, including to current licensing boundaries, which may not be welcomed by licensing authorities.

#### **LGA asks**

13. In our previous work on taxi/PHV licensing reform (including our submission to the 2017 task and finish group), we have called for the following:
- 13.1. The development of a national database of all licensed taxi/PHV drivers to facilitate greater information sharing between partners and assist with safeguarding. The Department for Transport has committed to developing this when parliamentary time allows.
  - 13.2. To implement some limits on out of area working by drivers. This is a challenging issue; Transport for London have previously proposed an approach whereby a driver must always start or finish a job in the area where they are licensed, although not all councillors or licensing authorities have supported this. How to restore some level of local control, while balancing the flexibilities of the current market which consumers undoubtedly welcome, is a key challenge.
  - 13.3. To develop national minimum standards on key issues such as safeguarding with local flexibility on some issues where there may be less need for national consistency (eg, around environmental standards). Again, in the task and finish group it was clear that many stakeholders would prefer to see national consistency and conditions across the board,

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### **Levelling Up White Paper**

14. As mentioned earlier in this paper, the [Government's Levelling Up White Paper](#) contains a proposals to transfer control of taxi and private hire vehicle licensing to both combined authorities and upper-tier authorities.
15. The Levelling Up White Paper recommendation is based on the view – supported by most members of the task and finish group, although not endorsed by the LGA as a member of the group – that it would be preferable to have fewer licensing authorities covering larger areas. It is believed that reducing the number of taxi/PHV licensing authorities would reduce inconsistencies between areas, as well as cross-border/out of area working by drivers.
16. As a general principle, the LGA does not comment on proposals to remove responsibilities from one part of local government and switch them to another, given the likely different views of different LGA members. We would expect to take the same approach in relation to any consultation on the future of taxi/PHV licensing.
17. However, within that context, there are nevertheless some broad principles that we would expect to want to highlight, specifically:
  - 17.1. A major reform to taxi/PHV licensing as outlined in the levelling up white paper could not be considered in isolation: it must be part of a full and holistic look at all the changes required in taxi/PHV licensing, with any changes forming part of the a comprehensive taxi and PHV reform Bill that the LGA has long called for.
  - 17.2. Taxi/PHV licensing does not happen in isolation – it is part of a much wider set of licensing authority responsibilities and therefore any possible changes should also consider the implications for other regimes such as alcohol and entertainment and gambling licensing.
18. LGA officers have met with officials at the Department for Transport who have committed to exploring these issues with stakeholders and confirmed Government will consult on the proposals. We have had an informal steer that work on this will not begin until the summer at the earliest and felt that officials seemed cognisant of the potential challenges linked to this proposal. We advised colleagues at the Department for Transport to ensure that officials at the Home Office and the Department for Digital, Culture, Media and Sport, who have an interest in the wider role of licensing authorities, are kept informed about this work.

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### **Questions for discussion**

19. Board members' thoughts on the issues surrounding these updates would be helpful. Specifically, we would be keen to understand members views on whether the LGA's previous policy position and the asks in paragraph 13 are still appropriate.
20. It would also be useful to get an understanding of Board Members views on the Levelling Up White Paper proposal and the potential for moving taxi/PHV licensing responsibilities.

### **Implications for Wales**

21. The proposals in the Levelling Up White Paper apply to England only. The Welsh government is progressing its own reform proposals for taxi/PHV licensing in Wales.

### **Financial Implications**

22. None

### **Next steps**

23. Officers will use the Board discussion to inform our input to the expected consultation, as well as our wider lobbying on taxi/PHV licensing reform.



## 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/s:

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

### Action/s:

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

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

## Update Paper

### Licensing Leadership Essentials

1. This month we hosted the second Licensing Leadership Essentials course which was attended by nearly 20 councillors. This is a two-day, interactive course, aimed at chairs and vice-chairs of licensing committees. The course focused on good quality decision making and how a good licensing committee is run. Attendees were also able to compare how their committee operates with other authorities and share best practice with other councillors. The course got excellent feedback: given high levels of demand, we plan on running another session in October.

### Licensing Act inquiry

2. Cllr Jeanie Bell, one of the SSCB's Licensing Champions, provided evidence to a House of Lords Select Committee on the Licensing Act. Cllr Bell highlighted the training materials the LGA has produced to support members of licensing committees and spoke about the need to localise licensing fees, as well as the pressing need to find a solution to the challenges around the gov.uk licensing platform, where there remains considerable uncertainty about whether the current national platform for online forms will be maintained beyond next year. Councillor Caliskan has written to the Cabinet Office seeking an update on this issue.

### Pavement licensing update

3. The LGA is continuing to work with officials at the DLUHC on what a permanent pavement licensing regime might look like. We have been clear that we do not want to see the temporary regime, introduced under the Business and Planning Act 2020, made permanent in its current form and are lobbying for a regime that blends the best parts of the temporary regime and the regime under the Highways Act to the benefit of businesses, residents and councils. Key provisions we are lobbying for include localised fees, a longer consultation and determination period, and effective enforcement powers for the authorities responsible for issuing licences. This needs to correct an anomaly whereby under the temporary regime, highways authorities retain enforcement powers but licences are issued by district councils.
4. We understand that the Government will be extending the temporary pavement licensing regulations for a further year to September 2023 and expect an announcement on this soon.

### Tobacco review

5. Officers have been engaging with LGA public health officers in relation to the independent review by Javed Khan OBE into the Government's ambition to make

England smoke free by 2020. The review will support work by the Office for Health Improvement and Disparities, and lead members from the Community Wellbeing Board met Javed Khan on Friday 18 March.

6. Although the CWB is the lead board for smoking cessation and the health impacts of smoking, there is an SSCB interest through the work that trading standards teams undertake to tackle illicit tobacco and under-age sales, both of which undermine the ambition to eliminate smoking. The Chartered Trading Standards Institute's lead officer for tobacco control has expressed concern that it appears that dedicated funding provided for many years by the Department of Health and Social Care to coordinate and support illicit tobacco work across the country is set to be withdrawn in the next financial year, a point that CWB members were due to raise during the meeting with Javed Khan.

### **Police, Crime, Sentencing and Courts Bill**

7. The [Police, Crime, Sentencing and Courts Bill](#) has reached its final stages, with the House of Commons considering Lords amendment to the Bill in February. The Government has put forward an amendment on expedited Public Spaces Protection Orders, following a successful amendment tabled in the House of Lords. Wider amendments have also been discussed on repealing the Vagrancy Act, several amendments on protests, and whether misogyny should be considered a hate crime. Further consideration of amendments will take place in the House of Lords, with Royal Assent of the Bill expected in the coming weeks.

### **Safer Streets Fund – Round 4**

8. The [Home Office has opened applications for the fourth round of the Safer Streets Fund](#). This fourth round will combine and expand upon previous rounds of Safer Streets and the Safety of Women at Night funding, targeting neighbourhood crime and violence against women and girls, as well as including anti-social behaviour as a primary focus for the first time. In this round, £75 million will be available across 2022/23 and 2023/24 for councils, Police and Crime Commissioners and wider partners.

### **Home Office's Anti-Social Behaviour Advisory Board**

9. The Home Office's Anti-Social Behaviour Advisory Board met in March 2022, with representatives from the Association of Police and Crime Commissioners (APCC), the LGA, Resolve ASB, the NPCC and wider partners. The Board discussed current progress on tackling anti-social behaviour, including the Government's focus on ASB plans in the recently published Levelling Up White Paper. ASB Awareness Week 2022 is expected to be held in July 2022, further details from the Board will be published shortly.

### Tackling Serious and Organised Crime

10. In February, Cllr Mohan Iyengar, Vice-Chair of the LGA's Safer and Stronger Communities Board, chaired an LGA webinar on tackling serious and organised crime. The webinar reached over 160 delegates, from a wide-range of local authorities and partners in policing and community safety. There were speakers from the Home Office, the Association of Police and Crime Commissioners, and best practice examples from a number of local authorities. The LGA will continue to work with councils, the Government, the APCC, and wider partners on tackling serious and organised crime.
11. Prior to the LGA webinar, the LGA Chairman Cllr James Jamieson met with APCC Victims' Lead Donna Jones PCC to discuss the importance of partnership working between the LGA and APCC to tackle serious and organised crime. Donna Jones will be speaking at the forthcoming LGA Councillor's Forum to outline the importance of the police, Police and Crime Commissioners, local authorities and wider partners in tackling county lines activity, and wider serious and organised crime operations. The LGA continues to work with the APCC on this important issue.

### Drugs inquiry – Home Affairs Committee

12. The Home Affairs Select Committee has [launched](#) an inquiry on illegal drug use and its effects on society and the economy. The inquiry will consider the UK's legislative framework on drugs and UK drug policy. The LGA will be submitting written evidence to the select committee inquiry, which is due to close 24 March 2022.

### £125 million new burdens funding for domestic abuse statutory duty

13. The Department for Levelling Up, Housing and Communities (DLUHC) has [confirmed](#) councils will receive £125 million new burdens funding for the second year (2022 – 2023) of the Part 4 Domestic Abuse Act statutory duty to provide accommodation-based support and services. In addition, DLUHC have launched two consultations, one on the [local connection test](#) and the other on [joint tenancies](#).

### Domestic Abuse Commissioner's Strategic Reference Group on Tackling Domestic Abuse Perpetrators

14. In January, the LGA's Domestic Abuse Champion Cllr Lois Samuel attended the third meeting of the Domestic Abuse Commissioner's Strategic Reference Group on Tackling Domestic Abuse Perpetrators. This meeting focused on the availability of data, regarding perpetrators and perpetrator interventions. Representatives called for greater focus on tackling perpetrators as part of the Government's forthcoming Domestic Abuse Strategy, which is expected to be published within one year of the Domestic Abuse Act 2021 reaching Royal Assent.

### **National Oversight Group – Domestic Abuse Act 2021**

15. In March, LGA officers attended the National Oversight Group, which oversees the implementation and progress of the Part 4 statutory duty, as outlined in the Domestic Abuse Act 2021, for councils to provide accommodation-based domestic abuse support and services for victims and children.
16. The LGA plans to work with representatives from the National Oversight Group to hold a series of virtual workshops, to share best practice and guidance on “by and for” specialist domestic abuse services. Councils continue to implement their local domestic abuse strategies, informed by local needs assessments, with oversight and direction provided by the Local Domestic Abuse Partnership Boards – set up by Tier 1 local authorities. Officers continue to work closely with councils on the implementation of this statutory duty.

### **National Violence against Women and Girls (VAWG) campaign**

17. On 1 March 2022, the Home Office [launched](#) a new, multi-year national communications campaign which says ‘Enough’ to violence against women and girls. The campaign includes television adverts, billboards, social media and radio advertising and will highlight different forms of violence against women and girls and the simple acts that anyone can take to challenge perpetrators of abuse. Forms of violence against women and girls represented include street harassment, coercive control, unwanted touching, workplace harassment, revenge-porn and cyber-flashing

### **International Women’s Day 2022**

18. Ahead of a debate in the House of Commons to mark International Women’s Day, [the LGA briefed MPs](#) on the vital work the LGA and councils are doing to #breakthebias by supporting more women into local politics and positions of leadership, and ensure all local services actively work to overcome gender-based inequalities.

### **Government consultation on improving victims’ experiences of the justice system**

19. The Ministry of Justice consultation on improving victims’ experiences of the justice system has closed. The LGA’s response to the consultation can be [found here](#). The Government is expected to lay a draft Victims’ Bill before Parliament in the coming weeks. The LGA will continue to work with the Ministry of Justice and wider partners on the development of the Bill, and wider non-legislative measures.

### **Strategic Review of Policing in England and Wales 2022**

20. In March, the Police Foundation [published](#) the Strategic Review of Policing in England and Wales, chaired by Sir Michael Barber and carried out by the Police Foundation. The Review contains 56 recommendations urging reform to police culture, skills and training and organisational structure.

21. The recommendations include:

- a. Creation of a new Crime Prevention Agency.
- b. Expansion of the role of the National Crime Agency so it in effect becomes a new FBI for the UK.
- c. Introduction of a new licence to practice for all police officers that is renewed every five years and subject to strict conditions.
- d. Merger of back-office functions across the 43 forces
- e. Investment in front line policing, training and technology to modernise the service from top to bottom.

### **State of Policing: HMICFRS Annual Assessment of Policing in England and Wales 2021**

22. On 10 March, Her Majesty's Chief Inspector of Constabulary (HMIC) [published](#) its annual assessment of policing in England and Wales 2021, based on inspections carried out between April and November 2021.

23. The Chief Inspector reflected on recent evidence of toxic behaviour and attitudes demonstrated by some police officers. He said that when public trust in the police is damaged, it is essential that public reassurance in the integrity and professionalism of the police is restored and reaffirmed as quickly as possible (page 33).

24. In his final annual report, the Chief Inspector described how demand on the police has changed very significantly, for example:

- a. online crime is now by far the most prevalent type of crime; fraud has exploded, eclipsing all other crimes in volume (page 41);
- b. total demand and public expectations cannot be met without sufficient funding (pages 42-43) and the public must decide how much threat, harm and risk they are prepared to tolerate; and
- c. the rapid advancement of technology has provided opportunities for both criminals and the police, but the police have sometimes struggled to keep pace (page 56).

### **Modern slavery**

25. Earlier this month, we published our new [guidance on how homelessness and housing services can support victims of modern slavery](#). The guidance was launched as part of a webinar attracting nearly 300 council officers and has been widely welcome as filling a critical gap in guidance for councils.

26. We are currently analysing the responses to our modern slavery survey. 116 councils, or 35%, responded, providing a good platform for supporting our update of the wider LGA modern slavery guidance.

27. The Home Office has recently published [statistics on NRM referrals for 2021](#). 12,727 potential victims were referred, an increase of 20% on 2020. Local authorities accounted for 25% (3,229) of referrals, the vast majority of which related to child potential victims. The Independent Anti-Slavery Commission Dame Sara Thornton has recently called for the Home Office to be stripped of its decision making powers in relation to NRM referrals due to decisions taking an unreasonably long amount of time, with some victims waiting as long as 500 days for a decision. Dame Sara has said that councils should be responsible for NRM decision making.

### **Levelling up white paper**

28. As Board members will be aware, the Levelling Up white paper was published at the start of February. The [LGA's briefing](#) provides a full analysis of the twelve missions set out in the paper. Alongside the commitment to consult on the appropriate tier of local government to manage taxi licensing (see item 4), the eleventh mission, pledging to reduce homicide, serious violence and neighbourhood crime in the worst-affected areas by 2030, is also of direct interest to the Board. The mission is focused on creating safer neighbourhoods, by reforming the safer streets fund, bringing forward plans for a National Spring Clean and publishing a new plan to tackle anti-social behaviour and quality of life issues.

### **Cyber security**

29. The LGA has been awarded £1 million from the National Cyber Security Programme to fund local government officers in England to undertake a professionally certified course, as part of a sector-wide skills uplift. Councils are invited to apply for grant funding for an officer to undertake a professionally certified cyber security qualification. [Further details and an application form are available on the LGA website](#), with a deadline of 1 April for applying.





## **Building Safety update**

### **Purpose of report**

For discussion.

### **Summary**

This report aims to update members on the LGA's building safety-related work since the committee's 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**

### **Background**

1. Since the committee's last meeting, the LGA has continued to work with the Department of Levelling Up, Housing and Communities (DLUHC) and the Home Office to support building safety reform and the remediation of dangerous buildings.
2. The most significant development has been further detail on the impact of the government's plans to protect leaseholders and make developers and companies pay to fix the cladding crisis.
3. The Building Safety Bill is currently at the committee stage in the House of Lords, and the Fire Safety Act is yet to commence.

### **Remediation**

#### **Progress**

4. Progress continues to be made in carrying out remediation of all identified high-rise residential and publicly owned buildings in England with combinations of aluminium composite material (ACM) cladding and insulation found not meeting the building regulation standards.
5. [Statistics](#) published by DLUHC show that of January 2022, 93% of all identified high-rise residential and publicly owned buildings in England had either completed or started remediation work to remove and replace unsafe ACM cladding.
6. DLUHC has also launched [a new online service](#) to help leaseholders track the remediation of their property.
7. Under the Leaseholder and Resident Service, those living in tower blocks will have access to updates on the status of their building's application to the government's Building Safety Fund.
8. It is hoped the service will speed up the process of removing unsafe non-ACM cladding from the highest risk buildings, force building owners to be more transparent, and expose those who have failed to take action to make their buildings safe.

### **Future Policy**

9. The Building Safety Regulator will not be in a position to drive remediation until 2024 at the very earliest. In the meantime, DLUHC is developing a strategic approach to

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remediations as the LGA has called for. As part of this process, a remediation partners group which has met on an ad hoc basis for a couple of years, has been formalised, bringing together the LGA, National Fire Chiefs Council (NFCC) and the Home Office under DLUHC chair. The purpose of the group is to drive the pace at which the residential building stock is remediated by building owners in response to emerging issues following the Grenfell Tower Fire, through effective local regulatory activity. It does this by:

- 9.1 Identifying barriers to remediation that are relevant to regulators and their remedies.
- 9.2 Identifying barriers to effective regulation and their remedies.
- 9.3 Identifying and promoting ways in which regulators can support effective remediation, including through joint working.
- 9.4 Identifying and promoting ways in which DLUHC (and government more widely) and other meeting members can support regulators' performance.
- 9.5 Building positive relationships

#### 10. The Board will

- 10.1 Consider and action activity to progress remediation, mitigate risks and ensure owners' actions are proportionate.
- 10.2 Identify any areas/regions or buildings that may require further support. Consider actions to progress remediation.
- 10.3 Discuss policy issues across regions.
- 10.4 Share information among members.
- 10.5 Receive relevant, available, data on remediation and interim measures.
- 10.6 Consider relevant data: remediation progress/fund progress/interim measures.
- 10.7 Report to the Partnership Board.
- 10.8 Inform the Fire Protection Board of the Meeting's discussions.

11. Although the detail has yet to be fully worked out, the direction of travel is that the Government wants councils and fire services to coordinate their efforts and to support remediation through inspection and enforcement.

12. To support councils and fire services in this work the LGA is engaged on a number of activities:

- 12.1. Hosting a document - [Principles for effective regulation of Fire Safety in purpose-built blocks of flats](#) - drawn up by sector experts led by the LGA and NFCC, to assist

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council private sector housing enforcement and the fire service to work together to inspect and enforce in relation to dangerous cladding. The text was completed in December last year and the document is in the process of being uploaded onto the LGA website

- 12.2. Commissioning six case studies of joint working. These have been commissioned and at least three will be published by the end of March.
- 12.3. Holding two webinars on joint enforcement in March.
- 12.4. Discussing the funding of the Joint Inspection Team (JIT) next year with DLUHC with a view to significantly expanding it. This is overseen by the JIT Programme Board. The JIT will continue at a minimum of the same size and activity level in 2022-3 as it has done this year. Discussions are underway over a possible expansion.
- 12.5. Liaising with DLUHC who are planning to write to councils setting out priorities shortly.

### **Fire Protection Board**

13. The report of the Building Risk Review (BRR) should be published shortly.
14. The BRR work has demonstrated the need for a data system to bring together the information on buildings over 18m in a way that supports effective enforcement. LGA and NFCC have made the case to DLUHC for this resource to be developed as a priority.
15. The success of the BRR has raised questions about whether there should be a follow up exercise aimed at medium rise (11-18m) blocks. However, there are believed to be at least six times as many of these. It is therefore unlikely that the same approach will be taken, and initial work is being undertaken to try and establish an effective method of sampling to estimate the size of the problem and prioritising buildings.

### **Reform**

#### **Building Safety Bill leaseholder costs**

16. New measures that will force industry to pay to [remove cladding and protect leaseholders](#) from high costs were unveiled by the Secretary of State for Levelling Up as part of proposed amendments to the Building Safety Bill.
17. Under the plans, developers and manufacturers would be blocked from the housing market by being refused planning permission and building control sign-off if they did not help fix cladding safety issues.
18. New powers would also allow cladding companies to be sued and subject to fines for defective products, and protections for leaseholders would be extended to cover other fire safety defects.

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19. The proposed measures align with the LGA's fundamental asks: that the construction industry, developers, and manufacturers should pay for the cladding crisis. However, the details of the measures – in particular, the precise definition of developer, have implications for social housing. The LGA is assisting DLUHC in identifying the implications of policy options and is lobbying to protect the housing revenue account and to avoid social housing tenants being required to pay for to solve the building safety crisis.

### **Levelling Up Select committee**

20. The Secretary of State for Levelling Up appeared in front of the Levelling Up Select Committee. This is part of the Committee's Inquiry on building safety remediation and funding. It looked at the announcements previously made by the Secretary of State about forcing industry to pay to remove cladding and protect leaseholders from high costs.

- Told MPs the taxpayer may have to pay more to make buildings safe as it was proving difficult to get companies who made combustible materials to pay to fix the building safety crisis.
- Promised to limit leaseholders' bills for non-cladding costs to a maximum of £15,000 in London and £10,000 elsewhere. Contributions to things like waking watch would be set against the cap.
- The withdrawal of the Consolidated Advice Note would eliminate EWS forms overnight. It was estimated 5 percent of properties would require External Wall System (EWS) forms. The Government was looking at other ways to provide lenders with assurances about fire safety.

### **Building Safety Bill House of Lords**

21. The Building Safety Bill is currently in the House of Lords at the Committee stage. This stage gives all members of the Lords a further opportunity to examine and make amendments to a Bill.

22. The LGA has four core asks around the Building Safety Bill at present. These are addressed in order of priority below.

22.1. We ask that the Government distinguish developers and local authorities to ensure Housing Revenue Accounts (HRAs) are not forced to choose between remediation and essential services.

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22.2. We ask that the construction industry, as well as developers and manufacturers, should pay for the crisis.

22.3. It is essential to expand the scope of the Bill so that the more stringent building safety framework applies not just to buildings over 18 metres but also to those under 18 metres where those buildings are multiple occupancy dwellings.

22.4. Councils must be funded to deliver the Building Safety Regulator (BSR). The current BSR structure means enforcement and inspection activity will, in practice, be conducted to a large degree by councils and fire and rescue services. The LGA remains concerned at the prospect that the Government is not providing sufficient funding to allow the fire service to expand its capacity to the extent required to deliver the Building Safety Regulator's functions adequately.

23. The LGA's briefing ahead of the House of Lords' committee stage can be found [here](#).

24. The LGA has tried to push through two amendments to the Building Safety Bill:

24.1. An amendment to Clause 57 ensures that the planned Levy does not apply to social housing.

The Levy is designed to cover the cost of government support for the remediation of unsafe cladding. This support is provided to leaseholders in buildings with unsafe cladding systems, either through the building safety fund or through a system of low-cost loans for buildings under 18m. For the most part, this support is not available to social landlords. Except for buildings with ACM cladding, social landlords have been denied access to these funds.

For councils, these remediation costs, therefore, fall on the Housing Revenue Account and must be recouped either through rent increases or by diverting funds away from improvements to council housing or the provision of new council housing. If the Levy is imposed on councils, it will increase the cost of building or refurbishing social housing or increase rents. Yet, the benefits to funds will not be available to the tenants who would otherwise have benefitted from lower rents or better housing.

24.2. The Building Safety Bill fails to apply the gateway system to buildings under 18 metres.

This will create a two-tier system where buildings under 18 metres will face less rigorous safety regulations than those over 18 metres. However, height is a crude determinant of risk.

Therefore, we have called for an amendment requiring buildings under 18 metres to pass through Gateway 2 and Gateway 3 (The Bill does not cover Gateway 1).

We also seek to ensure that the local authority is the building control authority for the Gateway system under 18 metres, to remove developer choice.

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By eliminating the right of developers to pick their own regulator for buildings over 18 metres, the Government has acknowledged the damaging impact this has had on safety. Local authority building control will deliver most of the Building Safety Regulator's building control services in relation to buildings over 18m; our amendment provides the same reassurance to those living in lower buildings without overburdening the new regulator.

The LGA hopes to promote a further amendment protecting social housing tenants from the costs of remediation.

### **House Of Commons Oral Evidence by Cllr Rachel Blake on behalf of the LGA**

25. Cllr Rachel Blake gave [oral evidence](#) in the Commons at Levelling Up, Housing and Communities Committee (Building Safety: Remediation and Funding) on behalf of the LGA.

26. The committee was looking at the Secretary of State's statement on [10 January](#) about potential new ways of raising money and which buildings might be affected.

27. Several concerns were raised on behalf of councils.

27.1. The first is about fire safety costs that do not come under cladding. These costs are equally burdensome and are related to cladding remediation works in some cases; therefore, should be added to any remediation cost funding formulas.

27.2. The second is that leaseholders are not the only victims of the construction industry's failure to build safe homes. Government should also seek ways to cover the costs of social landlords because failure to do so is exposing housing revenue accounts.

The LGA also sent in written evidence to the committee.

### **Fire Safety act**

28. The Fire Safety Act is still yet to commerce.

### **Grenfell Fire Inquiry**

29. The Inquiry into the Grenfell Tower fire is still ongoing. The Inquiry was created to examine the circumstances leading up to and surrounding the fire at Grenfell Tower on the night of 14 June 2017. The Inquiry is currently hearing evidence on the role of the central government in establishing the legislative regime and formulating guidance on how to comply with it. Officers continue to follow events at the Inquiry.

### **Implications for Wales**

30. Building regulations and fire and rescue services are devolved responsibilities of the Welsh Assembly Government, and the main implications arising from the recommendations of the Hackitt Review and the government's response to it are on building regulations and fire safety in England. However the Welsh government has announced that it will be making the changes recommended in the report to the regulatory system in Wales, and the LGA has been keeping in contact to ensure the WLGA is kept informed of the latest developments in England.

### **Financial Implications**

31. Although the LGA has set up the Joint Inspection Team, the cost of doing so is being met by DLUHC. 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 community's team to support the LGA's building safety work.

### **Next steps**

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