

6 June 2016

Update paper

Purpose

For information and direction.

Summary

This report provides an update on LGA policy work and developments affecting the priorities agreed by the Safer and Stronger Communities Board.

Recommendation

Members are asked to note the activities outlined.

Action

Officers to progress as directed by members.

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Update Report

Domestic abuse

1. Portsmouth City Council has recently been commissioned by the LGA to undertake some research on the cost of domestic abuse to local authorities. The Council will collect data from up to ten local areas to assess costs across a number of council departments, and explore the savings that might be made through investment in prevention and intervention strategies. A draft report is expected by the end of June, with a final report in early September.
2. We have been in touch with DCLG officers regarding the development of a National Statement of Expectations for local authority domestic abuse services. A commitment to develop this was included in the government's refreshed Violence Against Women and Girls Strategy in March, and will set out what local areas should provide for victims.

Prevent

3. Discussions have taken place with the Home Office regarding establishing a network of elected member Prevent champions, nominated by the LGA. It is hoped that an initial roundtable with Rt Hon John Hayes MP, Minister for Security, will be scheduled for London in mid-July (pending the Minister's availability) where members will discuss Prevent, how to raise awareness and engagement, and undertake a Channel panel simulation exercise. Following this we will look to plan further regional events for elected members with the Home Office in the autumn.

DCLG's discussion paper on cremation provision and facilities

4. In March the Department for Communities and Local Government published a discussion paper on crematoria provision and facilities for faith communities in the country. This followed the Chancellor's announcement in the July 2015 budget that the Government would be carrying out a review of crematoria provision following a number of concerns being raised around the capacity of crematoria, in particular to accommodate Hindu and Sikh cremations, which traditionally have larger numbers of mourners attending. The aim of the paper was to establish whether concerns were widespread.
5. The discussion paper posed a number of questions and the LGA has responded to the consultation, following sign off from Lead Members and the Board's Bereavement Services Champion, Cllr Ian Gillies. In our response we highlighted the work that many councils have already undertaken to update their equipment and facilities to ensure that they are answering the needs of all their communities, including those with faith and those without. Our response also discussed the importance of any response being locally led and tailored to local needs and the key role of councillors in scrutinising these services to ensure that they are meeting the needs of all communities, including those with faith and those without.

Medical Examiners

6. The Government is currently consulting on reforming the death certification process through the introduction of Medical Examiners. Coroners and Justice Act 2009 sets out the legal basis for the introduction of Medical Examiners. The Health and Social Care Act 2012 includes provision for responsibility for the service to sit with councils. The consultation closes on 15 June.
7. The aim of the medical examiner service is to strengthen safeguards for the public, make the process of death certification simpler and more open for the bereaved, and improve the quality of certification and data about causes of death. The LGA will be responding to the consultation and have been speaking to a number of our registration and coroners advisers on these issues. Whilst they are supportive of the overall aims of the system they have raised a number of concerns regarding the introduction of the system as set out in the consultation document. These include funding, the support for implementation, the lack of integrated IT systems and the potential knock on effects on other local authority services (e.g. coroners etc.).

Funeral poverty

8. LGA officers attended a recent meeting hosted by the Department for Work and Pensions to discuss funeral poverty, particularly focussed on the social fund funeral payment. The Department for Work and Pensions is currently responsible for bereavement benefits, including the Social Fund Funeral Payment. This provides support to some people on qualifying benefits to help pay for a simple funeral.
9. Local authorities also have a role in providing funerals. Councils have a statutory duty to provide public health funerals under section 46 of the Public Health (Control of Disease) Act 1984. The Act states that it is the duty of a local authority to bury or cremate a person who has died or been found dead in their area, where it appears that no suitable arrangements for the disposal of the body are being made. Local authorities are allowed to recover from the estate the expenses associated with carrying this duty out. Hospitals are responsible for conducting public health funerals when people die in hospital under these circumstances.
10. The Work and Pensions Committee published an inquiry into these issues before Christmas, which the LGA responded to. The Committee's report can be found on Parliament's website:
<http://www.publications.parliament.uk/pa/cm201516/cmselect/cmworpen/551/551.pdf>.
The LGA will continue to engage with the DWP on these issues.

London Night-Time Commission

11. The Greater London Authority has appointed a Night-Time Commission to assess how London's nightlife can best be supported and nurtured. This will include a close review of licensing committee minutes. Cllr Aiken of Westminster Council and Cllr Simpson of Camden are represented on the panel.
12. Involvement and buy-in of councils as licensing authorities will be crucial to the work that the Commission is exploring. Consequently, the LGA arranged for a separate working group to look at local authority involvement. Cllr Linden of Hackney attended for the

SSCB and Cllr Smith of Hammersmith & Fulham for the Culture Tourism and Sport Board.

13. The expectation is that this Commission will continue under the new mayor; the views of the new deputy mayor for Policing and Crime will be instrumental in how the work develops.
14. Learning from the Commission will, where appropriate, be shared through the LGA's network and potentially incorporated into our forthcoming handbook on Managing the Evening and Night-Time Economy.

Psychoactive Substances Act

15. The Psychoactive Substances Act came into effect on 26 May. The Act, which the Board will recall the LGA lobbied for and supported through Parliament, bans the production, distribution, sale and supply of psychoactive substances. Although it is expected that the police will take primary responsibility for enforcement of the Act, there is considerable scope for councils to support enforcement through their trading standards and community safety teams. The LGA has produced a guidance document outlining the new law, the powers available to councils and the police, and the potential role for councils.

Tobacco licensing consultation

16. The LGA submitted a response to a Department of Health consultation on the introduction of a tobacco licensing system. The consultation related to Article 6 of the World Health Organisation Framework Convention on Tobacco Control Protocol. Government announced its intention to consult on this in the Autumn Statement, and sought views on the mandatory control of tobacco manufacturing equipment and whether the UK should licence wholesalers, retailers and brokers of tobacco products.
17. Our response acknowledged the potential benefits of a licensing regime in terms of public health and tackling the illegal tobacco trade, but focused primarily on councils' experience of licensing regimes and the implications for any future tobacco licensing framework. We commented that a licensing system would be more effective than a registration system. We also noted that there would be a rationale for councils to be involved in licensing local tobacco retailers, given the overlap with other council work and existing licensing frameworks, but that licensing other parts of the supply chain would fit more easily with a national organisation. Lastly, we also emphasised that if a licensing framework were to be introduced, it should incorporate relevant aspects of different licensing frameworks (including the Gambling Act 2005), rather than simply seek to add tobacco onto an existing piece of legislation.

Trading Standards work

18. The LGA has commissioned Inlogov, at the University of Birmingham, to deliver a short piece of work taking forward our review of trading standards work. Inlogov are developing a short document highlighting examples of joined up trading standards and regulatory services; this is expected to be complete in July.

Licensing reform event

19. The LGA co-hosted an event on licensing reform and devolution with Regulatory Delivery. The event heard from areas that have included regulation within their devolution proposals (the North East) as well as from a range of areas sharing best practice on bringing licensing functions together (Northamptonshire); joining up licensing processes (Cornwall) and strengthening taxi licensing procedures (Gateshead). In light of ongoing issues around taxi licensing in some councils, the LGA intends working with Gateshead to provide a comprehensive case study of the work they have done to improve their taxi licensing approach.

Police and crime panels – PCC complaints consultation

20. The Home Office have provided initial feedback on their recent consultation on complaints about PCCs conduct. As the consultation envisaged, they intend to provide guidance on what a complaint is and how panels can make recommendations in response to them: they expect to work with the LGA in developing this. The Home Office also advised that although they intend to legislate to give panels the powers to investigate complaints, it is now looking less likely that there will be scope to do so through the Policing And Crime Bill, although they will seek future opportunities to do so.

Counter-Extremism

21. The LGA is working with the Home Office to support councils' role in combatting extremism. The LGA has been in discussion with Luton and DCLG about re-establishing the Special Interest Group on the EDL in 2014 but expanding its remit to cover all forms of extremism. Lord Ahmad will be meeting the LGA Chairman to discuss counter-extremism work this month and is also due to speak at the LGA conference

Next steps

22. Members are asked to note and comment on the issues above.

Financial Implications

23. None.