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.

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| **Recommendation**  That the Safer and Stronger Communities Board members note the update.  **Action**  Officers to progress as appropriate. |

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Update paper

**Taxi/Private Hire Vehicles (PHVs) licensing**

Ministerial working group on the future of taxi and PHV licensing

1. The Working Group has now met three times with sessions themed around the areas identified as being a particular priority, including cross-border issues and protecting passengers, with a future session around driver welfare. The group has also considered the various submissions made by stakeholders from various parts of the trade, local authorities and various other interest groups.
2. The LGA submitted an initial position paper outlining our position on taxi and PHV licensing (see **Annex A**), as well as a more detailed paper ahead of the meeting on cross-border working. The cross border working paper, which broadly aligns with the proposal Transport for London have put forward to licensing authorities, argued that the principle that drivers and cars operate in the areas where they are licensed should be introduced in legislation, while recognising the need for some flexibility for some businesses based near the edge of licensing authorities, or whose usual business typically involves cross-border journeys (as distinct to routine out of area working).
3. The next step is for the group to hold ‘Select Committee style’ sessions to hear directly from stakeholders not represented on the Working Group, before the group makes final recommendations directly to the Minister early in 2018.

National register of refusals and revocations

1. Work to develop a national register of taxi licence revocations and refusals has continued to progress. A specification for the register has now been agreed by the user-group, and will be sent to the developers appointed by the National Anti-Fraud Network (NAFN). The LGA is exploring with NAFN how to ensure that all licensing authorities are able to access the register once it has been set up, especially for those smaller authorities where there is only a very small volume of applications.
2. The aim is to launch the register at the LGA’s Annual Licensing Conference in February 2018, with a plan for communications about the register currently under development.

Private Members’ Bill

1. We understand that the Government is likely to back Daniel Zeichner MP’s Private Members’ Bill on taxi/PHV licensing. Our current understanding is that the Bill will take advantage of the LGA’s work to establish a national register of refusals and revocations by creating a statutory duty on licensing authorities to record details of any refusals or revocations, and to have regard to information held on the register. The Bill is due to have its Second Reading on 2 February 2018.

**Counter-extremism**

1. The Special Interest Group on Countering Extremism (SIGCE) will be formally launched at an event at Smith Square on 23 November. The SIGCE will establish a network of local authorities working together with key partners to share learning and good practice and help define and enable local delivery of counter extremism work. The group will be co-chaired by Luton and Leeds councils, in partnership with the LGA, Home Office, the Department for Communities and Local Government (DCLG), and the Centre for Trust, Peace and Social Relations at Coventry University.
2. The launch event will provide attendees with an opportunity to hear from partners and Ministers about the SIGCE and to network with other local authorities. Any members who would like to attend the launch event and who have not already registered should contact [Rachel.duke@local.gov.uk](mailto:Rachel.duke@local.gov.uk) for booking details.

**Leadership essentials courses on Prevent and counter-extremism**

1. The LGA is continuing with our series of free residential leadership essentials courses for elected members around counter-extremism, with the third scheduled for Warwick University on 28-29 November. Following a very successful inaugural Prevent leadership course at the beginning of November, preparations are ongoing for further courses in December and March. There are still some places available at the December Prevent course, which is scheduled for 6-7 December at Wychwood Park in Crewe. For further details and to book a place, please contact [Rachel.duke@local.gov.uk](mailto:Rachel.duke@local.gov.uk) or see the [LGA website](https://www.local.gov.uk/our-support/highlighting-political-leadership/leadership-essentials).

**Moped and scooter crime**

1. Following recent concerns about increases in moped and scooter crime, principally regarding both the theft of vehicles and their use to facilitate other offences, the LGA was invited to attend a Home Office Ministerial roundtable on powered two-wheeled vehicle crimes. Following the meeting, a number of task and finish groups were established to take forward work in response, to further understand the drivers for offences and what more might be done to prevent them, including offender motivation; improving security where vehicles are stolen from; and improving security of vehicles themselves. Councillor Blackburn will attend a further meeting convened for early December, where progress will be reviewed.

**Death certification reforms and the introduction of medical examiners**

1. The Government recently announced that reforms to the death certification process, including the introduction of medical examiners, will be live from no later than April 209. The reforms will introduce a unified system of scrutiny by independent medical examiners of all deaths in England and Wales that do not require investigation by a coroner. The formal government response to last year’s consultation on the proposals is expected to be published shortly.

**National FGM Centre**

1. The National FGM Centre held its first Advisory Group meeting since receiving £1.7 million from the Department for Education for work until the end of March 2020. Councillor Anita Lower chaired the meeting and we had representation from the NHS England and the FGM Clinical Group and Councillor Jo Beavis from the Safer and Stronger Communities Board. Members discussed expanding the membership of the group, updating the terms of reference and future meetings.

1. Following the funding announcement, the Centre will be expanding its remit into other areas of harmful traditional practices including abuse linked to faith or belief and breast ironing or flattening. The Centre is currently undertaking a number of recruitment exercises and will be launching with its expanded reach and remit soon.

**Modern slavery**

1. The LGA and the Independent Anti-Slavery Commissioner will be running a number of regional events on modern slavery in the new year. These will be free for members and you can sign up via the events pages on the [LGA’s website](http://www.local.gov.uk/events). The dates and venues are:
   1. London – Wednesday 17 January
   2. Newcastle – Thursday 25 January
   3. Manchester – Wednesday 31 January
   4. Bristol – Tuesday 27 February
   5. Nottingham – Wednesday 7 March
2. The events will provide an overview of the issues facing councils and their partners as well as practical sessions, and will build on the LGA’s new council guide on modern slavery, which will be published to coincide with the workshops.

**Water safety**

1. Councillor James Dawson spoke at the RoSPA Water Safety conference in October on the council role in water safety and the work of the LGA. The conference was well attended, with a number of councils taking part and Councillor Dawson’s speech was well receive. We agreed that we would continue to promote our Water Safety Toolkit and have publicised it in our community safety and fire bulletins. We will be continuing to highlight the toolkit, we are also keen to highlight good practice and will be asking members for case studies.

**Violent crime**

1. Following discussions at SSCB last year, the LGA held a conference on 15 November on violent crime. The event explored recent trends and heard about how councils and partners are responding to specific issues including serious and organised crime groups, criminal exploitation and county lines, and knife crime.

**Bass protocol**

1. On 1 November we asked members of the Community Safety Advisers Network to send us their views on a redraft of the Bail Accommodation and Support Service (BASS) protocol with the LGA. The primary users of BASS are people subject to a Bail Order or Home Detention Curfew and would be either bailed or released if not for a lack of a suitable address. BASS assists by providing a suitable address and then working with individuals to progress them into move-on accommodation. The protocol has been in place for a number of years and as the existing contract is due for renewal at June 2018, the Ministry of Justice is reviewing the document to ensure that it remains fit for purpose. Any members who wish to see the draft should contact [Charles.loft@local.gov.uk](mailto:Charles.loft@local.gov.uk).

**Annex A**

**Key taxi and PHV challenges – a Local Government Association Perspective**

1. The key challenge facing the taxi and PHV sector, and the licensing authorities which oversee it, is that the legislation governing it is out of date. While there are non-legislative measures that can be implemented to address some of the problems created by this, the single solution with the potential to address all of them is a comprehensive reform Bill.

1. Rightly, the focus of licensing authorities in recent years has been on the issue of safeguarding, as the scale of taxi and PHV involvement in child sexual exploitation/trafficking cases has been exposed. There is an urgent need to ensure that there are national minimum standards applying to drivers (i.e. the fit and proper person definition) in all parts of the country, and a national register of licensed drivers and operators. Government should work with licensing authorities and the industry to develop a register, and to help define and set these standards at a suitably high level, either through statutory guidance or regulations.
2. We accept that there are disadvantages to specifying such standards in this format, as it can make it harder to update them, but believe there is a clear role for Government in using the levers at its disposal to help drive greater consistency on this issue. However, while consolidation of standards at a suitable minimum level is desirable, we also emphasise the need for licensing authorities, both as place shapers and the bodies enforcing the framework, to retain local flexibility to strengthen standards and manage local provision in accordance with the needs of their areas.
3. The growth of new models in the taxi/PHV market is the other defining issue currently facing the sector. Legislation originally conceived in the nineteenth and twentieth centuries cannot adequately regulate a market in which people increasingly book journeys using mobile phone applications. This has blurred the distinction between taxis and PHVs (with app models described as ‘electronic hailing’), challenged the current definition/model of an operator, and led to significant tensions in several places. It has left Transport for London and councils on the front line of competing, costly legal challenges as to whether new models fit within the existing legislation – when it is ultimately Government’s responsibility to ensure we have a regulatory framework that is fit for purpose and ensures a level playing field in which different operators can compete fairly.
4. New models have also facilitated a significant increase in the prevalence of cross-border hiring/sub-contracting, with many drivers (and even companies) routinely operating in areas where they are not licensed. Clearly, there is a need to strike a balance between consumer preference and the ability of licensing authorities to effectively regulate their areas; but authorised licensing and enforcement officers must be able to take action against any driver or vehicle operating in their area, including having the power to stop moving vehicles, and using modern enforcement tools such as fixed penalty notices and “stop” notices.
5. We also believe the principle that drivers and cars operate predominantly in or from the areas where they are licensed should be introduced in legislation. This would have positive implications going far beyond the taxi and PHV sector, as the Government’s proposals for clean air zones (which include locally licensed taxis and PHVs within scope) will be undermined by the ability of taxis and PHVs licensed elsewhere to drive in cities where they are proposed.
6. There is a pressing need for a reform Bill to address these issues, and we hope that the working group will kick-start the process of moving towards this.