

LGA Lobbying Headlines 03/03/2023

Critical issues

Growing financial and service pressures – Within the Final Local Government Finance Settlement on 6 February, the Government confirmed a £5.1 billion or 9.4 per cent increase in Core Spending Power for local authorities, £2.0 billion of which is based on the assumptions that the council tax base will grow in line with recent trends and councils will increase council tax by the maximum permitted according to new referendum limits. In a policy statement just before Christmas the Government ruled out a business rates reset or implementing the Fair Funding Review in this Spending Review period. The Government expects to set out plans for the New Homes Bonus before the 2024/25 settlement. We will continue to push the Government for sufficient, sustainable, multi-year settlements for local government and to provide clarity on the future of the New Homes Bonus and local government finance reforms.

We have called for urgent intervention and greater support for grassroots facilities, leisure centres and clubs amid the ongoing energy crisis. Ukactive's research into the sector highlighted that 31 per cent of public facilities in England remain at risk of closure or service reductions by April 2024. Since October 2022, 350 facilities nationally have seen service restrictions, temporary and permanent closures. We have raised our concerns over the future of public leisure provision by writing to the Chancellor and Secretary of State for DLUHC, and also joined 200 organisations and athletes in writing to the Prime Minister. We continue to lobby for the Energy and Trade Intensive Industries Scheme and Energy Bills Discount Scheme to be extended to leisure centres and swimming pools the Minister for Sport will be joining our next Culture, Tourism and Sport Board meeting on 27 February.

Cost of living pressures in communities – We are working with councils, Government and partners on current issues, including administration of the alternative Energy Bills Support Scheme, which is once again placing additional pressure on revenues and benefits teams. After successful LGA lobbying on the Household Support Fund revised guidance was published on 20 February and now allows councils to spend the grant on advice services (such as income maximisation and welfare benefit advice), [as per the LGA's asks](#). This round of funding will last for one year, as opposed to sixth months, and councils will now be required to receive political sign-off for delivery plans in order to strengthen political oversight and accountability. We continue to [call on the Government to make local welfare funding permanent](#).

Housing and housing standards – The Regulator of Social Housing has found that the vast majority of social housing tenants have homes that are largely free of damp and mould. It also found that whilst most social landlords understand the extent of this and take action to tackle it, their approaches could be strengthened further. We are working with professional and regional bodies, as well as with relevant government departments, to discuss issues and possible. We also continue to raise concerns about the current and future capacity of Housing Revenue Accounts (HRAs) to deliver on wide-ranging local and central government priorities e.g. building safety, fire safety, decarbonisation, housing quality, new supply. The need for additional expenditure, combined with the government's policies on rent setting and Right to Buy, are increasingly impacting on councils' ability to deliver their responsibilities as local housing authorities, as well as their housing delivery ambitions. Councils have separately provided DLUHC with information on their assessment of damp and mould hazards in privately rented properties in their areas, and the action they are taking to remediate them. The results are currently being analysed. We are continuing to press for joint work on solutions which will support councils to have greater oversight and improve quality in the private rented sector.

On 28 February the Government announced that social housing managers will be required to hold a professional qualification in housing, in a bid to drive up standards in the sector. The change will be made through an amendment to the Social Housing (Regulation) Bill and is estimated to impact around 25,000 housing managers nationally.

Workforce capacity – Workforce capacity concerns continue to dominate councils' risk profiles as both senior leadership and front-line service delivery roles encounter challenges regarding recruitment and

retention. Maintenance of service delivery could be compromised in some areas resulting from a lack of sufficient suitable staff. According to our 2022 Workforce Survey more than 9 in 10 councils are experiencing staff recruitment and retention difficulties.

We have stated that staff shortages could have a serious impact on councils' capacity to deliver services, particularly those relied on by vulnerable people and those who urgently need support. The issues are also restricting councils' ability to support government to meet its own key pledges, such as building more homes, boosting and levelling up economic growth and reforming adult social care. Councils are pulling out all the stops to tackle recruitment and retention issues. However, the local government workforce has a diverse range of skills, professions and occupations and the workforce challenges each face are equally complex.

Executive Advisory Board will consider proposals for further activity by the LGA, working with others, to address the challenge at its meeting on 9th March.

Elections 2023 – Councils with elections this year are raising concerns about the implementation of Voter ID by May 2023. We are working with government and the Electoral Commission to amplify the public awareness campaign ahead of the May elections, and to publicise the Voter Authority Certificate for those without recognised photographic ID, including a webinar for LGA members on 9 February. We have ongoing concerns about pace at which the new voter ID requirement has been implemented and the risk of local election petitions due to voter ID issues in May 2023. Councils have also voiced concerns over the safety and wellbeing of polling staff, who will be required to turn people away that do not present an eligible form of ID.

Asylum and resettlement – We are pressing for a longer-term and more equitable approach to increasing accommodation supply across all programmes, based on a partnership approach, better data and sustainable funding. Whilst we welcome improvements in engagement at a national level, we continue to stress the need for tangible progress on agreed actions that have real impact on local areas. Councils continue to experience issues with cohesion, engagement, and safeguarding in emergency hotel use. There is a need to work through what impacts the delivery of the Prime Minister's priorities for asylum will have on councils, with an urgent need for a joint approach to manage the impacts of clearing the asylum decisions backlog, and moving Afghan families from hotels and local areas.

The LGA Chief Executive is co-chairing a cross government 'Oversight Group' with Simon Ridley, Second Permanent Secretary at the Home Office this week, also attended by Chief Executive representatives and DLUHC. This reports to the existing quarterly group of regional Chief Executives asylum leads, also co-chaired by the LGA. We are pressing for regular engagement at political level across programmes. We continue to press for joint work at the Whitehall UASC Task Force and the Homes for Ukraine Delivery Board on solutions for lone children (see below) and Ukrainian families. We are also raising issues to Ministers around the reduction in funding for councils to support Ukrainians.

Unaccompanied asylum-seeking children (UASC) – We continue to flag issues with the use of hotels for UASC and the wider national transfer scheme, noting that the expectations on councils to take more unaccompanied asylum-seeking children more quickly increases pressures on already overstretched children's services. We are pressing the need for a whole-system approach that tackles challenges and an insufficiency of placements, alongside the shortfall in funding to support UASC and former UASC care leavers. Additional one-off funding offered by the Government to enable councils to offer placements to children is having limited impact due to extremely challenging timescales and the scale of pressure on placements.

Adult social care – The Autumn Statement made up to £2.8bn and £4.7bn available for adult social care in 2023/24 and 2024/25 respectively. This extra funding is crucial given the significant pressures facing care and support, however it falls short of the £13 billion we previously called for adult social care. We continue to press for a longer-term settlement so that councils (and their partners) have certainty beyond a two-year horizon.

On wider system change, we understand that the Government will publish an implementation plan for adult social care reform in the Spring, which will focus on the vision for care and support, as set out in the December 2021 white paper, 'People at the heart of care'. When the white paper was published, we fully supported its positive framing of social care, which mirrored the scope and language we have used around this, however, councils cannot play their part in delivering the Government's ambitions without sustainable funding.

The 'go live' on adult social care assurance remains on track for 1 April 2023. A number of issues still need to be resolved (such as the selection criteria for determining which councils are assessed first) and we are continuing close engagement with DHSC and CQC on this. The LGA is running a national webinar on assurance in March to make councils aware of the latest developments. The Minister for Social Care, Helen Whately, and CQC's Chief Inspector for Adult Social Care, Kate Terroni, are both confirmed to speak at the event.

Public Health Funding - We continue to call on Government to urgently publish the Public Health Grant funding allocations, which councils will receive for the period April 2023 to March 2024. Time is running out for councils to set and plan their budgets and to make critical decisions on renewing contracts for vital public health services.

A lack of certainty around councils' public health funding is exacerbating the growing crisis on demand for local support services, such as health visitors, school nursing, and drug and addiction support. We are urging Government to invest in local public health services which can help to reduce challenges on other parts of the health and care system.

Devolution, Economic Growth and Levelling Up – We are pleased that Government re-confirmed its commitment to new devolution deals at the Convention of the North. On 19 January, the Government announced allocations for Round 2 of the Levelling Up Fund. The LGA's response – a case for wider devolution, an evidence-led approach to funding, and an end to competitive bidding – received widespread support from across the political spectrum. The Government has committed to 'streamline' growth funding, and we are pressing for a related announcement as part of the Spring Budget. We are supporting amendments in the Levelling Up and Regeneration Bill to provide better oversight of the national missions and for levelling up to better address social and demographic disadvantage.

Other issues of importance for the sector

Building Safety – We continue to pursue our updated strategy on Reinforced Autoclaved Aerated Concrete (RAAC), which includes closer collaboration with the Department for Education and the Office of Government Property. The Department of Education recently upgraded the risk of collapse of school buildings from "critical – likely" to "critical – very likely". We are pushing government to devise a coherent plan for dealing with potential RAAC in schools and other public buildings, many of which could be council owned or maintained.

Children's social care – The Government published its [children's social care implementation strategy](#) on 2 February. This commits the investment of £200m over 2 years, which falls significantly short of the £1.6bn our analysis shows is needed every year for services to remain at current levels. We are also concerned that the pace of change will not be quick enough to tackle current challenges. In particular, placement capacity and costs remain significant pressures, causing councils to overspend on budgets. Forthcoming changes to regulations around supported accommodation for young people will exacerbate this pressure. We have called on Government to delay the implementation of these reforms or risk making outcomes for children worse. A [children's social work workforce consultation](#) has been published aiming to tackle issues around the agency workforce.

Planning – We continue to lobby on the Levelling Up and Regeneration Bill as it progresses through parliament. The bill is now in the House of Lords, and we continue to brief on our asks, as well as engaging peers on proposed amendments. To support this lobbying, we will be responding to the consultation on the National Planning Policy Framework. We will also be responding to the Law

Commission's [review](#) of compulsory purchase legislation, with a view to influencing a more modern, streamlined approach to land acquisition

Data – The Government is progressing plans to create a new Office for Local Government (Oflog). The Levelling Up White Paper made a commitment to the body being codesigned with the sector, given one of its key audiences will be councillors. Minister Lee Rowley attended the December Improvement and Innovation Board (IIB) and wrote to council leaders in January to highlight that 'greater transparency' was the key priority for this project and affirmed his commitment to work with the sector.

On 25 January, the Secretary of State appointed Lord Morse, former head of the National Audit Office (NAO), as the interim Chair for Oflog. IIB Chairman, Cllr Abi Brown met with Lord Morse, who confirmed plans to involve officers in the planning process for Oflog, starting with data on adult social care, waste, adult skills and financial reserves. The Minister addressed council leaders at a webinar on 9 February, where he reaffirmed the commitment to codesigning the body with the sector. Cllr Brown has subsequently written to all leaders setting out the LGA position.

The LGA continue to push DLUHC to establish an advisory board for councillors, despite recent pushback from Government on this. We are asking for clarity on the body's vision, as LG Inform (the LGA's benchmarking tool) already provides councils with comparable information on thousands of service and financial indicators. We continue to make the case that Oflog should capture data on wider public sector spend.

SEND (Special Educational Needs and Disabilities) – The Government have now published their SEND and Alternative Provision Improvement Plan and the LGA's briefing will be published very shortly. In our initial response we welcomed the proposed national standards, which will clarify the support available and who will be responsible for delivering it, as well as the focus on early identification of needs and support. The focus on improving levels of mainstream inclusion is also welcome and will be crucial to both improving outcomes for children with SEND and reducing pressures on high needs budgets. We are however concerned the proposals set out in the improvement plan do not go far enough; there are no plans to give councils additional powers to lead local SEND systems and hold partners to account for their work to support children and young people with special needs. While proposed powers to intervene in schools not supporting children with SEND are welcome, we are calling for these powers to sit with councils and not the Department for Education.

Education – With the abandonment of the Schools Bill, we are calling for the Department for Education to bring forward alternative legislative arrangements to introduce a register of children being electively home educated, accompanied by sufficient powers for councils to check that home educated children are receiving a suitable provision, where concerns have been raised that this is not the case. The Schools White Paper proposed that greater inclusion could be achieved by statutory regulation of the academy sector by the DfE, a proposal that was also included in the Schools Bill. In the Bill's absence we are calling for the Department to set out how similar outcomes can be achieved without the need for underpinning statutory powers.

Climate change – The critical role of local government was recognised in the Government's Net Zero Strategy and in the final declaration of COP27, and the UK's Nationally Determined Contribution. Further, the Chris Skidmore review into net zero once again backs the consensus view that councils are central to achieving net zero. We established with Government a Local Net Zero Forum, which held its first meeting on 9 February.

We are running projects on the complex challenge of heat and buildings, neighbourhood, and energy decarbonisation. We are in discussion with national grid and Ofgem about council's role in shaping energy planning into the future. We are due to refresh our renewable energy guide for councils wanting to develop wind, solar and hydro energy generation projects. We continue to press need for energy efficiency to support people in fuel poverty, including through new research and partnership with Energy UK and others.

Waste and recycling – There are several large-scale ongoing reforms to the waste system. We are lobbying the Department for Environment, Food and Rural Affairs (Defra) on the progress of the Extended Producer Responsibility reforms, the waste consistency in collection (including proposals for free garden waste collections), and the Deposit Return Scheme. The Government is due to publish intended next steps on consistency reforms shortly, having set out the direction on EPR and DRS. We are also in discussions with Defra on new burdens for the upcoming mandatory weekly food waste collections. The delays in bringing forward reforms are causing significant issues for councils' planning waste services. We continue to engage the Environment Agency and Defra on the challenge of processing sofas containing Persistent Organic Pollutants (POPs). We have written to Ministers and are meeting with them on 9 March. We also continue to push our position on proposals for free DIY waste collections at recycling centres.

Environment – Nutrient neutrality: housing planning permissions have been put on hold in 70 local authority areas by a moratorium imposed by Natural England due to excess levels of river pollution. We estimate this will ban around 20,000 new homes a year. The LGA has set up a policy inquiry to find a long-term solution that protects the environment by improving water quality and reducing pollution, while also delivering the homes and infrastructure that the country needs. Other priority environment matters focus on the wider strategy for the protection and growth of natural environment, including continued engagement with Defra on the progress on implementing Biodiversity Net Gain and the introduction of responsibilities on councils to prepare Local Nature Recovery Strategies, both due in 2023. Both BNG and LNRS are significant undertakings, and we are discussing concerns with timeframes, funding, and guidance with Defra on these issues.

Integrated Care Systems – There remains a great deal of work to be done to implement new arrangements for Integrated Care Systems. We continue to press to ensure that councils can play their full role as equal partners in the new arrangements, recognising the crucial role of place and the strategic role of Integrated Care Partnerships, alongside the need to avoid over-prescribing local arrangements. We are engaging with the Hewitt review of how ICSs operate.

Mental Health – We are calling for sustainable funding for local government statutory and non-statutory mental health services, to put them on an equal footing with NHS clinical mental health services. The Mental Health Act 2022 is due to be introduced in 2024 and our focus is to ensure councils and our partners are adequately resourced to support effective implementation. We continue to call for a system-wide focus on early intervention and prevention to reduce the development of mental health crises. We are working to ensure the new Major Conditions Strategy reflects local governments' contribution to supporting mental health.

Learning Disabilities and Autism – The LGA continue to highlight the key role that councils play in supporting people with learning disabilities and autistic people in the community.. We are a member of the national Autism Strategy and are supporting councils to implement actions arising from thee strategy. We are also inputting into the development of the Down Syndrome Act 2022 guidance and will aim to identify any new burdens arising. We continue are a key partner in the Building the Right Support programme.

Dementia – We continue to highlight the key role of councils in supporting people with dementia and their carers to live well in the community. We have highlighted the need for sustainable funding of complex care and improved partnership working. We will ensure that council's role in supporting dementia care needs is recognised in the new national Major Conditions Strategy.

Unpaid carers – An estimated 4.5 million additional people have become unpaid carers as a result of the COVID-19 pandemic. This is on top of the 9.1 million unpaid carers already caring previously. Carers, who are mostly women (57 per cent), are more likely to suffer depression, anxiety, and stress and two-thirds of carers have a long-standing health condition. The LGA continue to highlight unpaid carers' needs and contribution in all funding and social care reform work. We ensure that the pressures

facing young carers, such as mental health stress and boundaries to education, are addressed in our policy and improvement work.

Loneliness and social isolation – We continue to promote councils' leadership role in addressing and preventing loneliness and social isolation and the role of public health, social care, and wider council services such as libraries and open spaces.

Supported housing – We continue to make the case for sufficient and sustainable supported housing revenue funding, to give potential investors the certainty to invest in much-needed supply – with a particular focus on planning housing for an ageing population. We are pushing for an increase of funding for home adaptations so that councils can upgrade existing stock and push to simplify the Disabled Facilities Grant process.

Homelessness – Councils are becoming increasingly concerned that the rising cost of living may trigger an increase in homelessness as households struggle to pay bills. We are seeking an explicit, national-level focus on homelessness prevention work and an associated funding regime that enables and encourages councils to avoid residents reaching crisis and reduces demand for emergency responses.

Transport – Government must commit to bringing forward the new Transport Bill after shelving it in this session. We continue to lobby for powers within any new Transport Bill to help councils deal with obstructions that are a danger to pedestrians and vulnerable people on the carriageway and pavement. A recent meeting with the minister indicated that the Government is not looking to pursue these issues in this parliament. We are pushing for the Bill to regulate the sale and use of private e-scooters, and continue to push for wider funding and certainty.

Following pressure from the LGA and others, the Government have committed to a further 3 months of funding (end of June) for bus recovery and for the £2 fares cap as a cost of living measure. However, bus services cannot survive on such hand to mouth existence and the Government must work with councils and operators to develop a long-term, reformed bus funding model that allows ridership numbers to recover and services adapt to new demands. We continue to push government stick to commitments in the National Bus Strategy. We continue to lobby for more funding for roads maintenance, 20-25 per cent cost increases in the sector has resulted in increased repair backlogs and a deterioration of road quality.

Culture, Tourism and Sport – A number of significant tax reliefs for the cultural sector will come to an end in April, we are working with Government to clarify whether they will be extended. Recent wins for councils in court have secured financial exemptions on business rates for museums, but councils must apply before 31 March if they are appealing 2017 ratings. Chelmsford City Council have agreed with HMRC that supplies of leisure services can be treated as non-business for VAT. Councils that have not yet made a claim to recover VAT declared on leisure could now be encouraged to do so.

Digital – We are particularly concerned about the implications of the Public Switch Telephone Network (PSTN) switchover, which will see the 1.7 million people who access technology enabled care and support at risk of being left without a connection. While the PSTN upgrade is an industry-led process, the LGA is calling on the Department for Science, Innovation and Technology (DSIT) to coordinate the multiple bodies involved with the switchover. Coordination and accountability will be vital to align communications messaging and ensure sectors and consumers, including the most vulnerable, are protected and prepared for the upgrade process.

Civility in public life – We continue to press for Government to amend the existing legislation on pecuniary interests, so that councillors may choose not to have their full home address on the public register, as they now can on the ballot paper when standing for election. The LGA launched its Debate Not Hate campaign toolkit at a parliamentary event (29 November) to help councils and councillors support the campaign and raise awareness. The LGA is calling on the Government to support efforts to improve provision for the safety and security of councillors, including a better response from police to reports of abuse, intimidation and harassment against councillors.

Virtual council meetings – Councils are still calling for virtual council meeting flexibilities and this is becoming a live issue in some areas where councillors are invoking the Equalities Act in relation to disability and virtual attendance as a reasonable adjustment. According to legal opinion sourced by the LGA, remote meeting attendance cannot be provided as a reasonable adjustment under the Equalities Act because of the specific stipulations in the Local Government Act and confirmed by High Court judgement in 2021, which require presence at a physical place. This means that some disabled councillors or candidates may not be able to legally fulfil their role, despite being elected by their local community. The Government Call for evidence on remote meetings closed in June 2021. Over 18 months later, the results and the Government's response is yet to be published.