

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.

LGA Plan Theme: Championing climate change and local environments

Recommendation(s)

That the Board note and comment on the update.

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Update paper

Background

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

Modern slavery

2. [New modern slavery risk assessment and due diligence guidance for local authority commissioners of adult social care](#), produced by the University of Nottingham Rights Lab in tandem with the LGA, has been recently published. It provides advice on how to set up effective local systems to identify and manage the risks of modern slavery in adult social care.
3. The LGA hosted a webinar in October to launch the guidance. The webinar was chaired by Cllr Heather Kidd, Chair of the Safer and Stronger Communities Board, and provided delegates with an overview of the guidance, as well as presentations from councils and the Association of Directors of Adult Social Services. Around 180 delegates attended the webinar.
4. Officers will continue to notify members when relevant pieces of guidance are published. In the coming weeks, we also plan to update our website to signpost to different resources on tackling modern slavery in the care sector. Members should also note that the Community Wellbeing Board signed off the paper that was before the Safer and Stronger Communities Board in September unamended.
5. Officers also met with the Association of Police and Crime Commissioners (APCC) to discuss the rise of modern slavery cases in the care sector. The APCC noted the LGA's work and that of councils, and advised it is not doing any proactive work on this issue but monitoring the situation.
6. [The Home Office has announced](#) that Eleanor Lyons, the current Deputy Children's Commissioner, has been appointed the role of Independent Anti-Slavery Commissioner. The role was established by the Modern Slavery Act in 2015 but had been vacant since Dame Sara Thornton left the position in April 2022.
7. The Government has [published the National Referral Mechanism \(NRM\) statistics for the third quarter of 2023](#), covering July-September. For the first time, reconsideration request details have been published with the statistics, as has an analysis of the devolved decision making pilot for children.

Councillor training

8. At the start of November, we held our Licensing Leadership essentials course for chairs and vice chairs of committees. The course focuses on how good committees are run and where licensing fits into wider council priorities. One of the Board's licensing champions, Cllr Jeanie Bell, attended the course as a

member peer and delivered a presentation on her work on licensing in St Helens. The course received excellent feedback from delegates, who said it had left them enthusiastic about their role and with improved levels of confidence. We charged a fee of £200 to attend the course, and this did not impact on attendance, so we will continue this approach moving forwards. We will arrange another date in 2024 in due course.

9. The [LGA has produced a range of tip sheets to support members of licensing committees](#). There are four tip sheets which cover the role of the chair/vice-chair, alcohol and entertainment licensing, taxi and private hire vehicle licensing, and gambling licensing. They provide a brief overview of the role of committee members within each licensing framework and some best practice ideas.
10. We will also be hosting our [annual licensing conference on Tuesday 6th February 2024](#). The conference will examine the government's plans and expectations for licensing as well as exploring the challenges facing licensing authorities, highlighting innovative work being undertaken by councils and their partners and discussing how we can build on best practice. Speakers will include the Department for Transport, the Home Office, the Department for Health and Social Care (cosmetic procedures), as well as a number of councils sharing good practice. The event will take place online, and will be chaired by Cllr Clive Woodbridge, Vice- Chair of the Safer and Stronger Communities Board.

Gambling harms guidance

11. The [LGA has updated its guidance on taking a whole council approach to tackling gambling related harms](#). The guidance provides an overview of the gambling harms landscape and the role of councils in addressing and preventing harms.

Taxi and private hire vehicle licensing

12. At the last Board meeting, Board members were keen that officers took a proactive approach to engaging with the LGA's members ahead of the expected consultation on the Government's proposal to transfer control of taxi and private hire vehicle licensing to combined and upper tier authorities (as set out in the Levelling Up White Paper).
13. Officers have developed a brief survey which we will send to licensing authorities who will be affected by this proposal. The survey will gather views on whether councils are in favour or opposed to the proposal, if councils have any safeguarding concerns or believe it will impact on the resourcing of licensing teams, as well as asking what criteria councils would like to see in the proposal if it was to go ahead (such as concrete steps to limit out of area working). Officers will work with the LGA's research team to finalise the survey and will send it to LGA members early in the New Year to complete. To support this work, we will also arrange a roundtable discussion with a few county councils who would be likely to be given this responsibility to understand their views on the proposal and any concerns they might have.

14. Cllr Linda Taylor, Vice-Chair of the Local Infrastructure and Net Zero Board, is giving evidence on 22nd November to the Transport Select Committee on Accessible Transport. The session will focus on buses, home to school transport, and community transport, but will also touch on taxi and private hire vehicle licensing. We expect questions will be asked around how councils enforce against drivers who discriminate against disabled passengers (such as refusing to take a guide dog or wheelchair user), how we get a more accessible vehicle fleet, and how out of area working impacts on council's ability to improve accessible travel locally. Officers have fed into Cllr Taylor's briefing and are supporting the team reporting into the Local Infrastructure and Net Zero Board around licensing issues.

Pavement licensing

15. The Levelling Up and Regeneration Act, which makes provision for a permanent pavement licensing regime, has now completed its parliamentary stages. Following sustained LGA lobbying, the new regime includes a number of improvements. The fee has increased from £100 and is now capped at £500 for new applications, and £350 for renewals. The consultation and determination period has also increased from 14 days to 28, and there are now improved enforcement powers. We are pushing DLUHC for further information on commencement and will engage with councils when more details are available.

Cosmetic procedure licensing regime

16. The LGA has responded to the first of the Government's consultations on how to make non-surgical cosmetic procedures – including Botox, laser hair removal and dermal fillers – safer for consumers. A reminder that the Government is proposing a three-tiered licensing regime based on risk, with the highest risk (red) tier procedures being regulated by the Care Quality Commission, and the lower risk amber and green procedures being regulated by councils. This first consultation is primarily focused on what tier each procedure should be located in. Our response emphasised concerns around capacity in regulatory services teams, the need for adequate training and expert support where required, locally set fees, and the need to take a comprehensive approach and to incorporate and update existing local regimes.

XL Bully Ban

17. The Government has added the XL Bully breed type to the list of dogs banned under the Dangerous Dogs Act 1991 in England and Wales. From 31 December 2023, breeding, selling, exchanging, advertising, rehoming, gifting, abandoning and allowing an XL Bully dog to stray will be illegal, and these dogs must be muzzled and on a lead in public. From 1 February 2024 it will be a criminal offence to own an XL Bully in England and Wales unless the owner has a Certificate of Exemption. [Applications for the exemptions scheme are open until 31 January 2024.](#) Alternatively, owners who choose to have their dog put to sleep can apply for compensation. [Further details on how to apply for compensation](#) can be accessed online. [Defra has published further information about how to prepare for the ban which will be updated regularly](#), and they will continue

engagement with stakeholders.

18. The LGA has been engaging with officials at Defra about the ban and seeking to ensure local authorities are compensated for any new burdens. To assist this proposal, officers have held a roundtable discussion between a number of councils and Defra officials to discuss council's role in the ban, and what support councils will require to fulfil any requirements under the ban.

Online Safety Act

19. The Online Safety Act received Royal Assent in October, and includes a number of provisions of relevance to the community safety space. A recent [LGA briefing on the Bill](#) provides an overview of its key objectives.

Police and Crime Commissioners

20. Cllr Sue Woolley gave evidence to the Home Affairs Select Committee inquiry into PCCs: 10 Years on. Also giving evidence before the Committee were the Chair of the APCC, Donna Jones and Rick Muir, Director of the Police Foundation. The focus of the questions was around how PCCs hold chief constables to account, and the expected questions around police and crime panels were not raised. Written evidence on the points we would have asked around police and crime panels will be submitted in addition to the evidence Cllr Woolley gave in person.

Anti-Social Behaviour

21. The LGA was invited to join the ASB Ministerial Taskforce jointly chaired by the Home Secretary and the Secretary of State for Levelling Up, Housing and Communities. Cllr Heather represented the Board at the taskforce which focused on the work by the Ministry of Justice to set up the Immediate Justice and Community Payback pilots announced as part of the ASB Action Plan in March.

Decisions made outside of SSC Board meetings

22. Consultation response submitted on Diversionary and Community Cautions: Draft Code of Practice 12/10/2023
23. Consultation response submitted on the Government's proposed cosmetic procedure licensing regime 20/10/2023
24. Signed off updated guidance on taking a whole council approach to tackling gambling harms.
25. Sent a letter from the Chair to the Minister responsible for the Government Digital Service, the Rt Hon Jeremy Quin MP, regarding the future of the online licensing forms service.

Implications for Wales

26. Officers to work with the Welsh LGA as necessary.

Financial Implications

27. A number of the items within the Update paper may incur additional costs for councils and the LGA will seek to raise these as part of its ongoing work.

Equalities implications

28. To be considered in relation to each individual policy area.

Next steps

29. Officers to continue progressing these issues as required.