

## **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 and provide views on the future of work on illegal moneylending (ref. paragraphs 21-26).

### **Action**

Officers to progress as directed by members.

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

## **Update Report**

### **Coroners**

1. The Ministry of Justice has announced a post-implementation review of the coroners reforms contained within the Coroners and Justice Act 2009. The Coroners and Justice Act made a number of changes to coroners services including:
  - 1.1. The creation of the statutory guidance booklet, "Guide to Coroners Services" for bereaved people
  - 1.2. A requirement that coroners disclose information that bereaved people request during an investigation, free of charge
  - 1.3. A requirement for all inquests to be recorded (and elimination of the requirement that notes be taken during inquests)
  - 1.4. A requirement that coroners be available at all times to address matters which must be dealt with immediately
  - 1.5. A requirement that bereaved people and other interested parties be notified of inquest arrangements and any changes within a week of the arrangements or changes being made
  - 1.6. Flexibility of inquest and post-mortem examination locations, which may now be held anywhere in England and Wales rather than being restricted to the coroner's area (and, for post-mortem examinations, a neighbouring area)
  - 1.7. New requirements for councils to provide accommodation, coroners officers and staff, where these are not already provided by the police.
2. The LGA has previously stated that the coroners' service should be a national service rather than remaining within local authorities. It is the only part of the Justice system that still sits within local authorities, however, councils have limited opportunities to scrutinise the costs of the service. Councils have no interest in undermining the independence of coroners and we believe that bereaved people deserve to have a service that meets their needs. However, a service that meets their needs is also a cost-effective and consistent one, which may be best achieved through a national service. The LGA will be responding to the review, in consultation with Lead Members and the Board's Champion for Bereavement Services, Cllr Ian Gillies. The review's call for evidence ends on 10 December.

### **BRDO Business Reference Panel**

3. In September, the LGA hosted the Better Regulation Delivery Office's (BRDO) Business Reference Panel, which provides a forum for updating business representatives on regulatory developments. Cllr Linden gave a short introduction providing a local government perspective on the challenges facing regulatory services, and how they could work with businesses going forward. One of the themes in the following discussion was devolution and what that meant for regulatory services.

### **LGA-HMRC memorandum of understanding on data sharing**

4. An update LGA-HMRC memorandum of understanding (MoU) on data sharing was finalised and circulated among all councils. The MoU updates a previous Inland Revenue – LACORS MoU and provides a mechanism for councils to access HMRC data which they are legally entitled to receive.

### **Environment, Food and Rural Affairs (EFRA) select committee – air quality**

5. The EFRA select committee recently announced an inquiry into air quality. Officers coordinated environmental health input to the submission the LGA is making to the inquiry, which is being led by the Economy, Environment, Housing and Transport Board.

### **Supporting businesses, sustaining regulatory services – free member conference**

6. On Wednesday 27 January, the LGA is hosting a free member conference on the theme of how regulatory services can support local businesses. All Board members are invited, and encouraged to share details of the conference with councillor colleagues.

### **Victim's Code**

7. Having been in discussion with the Ministry of Justice (MoJ) over whether councils should be included within the scope of the Victim's Code, and persuaded government to listen to our concerns, the MoJ asked for assistance in identifying councils to 'trial' the Code and map its impact on councils. Several members of the Board responded to this request for councils to assist the MoJ. We understand that the MoJ has been in touch with York, Scarborough, Surrey and Blackpool councils, although work has yet to start. The MoJ has now published the update Code; councils are not named as being subject to the Code.

### **Licensing fees**

8. CIPFA has been working to design and conduct the survey on behalf of the LGA, and an initial design has been circulated to the LGA's licensing forum for comment and testing. The planned launch of the survey has now been delayed until January, in order to ensure the survey is robust as possible and to avoid the Christmas period. The LGA's updated guidance on the setting of licensing fees has been finalised and cleared by external counsel, and will be disseminated alongside the survey.

### **Child sexual exploitation**

9. The LGA hosted a Home Office/Council roundtable on using licensing to tackle child sexual exploitation. The Home Office are using this to develop a detailed work programme, and to inform an expected new draft of best practice guidance in licensing taxis from the Department for Transport.

### **Licensing presentations**

10. LGA officers have presented on devolution and the implications for licensing at the Institute of Licensing's annual training event; on the future of licensing at the National Association of Licensing and Enforcement Officers' AGM; and on the future of gambling

regulation at the AGM of BACTA, representing the amusement arcades industry. On 3 December, Officers will be co-hosting a workshop on simplifying gambling regulation with BRDO, as part of Government's commitment to simplify licensing in the Autumn Statement 2014; a similar workshop has been held for the Licensing Act and others are planned for taxis and housing licensing.

### **Taxi conference**

11. The LGA held a successful conference on taxi legislation on 16 October, chaired by Cllr Blackburn. Cllr Evans provided the keynote speech outlining key issues affecting licensing teams, including the implementation of new clauses introduced by the Deregulation Act. Feedback from the event has been positive. The session included presentations on improving disabled access to taxis and private hire vehicles, which was later explored as an issue by the House of Lords Equalities Act and Disability committee on 24 November.

### **Annual licensing conference**

12. Preparations are underway for the annual licensing conference on 23 February. A number of speakers have been confirmed, including: Cornwall council on their piloting of Rewiring Licensing; CIPFA on the setting of licensing fees; the Home Office on the new Community and Ancillary Sales Notices; BRDO on licensing simplification; and the Institute of Alcohol Studies on their report on the 10 years of the Licensing Act.

### **The Spending Review**

13. A number of measures of interest to the Board were announced by the Chancellor in the Spending Review:
  - 13.1 Police spending is to be protected in real terms over the Spending Review period to maintain strong frontline policing, with an increase of £900 million in cash terms;
  - 13.2 Police and crime commissioners (PCCs) will be offered greater flexibility in their local funding decisions by rewarding areas that have historically kept council tax low, allowing them to raise income from council tax by £5 rather than 2 per cent. This could allow those forces affected to raise an additional £12 million a year;
  - 13.3 There will be a new fund to assist the police in making savings by driving down the cost of procurement and encouraging greater collaboration with other public and emergency services.
  - 13.4 The government will be investing £700 million to modernise and fully digitise the courts to ensure the courts and tribunal system is fit for purpose and delivers swifter and more certain justice.
  - 13.5 The creation of a Single Farm Inspection Taskforce aiming to cut farm inspections by 20,000 by 2019-20.

14. The LGA's on the day briefing about the Spending Review can be found [here](#).

### **Domestic Abuse**

15. Among the announcements made in the Spending Review, the Chancellor stated that the government would be providing £40 million for victims of domestic abuse, tripling the dedicated funding compared to the previous four years. As this figure is included within

the Spending Review settlement for the Communities and Local Government (CLG) budget it suggests that CLG will for the first time be funding domestic abuse services alongside the Home Office. However no detail has been provided on how this funding will be used. This may be clarified when the government's Violence Against Women and Girls Strategy is published, which is due out this autumn.

16. An additional announcement by the government was that while it makes the case in the EU for a zero rate of Value Added Tax (VAT) for sanitary products, a new £15 million annual fund equivalent to the VAT raised each year on sanitary products will support women's charities. The Chancellor said an initial donation totalling £5 million would be made to support four charities including SafeLives and Women's Aid. These two organisations will receive £2 million to develop an early intervention project, 'Sooner the Better'.
17. The aim of the project is to support victims and their children at an earlier stage. The joint initiative will work across 10 sites in England to: speed up the identification of domestic abuse and ensure victims and their families receive earlier help; provide proactive support to the whole family in the round; understand and meet the needs of victims of domestic abuse, working towards long term recovery and independence; ensure better evaluation of what works to make families safe, and keep them safe; and listen to women experiencing abuse, learning from their experiences and capturing the full costs of late intervention. This work will then result in the development of a model that will be rolled out nationally from 2018.

### **Consultation on reforming the powers of police staff and volunteers**

18. The Board responded to the Home Office consultation on allowing chief constables to designate a range of powers to police staff and volunteers, while keeping a core of powers that can only be used by constables. In the response we broadly welcomed the proposals noting that they built on provisions like the Community Safety Accreditation Scheme, but noted that this had led to increasing demands on council staff and resources. Our response did however stress that police and crime commissioners and chief constables would need to clearly publicise what powers had been given to which staff, so the public would know for example what powers a Police Community Support Officer had.

### **National FGM Centre**

19. The LGA's joint work with Barnardo's on the National FGM Centre is continuing. On 20 October the Centre held its first conference, attracting over 100 delegates. The Minister for Preventing Abuse and Exploitation Karen Bradley attended, along with a number of other experts including National Police Chiefs' Council lead for FGM, Commander Mak Chishty; Psychotherapist and leading anti-FGM campaigner, Leyla Hussein and the Royal College of Midwives' Professional Policy Advisor, Janet Fyle. Karen Bradley MP used the conference to announce that the new mandatory reporting requirement for FGM would take effect from 31 October. The discussion focussed around the new duty and what it would mean in practice for councils as well as other professionals. Councillor Lisa Brett, the Board's Champion against abuse and exploitation, spoke at the conference on the work the LGA has done to tackle FGM and the importance of the Centre as resource of information and expertise for councils.

20. The Centre is now working with three local authorities, Norfolk, Suffolk and Essex, and has social and project workers supporting each of those areas. They have already started to work with families and community groups in each of the three areas. The Centre is looking to work with at least three other pilot areas soon. Consultancy and training is also now being delivered.

### **Discussions on the future of the national Illegal Moneylending Team**

21. As the Board may be aware, the national illegal money lending team (IMLT) operating out of Birmingham City Council is currently funded by BIS as part of the National Trading Standards framework ( a separate Welsh team also exists). The objective of this approach, introduced in 2011, is to provide a more centralised approach, with national management and a specialist central team undertaking functions that largely remain the responsibility of individual local authorities.

22. NTS's 2015-6 business plan states that it will:

*22.1. Provide NTS Illegal Money Lending Teams for England and Wales to tackle consumer detriment caused by illegal moneylenders, ensuring those engaged in criminal activities are punished, victims are supported, and vulnerable consumer and communities are educated and supported not to use illegal moneylenders.*

23. Prior to the spending review, NTS had been asked by BIS to model a range of budget options up to and including cuts of 25-40%.<sup>1</sup> NTS's stated approach in the event of a significant cut is that a "salami slice" approach of reducing each team by a little would not be workable, so it is anticipated that whole areas of work could cease. As part of its scoping work, NTS has therefore been exploring options for the future of the IMLT.

24. NTS is aware that if the work of the IMLT ceased to exist or were significantly scaled back, the impacts would be felt by local citizens, and therefore potentially by other locally delivered services, including trading standards (which have a legal responsibility for the enforcement of unlicensed consumer credit lending activities). They have therefore sought the views of the LGA (and others) to ensure that the potential impact on local government and their citizens of any reduction to the funding of the IMLTs are properly taken into account.

25. To enable us to feedback, the Board's experience of issues relating to financial inclusion and illegal money lending in their council areas would be very helpful, as well as any views or knowledge about possible alternative provision.

26. Separately, following correspondence with a councillor concerned about the prospect of cuts to the IMLT and discussions with the NTS, there is the option for the LGA to support NTS's call for the Financial Conduct Authority to use a proportion of the bank levy to make up any future shortfall in funding for illegal moneylending activities. NTS had lobbied both the FCA and Treasury about this last year, but have yet to be successful in securing a commitment for this. Subject to the Board's views, officers propose to seek to resume discussions with the FCA on this point.

---

<sup>1</sup> In the spending review, BIS received a 17% funding cut; NTS has been advised that its budget is unlikely to be known until the new year.

**Next steps**

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

**Financial Implications**

28. None.