



Association of
Democratic Services
Officers

Democracy Direct 21 December 2020

BREXIT FOCUS

Commentary:

The Guardian; Brexit: parliamentary recess from Thursday hits hopes for deal approval: (16 December):

Move seen as political theatre as talks in Brussels continue, but may not preclude recall of MPs and peers

https://www.theguardian.com/politics/2020/dec/16/brexit-parliamentary-recess-from-thursday-hits-hopes-for-deal-approval?CMP=Share_iOSApp_Other

IfG: Time spent negotiating a Brexit deal is time needed to ratify and prepare; (15 December):

<https://www.instituteforgovernment.org.uk/blog/brexit-deal-time-ratification>

MINISTRY OF HOUSING COMMUNITIES AND LOCAL GOVERNMENT

Guidance: Local government exit pay; (16 December):

A guide for local authorities for the interim period until MHCLG regulations come into force.

<https://www.gov.uk/government/publications/local-government-exit-pay>

Guidance; Preparing local government for 1 January 2021; (10 December):

Guidance to help local councils get ready for 1 January 2021.

<https://www.gov.uk/guidance/preparing-local-government-for-1-january-2021>

LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN

Harrow LBC criticised for not saying sorry; (15 December):

London Borough of Harrow has been criticised by the Local Government and Social Care Ombudsman for failing to properly remedy a complaint by apologising to a resident.

<https://content.govdelivery.com/accounts/UKLGO/bulletins/2b12b2f>

and see....

<https://www.localgovernmentlawyer.co.uk/litigation-and-enforcement/400-litigation-news/45674-ombudsman-raps-council-for-not-saying-sorry>

Ombudsman urges councils to scrutinise services for children in care: (10 December):

<https://www.lgo.org.uk/information-centre/news/2020/dec/ombudsman-urges-councils-to-scrutinise-services-for-children-in-care>

City council in foster carer dispute after girl's mother dies: (10 December):

Birmingham City Council considered allowing an 11-year-old girl to be deported during a dispute with her foster carers, the Local Government and Social Care Ombudsman has discovered.

<https://content.govdelivery.com/accounts/UKLGO/bulletins/2b07c97>

LOCAL GOVERNMENT ASSOCIATION

Coronavirus: @ 15 December:

<https://www.local.gov.uk/our-support/coronavirus-information-councils>

Selected Daily Bulletin items:

17 December:

Few areas in England likely to be released from toughest COVID-19 tiers

Few areas in England are likely to be released from the toughest COVID-19 restrictions in today's first review of the system. Government sources have suggested any changes were expected to be modest, with places more likely to be moving up a level than down. Matt Hancock will also explain plans to extend mass community testing to Tier 2 areas with high rates of coronavirus. The story was also reported by BBC Online, Guardian and Telegraph.

[Sky News Online: Few areas in England likely to be released from toughest COVID-19 tiers](#)

Boris Johnson calls for shorter, smaller Christmas celebrations

Boris Johnson has urged people to keep Christmas celebrations "short" and "small" to reduce the risk of spreading coronavirus over the festive period. Restrictions will still be relaxed between 23 and 27 December - but the Prime Minister said people should "think hard" before meeting friends and family. Three households will be allowed to meet in England. Meanwhile, the UK recorded a further 25,161 coronavirus cases on Wednesday, along with 612 deaths within 28 days of a positive test. The story was reported by all media.

[BBC Online: Boris Johnson calls for shorter, smaller Christmas celebrations](#)

Government considering delaying start of school term after Christmas

The Department for Education is today expected to announce plans for a potential delayed start for secondary schools after Christmas with children to be taught online in January amid concern about the spread of COVID-19.

[Independent: Government considering delaying start of school term after Christmas](#)

Air pollution recorded as cause of nine-year-old's death in UK first

A coroner has made legal history by ruling that air pollution was a cause of the death of a nine-year-old girl. Philip Barlow, the inner south London coroner, said Ella Kissi-Debrah's death in February 2013 was caused by acute respiratory failure, severe asthma and air pollution exposure. The story was also reported by BBC Online, Guardian, Times and Independent.

[Sky News Online: Air pollution recorded as cause of nine-year-old's death in UK first](#)

Pre-existing inequalities led to record UK Covid death rate, health chief says

Pre-existing social inequalities contributed to the UK recording the highest coronavirus death rates in Europe, a leading public health figure has said, warning that many children's lives would be permanently blighted if the problem is not tackled. Sir Michael Marmot, known for his landmark work on the social determinants of health, says in a new report that families at the bottom of the social and economic scale were missing out before the pandemic, and were now suffering even more, losing health, jobs, lives and educational opportunities.

[Guardian: Pre-existing inequality led to record UK Covid death rate, says health chief](#)

BAME groups hit by Covid 'triple whammy', official study finds

Black and minority ethnic groups experienced a "triple whammy of threats" to their mental health, incomes and life expectancy which left them more vulnerable to the coronavirus pandemic when it took hold earlier this year, according to the Government's official statistics body. Office for National Statistics research into the wellbeing of different ethnic groups in the UK showed that 27 per cent of people from black backgrounds reported in April finding it difficult to make financial ends meet, compared with fewer than 10 per cent among most white groups.

[Guardian: BAME groups hit by Covid 'triple whammy', official UK study finds](#)

Councils can reserve smaller contracts for local firms under Brexit procurement shake-up

Councils, schools and hospitals will be able to limit bids for contracts to local businesses as part of a post-Brexit overhaul which will encourage them to "buy British." Under a shake-up of government procurement rules, the public sector will be permitted to restrict competition for contracts for public works worth up to £4.7 million to "a certain geographical area" or small businesses or charities, according to changes set out in a new green paper.

[Telegraph: Councils and hospitals can reserve smaller contracts for local firms under Brexit shake-up of procurement rules \(£\)](#)

14 December:

Climate-related incidents affecting four out of five councils

The LGA's Climate Change Survey 2020 has found four out of five councils have been hit by a "climate-related incident" in the last five years, including 23,000 properties flooded. The survey found about 80 per cent of councils had set official targets to become carbon neutral, but 96 per cent said lack of funding was a barrier to tackling climate change, with 93 per cent saying legislation or regulation hindered efforts.

[Mirror: Councils reporting thousands of "climate-related" incidents, including flooding](#)

Potholes number one road complaint

A new survey by the RAC suggests pothole-plagued local roads are the UK's most widespread motoring concern. Other issues include visibility of signage, roadside litter and maintenance of verges and foliage.

[ITV Online: Local roads are 'biggest motoring concern'](#)

Parking charges

Drivers reportedly paid £361 million in parking fines to local councils last year. They paid £1.76 billion in penalties, pay and display tickets, permits and other charges in 2019. Cllr David Reardon, LGA transport spokesperson, said: "Income raised through on-street parking charges is spent on running parking services." The story was reported in the Star and Mail.

[Mail: Money paid by motorists in parking charges](#)

Nearly half of schools in England have no BAME teachers

A report by researchers at UCL's Institute for Education, has found almost half of all schools in England have no black or minority ethnic teachers, and even where there is diversity among staff, senior leadership teams are invariably white.

[Guardian: Almost half of English schools have no BAME teachers, study finds](#)

Bulletins:

LGA Parliamentary Bulletin: Selected Items: w/e 11 December:

Emergency powers

The LGA's Chairman, Cllr James Jamieson, [appeared before the Lords Constitution Committee](#) on the use of emergency powers during the pandemic. In the session, the Chairman said that councils know their communities and the Government should make the most of this local expertise by engaging with local government colleagues and involving them in the decision-making process. Cllr Jamieson added where new regulations or restrictions are implemented, councils should be consulted as early as possible on the details of the regulations and be given time to prepare.

Devolution

The [Devolution APPG held its fifth and final evidence session as part of its inquiry](#), hearing evidence from Shadow Local Government Secretary Steve Reed MP, and former Communities and Local Government Secretary of State, Greg Clark MP. Steve Reed emphasised that a "one size fits all approach" to devolution is not the best approach, whilst Greg Clark reflected on his time as Minister leading the Government's work on the initial combined authority devolution deals, and how he might approach things differently now. A recording of the session is available on the [APPG website](#). The APPG will continue to accept written evidence until Friday 8 January 2021 and would like to hear from councils, businesses, charities, think tanks and other stakeholders.

Council finance

[In a debate on local government finance in Croydon](#), David Simmonds MP (Conservative, Ruislip, Northwood and Pinner) highlighted the value of the LGA and our sector-led improvement teams, who are "stepping in to help" Croydon Council. Responding, Parliamentary Under Secretary of State for Rough Sleeping & Housing, Kelly Tolhurst MP, agreed with Mr Simmonds and said that the Government's "firm preference when a local authority runs into difficulties is that it will tackle those challenges itself, possibly with sector-led support".

Council priorities

Senior officials from the Ministry of Housing, Communities and Local Government – including the Permanent Secretary, Jeremy Pocklington – were [called in for questioning by the House of Commons Public Accounts Committee](#). We wrote to the Committee Chair in advance of this session to [set out local government's priorities on a range of issues](#) including the COVID-19 response, service delivery including in relation to adult social care and homelessness and future financial sustainability. Many of our views were shared by MPs on the Committee who questioned officials on issues including funding pressures, losses of income and on spending power. The session also explored the challenges facing councils on issues including building safety, leisure providers, the levelling up agenda, fees and charges, commercial investments and forecasts on staff pay. The Permanent Secretary reiterated that the Provisional Local Government Finance Settlement 2021/22 will be published next week.

Planning

The Housing, Communities and Local Government Select Committee heard evidence from the Minister for Housing, Christopher Pincher MP, as part of the Committee's [inquiry into the future of the planning system in England](#). The Minister said there had been 44,000 responses to the Government's Planning for the Future [White Paper consultation](#), which he emphasised would guide the Government's response. Christopher Pincher said that the consultation was the beginning not the end of the process and that there would be further engagement with stakeholders to refine the process. Permitted development, Section 106 and local plans were also among the many topics discussed.

PARLIAMENT

Regulations:

The Health Protection (Coronavirus, Testing Requirements and Standards) (England) Regulations 2020

<https://www.legislation.gov.uk/ukSI/2020/1549/contents/made>

The Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) (No. 2) Regulations 2020

<https://www.legislation.gov.uk/ukSI/2020/1550/contents/made>

The European Union (Withdrawal) Act 2018 (Relevant Court) (Retained EU Case Law) Regulations 2020

<https://www.legislation.gov.uk/ukSI/2020/1525/contents/made>

The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) (Amendment) Regulations 2020

<https://www.legislation.gov.uk/ukSI/2020/1533/contents/made>

The Health Protection (Coronavirus, Restrictions) (Self-Isolation and Linked Households) (England) Regulations 2020

<https://www.legislation.gov.uk/ukSI/2020/1518/contents/made>

The Health Protection (Coronavirus, International Travel and Public Health Information) (England) (Amendment) (No. 2) Regulations 2020

<https://www.legislation.gov.uk/ukSI/2020/1517/contents/made>

Parliamentary Publications:

Parliamentary Boundary Changes: (15 December): -

Constituency boundary reviews and the number of MPs:

<https://commonslibrary.parliament.uk/research-briefings/sn05929/>

Parliamentary boundary reviews: public consultations;

<https://commonslibrary.parliament.uk/research-briefings/cbp-7696/>

The Parliamentary Constituencies Bill 2019-21 ;

<https://commonslibrary.parliament.uk/research-briefings/cbp-8921/>

ARTICLES REPORTS PODCASTS AND VIDEO CLIPS

Dr Nick Dobson: Governance failures at Croydon Council (14 December):

<https://www.lawgazette.co.uk/legal-updates/governance-failures-at-croydon-council/5106751.article>

BBC News: Covid-19: Greenwich Council ordered to keep schools open: (15 December):

<https://www.bbc.co.uk/news/uk-england-london-55311573>

and see...

https://www.theguardian.com/world/2020/dec/14/sadiq-khan-urges-pm-to-let-london-schools-close-early-to-combat-covid?CMP=Share_iOSApp_Other

and...

<https://www.gov.uk/government/publications/royal-london-borough-of-greenwich-temporary-continuity-direction>

LGL: Can you legally record video meetings? (11 December):

<https://www.localgovernmentlawyer.co.uk/information-law/344-information-law-features/45636-can-you-legally-record-video-meetings>

CCN Newsletter – December:

<https://mailchi.mp/41e33d2540b7/ccn-newsletter-december-2020?e=4d6a7c65e0>

Bevan Brittan: Cyber Risk – How strong is your insurance cover?: (9 December): Bevan Brittan; How is the ICO approaching fines under GDPR? - Key Takeways: (30 November):

<http://www.bevanbrittan.com/insights/articles/2020/how-is-the-ico-approaching-fines-under-gdpr-key-takeways/>

CfGS: Rethinking council governance for the 20s : (November):

Learning from councils changing their formal governance option....

<https://www.cfgs.org.uk/wp-content/uploads/Rethinking-council-governance-for-the-20s-2020.pdf>

OPENING BULLETIN LINKS:

Access to podcasts and video clips, if listed, may require you to first download relevant apps/programs.

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