

EDWINA HART – REPORT TO LG&H COMMITTEE – 5 March 2003

Licensing Bill

I undertook to report back to Committee on the Licensing Bill, in particular how it would affect Community Halls and further reference to the Community Safety aspects of the Bill.

The Assembly Minister for Culture has received many representations from performers, concert-goers and cultural organisations about the provisions on the licensing of entertainment venues. Correspondents have suggested that the new legislation will discriminate against the public performance of live music since such performances would be illegal unless the venue had obtained a licence. It was feared that the cost and bureaucracy of obtaining the licence would deter many small prospective venues such as places of worship and community halls.

On these specific issues, the Department for Culture, Media and Sport has now tabled a Government amendment to the Bill so that it will not be an offence for an entertainer to play at an unlicensed venue unless they were involved in organising or managing the event themselves. It has clarified that church and chapel halls, village halls and other community buildings will not need to pay for licences to provide entertainment although they will still need to obtain licences to put on entertainment (under simpler and more streamlined procedures) and they will need to pay for a licence if they want to sell alcohol. Any entertainment provided in a church will not need a licence. Further details are given in **Annex A**.

If licensing is regarded as a tool for managing city centre crime and disorder, it is critical that the impact of licensing premises on the community is included in the criteria for deciding applications and that a high level of expertise is employed when drawing up guidelines to decide applications for licensed premises. It is a cause for concern that the Bill will only allow people in the immediate vicinity of the premises to which the application relates to make representations, and that the views of people outside the immediate vicinity will not be taken into account however great their objections.

The introduction of flexible opening hours, with up to 24 hour openings in some circumstances, could lead to increased drunkenness, and given that increased violent crime is frequently alcohol-related this might impact negatively in crime terms. Extended policing will be needed to control the problem. Staggered opening hours will possibly mean competing premises will want to be allowed to stay open for as long as their rivals. The current 11:00 pm closing time for public houses and 1:00 am onwards for night clubs does allow the police to anticipate when they need to be in town centres in strength. Under the new arrangements blanket cover would need to be provided from 11:00 am onwards and this will adversely affect the service the police can offer to outlying areas.

The move away from Magistrates to licensing authorities within local authorities will bring about demands on local authority resources particularly given that the police currently help magistrates with designated police licensing officers.

I have written to the UK Culture Minister Tessa Jowell expressing concern that the community safety and well-being aspects of the new licensing system have not been given enough weight. In particular it is not clear that local authorities would be given enough discretion to refuse licences where they believed that adding further to the concentration of licensed premises in an area would add to public disorder and nuisance problems; or to consider objections to licence applications which did not come from the immediate vicinity but from other areas where people felt they would still be affected by the granting of an application.

The new licensing system is supposed to be self financing. I also asked for further information on whether the implications of operating bilingually were being taken into account and how the start-up costs would be met. I needed further information before being able to conclude that the proposed national fee scheme would be satisfactory both for Welsh communities and for Welsh local authorities.

The Local Authorities (Capital Finance)(Rate of Discount for 2003 - 2004)(Wales) Regulations 2003

These regulations prescribe the rate of discount which will be used to calculate the cost of credit arrangements (leases etc) entered into by local authorities during 2003-2004. A rate of discount has to be prescribed annually by the Assembly. The rate of discount to be set for 2003-2004 financial year is 6.5%. The accelerated procedure is required. The proposed *Making* date is 19 March 2003 and proposed *Coming into Force* date is 1st April 2003.

Leasehold Reform Collective Enfranchisement) (Counter Notices) (Wales) Regulations 2003 and the Leasehold Reform (Notices) (Amendment) (Wales) Regulations 2003

I would like to draw your attention to the Leasehold Reform Collective Enfranchisement) (Counter Notices) (Wales) Regulations 2003 and the Leasehold Reform (Notices) (Amendment) (Wales) Regulations 2003 which are going before the Business Committee on 18th March.

The objective of these regulations is to ensure that leaseholders are in possession of sufficient information to allow them to make an informed choice when deciding whether to purchase the freehold or extend the lease of their property. The regulations are due to go to Plenary on 2 April and to come into effect on 10 April.

Community Strategies

The issue of how local authorities are consulting /involving partners in preparing community strategies was examined in a detailed paper to January's Partnership Council.(**Annex B**). The paper noted the concerns of some community strategy partnerships about the difficulties experienced in engaging with representatives from the business sector and the Assembly's sponsored bodies. I have agreed that Sir Harry Jones and I would meet representatives from the business sector before the next meeting of the Business Partnership Council. I have also asked the First Minister if he could emphasise the key role of community strategies in his meetings with the Assembly's sponsored bodies. In addition, officials are exploring the extent to which hard to reach/ minority groups are involved in the community strategy preparation process.

Priorities within the Community Safety Unit

I know that the Committee wishes to be kept informed about the progress being made by the Community Safety Unit in relation to putting in place a new administrative structure and financial arrangements for delivering the Substance Misuse Strategy from 1 April 2003. I have made it clear to officials that the project to deliver these new arrangements should be given top priority and I am pleased to report that we are on course to have completed much of this work by 1 April.

Officials are also pushing ahead as quickly as possible with the related work on the development of guidance and frameworks which are necessary to help Community Safety Partnerships discharge their new responsibilities in relation to substance misuse in a way in which delivers our Substance Misuse Strategy.

Community Safety Partnerships

At the last meeting I undertook to update the Committee on Community Safety Partnerships.

Local crime reduction strategies, first drawn up in 1999, have now been fully reviewed and replaced with revised plans. Such reviews are crucial to ensuring the continuous improvement of the strategies, auditing local crime and disorder trends and drawing upon local knowledge, including the concerns of the public, to devise measurable objective-led targets

Examination of the 22 new Community Safety strategies provides us with a closer understanding of the crime and disorder issues which are perceived as the most disturbing to individual partnerships and which they have taken as priorities for action. The most frequently cited are substance misuse and youth annoyance. There is also clear evidence that the strategies are tackling the Westminster Government's key crime reduction priorities of

domestic burglary, vehicle crime and violent crime.

The more mature Community Safety Partnerships perform most effectively. However, those that are still developing are having an impact we are now able to see that the most effective community safety work is characterised by clear, achievable objectives; sound project planning and distinct ownership of the different elements of a project. There is evidence that the Partnerships are contributing very positively to the broader social inclusion agenda which is very encouraging to see

The work of the Partnerships is broadened by the Police Reform Act 2002 which places a requirement on them to produce local substance misuse strategies also. This new statutory requirement will help to promote greater synergy between action on the linked problems of drugs and crime. I recognise that this will mean more work for the Partnerships and that is why I am awarding them £20,000 each in 2003–04.

In total £27 million of central government funding has supported crime reduction projects in Wales since 1999. The Home Office's Crime Reduction Programme, which ran from 1999–2001 provided over £11 million for projects to tackle burglary, crime hotspots and domestic violence. Of this, £8 million was allocated to CCTV projects.

Between 2001-03, £10 million came to Welsh Partnerships from the Home Office funding streams that replaced the Crime Reduction Programme, including Communities Against Drugs.

Now, two new main Home Office funding rounds have been announced for 2003-04 from which all partnerships will benefit. Firstly, a Building Safer Communities Fund provides £4 million to help Welsh partnerships tackle drugs and crime in their communities and also a Basic Command Unit Fund which makes available £2.3 million for the police in Wales to tackle priority problems in their area. The Crime Reduction Director will also receive £700,000 to support training and conferences on partnership working making a Wales total of £7 million.

In 2001–2 the Assembly provided its first discrete crime reduction programme of £2 million for the 'Safer Homes this Winter' scheme to target harden homes against burglary and £2.6 million Assembly money had already gone on CCTV for social housing estates. I made a number of funding announcements in the November 2002 Budget relating to community safety and substance misuse including the provision of £11.2 million over the 3 years 2003–06 for a new Safer Communities Fund to help partnerships tackle the underlying causes of criminality.

The rules for carry over funding for community safety work vary depending on the funding stream. The Home Office have adopted a strong position on this and will not allow any carry over funding from 2003 – 04. There may be some flexibility under the Communities Against Drugs programme for a 10% carry over but this is subject to a detailed explanation of why this is necessary and will be dealt with on a case by case basis – very much as we do with our own

budgets.

Substance Misuse Services – NHS Expenditure

I have been considering how best to ensure the continuity of substance misuse treatment services, which are currently funded from the NHS budget, during 2003-2004. That will be the first year that Community Safety Partnerships take over the functions of the Drug and Alcohol Teams. It will also be the first year of operation of the Local Health Boards and I am anxious to ensure that substance misuse treatment services are not put at risk as a result of these new arrangements.

I am advised that the resource mapping exercise did not provide the level of detail and accuracy that is needed for us to safely remove the NHS expenditure on substance misuse treatment services from the NHS settlement for next year. I have therefore agreed that 2003-2004 should be treated as a transitional year and that these resources should be ring-fenced but remain in the NHS settlement. During 2003-2004, we will enlist the help of the Audit Commission to work with Local Health Boards to establish the precise level and pattern of expenditure on these services. This will allow us to develop a common approach to identifying and monitoring substance misuse expenditure during 2003-2004, so that the resources can be transferred to Community Safety Partnerships to enable them to take on full responsibility for commissioning substance misuse treatment services from April 2004.

Whilst I am disappointed that we cannot introduce new funding arrangements for 2003-2004, I am persuaded that treating next year as a transitional year will mitigate the risk to services on the ground. I have, therefore, written to the Minister for Health and Social Services seeking assurances that it will be possible to ring-fence the substance misuse resources in a way which ensures that at least 0.4% of the discretionary budget of LHBs is spent on substance misuse treatment services and, crucially, that the level of existing services continues to be in place for next year. This will require the NHS to continue to have the necessary arrangements in place to continue with the commissioning of services and ensuring their delivery during 2003-2004.

Young pregnant women sleeping rough

Concerns were raised in December regarding reports of a number of young pregnant women who were sleeping rough on the streets of Cardiff. Officials have since been informed that all the women are now in suitable accommodation, and contacts have been made to ensure appropriate social and health care is being provided.

Welsh Housing Quality Standard – Report on Local Authority Initial Assessments

Following the approval of the Welsh Housing Quality Standard by the Assembly Government in

April 2002, I asked local authorities to carry out an initial assessment of their housing stock in relation to the Standard.

The authorities were asked to complete the following by 1st September 2002:

- Estimate the current state of their housing stock relative to the Standard based on best available information.
- Estimate the investment needs to achieve the Standard.
- Assess the work programmes necessary to meet the Standard.

Although a number of authorities could not provide this by September and some information is still outstanding, we have enough information now to make an initial judgement.

Not all authorities have assessed the amount of their likely shortfall of resources to meet the Standard. However, extrapolating from those authorities which have provided shortfall estimates, indicates that the total shortfall of funds to meet WHQS across all local authorities is likely to be in the order of £1,500m.

Although the total costs for all local authorities indicate a funding requirement in excess of £2,900m, this figure includes a substantial amount of revenue expenditure as well as capital expenditure which would have been carried out even without the introduction of WHQS.

Under current financial rules, most local authorities will be unable to access the money required to bring their stock up to WHQS. Even the introduction of Prudential Borrowing and a Major Repairs Allowance (if introduced) is unlikely to give most authorities access to sufficient funds to meet WHQS.

The information received from authorities is an initial assessment, which in most cases, is not based on full stock condition information. Authorities will be better placed to give a more definitive view upon the work and resources required to meet WHQS when they have prepared their forthcoming HRA Business Plans, due in April 2003.

Substance Misuse Action Plans - Community Safety Partnerships

From April 2003 responsibility for planning and implementing action to tackle substance misuse will rest with Community Safety Partnerships. Officials have drafted outline substance misuse guidance and Action Plan templates for the new CSPs to complete to gain consistent information throughout Wales. These were circulated to key stakeholders at the end of February.

Leading officers in substance misuse from the CSPs have been invited to four regional groups being held in March to give them the opportunity to participate in finalising the guidance and to

make suggestions for improvement. The final guidance will be available for partnerships from Mid April.

Substance Misuse Action Plans

As part of the guidance to be issued on local substance misuse action plans, Community Safety Partnerships (CSPs) will be required to collect information on the performance of services and report to the Welsh Assembly Government.

The Welsh Assembly Government will use this data to compare performance within CSPs throughout Wales and continue to develop national targets which can be measured against baseline data.

The information will also assist in the sharing of best practice and allow CSPs to develop local effectiveness in line with the best in Wales.

DAATs

Last October I announced that the existing DAATs would be abolished and their functions integrated into the 22 community safety partnerships. An equivalent strategic level of co-ordination would be based on the four police areas that would be delivered by Assembly staff based in those four areas.

Officials are in consultation with staff undertaking DAAT duties and their employers on the future staffing arrangements within the Assembly's Community Safety Unit. The revised structure comprises a dedicated policy team and development team in Cardiff together with four regional teams across Wales.

Commissioning of Residential Rehabilitation

Work is being undertaken to explore arrangements for the commissioning of residential rehabilitation and in-patient detoxification for substance misusers.

GP Counselling

The Advisory Panel on Substance Misuse (APoSM) will be considering at its meeting on 4 March the development of a scheme for assisting GPs with counselling in substance misuse. This

may see the development of a GP shared care scheme in one Community Safety Partnership in Wales e.g. Rhondda Cynon Taff (RCT). There are several GPs who have received funding to undertake the RCGP certificate in substance misuse in RCT. There is also an established GP Shared Care scheme which has made great strides in developing partnerships and providing invaluable support for GPs in that area.

Substance Misuse Education

The Gwent Police Substance Misuse Education programme has been developed by a dedicated teacher and intends to provide an integrated approach to substance misuse education programmes.

Drug and Alcohol National Occupational Standards

The development of these standards will be completed by March. They will be launched formally in May and a guide provided to inform people of how best to use the standards in the development of skills, knowledge and competencies. The next step will be the development of a qualifications framework.

Communities First

Partnership Development

To date, 79 embryonic Communities First Partnerships have been established to drive forward the programme.

Co-ordinators Meetings

The first regional meetings for Communities First Co-ordinators are now underway. Two have already taken place, in Caernarfon (4 February) and Swansea (7 February) and they were very well received. Four further meetings have been arranged for March. They provide an opportunity for Communities First Co-ordinators share their experiences and feedback to the Assembly any issues that need addressing.

Community Facilities and Activities Programme

The Community Facilities and Activities Programme has to date approved projects worth £3.6m. The projects represent a wide spectrum of activities including the refurbishment of a village hall, improvements in disabled access to several community facilities, setting up costs for youth drop in centres and the provision of all weather sporting facilities for community use.