



THE LONDON BOROUGH  
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DATE: 11 January 2016

To: Members of the  
**PUBLIC PROTECTION AND SAFETY POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Councillor Alexa Michael (Chairman)  
Councillor Chris Pierce (Vice-Chairman)  
Councillors Julian Benington, David Cartwright, Will Harmer, Samaris Huntington-Thresher, Tom Philpott, Michael Tickner and Richard Williams

Non-Voting Co-opted Members –

Precious Adewunmi, Bromley Youth Council  
Terry Belcher, Safer Neighbourhood Board  
Dr Robert Hadley, Bromley Federation of Residents Associations  
Alf Kennedy, Bromley Neighbourhood Watch

A meeting of the Public Protection and Safety Policy Development and Scrutiny Committee will be held at Committee Room 1 - Bromley Civic Centre on  
**WEDNESDAY 20 JANUARY 2016 AT 7.00 PM**

MARK BOWEN  
Director of Corporate Services

*Copies of the documents referred to below can be obtained from*  
<http://cds.bromley.gov.uk/>

## **PART 1 AGENDA**

**Note for Members:** Members are reminded that Officer contact details are shown on each report and Members are welcome to raise questions in advance of the meeting.

### **STANDARD ITEMS**

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

In accordance with the Council's Constitution, questions to this Committee must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on 14<sup>th</sup> January 2016.

- 4 **MINUTES OF THE PUBLIC PROTECTION AND SAFETY PDS COMMITTEE MEETING HELD ON 3RD NOVEMBER 2015** (Pages 1 - 14)
- 5 **MATTERS ARISING** (Pages 15 - 18)
- 6 **CHAIRMAN'S UPDATE**
- 7 **POLICE UPDATE**
- 8 **VICTIM SUPPORT PRESENTATION**
- 9 **REVIEW OF SBP STRATEGIC GROUP MINUTES** (Pages 19 - 30)

#### **HOLDING THE PORTFOLIO HOLDER TO ACCOUNT**

- 10 **QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING**

In accordance with the Council's Constitution, questions to this Committee must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on January 14<sup>th</sup> 2016.

- 11 **PRE-DECISION SCRUTINY OF PORTFOLIO HOLDER REPORTS**

The Public Protection and Safety Portfolio Holder to present scheduled reports for pre-decision scrutiny on matters where she is minded to make decisions.

- a **STRAY AND ABANDONED DOG SERVICE** (Pages 31 - 38)
- b **CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2015/16** (Pages 39 - 44)

#### **POLICY DEVELOPMENT AND OTHER ITEMS**

- 12 **DRAFT 2016/17 BUDGET** (Pages 45 - 58)
- 13 **REVIEW OF FOOD SAFETY SERVICE** (Pages 59 - 84)
- 14 **WORK PROGRAMME AND CONTRACTS REGISTER** (Pages 85 - 90)
- 15 **PPS/PDS VISITS**

Members of the Committee will be invited by the Fire Service to attend the formal opening of the refurbished Orpington Fire Station.

- 16 **DATE OF THE NEXT MEETING**

The next meeting is scheduled for March 2<sup>nd</sup> 2016.

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## **PUBLIC PROTECTION AND SAFETY POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 3 November 2015

### **Present:**

Councillor Alexa Michael (Chairman)  
Councillor Chris Pierce (Vice-Chairman)  
Councillors Julian Benington, David Cartwright,  
Will Harmer, Samaris Huntington-Thresher, Kate Lymer,  
Tom Philpott, Michael Tickner and Richard Williams

Precious Adewunmi, Dr Robert Hadley and Alf Kennedy

### **Also Present:**

Nigel Davies, Rob Vale, Jim McGowan, Trevor Lawry, Dr  
Nada Lemic, Councillor Judi Ellis, Councillor Charles  
Rideout CVO, QPM, Councillor Stephen Wells, Councillor  
Pauline Tunncliffe and Susie Clark

## **STANDARD ITEMS**

### **23 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies were received from Mr Terry Belcher and Joanna Davidson from Victim Support.

### **24 DECLARATIONS OF INTEREST**

Cllr David Cartwright declared an interest as a member of the London Fire and Emergency Planning Authority.

### **25 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

No questions had been received from Councillors or from members of the public.

### **26 MINUTES OF THE PUBLIC PROTECTION AND SAFETY PDS COMMITTEE MEETING HELD ON 15<sup>th</sup> SEPTEMBER 2015**

The Committee considered the minutes of the meeting of Public Protection and Safety PDS Committee held on 15<sup>th</sup> September 2015.

**RESOLVED that the minutes of the meeting held on 15<sup>th</sup> September 2015 be agreed.**

## **27 MATTERS ARISING**

Report CSD15124

Rob Vale (Head of Trading Standards and Community Safety) gave a brief update on Community Payback. The Committee were informed that contact had been made with Nicola Walters (the Pan London Operations Manager for Community Payback) and that the LBB contact for Community Payback would be Lisa Whitley. Both would be invited to the next meeting of the Safer Bromley Partnership Strategic Group that was scheduled for December 3<sup>rd</sup> 2015. The Committee heard that Community Payback activities had already been undertaken in the borough in recent months, and that Community Payback work had been undertaken in St Mary's Cray and at Anerley Town Hall. It was hoped that LBB would be able to utilise the programme to assist with public right of way maintenance in the near future.

The Chairman asked how many people had been involved with Community Payback in Bromley to date. Mr Vale was not aware of the data at the meeting, but advised that he would find out. Cllr Michael Tickner asked whom Community Payback were managed by, and Mr Vale answered that the programme was managed by the Community Rehabilitation Company.

The Committee noted that a CCTV update was going to be presented to the Committee later in the meeting, and that the Committee's concerns around the commissioning and tendering for contracts had been fed back to the E&R PDS Committee for action. It was noted that all the matters referred to on the report had been actioned or were in the process of being actioned.

**RESOLVED that the Matters Arising report be noted.**

## **28 POLICE UPDATE**

The Police Update was provided by the Deputy Borough Commander (DBC), Superintendent Trevor Lawry.

The Committee heard that MOPAC (Mayor's Office for Policing and Crime) 7 offences continued to decrease against the financial year baseline of 2011/12. The current performance of Bromley Police was -16.5 %-- this was a further 0.3% fall from the previous update.

This could be broken down as follows:

Burglary	-26.9%
Criminal Damage	-10.2%
Robbery	-48.8%
TFMV	-26.4%
TOMV	4.8%
Theft Person	-8.2%

Violence W/I                      7.0%

(TFMV=theft from motor vehicles; TOMV = theft of motor vehicles; W/I = with injury).

The Committee heard that while overall this was a positive picture—challenges remained. There was currently a rise in TOMV and criminal damage offences. It was noted that a seasonal spike was normally seen at this time of year in these offences, but the police were working hard to target those areas. There had been a rise in the theft of mopeds that had contributed to the increase in the TOMV figures. There had also been a rise in the number of vans being stolen, often with keys left in them by workmen. It was felt that in many cases, the primary motivation for these thefts was not the van itself, but the tools that the van contained. Many people were leaving their vehicles unlocked, and car thieves were now skilled in dealing with digital technology that had previously worked effectively as a deterrent against theft.

Cllr Samaris Huntington Thresher asked if TOMN was more prevalent in certain areas. It was noted that a hotspot for the theft of mopeds was Penge. The theft of high end vehicles tended to be related to burglaries.

Violence with injury offences, although higher than the police would have hoped for, were beginning to fall against a high of 10.8% in May 2015. Bromley was significantly lower than the rest of the metropolitan police area, which had seen over a 17% increase.

Superintendent Lawry informed Members that the number of sex offences reported was increasing. He commented that this was a nationwide phenomenon. He felt that a possible explanation was that the public were more confident in reporting sexual offences, and that this had resulted in increased figures.

Cllr Richard Williams asked about hate crimes against the lesbian and gay community, and queried if the Police employed a designated LGBT officer. Superintendent Lawry clarified that a LGBT officer had been designated. Cllr Williams stated that he would like to have a meeting with the officer concerned.

The Committee were briefed with an update concerning police response times. Immediate grade calls were achieving 90.9% in 15 minutes. The average time to get to an urgent request for service was 8 minutes 48 seconds. Standard grade calls were achieving 92.5% in an hour. This included the Halloween period where there was higher demand and the police were pleased with these statistics.

### **Met Trace**

Met Trace would be rolled out to over 440,000 homes over a three year period. Houses had been identified by the analysis of data over a three year period. In year one, 4300 houses had been identified. Bromley Police had

provided 1200 households with kits. Surprisingly, nearly 300 households refused them.

While engaging with the public concerning “Smart Water”, the police also provided crime prevention advice. The intention was that one in seven households would have “Smart Water” delivered by the end of the programme. It was noted that an individual could purchase “Smart Water” privately for a cost in the region of £70.00. Cllr William Harmer asked if there was a cheaper alternative. Mr Alf Kennedy (Neighbourhood Watch) stated that members of NW could get the product for a discounted rate of £25.00.

The Chairman was surprised to learn that not all households wanted the “Smart Water”, and asked if this was the case, could the packs designated for these households be redistributed. The Deputy Borough Commander confirmed that this could be done.

## **Gangs**

There were 30 identified gang nominals who lived in the borough and a further 12 nominals who had close gang associations. Of the 30 gang nominals, 6 were in custody and 24 lived in the community. Most of these belonged to Bromley’s gangs, but some belonged to other gangs as they had been moved into LBB as part of harm reduction strategies.

The current hotspots for gang activity were :

1. Penge - High Street, McDonalds, Penge Rec, the Groves Estate
2. Anerley - Betts Park, Streetwise.

Tensions existed between the gangs in Penge, and between gangs in Southwark and Lewisham. Cllr David Cartwright referred to previous issues where LBB was not informed of gang nominals being moved in from other boroughs. The Deputy Borough Commander informed the Committee that LBB and the Police were now being informed, and that gang nominals were now more likely to be “imported” from further away.

Cllr Michael Tickner stated that human beings were “tribal” and that we all want to “belong”. He speculated therefore, on what sort of diversionary activities or groups could be set up to create a positive sense of belonging. The DBC informed the Committee that gang members tended to be identified by either the type of criminality that they were involved in, or by their tastes in music. He mentioned that the Police and LBB were looking to employ the services of GAV (Growing Against Violence) and other diversionary activities, but that the issues were not easy to resolve. Any diversionary activities would need to be very targeted.

The Chairman agreed with the concept of “tribality” and noted that many gang members came from dysfunctional families. She believed that gang membership provided such individuals with a substitute “family”.

Superintendent Lawry stated that there was an aspect of that, but the problems were multi-faceted.

### **Early Intervention**

The police were currently bidding for schools early intervention programmes which would involve skilled speakers going to schools and giving presentations and workshops on how to identify gangs and also concerning prevention strategies.

Presentations had been given to staff around Bromley, including colleges and the Children's Trust, to assist staff in identifying vulnerable youths and the reporting of potential gang nominals.

### **Finances**

The financial picture for Bromley Police was not confirmed. The funding was impacted by three predominate parts:

- \* Main grant
- \* How the main grant was split between forces
- \* Specific grants such as the National and International Capital City Grant (NICC)

The Deputy Borough Commander mentioned that the Deputy Mayor for London had written to the Policing Minister, along with 5 other Police and Crime Commissioners regarding how the funding formula was applied. This was before Bromley Police received confirmation of their main grant; it was expected that pressure would be applied to grants such as NICC by other major cities.

The current financial situation meant that the Police were unlikely to know what their financial position would be like until late December / early January 2016. Because of this, no further financial decisions would be made until January 2016 at the earliest. The Chairman thanked Superintendent Lawry for providing a concise and clear police update.

**RESOLVED that the Police update be noted.**

## **29 CHAIRMAN'S UPDATE**

The Chairman updated the Committee as follows:

On 19 September, the Chairman attended the Crime Summit which was held at the Civic Centre. Among other items, the Crime Summit included a presentation from Bromley Youth Council concerning their campaign for Behaviour and Safety on Public Transport. She then attended a Safer Neighbourhood Board meeting which discussed the future of PCSOs, among other issues.

The Chairman held an agenda planning meeting on 12 October 2015 to discuss the agenda for the PP&S PDS on 3<sup>rd</sup> November 2015, specifically the item on drug abuse. This meeting was attended by Dr Nada Lemic, the Director of Public Health in Bromley.

On 23 October 2015, the Chairman attended an extended COE / Cabinet meeting at which proposals for the 2016/17 Council Budget were discussed. It is worth pointing out that the cross-cutting Public Protection & Safety department had already seen very substantial funding reductions and was now operating at the minimum statutory level. It was anticipated that further cuts to the department's budget would be minimal, if any.

The Chairman observed a supervised test purchase exercise on 31 October 2015, where two 16-year-old volunteers were sent into various shops in West Wickham, Hayes and Elmers End to "buy" fireworks, an age-related item which cannot be legally purchased by under-18s. Out of five shop visits observed by the Chairman, two of them sold the fireworks to the volunteers without asking for proof of their ID to ascertain their ages. This exercise highlighted the need for continued education and training for shop staff to ensure that they did not sell age-related goods to those too young to buy them.

**RESOLVED that the Chairman's update be noted.**

**30 MINUTES OF THE PREVIOUS MEETING OF THE SAFER BROMLEY PARTNERSHIP STRATEGIC GROUP**

The minutes of the previous meeting of the Safer Bromley Partnership Strategic Group were noted.

**HOLDING THE PORTFOLIO HOLDER TO ACCOUNT**

**31 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING**

There were no questions to the Portfolio Holder from Councillors or Members of the Public.

**A) BUDGET MONITORING 2015/16**

Report FSD 15064

The Committee noted the latest Budget Monitoring report for 2015/16, and that the report showed a projected underspend of £20k.

There were no questions on the report.

**RESOLVED that the Portfolio Holder endorse the latest budget projection for the Public Protection and Safety Portfolio.**



## **32 DRUG MISUSE IN BROMLEY**

Report ES15082

The report on Drug Misuse in Bromley was presented to the Committee by Dr Nada Lemic, Director of Public Health. The report was drafted to provide members with information on drug misuse in Bromley, and the Committee were asked to note the report, and to consider and comment on the issues that it raised.

Dr Lemic summarised the main points of the report, and the Deputy Borough Commander stated that he had nothing to add. It was noted that most people in Bromley started to take illicit drugs in their early twenties, and that as well as addictions to these substances; individuals also experience addictions to prescription only medicines and over the counter medicines. The Committee heard that Bromley had a lower rate of drug use than England and London in all categories. The main substances that individuals were addicted to were opiates and alcohol. The population receiving treatment for substance misuse were predominantly white males in the 40 to 49 age group. Mortality rates related to drug abuse and drug poisoning had been increasing since 1993, with heroin and morphine as the most commonly implicated drugs.

The Committee heard that drug abuse in Bromley was also the cause of blood borne infections, mental health issues and increased hospital admissions. It was also noted by the Committee that drug misuse had various socioeconomic impacts; these included healthcare costs, crime, homelessness and family breakup. It was also the case that productivity was lost, and unemployment increased in proportion to the severity and misuse of drugs and alcohol.

The Committee were briefed concerning the various intervention programmes provided by Bromley Drug and Alcohol Service. Dr Lemic informed Members that the way in which effective treatment was gauged was by calculating the number of individuals that had been in treatment for three months or more. It was the case that in 2014-2015, 462 individuals effectively engaged in treatment in Bromley-- which equated to 89% of the treatment population. The main measure of successful treatment was the proportion of people that successfully completed treatment and did not return for six months. Bromley had a higher proportion of successful completers than the national value in all categories of substance misuse.

The Chairman drew attention to section 6.1 of the report that was concerned with the main aims of drug treatment, and asked why the main aim of the treatment was not to get people to quit drugs. She also referred the Committee to the bar charts relating to section 6.4 of the report that dealt with treatment outcomes for adults. The bar charts provided data concerning what was regarded as "Successful Treatment Completion" based around the criteria that adults did not refer back for treatment with six months. The

Chairman was interested to know what happened to these individuals in the longer term. The Chairman also pointed out that there was no mention of budgets in the report.

Dr Lemic responded that treatment was concerned with three issues prior to the possibility of abstinence in the future. The first aim was to reduce the level of harm that an individual was doing to him/her self. A secondary aim was to reduce socio economic impact, and a third priority was concerned with “maintenance”. “Maintenance” was the term applied to keeping patients alive and well, and this was regarded as a good outcome. In terms of outcomes, Dr Lemic stated that outcomes were primarily looked at in terms of completion or non-completion of treatment. No budget figures were available on the night, but Dr Lemic estimated that the total spend for drug and alcohol treatment for adults and children was in the region of £1.4m. Dr Lemic agreed to circulate a breakdown of costs post meeting to Members.

*(Post meeting note—this information has now been circulated)*

Councillor William Harmer asked why it was the case that there was a high percentage of drug abuse and misuse in the 44-49 age range. Dr Lemic answered that it was difficult to give a definite answer but she felt that the fact that Bromley was an affluent area was significant. In Bromley the profile of those that engaged in risky behaviour was white middle class men who often had well paid stressful jobs, and could afford their drug habit.

Cllr Benington noted that there was no reference to “skunk” in the report, and asked if any data was available concerning this. Dr Lemic responded that she had confined her report to those that were being treated. Data concerning “skunk” users was not good as they were not engaging in treatment. Cllr Michael Tickner asked how a distinction was made between alcohol use, and alcohol mis-use. Dr Lemic explained that this would be determined by looking at alcohol caused conditions, and alcohol related conditions.

Cllr Cartwright asked how many people were being treated in Bromley annually. Dr Lemic referred the Committee to section 4 of the report where it stated that during 2014-2015, 730 people had made contact with drug and alcohol services, this compared with 863 for the previous year.

Cllr Judi Ellis reminded the Committee of the problems caused by drug dealers in cars. She asked if drug dealers shared information with the police when they were arrested. The Deputy Borough Commander answered that in most cases these individuals did not share information with the police. They may sometimes provide geographical data, but generally not names. Cllr Ellis asked if the drugs were coming from within the borough. She also commented that in various places, needles had been found in alleyways. Dr Lemic stated that a significant proportion of individuals obtained drugs from London, where many of them worked in the City. Cllr Ellis was reassured that drug abuse did not seem to be a significant teenage problem. Dr Lemic highlighted that with younger people, the more serious problem was alcohol abuse rather than drug abuse.

Cllr Charles Rideout wondered why children under the age of 15 would start experimenting with drugs. Dr Lemic stated that it was not clear why this was the case. It has been observed that alcohol and drug mis-use levels had shown significant differences between schools. Cllr Stephen Wells asked how “Looked after Children” were handled. Dr Lemic clarified that LAC children were dealt with in the same way as other children.

Cllr Pauline Tunnicliffe commented that £1.4m was a lot of money for seven hundred people. She asked that in view of the financial pressures facing the Council, would dealing with drug and alcohol abuse still be a priority for the future. She asked if more of these people could be referred to the private sector for treatment, and fund the treatment themselves. Dr Lemic responded as follows:

- Bromley had a low budget spend per head
- The budget was reducing, and had reduced by a third
- Services had been rationalised
- There was a statutory responsibility to treat people

Cllr Judith Ellis expressed concern regarding cases of foetal alcohol syndrome in the babies of mothers who drank alcohol while pregnant. She wondered if there were effective ways of monitoring the children in these family units where the parents were being treated for alcohol abuse. Dr Lemic answered that there was a health visiting service that was operational to provide antenatal support, and that this service worked closely with the midwifery service. It was also the case that the Family Nurse Practitioners Programme could provide nursing support to pregnant mothers if required.

Members noted that a person testing positive for drugs on arrest was obliged to attend a drugs assessment. However, they would have to voluntarily accept treatment for there to be any chance of a successful outcome. Cllr Tickner asked if the police were able to work with housing providers to use disruption tactics by moving people to alternative accommodation if that was appropriate. Dr Lemic stated that this was something that she would need to look into.

Cllr Thresher wondered what more could be done to work pro-actively with schools, and what support services could get involved in this work. Dr Lemic clarified that Dr Jenny Selway was the Lead for Schools. It was the case that in most cases, schools were independent, and were often not keen to engage in rehabilitation programmes as they were concerned about reputational damage. Precious Adewunmi (BYC) felt that teachers should be trained to identify and take appropriate action concerning drug and alcohol mis-use.

Cllr Stephen Wells enquired if young people referred on to recovery programmes by the Youth Justice System were paid for by the YJS. Dr Lemic responded that this was not the case, and that the cost was borne in the normal manner by Public Health.

The Chairman thanked Dr Lemic for answering questions, and for presenting the report, and felt that it would be a good idea for an update report to come to the Committee in the future.

**RESOLVED that the report be noted, and that an update report be brought to a future meeting of the Committee**

**33            PORTFOLIO PLAN UPDATE AND ENFORCEMENT ACTIVITY--  
APRIL 2015--SEPTEMBER 2015**

Report ES 15076

This report had been written to advise Members of the activity undertaken by the Public Protection Division during the period commencing 1<sup>st</sup> April 2015, to 30th September 2015, relating to the annual Portfolio Plan and enforcement under delegated powers.

The Committee referred to Appendix A of the report, and the section dealing with Improvement Notices that had been served under the Health and Safety at Work Act 1974. It was noted that this figure was high at 14. The Committee heard that this was as a result of targeted action following complaints.

The Committee wondered why the number of Early Intervention Warning Notices served under the Anti-Social Behaviour Act 2003 was zero. It was explained to the Committee that this was the result of previous proactive and successful work against ASB where 18 notices had been served. It was still the case that 16 Acceptable Behaviour Commitments had been served under the same statutory powers.

Cllr Tickner asked what the public should do if there were problems with loud noise, and the answer to this was that they should still call the noise team. This was still funded by MOPAC. It was the case that at least two complaints from the public had to be received. It was noted that the number for the noise team would be circulated.

The Chairman referred to Outcome 1 of the Portfolio Plan, which was concerned with keeping Bromley Safe. The Committee noted that Operation Crystal was continuing to meet its objectives, and that the Bromley Mentoring Initiative was running well. It was also noted that the targeting of gang nominals had now been added to the remit of Operation Crystal. The Chairman was pleased to note that with respect to this Outcome, all of the RAG statuses were Green.

The Chairman referred the Committee to Outcome 3 which was concerned with supporting and regulating businesses. The Chairman was concerned that the inspection of high risk food businesses had fallen, and that the RAG status was Amber. She was eager to avoid possible outbreaks of food poisoning. It was noted that this was something that Dr Paul Lehane (Head of Food Safety) was working to address. Mr Robert Vale (Head of Trading Standards and Community Safety) agreed with the importance of prevention,

and assured the Committee that the Food Safety Team were on target for Q4. Cllr Samaris Huntington Thresher asked if LBB would be liable if food premises were not properly informing customers about food allergens. Mr Nigel Davies (Executive Director of Environmental and Community Services) reminded the Committee that a full report on Food Safety would be presented to the Committee in March 2016.

*(Post meeting note—the Food Safety report will now be presented in January 2016)*

Cllr Julian Benington drew attention to section 2.1 of Outcome 2 that was concerned with protecting customers. Mr Vale explained that LBB had undertaken much work with local banks to make them more aware of rogue traders who were targeting the elderly or vulnerable. It was now the case that if a bank reported a suspected scam and reported this to the rapid response team, then cars would be dispatched to both the bank and the home of the person concerned. This was a serious matter, as people could lose their life savings; in one recent incident, a 70 year old person lost £48k.

**RESOLVED that:**

**(1) the PPS/PDS Committee receive further reports, every six months, on the activity relating to the Portfolio Plan and enforcement under delegated powers**

**(2) that the Committee be updated concerning food inspections and allergens**

**(3) that the Committee be provided with the out of hours number for the Noise Nuisance Team**

( Post meeting note--resolutions 2 and 3 were completed by 13/11/2015)

**34 CCTV UPDATE**

Report ES15077

This report had been written by Mr Jim McGowan (Head of Environmental Protection) and Mr McGowan attended to brief the Committee on the report, and to answer any questions.

Mr McGowan notified the Committee that the revised completion date for the CCTV refurbishment was now January 2016. He explained to the Committee the reasons for this delay. The Committee heard that a formal appeal had been raised against the tendering process around the contract originally, and that this had to be dealt with by LBB's legal team before matters could be progressed. The appeal was lost, and the refurbishment contract was awarded to Tyco. Subsequent to this, the Government had drafted measures to change the law concerning certain parking enforcement functions, and this meant that a new proposal of works had to be presented to the Secretary of

State which caused additional delay. The current position was that Tyco had been instructed to proceed with works subject to approval, in order to reduce the risk of control room failure.

Mr McGowan explained to the Committee that an eight week factory build of equipment was required prior to installation in January 2016. Following this, there would be a period of testing to ensure that LBB were satisfied that everything was working properly. The monitoring contract had been awarded to OCS, and the maintenance contract had been awarded to Eurovia. The KPI's concerning monitoring had been reported and were on target.

Mr McGowan discussed the matter of charging for CCTV evidential packages. Currently a charge of £50.00 was made for private third party requests, and no charges were made to the Police. It was noted that other boroughs charged the same, but that some boroughs only charged £10.00. The Committee discussed the matter of charging for evidential packages.

Cllr Julian Benington enquired how long it took to provide an evidential package, and stated that the charge should reflect costs. Mr McGowan responded that the time varied. Sometimes it just took two or three minutes, but if the CCTV operators were dealing with a vague police query, then the work could take two hours. An average timescale was in the region of fifteen minutes. Cllr Tickner felt that a £10.00 charge should be made in all cases, and that if an evidential package was subsequently provided, then a £50.00 charge should be levied. He asked for an explanation of the term, "privacy zone software". He wondered if it was prudent to have a CCTV operator employed on a full time basis from 9.00am to 5.00pm, and felt that it may be more beneficial to have an operator working full time from midnight into the early hours of the morning. Mr McGowan explained that the privacy software enabled certain zones that the cameras covered to be blocked out to ensure privacy.

Cllr Samaris Huntington Thresher enquired if other local authorities charged the Police for evidential packages. It was noted that the boroughs that the Committee were aware of did not charge the Police. Mr Nigel Davies (Executive Director of Environmental and Community Services) felt that it would not be a good idea to charge the Police in view of the current severe pressures on their budgets. Cllr Thresher stated that she was opposed to charging the Police. Cllr Thresher asked about the KPI monitoring data, and wondered why some of the areas exceeded a 100% target figure. Mr McGowan answered that in these areas the targets were exceeded. Cllr Thresher expressed the view that in some of the examples on the monitoring data, the percentages were not of any use.

Cllr Thresher stated that it may be a good idea to look at what other councils were charging, and the Executive Director agreed to look into this. Cllr Tickner moved that all applications should be charged at £10.00, and that £50.00 should be charged to third parties when evidential packages could be provided; there would be no charges to the Police; this was seconded by Cllr Richard Williams.

**RESOLVED that**

**(1) the contents of the report be noted**

**(2) the following charges for CCTV evidential packages be recommended to the Portfolio Holder:**

- **there would be a flat rate charge of £10.00 for all applications**
- **where evidential packages were provided an additional £50.00 charge would be levied**
- **so where an evidential package was supplied, there would be a total charge of £60.00**
- **there would be no charges raised for providing evidential packages to the Police**

**35 WORK PROGRAMME AND CONTRACTS REGISTER**

Report CSD 15115

The Committee noted the Work Programme for the Public Protection and Safety, Policy Development and Scrutiny Committee.

The Committee also noted the Contracts Register. The Mortuary Contract was tabled separately as it was received subsequent to agenda publication.

**36 CONFIRMATION OF THE NEXT MEETING DATE**

The date of the next meeting was confirmed as 20<sup>th</sup> January 2016.

The Meeting ended at 9.15 pm

Chairman

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Report No.  
CSD16015

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** Public Protection and Safety PDS Committee

**Date:** 20<sup>th</sup> January 2016

**Decision Type:** Non Urgent                      Non Executive                      Non Key

**Title:** **MATTERS ARISING**

**Contact Officer:** Steve Wood, Democratic Services Officer  
Tel: 020 8313 4316 E-mail: [stephen.wood@bromley.gov.uk](mailto:stephen.wood@bromley.gov.uk)

**Chief Officer:** Mark Bowen, Director of Corporate Services

**Ward:** N/A

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1. Reason for report

1.1 **Appendix A** updates Members on matters arising from previous meetings.

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**2. RECOMMENDATION**

2.1 The Committee is asked to review progress on matters arising from previous meetings.

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Previous Matters Arising reports and Minutes of meetings. Previous Agenda Document.

### Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Excellent Council
- 

### Financial

1. Cost of proposal: No Cost
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: **£326,980.**
  5. Source of funding: 2015/16 revenue budget
- 

### Staff

1. Number of staff (current and additional): 10 posts (8.75fte)
  2. If from existing staff resources, number of staff hours: Completion of "Matters Arising" Reports for PP&S PDS meetings can take up to a few hours per meeting.
- 

### Legal

1. Legal Requirement: None
  2. Call-in: Not Applicable
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is intended primarily for Members of the Public Protection and Safety PDS Committee.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

<u>Minute Number/Title</u>	<u>Matters Arising</u>	<u>Update</u>
<b>15<sup>th</sup> September 2015 Minute 19 Counter Terrorism and Security Act 2015.</b>	It was noted that LBB had statutory responsibilities concerning this Act, and that the Safer Bromley Partnership would be the strategic lead.	Members requested an update concerning the implementation of the requirements of the Act to come to the PDS Committee from the SBP no later than March 2016.
<b>3<sup>rd</sup> November 2015 Minute 27 Matters Arising</b>	The Chairman asked how many people had been involved with Community Payback in Bromley to date. Mr Vale did not have the information to hand at the meeting but advised that he would find out.	The Head of Trading Standards and Community Safety to update the Committee at the January meeting.
<b>3rd November 2015 Minute 32 Drug Misuse in Bromley</b>	It was resolved that the Drug Misuse report be noted, and that an updated report be brought back to the Committee at a future date.	Date to be determined.
<b>3rd November 2015 Minute 33 Portfolio Plan Update</b>	It was noted that the number for the Noise Team should be circulated, and that the Committee be updated concerning food inspections and allergens.	Completed
<b>3rd November 2015 Minute 34 CCTV Update</b>	Cllr Thresher stated that it may be a good idea to look at what other councils were charging for CCTV evidential packages. The Executive Director agreed to look into this.	Update will be provided by the Executive Director for Environmental and Community Services or via the Head of Environmental Services.

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## SAFER BROMLEY PARTNERSHIP STRATEGIC GROUP

Minutes of the meeting held at 10.00 am on 3 December 2015

### Present:

Nigel Davies ((LBB Executive Director, Environmental and Community Services)) (Chair)

Councillor Kate Lymer, Portfolio Holder for Public Protection and Safety  
 Sara Bowrey, Education, Care & Health Services  
 Daniel Cartwright, (Borough Commander, Fire Services)  
 Dan Jones, Environment & Community Services  
 Paula Morrison, (LBB Assistant Director, Public Health)  
 Rob Vale, (LBB Trading Standards Manager)  
 Kay Weiss, (LBB Assistant Director of Safeguarding and Social Care)  
 Trevor Lawry (Deputy Borough Police Commander)  
 Barbara Godfrey (Oxleas-Head of Adult Social Care)

### Also Present:

Terry Belcher, (Bromley Community Engagement Forum)  
 Susie Clark, (LBB Communications Officer)  
 Steve Wood (LBB Committee Services)  
 Samuel Davies (LBB Environmental and Community Services)  
 Joanna Davidson (Victim Support)  
 Lisa Whitley (Community Payback)  
 Matthew Chaplin (Community Payback)

41	<b>APOLOGIES FOR ABSENCE</b>	<b>Action</b>
	Apologies were received from Anne Ball (MOPAC), Cllr Tim Stevens JP, Chris Hafford (Borough Commander) David Tait (Chief Inspector for Neighbourhood Policing), and Nicola Walters from Probation Services.  Terry Belcher substituted for Cllr Tim Stevens.	
42	<b>MINUTES OF THE MEETING PREVIOUS MEETING--28TH SEPTEMBER 2015</b>	<b>Action</b>
	The minutes of the previous meeting held on the 28 <sup>th</sup> September 2015 were agreed.	
43	<b>MATTERS ARISING REPORT</b>	<b>Action</b>
	Report CSD 16005  The Head of Trading Standards and Community Safety updated the	

	<p>Group concerning the outcome of funding applications to provide administrative support for IOM (Integrated Offender Management) and for Community Safety. The Group were informed that Community Safety were now receiving administrative support from a graduate intern. The appointment of the graduate intern had meant that invaluable support had been provided to assist with the drafting of the Bromley Crime Data Strategic Assessment. There would be a full update on IOM in the meeting scheduled for March 2016.</p> <p>The Group noted that Matthew Chaplin and Lisa Whitely would be providing the update concerning Community Payback as outlined in the report.</p>	RV
<b>44</b>	<b>QUESTIONS TO THE SAFER BROMLEY PARTNERSHIP FROM COUNCILLORS OR MEMBERS OF THE PUBLIC</b>	<b>Action</b>
	There were no questions received from Councillors or members of the public.	
<b>45</b>	<b>CHAIRMAN'S UPDATE</b>	<b>Action</b>
	<p>The Chairman's update was provided by Superintendent Trevor Lawry.</p> <p>Mopac 7 offences continued to decrease against the financial year baseline of 2011/12. The current performance was that overall crime had reduced by 17.1%</p> <p>The Deputy Borough Commander broke this down as follows:</p> <p>Burglary had reduced by 27.1%  Criminal Damage had reduced by 11.8%  Robbery had reduced by 48.2%  TFMN had reduced by 27.5%  TOMV had increased by 5.5%  Theft from the person had decreased by 9.2%  Violence with Injury had increased by 6.8%</p> <p>It was noted that the increase in the percentage figures for TOMV was likely to be a seasonal spike, and was less than for the rest of the MET which was 18%. Burglary offences were just starting to rise again, which was also likely to be a seasonal spike; the police were "allowed" 6 burglaries a day, but were currently experiencing around 8/9. It was expected that these figures would reduce.</p> <p>Met Trace would be rolled out to over 440,000 homes over a three year period. Houses had been identified by the analysis of data compiled over three years. In 2015, 4300 houses had been identified. To date the police had provided 1850 households with kits. Nearly 300 households had refused them. The police expected to complete</p>	

	<p>the initial rollout by February 2016.</p> <p>While engaging the public concerning “Smart Water”, the police also provide crime prevention advice. The intention was that 1 in 7 households would be using “Smart Water” by the end of the programme. The Group were informed that residents who had previously refused the “Smart Water” were now contacting the police and asking for it.</p> <p>Bromley had currently identified 30 gang nominals who lived on the borough and a further 12 nominals who had close gang associations. Of the 30 gang nominals, 6 were in custody, and 24 lived in the community. Most of these belonged to Bromley’s gangs.</p> <p>There were no questions for the Deputy Borough Commander.</p> <p><b>RESOLVED that the police update be noted.</b></p>	
<b>46</b>	<p><b>UPDATE FROM THE SAFER NEIGHBOURHOOD BOARD</b></p> <p>The update on the Safer Neighbourhood Board was given by Cllr Kate Lymer.</p> <p>The Safer Neighbourhood Board had hosted a Crime Summit on 19<sup>th</sup> September 2015 at Bromley Civic Centre. There was an excellent presentation provided by Bromley Youth Council concerning behaviour on public transport. Mick McNally from the Home Office gave an update on the emerging problems of gangs in Bromley, and there was also an address from the Borough Police Commander. Seventy eight people attended, and forty two gave feedback; forty one of the feedbacks were positive. The next Crime Summit was scheduled for 16<sup>th</sup> September 2016.</p> <p>Cllr Lymer informed the Group that a new bumper edition of the “Safer Bromley News” was about to be distributed to every household in the borough.</p> <p>There had recently been a public meeting of the Safer Neighbourhood Board on November 26<sup>th</sup> 2015 in Penge. This was successful, but attendance had been affected as it clashed with the turning on of the Christmas lights. Dave Gill from London Fire Brigade gave a talk on “Impact Courses” run by London Fire Brigade.</p> <p>The Impact Factor course was an initiative developed by the London Fire Brigade’s Crossfire Team and had been designed for young people aged between 12 and 14 (Year’s 8, 9 and 10) to support citizenship and PSHE programmes within secondary schools.</p> <p>These are one day programmes, exploring decision making, choices, and consequences through real life re-enactments of critical incidents. Presented by the emergency services working in partnership with</p>	<p><b>Action</b></p>

	<p>other organisations within the Borough, the students will be uniquely informed by local knowledge and expertise.</p> <p>The aim of the project is to engage a difficult to reach age group, where young people are at risk of offending, in positive activities that are delivered in partnership with the LFB, Police, Youth Offending Team (YOT), BYPASS (Drugs and Alcohol) and the Sexual Health Team, thereby supporting positive interactions between young people and local multi-agency services.</p> <p><b>RESOLVED that the update on the Safer Neighbourhood Board be noted.</b></p>	
<b>47</b>	<p><b>STRATEGIC ASSESSMENT AND THE SAFER BROMLEY PARTNERSHIP CONTROL STRATEGY</b></p> <p>A new graduate intern had been resourced to help draft the Strategic Assessment Document. The update on the document was provided by the Head of Trading Standards and Community Safety. He stated that this was an important piece of work, and that the intern was working two days a week, with roughly 70% of his time allocated to working on the Strategic Assessment.</p> <p>The document was compiled using data from LBB, MOPAC, the Police and the GLA. It was noted that this was the first serious draft of the document, but it was a document that would evolve. The next stage in the process would be to liaise with other partners for more data. Data would be required from the Probation Service, and the London Fire Brigade. It would also be the case that the JSNA (Joint Strategic Needs Assessment) would be studied. The LBB Assistant Director of Public Health informed the Group that the current JSNA document would be presented to the Health and Wellbeing Board on the 8<sup>th</sup> December 2015 for sign off.</p> <p>The LBB Director of Children's Services suggested that the Bromley Safeguarding Board Manager be asked to input into the Strategy, and that data be incorporated concerning domestic abuse.</p> <p>The Group agreed that further partnership input be sought to develop the Strategic Assessment Document further, and that there would be an update in March 2016.</p> <p><b>RESOLVED</b></p> <p><b>(1) that the update on the Strategic Assessment Document be noted</b></p> <p><b>(2) that further partnership input be sought to develop the document further</b></p>	<p><b>Action</b></p> <p>Group</p>



	<b>(3) that an update be brought in March 2016</b>	RV
<b>48</b>	<b>REVIEW OF SBP INITIATIVES</b>	<b>Action</b>
	<p>The minutes concerning SBP initiatives are detailed separately in the following three agenda sections:</p> <ul style="list-style-type: none"> <li>• Trading Standards and LFB Vulnerable Adults Initiative</li> <li>• New Psychoactive Substances</li> <li>• Update on the PREVENT Strategy</li> </ul>	
<b>49</b>	<b>Trading Standards and London Fire Brigade Vulnerable Adults Initiative</b>	<b>Action</b>
	<p>The Group heard that LBB and LFB were proactive in working to counter fraud, scammers, and rogue traders. The safeguarding of vulnerable adults and the elderly was a priority. This was a matter that would be discussed at the Safeguarding Adults Board the following week. LBB were seeking dialogue with voluntary organisations and resident's associations to increase awareness of these issues. A symbiotic relationship was developing between LBB and LFB in terms of information sharing, but work was required to fine tune the information sharing protocols.</p>	
<b>50</b>	<b>New Psychoactive Substances</b>	<b>Action</b>
	<p>The Head of Trading Standards and Community Safety gave the update on NSP substances (New Psychoactive Substances). There had been few issues noted with respect to the shop in Anerley that had been selling NSP substances. A visit to the premises had been undertaken by the Head of Trading Standards and Community Safety, the LBB Assistant Director of Public Health, and the Director of Public Health. One referral had been picked up by the Adult Safeguarding Team after an individual was hospitalised subsequent to using an NSP substance. This person would be visited by the Safeguarding Team. ASB would need to be reported before any action could be taken against the premises under the current legislation. New legislation was expected in April 2016 which would make these substances illegal.</p> <p>The Head of Trading Standards and Community Safety informed the Group that he had been tasked by the Portfolio Holder for Public Protection and Safety to explore the possibility of using a PSPO (Public Spaces Protection Order) to enforce a borough wide ban on NSP substances. He had met with LB Lambeth to discuss the PSPO that had been enforced in their borough. In this case, the police had requested the PSPO due to problems with the night time economy.</p>	

	<p>The cost of obtaining a PSPO was between £2k and £5k. In LBB a PSPO would not be required unless requested by the police.</p> <p>The LBB Assistant Director of Public Health stated that there had been a rise in sexual health infections, and that there was a correlation with NSP use as the substances were sexual deinhbitors. She also explained to the Group that if individuals used nitrous oxide in conjunction with alcohol, then the mix could be fatal.</p> <p>It was agreed that the Head of Trading Standards and Community Safety update the Group in due course subsequent to the new legislation being introduced, and that at that time an action plan would be developed.</p>	RV
<b>51</b>	<b>Update on the PREVENT Strategy</b>	<b>Action</b>
	<p>The Head of Trading Standards and Community Safety gave a verbal update on the Prevent Strategy. There was some uncertainty over who should lead on Governance. The Bromley Children's Safeguarding Team thought that they were leading. The Director of Children's Services expressed the view that it would be appropriate if the Strategic Group led on governance. It was noted that staff training had been rolled out, and that more training would be implanted in January 2016. The training would also be rolled out to contractors. The Child Safeguarding Team had already received training.</p> <p>The Group felt that an action plan was required, and then decisions made as to where to invest resources—the difficulty was that there was no extra money available to implement Prevent strategies. Clarity was required from the Home Office concerning their expectations. At the moment LBB did not have a Prevent Co-ordinator; some of the work concerning Prevent would be implemented next year when staff came back from leave.</p> <p>The Director of Children's Services asked for clarity concerning the implementation of the Prevent strategy in schools, and what the implementation difference would be for Academies and local authority schools. Would the strategy be implemented by Ofsted? It was agreed that clarification would be sought from the LBB Director of Education.</p> <p>The Portfolio Holder asked what would happen when the money allocated for training was used. The Head of Trading Standards and Community Safety responded that a group of people would be trained internally, and that they would pass on the training going forward. It was anticipated that Academies would be responsible for their own training. The Group heard that Oxleas had already rolled out training. The Executive Director for Environment and Community Services informed the Group that a young person in danger of radicalisation had been identified in the Penge area, and was being dealt with through the "Channel Programme".</p>	<p>RV</p> <p>RV</p>

	<b>RESOLVED</b> that the update on the PREVENT strategy be noted, and that clarification be sought from the LBB Director for Education concerning the implementation of the PREVENT strategy in schools.	RV
<b>52</b>	<b>VICTIM SUPPORT UPDATE</b>	<b>Action</b>
	<p>The Victim Support Presentation was given by Joanna Davidson—Senior Service Delivery Manager.</p> <p>Ms Davidson advised the Group of the names locations and locations of the IDVA's (Independent Domestic Violence Advisors) based in Bromley. She informed the Group that a central number was available for IDVA's, and that she would circulate this to Group Members.</p> <p>Victim Support was working in partnership with Safer Neighbourhood Boards, ASB Panels, the Gangs Unit and Community Links. Ms Davidson was newly appointed to Bromley and was in the process of establishing networks. She wanted to set up Victim Impact Training Days, and set up outreach sites that would provide ease of access for victims. She was hoping to establish outreach sites at Bromley Civic Centre, Bromley Library, Bromley Police Station, Bromley Fire Station, Citizen's Advice Bureau and Children's Centres.</p> <p>Susie Clark (LBB Communications Officer) asked if individuals were making contact with VS digitally—the answer was yes, and Victim Support was active on Twitter.</p> <p>The Group were informed that the Service Delivery Manager for Bromley was Kate Frail, who managed 7 caseworkers. The Portfolio Holder encouraged the Group to establish contact with Kate.</p> <p>The Assistant Director of Public Health asked Ms Davidson if she would present to the Child Safeguarding Board, which she agreed to do.</p> <p><b>RESOLVED</b></p> <p><b>(1) that the Victim Support update be noted</b></p> <p><b>(2) that Ms Davidson forward requested contact details to the Strategic Group</b></p> <p><b>(3) that Ms Davidson present in due course to the Child Safeguarding Board</b></p>	<p></p> <p>JD</p> <p>JD</p>
<b>53</b>	<b>PRESENTATION FROM COMMUNITY PAYBACK</b>	<b>Action</b>
	The Community Payback Presentation was given by Mr Matthew Chaplin-- Deputy Operations Manager for Community Payback. Ms	

	<p>Lisa Whitley—Community Payback Manager also attended to help answer any questions that arose from the presentation.</p> <p>“Service Users” are sentenced via the courts to undertake unpaid work. This work is known as Community Payback (CP). CP Teams are targeted on how quickly service users are put to work, and on successful completion of the programme. London Community Payback accounted for 20% of CP in England and Wales.</p> <p>The Group were informed that CP recommenced in LBB around 8 weeks prior to the meeting. The local co-ordinator was Jackie Baxter. CP had just completed a big project in Penge, and had been working on other projects at schools and at a big refurbishment project at Anerley Town Hall. Work had also been undertaken at Christchurch Lunch Club, where service users prepared food and served lunch. In this case they were awarded a Health and Hygiene Certificate.</p> <p>The Group were informed that if they wished to try and secure CP places, they should contact Jackie Baxter. Mr Chaplin was keen to manage expectations, and stated that there was a limit to what CP could deliver; it was also the case that CP required a new infrastructure. Questions were asked concerning the training that service users may receive. The training that may be received by service users would vary depending on what programme they had been allocated to. Training was not always the priority, sometimes it was punitive. It was hoped that Probation Services would allocate offenders to a scheme that provided some element of training if they regarded this as appropriate.</p> <p>Ms Whitley explained that an important aim of CP for young people was to instill basic life skills like getting out of bed, going to work and bringing lunch. It was important to build a sense of purpose. This may seem very basic, but many of these young people had come from fractured homes. It was hoped that CP may be able to develop training programmes later.</p> <p>The Borough Fire Commander was keen to develop training, and felt that Community Links would be a good organisation to link up with to source project work. They may also be able to help further down the line with sourcing paid employment.</p> <p>The Portfolio Holder for Public Protection informed the Group that according to the Terms of Reference for the Safer Neighbourhood Board, the SNB should have a representative from CP on the Board. The Deputy Borough Commander and the Executive Director for Environmental and Community Services were keen to link up with CP. The overlap with youth offending was noted. Mr Chaplin stated that it was difficult to run a specific Youth Offender Project. Interested Heads of Service should make contact with Mr Chaplin.</p>	
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	<b>RESOLVED that the Community Payback update be noted.</b>	
<b>54</b>	<b>REPORTS FROM SUB-GROUPS</b>	<b>Action</b>
	Updates from Sub Groups are noted in the relevant Sub Group sections.	
<b>55</b>	<b>Domestic Abuse Sub Group Update</b>	<b>Action</b>
	There was not much to report as the Domestic Abuse Lead was on maternity leave. There would be a detailed update at the next meeting.	
<b>56</b>	<b>Youth Offending Sub Group Update</b>	<b>Action</b>
	<p>The Youth Offending Sub Group update was provided by the Director of Children's Services. She informed the Group that the Management Board met once a month, as did the Improvement Board. A new manager had been appointed, and a person from the Youth Justice Board had also been drafted in. Discussions were ongoing with the police, including discussions around casework capacity. Caseloads had now been reduced. New Children's Workers had been appointed, but they required training as they had not worked in the Youth Offending Service previously.</p> <p>A recent audit on pre contract work was satisfactory, but an audit on Court and Commissioning was still inadequate. The YOS had been participating in the voluntary "deep dive" audit led by the YJB, but no outcomes were currently available. In year savings were required.</p> <p>The Director concluded by stating that everything was now in place to grow service delivery.</p> <p><b>RESOLVED that the update on the Youth Offending Sub Group be noted.</b></p>	
<b>57</b>	<b>Gangs Sub Group Update</b>	<b>Action</b>
	<p>The Gangs update was given by the Deputy Borough Police Commander.</p> <p>He informed the Group that thirty gang nominals had been identified; six were in custody and twenty four were in the community. The Gangs Sub Group met recently, and were focusing on enforcement. Due to limited resources, the question was posed as to how much time could be reasonably allocated to other priorities such as Prevention and Intervention. The Deputy Borough Commander expressed frustration over difficulties with school engagement, and noted that a scheduled meeting with Harris Academy had recently been cancelled.</p>	

	<p>It was suggested that the Group needed to engage more with schools and that the Group liaise with the Director for Education to promote this. The Group were informed that the Children's Trust had recently held a Gangs' Morning at a church in Penge, and this was well attended. The Group were informed that two gang nominals had been stabbed over the previous weekend, and that on the 26<sup>th</sup> November 2015, around 30 youths had been fighting in Penge. There was a concern that the Gang problem in LBB was growing.</p> <p>The Children's Director stated that what was developing was not just issues related to crime, but also to safeguarding. She felt that more effort should be focused on Prevention to stop situations from developing in the first place. It was also important to look at intervention measures to try and draw young people out. The Group agreed that all relevant measures should be taken to prevent LBB from developing into a gang borough.</p> <p>The Portfolio Holder noted the importance of diversionary activities. The Group were informed that Eamon Brennan had been put in charge of these. The Children's Director expressed the view that as Mr Brennan was currently engaged in multiple projects, he was not best placed to be tasked with mapping diversionary activities across the borough. It was agreed that the Children's Director liaise with Chief Inspector David Tait to discuss this.</p> <p><b>RESOLVED:</b></p> <p><b>(1) that the Gangs Sub Group update be noted</b></p> <p><b>(2) that the Director of Education be contacted to discuss measures to promote intervention projects like GAV in schools</b></p> <p><b>(3) that the Children's Director liaise with Chief Inspector David Tait to discuss who should be tasked with developing diversionary activities</b></p>	
<b>58</b>	<b>Offender Management Sub Group Update</b>	<b>Action</b>
	<p>There was not much to say concerning this apart from the fact that the Group were hoping to get back on track with IOM next month.</p> <p>The Community Safety Manager would pick up co-ordination.</p> <p><b>RESOLVED that the IOM update be noted.</b></p>	RV
<b>59</b>	<b>ASB Sub Group Update</b>	<b>Action</b>
	The ASB Sub Group update was provided by the Bromley Borough Fire Brigade Commander.	

	<p>The Group heard that there had been a meeting of the sub group in October, and that there had been an increase in the number of thefts of motor bikes over the last two months.</p> <p>The problem of fly tipping had not gone away, especially around Star Lane. Some suggestions to deal with this issue were:</p> <ul style="list-style-type: none"> <li>• Width restrictions</li> <li>• Making the road one way</li> <li>• CCTV</li> <li>• Review charges for waste sites</li> </ul> <p>It was suggested that if charges and restrictions concerning waste sites in the area were reviewed and relaxed, then this may lead to less fly tipping.</p> <p>The Borough Fire Commander asked if the Group had the authority to make these decisions. The Group noted that this was serious issue; the local community seemed to know who the offenders were, but were not disclosing. Lisa Whitely suggested that CP could get involved in site clearance project work at Star Lane and that Toby Smith (LBB Street Scene and Greenspace) should make contact with CP to discuss. The Borough Fire Commander stated that a decision was required urgently as roads were being blocked by fly tipping and was hindering the access of the fire service when responding to calls for assistance from the public.</p> <p><b>RESOLVED that action be taken to resolve the problem of fly tipping around Star Lane urgently.</b></p>	
<b>60</b>	<b>COMMUNICATIONS UPDATE</b>	<b>Action</b>
	The Communications Update was provided by Susie Clarke (LBB Communications Officer) who updated the Group on the contents of the latest edition of the Safer Bromley News.	
<b>61</b>	<b>INFORMATION ITEMS</b>	<b>Action</b>
	The Group noted the latest edition of the Borough Police Commander's Newsletter.	
<b>62</b>	<b>ANY OTHER BUSINESS</b>	<b>Action</b>
	<p>It was noted that the Substance Misuse Service had been reprocurd, and that Dr Agnes Marossy (LBB Consultant in Public Health) was leading on this.</p> <p>The Assistant Director for Education and Housing Needs stated that there was much interest currently in the rising number of Eastern European nationals arriving in the area and rough sleeping.</p>	

	<p>Intelligence was always welcome concerning this. This seemed to be an emerging issue. Information on “beds and sheds” would be forwarded to the Fire Service.</p> <p><b>RESOLVED that attention be given to the issue concerning the rising number of Eastern European nationals sleeping rough, and that intelligence on rough sleepers in “beds and sheds” be fed back to the Fire Service.</b></p>	SB
<b>63</b>	<b>DATE AND TIME OF NEXT MEETING</b>	<b>Action</b>
	The next meeting was confirmed as scheduled for 10 <sup>th</sup> March 2016 at 10.00am.	

The Meeting ended at 12.00 pm

Chairman



Report No.  
ES16001

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** PUBLIC PROTECTION & SAFETY PORTFOLIO HOLDER

**FOR PRE-DECISION SCRUTINY BY THE PUBLIC PROTECTION  
AND SAFETY POLICY DEVELOPMENT AND SCRUTINY  
COMMITTEE**

**Date:** Wednesday 20 January 2016

**Decision Type:** Non-Urgent Executive Non-Key

**Title:** STRAY & ABANDONED DOG SERVICE

**Contact Officer:** Jim McGowan, Head of Environmental Protection  
Tel: 020 8313 4651 E-mail: Jim.McGowan@bromley.gov.uk

**Chief Officer:** Nigel Davies, Executive Director of Environment & Community Services

**Ward:** N/a

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1. Reason for report

Further to a recent Audit Report, a number of recommendations were made regarding the Stray & Abandoned Dogs Service. This report summarises two of these relating to the kennelling and re-homing arrangements and the management action being taken. It also makes recommendations to members regarding policies for dealing with dogs who are confirmed as being a 'banned breed' or deemed unsuitable for re-homing and those that are fit for re-homing but have exceeded the statutory timescale for Local Authority care.

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2. **RECOMMENDATION(S)**

The Portfolio Holder is recommended to:

- 2.1 Confirm the existing practice and formally adopt a policy of euthanasia for dogs that are either a specified banned breed or are unsuitable for re-homing due to their temperament;
- 2.2 Confirm the existing practice and formally adopt a policy of kennelling dogs deemed fit to re-home that have not been claimed after the statutory period.

The PDS Committee is asked to

- 2.3 Note the recommendations of the audit report and the management action being taken to address these.

### Corporate Policy

1. Policy Status: A new Policy is needed to define the actions to be taken by Council officers when dogs are not claimed after the statutory period
  2. BBB Priority: Excellent Council Safer Bromley:
- 

### Financial

1. Cost of proposal: £8,400
  2. Ongoing costs: £8,400 plus potential savings from changes to contracts
  3. Budget head/performance centre: Environmental Protection
  4. Total current budget for this head: £169,140
  5. Source of funding: Existing revenue budget 2015/16
- 

### Staff

1. Number of staff (current and additional): No current staff, as the service contracted out.
  2. If from existing staff resources, number of staff hours: n/a
- 

### Legal

1. Legal Requirement  
Under the Environmental Protection Act 1990, sections 149 – 150 and the Clean Neighbourhoods & Environment Act 2005, the Local Authority has a Statutory duty to provide a 24/7, 365 days per year collection service and kennelling service for stray and abandoned dogs.
  2. Call-in: Applicable
- 

### Customer Impact

1. Estimated potential users/beneficiaries (current and projected): 310,000 residents of the borough
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: n/a

### 3. COMMENTARY

- 3.1 The Council has a statutory requirement to provide a service in relation to stray or abandoned dogs and this is currently provided for in the following way:

#### **The seizure or collection, holding and transportation of stray and abandoned dogs, found within the London Borough Bromley**

SDK Environmental Ltd.

- 3.2 The service includes compliance with all of the administration to comply with the Council's statutory duties under the Environmental Protection Act 1990, sec 149 & 150 and the Clean Neighbourhoods & Environment Act Section 68.

#### **Kennelling of stray or abandoned dogs**

Lodge Kennels

- 3.3 The Lodge kennels receive stray dogs collected by SDK and undertake to maintain the safe custody, feeding and necessary care of said animals until release is authorised by the Council or its agent.

#### **Summary of the Audit Report recommendations relating to the delivery of the contracts**

- 3.4 A recent audit report made a number of recommendations. Management have already implemented a number of changes and are currently reviewing others with a view to implement further changes.

The key audit recommendations regarding operation of the contract are summarised below:

#### **Review the contract arrangement of block booking kennels**

- 3.5 Under the Environmental Protection Act 1990, the Council has a statutory obligation to seize, maintain and feed stray and abandoned dogs. In the past, Bromley has secured this service by pre booking kennels and pre paying for those kennels to be provided for the exclusive use of Bromley Council, thereby ensuring that a vacant kennel is always available.
- 3.6 Further to a review of the current numbers of dogs being picked up and requiring kennelling, kennels will no longer be pre booked and reserved; the contract is to be based on a pay as you go service.
- 3.7 Following a recent procurement exercise a new contract has now been let with Lodge Kennel based on a price per day per kennel of £10 with no pre booking of any spaces.
- 3.8 Lodge kennel has indicated that they are unlikely to have more than six kennels available for local authority use at any one time and statistical analysis of the usage indicates that the Council could need in excess of six kennels for at least 10% of the year, so a contingency is needed to cover this. The current dog warden contractor SDK, has agreed to provide this cover through their company and a third party kennel in Buckinghamshire and Bromley will pay for this on a pay as you go basis.

**Review the current arrangements for a re-homing service and formalise the Authority's policy and procedures for managing stray dogs, whether they are:**

- a. A banned breed or unsuitable for re-homing; or**
- b. A healthy dog that has exceeded the statutory timescale for Local Authority care.**

- 3.9 The Council is in negotiations with Battersea Dogs & Cats Home (BDCH) to re-home all future stray and abandoned dogs that are assessed to be fit to re-home at the end of the statutory period of confinement.
- 3.10 To finalise negotiations officers need to consider the council's formal policy with regard to how dogs are dealt with under the two circumstances outlined above.

**A banned breed or unsuitable for re-homing:**

- 3.11 Under the above mentioned legislation, banned breeds and dogs that are assessed to be unfit for re-homing purposes are required to be detained, fed and maintained by the Council for a minimum of seven days, after which they become the legal property of the Council. In order to comply with legislation, the Council is not legally allowed to pass on specified banned breeds to a third party and they are therefore currently destroyed. Where a stray or abandoned dog is assessed and deemed to be violent and uncontrollable, then the Council cannot pass such dogs on for re-homing and they are therefore destroyed.
- 3.12 Current practice is for these dogs to be humanely destroyed. The fee for destruction, transportation and disposal of the carcass is currently £100 per dog.
- 3.13 Based on previous year's figures it is estimated that in the next 15 months (until the end of the current contract arrangements) that 32 dogs will require euthanasia and disposal at a cost of £3,200. This cost will continue to be provided for within the Stray and Abandoned Dog budget.
- 3.14 It is therefore recommended that the council continues with this practice and formally adopts this as policy.

**A healthy dog that has exceeded the statutory timescale for Local Authority care**

- 3.15 Under the current legislation, dogs which have been detained, fed and maintained by the Council for a minimum of seven days, then become the legal property of the council.
- 3.16 At this point the council has no statutory obligation to continue both to maintain and feed the dogs or to re-home them.
- 3.17 The current practice is to continue to kennel and re-home these dogs, however there is another option available, which is to destroy all such dogs, irrespective of breed or temperament at this point, at a cost of £100 per dog
- 3.18 Officers have been in contact with Battersea Dogs & Cats home and are considering an arrangement with them whereby they will take our stray and abandoned dogs and will re-home them at no additional cost. They do require £40 to cover vaccinations and transfer of ownership legalities and paperwork.
- 3.19 However, they do periodically close the dogs home and refuse to allow Local Authority dogs into the kennel (e.g. parvo virus outbreak or kennel cough) and the Council will need a contingency plan to cover such circumstance. The proposal is that the dogs will remain in the Bromley

appointed kennel and that the Council will pay kennelling on a daily basis until such time as a place becomes available at BDCH, at an estimated cost of £15 per day per dog

- 3.20 Therefore, whilst it may be more cost effective to re-home the dog on day 8, at a cost of £40 rather than destroy it, the risk is that Battersea Dogs Home may have no vacant kennel for the dog, which could involve payment for further kennelling and exceed the £100 payment for euthanasia.
- 3.21 However, based on previous year's figures 20 dogs required additional kennelling beyond the statutory period for an average of 24 days costing £7,200. Members should note that numbers of dogs and length of stay in kennels can vary each year and therefore costs could be higher or lower than this estimate.
- 3.22 The cost of destroying these dogs on day 8 would have been £100 per dog. Therefore the additional cost to the Council of kennelling is estimated to be £5,200. This is contained within the existing budget.
- 3.23 Members should also be aware that, there may be adverse publicity associated with a Council who has a policy for destruction of healthy dogs and this could affect the Council's reputation and could also mean that many kennels and Dog Warden Services would refuse to work with Bromley. It has been inferred that our current Dog Warden contractor, SDK and Battersea Dogs Home would not work with Bromley under these circumstances. It is common policy amongst other Councils to re-home dogs rather than destroy.
- 3.24 The Portfolio Holder is therefore recommended given the low marginal cost of re-homing dogs and the potential negative impact on relation with contractors, to continue with the current arrangement of kennelling and re-homing healthy dogs at the end of the statutory seven day period and to adopt this as Council policy. Management will ensure a contingency budget is identified to cover for any dogs that require additional kennelling after the 7 days.
- 3.25 If the recommendations in this report are agreed then Officers will finalise negotiations with contractors and implement the new arrangements. At this stage it is unclear what the full year effect of the change from block booking to pay as you go will be, but officers are confident that given the number of dogs collected appears to be falling then expenditure will reduce. Management will consider any projected savings within the context of cost pressures elsewhere in the PPS Portfolio and then for future savings.

#### **4. POLICY IMPLICATIONS**

- 4.1 The Report is in line with the current Portfolio Plan for Public Protection and the Council's Building a Better Bromley Policy. However, a formal policy decision is required as to the future of stray and abandoned dogs at the end of the statutory period of confinement.

#### **5. FINANCIAL IMPLICATIONS**

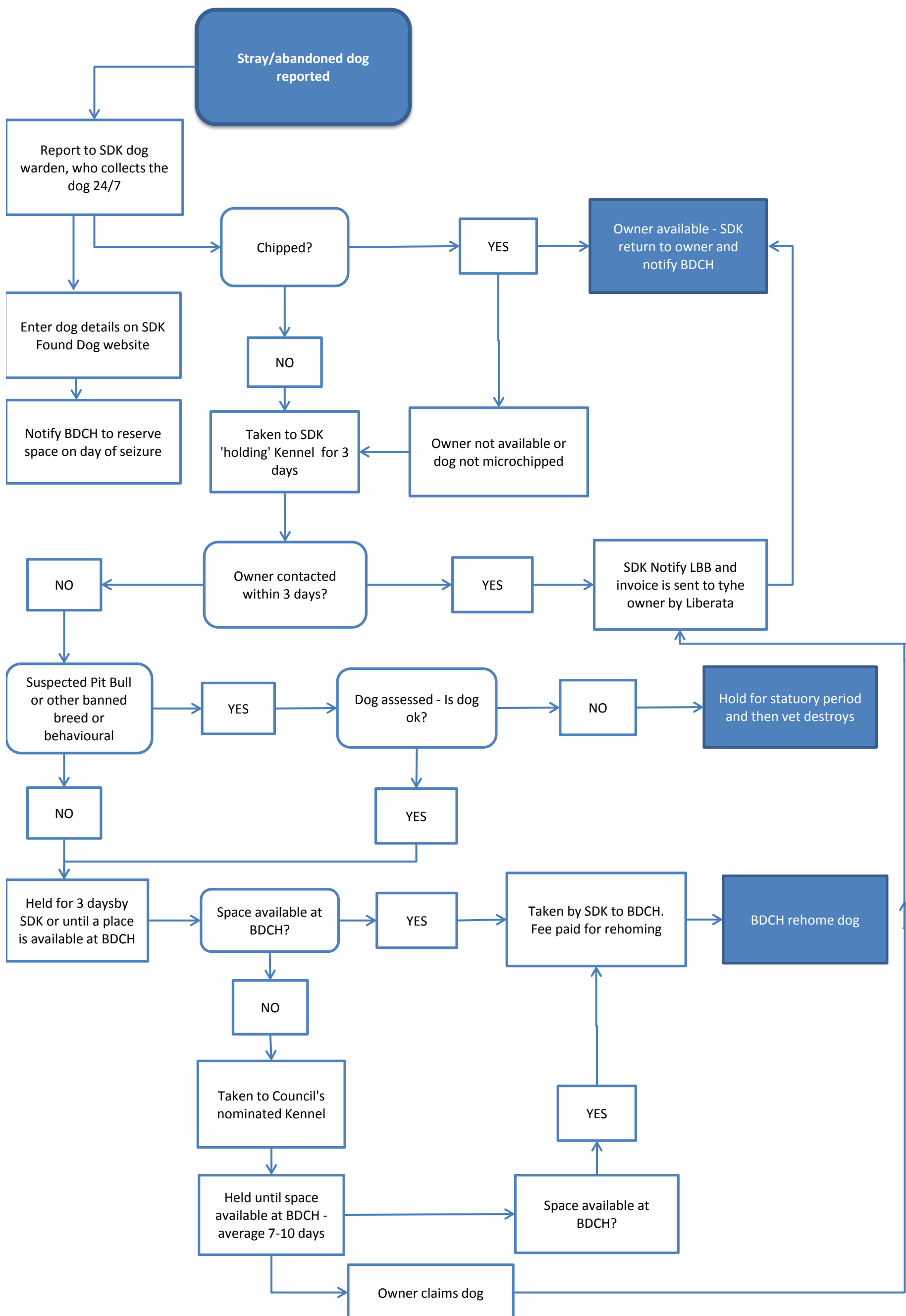
- 5.1. The overall budget for the contracts providing the dog service is £169,140.
- 5.2 At this stage of the negotiations it is not possible to quantify the level of savings that will result from the changes in kennelling arrangements and confirmation of the re-homing policy. When Officers have finalised all of the new contractual arrangements, Members will be informed of the potential savings, after taking account of any service cost pressures within the Portfolio.
- 5.3 The Portfolio Holder is asked to formally adopt the existing euthanasia or re-homing practices at an estimated cost of £8,400, based on previous year's figures. These costs are contained within the £169,140 budget.

## 6. LEGAL IMPLICATIONS

- 6.1 Under the Environmental Protection Act 1990, sections 149 – 150 and the Clean Neighbourhoods & Environment Act 2005, the Local Authority has a statutory duty to provide a 24/7, 365 days per year collection service and kennelling service for stray and abandoned dogs.

<b>Non-Applicable Sections:</b>	Personnel
Background Documents: (Access via Contact Officer)	Street Environment Contract 2012-17/19; Street Cleaning; Graffiti Removal; Public Conveniences & Highway Drainage Cleansing ES11123/RES11150 (14/12/11)

## Process Chart







Report No.  
FSD16008

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** PUBLIC PROTECTION & SAFETY PORTFOLIO HOLDER

**Date:** For pre-decision scrutiny by the Public Protection & Safety PDS Committee on 20th January 2016

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** CAPITAL PROGRAMME MONITORING - 2<sup>ND</sup> QUARTER 2015/16

**Contact Officer:** Martin Reeves, Principal Accountant  
Tel: 020 8313 4291    E-mail: martin.reeves@bromley.gov.uk

**Chief Officer:** Director of Finance

**Ward:** (All Wards);

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1. Reason for report

On 2nd December 2015, the Executive received the 2nd quarterly capital monitoring report for 2015/16. No changes have been made to the Capital Programme for the four year period 2015/16 to 2018/19 as highlighted in paragraph 3.1. The programme for this portfolio is set out in Appendix A, and detailed comments on scheme progress as at the end of the first half of 2015/16 are shown in Appendix B.

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2. **RECOMMENDATION(S)**

The Portfolio Holder is asked to note the Capital Programme agreed by the Executive in December.

## Corporate Policy

1. Policy Status: Existing Policy: Capital Programme monitoring is part of the planning and review process for all services. Capital schemes help to maintain and improve the quality of life in the borough. Effective asset management planning (AMP) is a crucial corporate activity if a local authority is to achieve its corporate and service aims and objectives and deliver its services. The Council continuously reviews its property assets and service users are regularly asked to justify their continued use of the property. For each of our portfolios and service priorities, we review our main aims and outcomes through the AMP process and identify those that require the use of capital assets. Our primary concern is to ensure that capital investment provides value for money and matches the Council's overall priorities as set out in the Community Plan and in "Building a Better Bromley". The capital review process requires Council Directors to ensure that bids for capital investment provide value for money and match Council plans and priorities.
  2. BBB Priority: Excellent Council; Safer Bromley
- 

## Financial

1. Cost of proposal: No overall change over the 4 years 2015/16 to 2018/19
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: Capital Programme
  4. Total current budget for this head: £340k for the PP&S Portfolio over four years 2015/16 to 2018/19
  5. Source of funding: Capital grants, capital receipts and earmarked revenue contributions
- 

## Staff

1. Number of staff (current and additional): 1 fte
  2. If from existing staff resources, number of staff hours: 36 hours per week
- 

## Legal

1. Legal Requirement: Non-Statutory - Government Guidance
  2. Call-in: Not Applicable
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

#### Capital Monitoring – variations agreed by the Executive on 2nd December 2015

- 3.1 A revised Capital Programme was approved by the Executive in December, following a detailed monitoring exercise carried out after the 2nd quarter of 2015/16. The base position was the revised programme approved by the Executive on 15th July 2015. There are no changes on schemes in the PP&S Programme. The Programme for the PP&S Portfolio is attached as Appendix A. Appendix B shows actual spend against budget at the end of the first half of 2015/16, together with detailed comment.

	2015/16	2016/17	2017/18	2018/19	TOTAL 2015/16 to 2018/19
	£000	£000	£000	£000	£000
Programme approved by Executive 15/07/15	340	0	0	0	340
<b>Total PP&amp;S Programme approved by Executive 02/12/15</b>	<b>340</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>340</b>

#### Post-Completion Reports

- 3.2 Under approved Capital Programme procedures, capital schemes should be subject to a post-completion review within one year of completion. After major slippage of expenditure in recent years, Members confirmed the importance of these as part of the overall capital monitoring framework. These reviews should compare actual expenditure against budget and evaluate the achievement of the scheme's non-financial objectives. A post-completion report on the CCTV control room scheme will be reported to this PDS Committee within a year of completion.

### 4. POLICY IMPLICATIONS

- 4.1 Capital Programme monitoring and review is part of the planning and review process for all services. The capital review process requires Chief Officers to ensure that bids for capital investment provide value for money and match Council plans and priorities.

### 5. FINANCIAL IMPLICATIONS

- 5.1 These were reported in full to the Executive on 2nd December 2015. No changes to the PP&S Portfolio Capital Programme were agreed by the Executive as set out in paragraph 3.1.

<b>Non-Applicable Sections:</b>	Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	Approved Capital Programme (Executive 15/07/15). Capital Q2 monitoring report (Executive 02/12/15).

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## Appendix A

PUBLIC PROTECTION & SAFETY PORTFOLIO - APPROVED CAPITAL PROGRAMME 2nd DECEMBER 2015								
Code	Capital Scheme/Project	Total Approved Estimate	Actual to 31.03.15	Estimate 2015/16	Estimate 2016/17	Estimate 2017/18	Estimate 2018/19	Responsible Officer
939446	CCTV Control room - refurbishment	£'000's 340	£'000's 0	£'000's 340	£'000's 0	£'000's 0	£'000's 0	Jim McGowan
	<b>TOTAL PUBLIC PROTECTION &amp; SAFETY PORTFOLIO</b>	<b>340</b>	<b>0</b>	<b>340</b>	<b>0</b>	<b>0</b>	<b>0</b>	

## Appendix B

PUBLIC PROTECTION & SAFETY PORTFOLIO - QUARTER 2 2015/16					
Code	Capital Scheme/Project	Approved Estimate Jul 2015	Revised Estimate Dec 2015	Actual to 23.11.15	Responsible Officer Comments
939446	CCTV Control room - refurbishment	£'000's 340	£'000's 340	£'000's 0	Tender process delayed due to formal appeal. Project anticipated completion date Qtr 4 2015/16. Contractor in the process of design and build; equipment ordered; completion expected in March 2016.
	<b>TOTAL PUBLIC PROTECTION &amp; SAFETY PORTFOLIO</b>	<b>340</b>	<b>340</b>	<b>0</b>	

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Report No.  
FSD16009

## London Borough of Bromley

### PART 1 - PUBLIC

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**Decision Maker:** PUBLIC PROTECTION AND SAFETY POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** 20<sup>th</sup> January 2016

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** DRAFT 2016/17 BUDGET

**Contact Officer:** Claire Martin, Head of Finance  
Tel: 020 8313-4286 E-mail: [claire.martin@bromley.gov.uk](mailto:claire.martin@bromley.gov.uk)

**Chief Officer:** Nigel Davies, Executive Director of Environment and Community Services

**Ward:** Boroughwide

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1. Reason for report

- 1.1 The prime purpose of this report is to consider the Portfolio Holder's Draft 2016/17 Budget which incorporates future cost pressures and initial draft budget saving options which were reported to Executive on 13 January 2016. Members are requested to consider the initial draft budget savings proposed and also identify any further action that might be taken to reduce cost pressures facing the Council over the next four years.
- 1.2 Executive are requesting that each PDS Committee consider the proposed initial draft budget savings and cost pressures for their Portfolio and the views of each PDS Committee be reported back to the next meeting of the Executive, prior to the Executive making recommendations to Council on 2016/17 Council Tax levels.
- 1.3 There are still outstanding issues and areas of uncertainty remaining. Any further updates will be included in the 2016/17 Council Tax report to the next meeting of the Executive.

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2. **RECOMMENDATION(S)**

The PDS Committee are requested to:

- (a) Consider the update on the financial forecast for 2017/18 to 2019/20;
- (b) Consider the initial draft saving options proposed by the Executive for 2016/17.
- (c) Consider the initial draft 2016/17 Budget as a basis for setting the 2016/17 Budget;
- (d) Provide comments on the initial draft 2016/17 Budget for the February meeting of the Executive.

### Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Excellent Council. Quality Environment
- 

### Financial

1. Cost of proposal: N/A
  2. Ongoing costs: Recurring cost.
  3. Budget head/performance centre: Public Protection and Safety Portfolio Budgets
  4. Total current budget for this head: £2.016m
  5. Source of funding: Draft revenue budget for 2016/17
- 

### Staff

1. Number of staff (current and additional): full details will be available with the Council's 2016/17 Financial Control Budget published in March 2016
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory requirement.

The statutory duties relating to financial reporting are covered within the Local Government Act 1972; the Local Government Finance Act 1998; the Accounts and Audit Regulations 1996; the Local Government Act 2000; and the Local Government Act 2002.

2. Call-in: Call-in is applicable
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The 2016/17 budget reflects the financial impact of the Council's strategies, service plans etc which impact on all of the Council's customers (including council tax payers) and users of the services.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: Council wide



### 3. COMMENTARY

#### **Approach to Budgeting, Financial Context and Economic Situation which can impact on public finances**

- 3.1 Forward financial planning and financial management is a key strength at Bromley and this has been recognised previously by our external auditors. This report continues to forecast the financial prospects for the next 4 years and includes the Government's provisional four year funding allocations. At the time of writing this report, further details on funding is awaited and it is important to note that some caution is required in considering any projections for 2017/18 to 2019/20.
- 3.2 The overall national debt stands at £1.6 trillion. The 2015 Spending Review and Autumn Statement identified that public sector net borrowing is expected to be £73.5bn this year which is planned to move to a surplus of £10.1bn from 2019/20. There remains positive news on the economy and since 2010, no G7 economy has growth faster than Britain. However, the fiscal squeeze will continue and with ongoing protection of health, overseas aid, education and recently police and other security services, the disproportionate cuts in direct funding to local government will continue over the four year spending review period. The most significant issue that will impact on local government funding from central government are the plans relating to DCLG Resource Departmental Expenditure Limits (RDEL). The reductions compared with the previous year are -16.5% in 2016/17, -22.9% in 2017/18, -17.6% in 2018/19, -11.5% in 2019/20. This results in a real reduction including the impact of inflation of 56%. Further details are provided in Appendix 1. This translates to a reduction in the Council's Settlement Funding Assessment of 48.5% by 2019/20 compared with the England average of 31.8%. In real terms the reduction equates to 52.2%.
- 3.3 Although there are significant funding cuts facing local government, the Chancellor repeated the aims of devolution, as part of the 2015 Spending Review and Autumn Statement, which includes transforming 'local government, enabling it to be self-sufficient by the end of Parliament'. The Government views the new flexibilities such as the future growth forecasts from business rates, to be fully devolved to local government by 2019/20, scope to raise a 2% rise in council tax (adult social care precept) and the ongoing ability to increase council tax as methods which can significantly mitigate against the impact of grant reductions.
- 3.4 The Budget Strategy has to be set within the context of a reducing resource base, with Government funding reductions continuing until 2020 – the on-going need to reduce the size and shape of the organisation to secure priority outcomes within the resources available. There is also a need to build in flexibility in identifying options to bridge the budget gap as the gap could increase further. The overall updated strategy has to be set in the context of the national state of public finances, with austerity continuing given the level of public sector debt, and the high expectation from Government that services should be reformed and redesigned with devolution contributing to the transformation of local government. There is also an on-going need to consider "front loading" savings to ensure difficult decisions are taken early in the budgetary cycle, to provide some investment in specific priorities, to fund transformation and to support invest to save opportunities which provide a more sustainable financial position in the longer term. Any decisions will need to consider the finalisation of the 2016/17 Budget as well as the longer time frame where it is now clear that the continuation of the period of austerity up to 2020 remains.
- 3.5 Bromley has the lowest settlement funding per head of population in the whole of London. Despite this, Bromley has retained the lowest council tax in outer London (other low grant funded authorities tend to have higher council tax levels). This has been achieved by having the lowest cost per head of population in outer London. Despite being a low cost authority, Bromley has achieved general savings of over £60m since 2011/12 but it becomes more

challenging to achieve further savings with a low cost base.

- 3.6 One of the key issues in future year budgets will be the balance between spending, Council Tax levels, charges and service reductions in an organisation starting from a low spending base. It is important to recognise that a lower cost base reduces the scope to identify efficiency savings compared with a higher cost organisation. Any decisions will need to take into account the longer term impact on the Council's financial position – financial sustainability will be key in order to protect key services to Bromley residents.

### **Changes that could impact on longer term financial projections**

- 3.7 The 2015/16 Council Tax report reported to Executive in February 2015 identified a significant “budget gap” over the four year financial planning period. The forecast was updated to inform the public meetings held in November/December 2015. Some key changes are summarised below:
- (a) Following a newly elected national government, the Chancellor's Summer Budget 2015 introduced a new national Living Wage with significant cost implications to the Council over the next few years;
  - (b) A significant service pressure area impacting from 2015/16 relates to welfare reform and homelessness. The Council's Central Contingency Sum has been reviewed to reflect the escalating cost pressures arising from the welfare reform changes announced in the Chancellor's Summer Budget and in the Spending Review and Autumn Statement 2015;
  - (c) The Government announced in-year funding reductions (2015/16) for Public Health services and Adult Education equating to £919k and £30k respectively. The Draft 2016/17 Budget assumes the full year impact of the transfer of 0-5 year old services (health visitors etc.) from NHS England (a sum of £1.9m was assumed for 2015/16 with full year costs of £3.8m per annum). Ongoing annual funding reductions in Public Health were announced in the Spending Review and Autumn Statement 2015 with estimated total funding reductions of £2.461m per annum by 2019/20. The final grant details are awaited including the outcome of a review of the grant formula for Public Health. A verbal update will be provided at the meeting;
  - (d) The Government transferred funding for the Independent Living Fund, which contributes towards 42 clients totalling £526k in 2015/16 (July 2015) increasing to £701k in 2016/17 (full year). The fund was managed by the Department of Work and Pensions but on 30th June, the fund was closed and the responsibility devolved to local government. Following the transfer of funding, future allocations to support clients will be given on a case by case basis and the draft 2016/17 Budget assumes that the impact will be cost neutral. The grant funding for 2016/17 is still awaited;
  - (e) The most recent financial monitoring position was reported to Executive on 2nd December 2015. The full year impact of savings in social care, changes in grant funding for Adult Education and the impact of in-year Public Health funding reductions, and other variations, including, for example, the future containment of costs within Portfolio Budgets have been reflected in the draft 2016/17 Budget. Directors continue to identify options to manage these other cost pressures;
  - (f) The Care Act received royal assent in May 2014. Its provisions commence on the 1st April 2015 and the capping of care costs was due to be implemented from 1st April 2016. A report to the Executive in November 2013 titled “Adult Social Care – Impact of the Care Bill and Future NHS Funding” and a further report to Care Services PDS in October 2014 titled

“Care Act 2014 Impact” provided details of the potential changes to adult social care proposed in the Care Act. The Government announced, as part of the Spending Review and Autumn Statement 2015, that the “capping of care costs” due to be implemented in 2016/17 will now be delayed until 2020/21;

- (g) Executive approved the acquisition of residential properties to provide accommodation for homeless families as well as the long term “gifting” to the pension fund of the significant assets, subject to robust legal safeguards being in place. Details were reported to the meeting on 2nd December 2015 and the savings have been reflected in the Draft 2016/17 Budget and the future years financial forecast;
- (h) The Council’s four year funding settlement, based on information to date, will result in a net loss of grant funding, including Public Health funding, of £14.6m per annum in 2016/17 rising to £32.4m per annum by 2019/20. This includes an estimated loss of funding of £0.5m per annum for various grant allocations not yet announced and an estimate of the impact of Public Health funding reductions. The latest position will be reported at the meeting;
- (i) The Government has announced additional funding for the Better Care Fund (currently combined funding with Bromley CCG of £20.8m) and the financial forecast assumes that these monies may be required to meet future new burdens on social care at this stage. The additional funding which is back-loaded with lower funding available from 2017/18 increasing to an estimated £4.5m per annum by 2019/20. This position will be reviewed prior to finalising the 2017/18 Budget;
- (j) The Spending Review and Autumn Statement 2015 included reference to Councils being allowed to have a council tax precept of up to 2% per annum to specifically fund adult social care (a 2% increase in council tax equates to £2.6m additional income per annum). Councils are able to levy the precept on top of the existing freedom to raise council tax by up to 2% without holding a referendum. Therefore Council could potentially have a council tax increase of just below 4% without the need for a council tax referendum. The Government introduced this change in recognition of the cost pressures facing social care authorities. The Government recognise that the precept can also include, for example, the additional cost of the new Living Wage. A number of Councils have already indicated that they intend to increase their council tax bills by 3.99% in 2016/17 and future years to reflect this change. Members will be requested to consider applying the precept as part of the 2016/17 Council Tax report;
- (k) The additional funding for the Better Care Fund and the higher proportion of funding cuts in core grant to the Council now take into account the amount that can be raised locally through council tax. Therefore, there is an inherent assumption that local authorities will be increasing council tax to mitigate against the loss of grant funding and towards the cost of social care. For Bromley, this change does not take into account any need to address low funding levels for the Council raised previously with the Government. Therefore the starting point relating to funding levels remains unchanged, despite the Council’s concerns. Councils can still choose locally the level of council tax increase required, subject to referendum options. There is no council tax freeze grant available in 2016/17. In calculating the Council’s spending power the Government has assumed the social care authorities will have an average council tax increase applying both the social care precept and general council tax increases every year. For financial planning purposes, the financial forecast assumes a council tax increase of 3.99% per annum over the next four years to compensate for the higher proportion of funding reductions, to reduce the level of social care savings and provide funding to meet social care costs, demographic cost pressures and to meet the ongoing “budget gap”;

- (l) Details of various grant allocations for 2016/17 are still awaited at the time of writing this report. These include for example, Better Care Fund, Independent Living Fund, whether any top-slicing to the GLA of new homes bonus is still required (although unlikely) and various other grants;
- (m) Given the scale of savings identified and any inherent risks, the need for longer term financial planning, the significant changes that may follow with a new Government relating to new burdens (there were many changes introduced by the previous coalition Government that resulted in net additional costs for the Council), effect of ongoing population increases and the potential impact of other public agencies identifying savings which impact on the Council's costs, a prudent approach has been adopted in considering the Central Contingency Sum required to mitigate against these risks. If the monies are not required during the year the policy of using these resources, in general, for investment to generate income/savings and provide a more sustainable financial position should continue. To illustrate the benefit of the investment approach the Council has budgeted income totalling £12.9m from a combination of treasury management income and rents from investment properties. Without this income, equivalent service reductions may be required. Investment in economic growth (Growth Fund) will also be key to generate additional business rate income;
- (n) After allowing for the saving proposals in this report, there remains a significant budget gap in future years that will need to be addressed;

### **Latest Financial Forecast**

- 3.8 The report to Executive in January 2016 identified a budget gap rising to over £26m per annum by 2019/20 which is broken down in the table below. The budget gap from 2017/18 rises steeply as the expected loss in Government funding is expected to increase sharply during that period.

## Variations Compared with 2015/16 Budget

	2016/17 £m	2017/18 £m	2018/19 £m	2019/20 £m
Cost Pressures				
Inflation	2.6	7.3	11.9	16.6
Grant Loss	14.6	24.7	30.6	36.4
Impact of Chancellors Summer Budget on future costs e.g. further changes on welfare reform, new Living Wage etc.	4.3	8.0	10.8	13.5
Real Changes (see Appendix 5 of Executive report)	0.9	2.6	5.0	6.2
Total Additional Costs	22.4	42.6	58.3	72.7
Income/ savings				
Saving proposals detailed in Appendix 6 of the Executive report	-15.1	-18.2	-19.1	-19.2
Full year effect of savings agreed as part of 2015/16 Budget	-2.9	-2.9	-2.9	-2.9
Acquisition of residential properties to accommodate homeless families and "gifting" of scheme to pension fund	-0.5	-3.2	-4.1	-4.6
Reduction in Council's Central Contingency Sum	-1.8	-1.8	-1.8	-1.8
Impact of revised Treasury Management Strategy	-0.6	-0.6	-0.6	-0.6
Addt. Income from Business Rate Share	-0.2	-0.2	-0.2	-0.2
Increase in property numbers (council tax base)	-0.7	-0.7	-0.7	-0.7
Total income/ savings	-21.8	-27.6	-29.4	-30.0
Other Proposed Changes				
New Homes Bonus	-7.3	-7.3	-3.3	-2.5
New Homes Bonus – contribution to Investment Fund	7.3	7.3	3.3	2.5
Collection Fund Surplus (2014/15)	-4.9	0.0	0.0	0.0
Collection fund surplus set aside as one off support towards meeting funding shortfall in 2018/19	4.9	0.0	-4.9	0.0
Fall out of 2013/14 collection fund surplus to support 2015/16 Budget	5.3	5.3	5.3	5.3
	5.3	5.3	0.4	5.3
Impact of 3.99% increase in Council tax (Including adult social care precept)	-5.2	-10.5	-15.9	-21.3
Remaining "Budget Gap"	0.7	9.8	13.4	26.7

The table above shows, for illustrative purposes the impact of a council tax increase of 3.99% in 2016/17 (including adult social care precept). Each 1% council tax increase generates on-going annual income of £1.3m.

- 3.9 The Council has to continue to plan for a very different future, i.e. several years of strong financial restraint. It is important to recognise that, given the current ongoing period of austerity, the downside risks remain significant and that the budget gap in future years could widen substantially

### Growth Pressures & Real Changes

- 3.10 There are no growth pressures included in the four year forecast for the Public Protection and Safety Portfolio.

## **Saving Options**

- 3.11 There are no new savings options relating to the Public Protection and Safety Portfolio. Appendix 1 includes the draft estimate summary sheet, budget variations (including the full year effect of saving options agreed for 2015/16), notes on the budget variations and the subjective analysis.

## **4. POLICY IMPLICATIONS**

- 4.1 The Council's key priorities are included within the Council's "Building a Better Bromley" statement and include:
- Safer Communities
  - A quality environment
  - Vibrant, thriving town centres
  - Supporting independence, especially of older people
  - Ensuring all children and young people have opportunities to achieve their potential
  - An Excellent Council
- 4.2 The "Building a Better Bromley" objective of being an Excellent Council refers to the Council's intention to provide efficient services and to have a financial strategy that focuses on stewardship and sustainability. Delivering Value for Money is one of the Corporate Operating Principles supporting Building a Better Bromley.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The financial implications are contained within the overall report.

## **6. LEGAL IMPLICATIONS**

- 6.1 The Local Authorities (Standing Orders) (England) Regulations 2001 deal, amongst other things, with the process of approving the budget. Under these provisions and the constitution, the adoption of the budget and the setting of the council tax are matters reserved for the Council upon recommendation from the Executive. Sections 73-79 of the Localism Act 2011 has amended the calculations billing and precepting authorities need to make in determining the basic amount of Council tax. The changes include new sections 31 A and 31 B to the Local Government Finance Act 1992 which has modified the way in which a billing authority calculates its budget requirement and basic amount of Council Tax.

## **7. PERSONNEL IMPLICATIONS**

- 7.1 Staff, departmental and trade union representatives will be consulted individually and collectively on any adverse staffing implications arising from the budget options. Managers have also been asked to encourage and facilitate staff involvement in budget and service planning.

<b>Non-Applicable Sections:</b>	
Background Documents: (Access via Contact Officer)	Finance Monitoring, Estimate Documents etc all held in Finance Section

**PUBLIC PROTECTION & SAFETY PORTFOLIO****DRAFT REVENUE BUDGET 2016/17 - SUMMARY**

2014/15 Actual	Service Area	2015/16 Budget	Increased costs	Other Changes	2016/17 Draft Budget
£		£	£	£	£
	<b>Public Protection</b>				
310,605	Community Safety	255,860	80	Cr 78,560	177,380
340,807	Mortuary & Coroners Service	353,320	1,760	0	355,080
1,607,095	Public Protection	1,511,240	2,510	Cr 97,840	1,415,910
2,258,507		2,120,420	4,350	Cr 176,400	1,948,370
2,258,507		2,120,420	4,350	Cr 176,400	1,948,370
92,286	TOTAL NON CONTROLLABLE	6,230	30	Cr 30	6,230
9,004	TOTAL EXCLUDED RECHARGES	150,550	0	Cr 88,730	61,820
2,359,797	PORTFOLIO TOTAL	2,277,200	4,380	Cr 265,160	2,016,420

**PUBLIC PROTECTION & SAFETY PORTFOLIO****SUMMARY OF BUDGET VARIATIONS 2016/17**

Ref			<b>VARIATION IN 2016/17 £'000</b>	<b>ORIGINAL BUDGET £'000</b>
<b>1</b>	<b>2015/16 BUDGET</b>		2,277	
<b>2</b>	<b>Increased Costs</b>		4	
	<b>Real Changes</b>			
	<i>Savings identified for 2016/17 as part of the 2015/16 Budget process</i>			
<b>3</b>	Review of staffing and associated budgets	Cr 170		2,272
<b>4</b>	Deletion of Portfolio Holder grants	<u>Cr 50</u> Cr 220		50
	<i>Other Real Changes:</i>			
<b>5</b>	Impact of removal of contracted out National Insurance		44	2,272
<b>6</b>	Variations in Recharges	Cr 89		151
<b>7</b>	<b>2016/17 DRAFT BUDGET</b>		<u><b>2,016</b></u>	



**PUBLIC PROTECTION & SAFETY PORFOLIO****Notes on Budget Variations in 2016/17****Ref    Comments****Real Changes**

- 3    Review of staffing and associated budgets across Public Protection and Community Safety (Cr £170k).  
The full year effect of the staffing review undertaken in 2015/16.
- 4    Deletion of Portfolio Holder grants (Cr £50k)  
Deletion of the remaining balance of the Portfolio Holder grants budget.
- 5    Impact of removal of contracted out NI (Dr £44k)  
With effect from 6th April 2016, contracted out rates for Defined Benefit pension schemes have been abolished. The cost of this for the Public Protection and Safety Portfolio is £44k.
- 6    Variations in Recharges (Cr £89k)  
Variations in cross-departmental recharges are offset by corresponding variations elsewhere and therefore have no impact on the overall position.



**PUBLIC PROTECTION & SAFETY PORTFOLIO**  
**DRAFT REVENUE BUDGET 2016/17 - SUBJECTIVE SUMMARY**

Service area	Employees	Premises	Transport	Supplies and Services	Third Party Payments	Income	Controllable Recharges	Total Controllable	Repairs, Maintenance & Insurance	Not Directly Controllable	Recharges In	Total Cost of Service	Recharges Out	Total Net Budget
	£	£	£	£	£	£		£			£	£	£	£
<b>Public Protection</b>														
Public Protection	1,867,880	40,930	78,910	184,500	584,760	Cr 393,350	Cr 942,520	1,421,110	6,230	6,230	876,250	2,303,590	Cr 1,315,800	987,790
Mortuary & Coroners Service	0	0	0	0	355,080	0	0	355,080	0	0	20,850	375,930	0	375,930
Community Safety	281,640	0	8,410	227,650	0	Cr 345,520	0	172,180	0	0	523,930	696,110	Cr 43,410	652,700
	2,149,520	40,930	87,320	412,150	939,840	Cr 738,870	Cr 942,520	1,948,370	6,230	6,230	1,421,030	3,375,630	Cr 1,359,210	2,016,420

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Report No.  
ES16008

London Borough of Bromley

## PART ONE - PUBLIC

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**Decision Maker:** PUBLIC PROTECTION AND SAFETY POLICY DEVELOPMENT  
AND SCRUTINY COMMITTEE

**Date:** Wednesday 20 January 2016

**Decision Type:** Non-Urgent Non Executive Non-Key

**Title:** REVIEW OF FOOD SAFETY SERVICE

**Contact Officer:** Paul Lehane, Head of Food Safety, Occupational Safety and Licensing  
Tel: 020 8313 4216 E-mail: Paul.Lehane@bromley.gov.uk

**Chief Officer:** Nigel Davies Executive Director of Environment & Community Services

**Ward:** (All Wards);

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1. Reason for report

This report reviews the role and performance of the Food Safety Service setting out the Councils legal (statutory) roles and responsibilities under both domestic and European law in the context of the local, national and international regulatory regimes.

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2. **RECOMMENDATION(S)**

Members are asked to:

Note the report and comment on the resourcing and performance of the Food Safety Service against the requirements of the Food Standards Agency.

### Corporate Policy

1. Policy Status: Not Applicable:
  2. BBB Priority: Excellent Council Quality Environment Safer Bromley Vibrant, Thriving Town Centres:
- 

### Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Public Protection and Safety Portfolio budget
  4. Total current budget for this head: £246k
  5. Source of funding: Existing Revenue Budget 2015/16
- 

### Staff

1. Number of staff (current and additional): 5.73fte
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory Requirement:
  2. Call-in: Applicable:
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All residents, all food businesses and visitors to the Borough
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

- 3.1 The Food Standards Agency (FSA) was established in 2000 to provide a national body to lead on the development of food safety and food standards and coordinate the work undertaken by Councils and other organisations involved in ensuring food safety.
- 3.2 The Agencies main objective is to protect public health from risks which may arise in connection with the consumption of food (including risks caused by the way in which it is produced or supplied) and otherwise to protect the interests of consumers in relation to food. The FSA define the interests of customers as 'ensuring that food is safe and what it says it is, and we have access to an affordable diet, and can make informed choices about what we eat, now and in the future'.
- 3.3 Food safety has a strong European dimension and the FSA represent England on food safety and standards issues in the European Union. They are also involved in the nutrition and health agenda at a European level. The Councils food safety service enforces a number of European regulations relating to food hygiene and the approval of certain types of premises.
- 3.4 The Councils main responsibilities are under the:

#### Food Safety Act 1990 to

- Enforce food safety law. According to the FSA there are over 56 food safety statutes.
- Appoint a Public Analyst for the testing and examination of food. Kent Scientific Services are appointed as our Public Analyst

#### Food Hygiene and Safety (England Regulations) 2013

- Enforce EU legislation on food hygiene legislation

#### Official Feed and Food Controls (England) Regulations 2009

- Enforce EU legislation on food imported from outside the EU

The FSA sets out the details of the Councils responsibilities as an enforcement authority in three main documents –

- The Framework agreement on Feed and Food Controls by Local Authorities
- the Food Law Code of Practice (CoP), and
- the Food Law Guidance

- 3.5 The Framework Agreement sets out the Agencies expectations of LAs in their delivery of official controls on food law. The Food Law CoP states how LAs enforce food legislation. LAs must have regard to the Framework agreement which reflects the requirements of the Food Law CoP. The Food Law Practice Guidance assists LAs in performing their statutory functions. It complements the CoP but is non-statutory.

#### **Food Safety – The Council's Key Responsibilities**

- 3.6 The Councils keys responsibilities can be summarised as being to:
- Register food businesses
  - Approve food businesses for specified purposes
  - Maintain accurate records in accordance with Data Protection Act 1998 requirements and providing information under the Freedom of Information Act 2000

- Appoint sufficient competent staff to carry out the service plan
- Prepare and publishing an annual food service plan  
(2015-16 attached – Appendix 1)
- Maintain updated documented procedures which are implemented
- Undertake interventions in accordance with nationally agreed risk based frequencies and assess compliance with food legislation (Inspections)
- Take appropriate enforcement
- Follow specific guidance where published
- Undertake sampling for analysis
- Investigate complaints about food
- Investigate complaints about the service
- Provide advice to businesses to assist with compliance
- Undertake internal monitoring
- Promote Food Safety

### **Food Safety Service – Numbers of businesses and Food Safety Officers**

- 3.7 There are approximately 2300 registered food premises in the Borough, most of which are small and medium enterprises (SMEs).

The number of food businesses increases year on year. Two hundred and sixty three (263) new food premises were registered in 2014/15 while 163 closed down (an increase of 100). To date this year 209 new food premises have registered and 81 have closed down (an increase of 128).

As at the 1 April 2015 the team consisted of

- 1 Lead Practitioner
  - 5 Food Safety Officers
  - 1 Part time technical officer ( 0.48 fte)
  - 1 Part time support officer (0.25fte)
- Total 6.73 fte

However, two food safety officer posts were cut from the establishment as part of the saving for the Public Protection Division during the year so the team now consists of

- 1 Lead Practitioner
  - 3 Food Safety Officers
  - 1 Part time technical officer ( 0.48 fte)
  - 1 Part time support officer (0.25fte)
- Total 4.73 fte

- 3.8 Table 1 sets out the number of food premises per full time equivalent food safety officer for the local boroughs. Bromley has the highest ratio with 535 premises per full time officer.

Table 1 Number of Food Businesses per FTE Food Safety Officer			
	No of food businesses*	FTE's **	Premises per FTE
Bromley	2,398	4.48	535
Bexley	1,474	5.20	283
Greenwich	2,060	7.00	294
Lewisham	2,483	7.40	335

\*From 2015 LAEMs return \*\* as at Dec 2015



## **Food Safety Service – Key Activities undertaken**

3.9 The main activities of the food team are to

- Undertake Food hygiene and Food standards inspections
- Respond to food safety incidents
- Issue approvals for premises under product specific hygiene regulations,
- Participate in selected local, regional and national food sampling programmes
- Investigate complaints relating to food premises within the Borough of Bromley
- The investigate complaints about food produced or purchased within the Borough of Bromley
- To act as the Proper Officer for notifiable diseases
- Investigate notifiable food borne infections to determine the source of infection and prevent further spread
- Investigate premises within the Borough where there are possible links to food poisoning
- Provide advice and support to existing and prospective food businesses within the borough on all issues relating to food hygiene and food standards via our website
- Implement the FSAs Food Hygiene Rating Scheme
- Provide food safety advice to consumers via our website

As a consequence of savings made during 2015 we

- Do not provide business or consumers with personal advice and guidance other than through our website
- Have revised the selection criteria for food related complaints, cutting the number we deal with from 441 to 190 per year.
- Do not comply with the FSA inspections of risk rating food businesses in line with the Code of Practice as there is a backlog of C & D rated businesses
- Do not Inspect new low risk business as required by the Code. We deal with them using an alternative enforcement strategy.
- Are now making enforcement decisions based on an increased level of risk and the impact on the impact on the service.

## **Inspections**

3.10 The main focus for the food safety service is to undertake inspections in accordance with nationally agreed risk based frequencies.

3.11 All food businesses are assessed against national criteria to determine the potential risk they present and this is used to set frequencies of inspection. Premises are risk rated A to E and the number as at 1 April 2015 are given in table 2

Table 2 Inspection Frequency and Number of Premises			
Risk Rating	Inspection frequency	Number of premises	Planned inspections due 205-16
A	6 months	8	16
B	12 months	153	153
C	18 Months	667	445
D	24 Months	651	325
E	36 Months	177	AES
Outside the programme but subject to an Alternative Enforcement Strategy (AES)*	Every 3 years	489	Next due in 2016/17
Unrated **	Within 28 days of registration	252	

\*AES = premises rated as E for food hygiene can have be risk assessed by methods other than inspection every three years. We send these businesses a questionnaire.

\*\* Unrated = premises which have not had an inspection.

## Current Performance

- 3.12 The food safety team has been progressively reduced over the last 7 years (from 8.9 fte in 2008 to 4.73 fte in 2015). As we undertake our inspections based on risk, the lower risk businesses ( Risk C, D and E) have not been inspected at the intervals required by the Code (received less attention) with the inevitable consequence that the number of uninspected premises in these risk groups has increased year upon year. Under the FSA Code of Practice these outstanding inspections roll over the next year. Also, under the Code new businesses are required to be inspected within 28 days of registering with us. New premises which are considered low risk, such as home cake bakers, are not inspected at all but are dealt with using a questionnaire. These premises remain as unrated on our database, and continue to increase in number.
- 3.13 We started this year with over 600 outstanding inspections from previous years in addition to the 600 or so premises that will become due under the risk rating scheme. The Service Plan identified this (Appendix 1 Section 3.1) and sets out what we seek to achieve this year. See Table 3 for details of the number of inspections due during 2015/16 and the number inspected at 21 December 2015.

Table 3			
Inspection performance 2015-16			
Risk Group	Outstanding from previous years	Premises due for inspection 2015-16	Inspections undertaken to 21 Dec 15
Risk A	0	8	7
Risk B	26	124	75
Risk C	334	416	176
Risk D	246	54	117
Risk E	233	AES every 3 years	24
<b>Totals</b>	<b>839</b>	<b>602</b>	<b>399</b>
FHOP*	297	N/A	N/A
AES**	203	N/A	N/A

\*FHOP = Food Hygiene outside the programme. These are business which sell low risk food and therefore need to register as a food business but are not typically identified as food businesses e.g. chemists, off licenses etc.

The total number of inspections in each category will include programmed inspections, some of which will have changed category, along with unrated premises which have been rated for the first time. Additionally, although we are not routinely inspecting category E premises, the number inspected will include those inspected following a complaint about the business.

\*\* AES (Alternative Enforcement Scheme)

## Food Hygiene Rating Scheme

3.14 Following inspections the food safety officers issue a Food Hygiene Rating Score (FRHS) to the business based on 3 of the 8 criteria used to determine the Risk category. Businesses are scored between 0 and 5. See Table 4.

Table 4 FHRHS –Number of premises scoring 0-5*					
		Number of Premises at 14 Dec 2015			
Food Hygiene Rating Score	Description	Bromley	Bexley	Greenwich	Lewisham
0	Urgent Improvement necessary	5 (0.3%)	7 (0.6%)	9 (0.6%)	17 (0.9%)
1	Major improvement necessary	93 (5.4%)	30 (2.4%)	87 (6%)	187 (10.3%)
2	Improvement necessary	98 (5.7%)	22 (1.8%)	35 (2.4%)	130 (7.2%)
3	Generally satisfactory	405 (23.3%)	225 (18.3%)	237 (16.4%)	453 (25%)
4	Good	462 (26.8%)	387 (31.4%)	396 (27.3%)	378 (21.0%)
5	Very Good	666 (38.5%)	561 (45.5%)	684 (47.3%)	647 (35.6%)
		1,729	1,232	1,448	1,812

\*As at 14 December 2015

Businesses with scores of 0-2 are considered non-compliant, whereas those scoring 3-5 are compliant.

Table 5 % of Compliant and Non Complaint food businesses				
	Bromley	Bexley	Greenwich	Lewisham
Non complaint businesses %	11.4	4.8	9.1	18.5
Compliant %	88.6	95.2	90.9	81.5

### **This year**

- 3.15 Some temporary additional support for the food team has been made available through flexibility within Public Protection. This support has provided an additional resource for 2 days a week for 6 months to undertake a project to try and address the backlog of uninspected lower risk food businesses. So far 25 of 100 inspections have been completed, 40% of which have resulted in a lower (worse) food hygiene rating score indicating poorer levels of compliance.
- 3.16 Even with this additional support the team will struggle to address the backlog and complete the number of inspections due this year. On current performance I anticipate we will achieve about 600 inspections (79%) of this year's planned programme. Uninspected businesses will roll over to next year and will have to be added to next year's target.
- 3.17 Without some permanent additional resource the food safety team will continue to fail to meet the FSA inspection requirements.
- 3.18 The Team has recently undergone an FSA sponsored Inter Authority Audit looking at the implementation of the Food Hygiene Rating Scheme.

The audit has highlighted our failure to comply with the inspection intervals within the CoP. We have to provide an action plan and a time scale on how this will be addressed by 4/1/16.

### **Consequences**

- 3.19 The FSA monitor local authority performance through the annual Local Authority Enforcement Monitoring Scheme (LAEMS) returns. If they are concerned about our performance they can undertake a formal audit of the food safety service. Where significant failings are found the FSA can formally intervene.
- 3.20 We are currently failing to support businesses with timely interventions and support through advice from officers during inspections. We have also stopped all business advice other than through the council's website. The majority of our businesses are SME's without alternative access to food safety advice so rely on us to provide it.
- 3.21 For many businesses the longer the period between inspections the greater the deterioration in standards and the lower the FHRS score that is issued. This has a financial consequence for businesses particularly SME's and we then receive additional requests for rescores placing a further demand on the already stretched food safety team
- 3.22 There must also be an increasing risk of a serious outbreak of food borne disease in premises that are not being inspected as frequently as they should be. However we do prioritise the higher risk businesses over the lower ones.

#### 4. POLICY IMPLICATIONS

See the body of the report.

#### 5. FINANCIAL IMPLICATIONS

- 5.1 The table below provides the budget and fte's for the food safety team for the period 2014/15 to 2016/17: -

	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>
	<b>6.73 ftes</b>	<b>5.73 ftes</b>	<b>4.73 ftes</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Staffing	285	218	204
Car allowances	15	12	10
Running expenses	18	16	16
	<b>318</b>	<b>246</b>	<b>230</b>

#### 6. LEGAL IMPLICATIONS

The FSA monitors the performance of Councils enforcement functions through the LAEMS returns. Where there are concerns the FSA may set standards, report to the authority on their performance and ultimately can direct the Council as to steps to be taken.

<b>Non-Applicable Sections:</b>	<b>PERSONNEL IMPLICATIONS</b>
Background Documents: (Access via Contact Officer)	Food we can trust FSA Strategy 2015-20

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**London Borough of Bromley  
Environmental Services  
Public Protection**

**Food Standards Agency Framework Agreement on  
Local Authority Food Law Enforcement**

**Food Service Plan 2015-16 and Performance Review 2014-15**

<b>1.0</b>	<b>SERVICE AIMS AND OBJECTIVES</b>
<b>1.1</b>	<b>Aims and Objectives</b>
	<ul style="list-style-type: none"> <li>• To sustain and improve the standards of safety and quality of food manufactured, prepared and supplied in Bromley following a risk based intervention and enforcement programme and via business advice.</li> <li>• To exercise control and surveillance of communicable diseases.</li> <li>• To investigate complaints about food premises and food sold in the Borough.</li> <li>• To provide a fair, equitable and cost effective service to the Boroughs residents and businesses.</li> </ul>
<b>1.2</b>	<b>LINKS TO CORPORATE OBJECTIVES AND PLANS</b>
	<ul style="list-style-type: none"> <li>• Building a Better Bromley objectives</li> <li>• Public Protection &amp; Safety Portfolio Plan.</li> <li>• Environmental Services Enforcement Policy</li> </ul>
<b>2.0</b>	<b>BACKGROUND</b>
<b>2.1</b>	<b>PROFILE OF THE LOCAL AUTHORITY</b>
	<p>The Borough is the largest in London by area and occupies 59 square miles (152.8 km<sup>2</sup>), of which the majority is Metropolitan Green Belt land. It has a population of about 310,000 people, the 4<sup>th</sup> most populous London Borough, with an ethnic minority population of 23%. 71% of the residents are owner occupiers and over 66% of the economically active population are in employment with only 2.3% unemployed. The latest figures show that there are over 12,000 businesses in the borough. The majority of businesses are small with less than nine people in each. Public administration, education and health are the Boroughs largest employers. Business and financial services are the second largest employers. Biggin Hill airport, the Princess Royal University, Orpington, Beckenham Beacon and Bethlem Royal NHS Hospitals are located within the Borough.</p>
<b>2.2</b>	<b>ORGANISATIONAL STRUCTURE</b>
	<ul style="list-style-type: none"> <li>• The Food Team is located within the Public Protection Division of the Environmental and Community Services Department (See tables 2 and 3 for structure details).</li> <li>• Feeding stuffs and alcohol authenticity enforcement is carried out by the Trading Standards team.</li> <li>• Kent Scientific Services is appointed as the Food Analyst.</li> <li>• Public Health England acts as the Council's Food Examiner.</li> </ul>



<b>2.3</b>	<b>SCOPE OF THE FOOD SERVICE</b>
	<p><b>Scope</b></p> <p>The Food Safety team undertakes the following activities to improve the safety of food manufactured, prepared and supplied within the Borough Bromley and to control food borne communicable diseases via:</p> <ul style="list-style-type: none"> <li>• Food hygiene and Food standards inspections</li> <li>• Responding to food safety incidents</li> <li>• Issuing approvals for premises under product specific hygiene regulations,</li> <li>• Food sampling</li> <li>• The investigation of complaints relating to food premises within the Borough of Bromley</li> <li>• The investigation of complaints about food produced or purchased within the Borough of Bromley</li> <li>• To act as the Proper Officer for notifiable diseases.</li> <li>• The investigation of notifiable food borne infections to determine the source of infection and prevent further spread</li> <li>• The investigation of premises within the Borough where there are possible links to food poisoning</li> <li>• Provision of advice and support to existing and prospective food businesses within the borough on all issues relating to food hygiene and food standards via our website</li> <li>• Publicity relating to food safety</li> <li>• Food consumer advice via our website.</li> </ul> <p><b>Other services provided alongside the food service:</b></p> <ul style="list-style-type: none"> <li>• Health and safety “hazard spotting” is carried out in food premises where the local authority is the enforcing authority where significant health and safety matters are noted, in line with the Health and Safety Executives (HSE) National Local Authority Enforcement Code.</li> <li>• Advice about infection control procedures is given during visits to day care groups.</li> <li>• Responding to Freedom of information requests.</li> </ul>
<b>2.4</b>	<b>DEMANDS ON THE FOOD SERVICE</b>
	<p><b>Premises Profile</b></p> <ul style="list-style-type: none"> <li>• There are approximately <b>2300</b> food premises, most of which as SMEs. There are also <b>7</b> third country food importers, 2 large manufacturing bakers, <b>47</b> supermarkets, two approved fishery premises, an approved meat product manufacturer and an FSA approved catering butcher. <b>3</b> weekly markets, several occasional and visiting markets and events. 263 new premises registered in 2014/15 while 163 closed down. Bromley Town Centre is being redeveloped, and this will result in an increased number of new food businesses.</li> </ul> <p><b>Resources</b></p> <ul style="list-style-type: none"> <li>• The Food Team is run and managed in-house with 5.5 FTE food safety officers (1FTE food safety officer is on maternity leave until June 15), including the Food Team Coordinator, who does not have a full inspection caseload. The team also has 0.16 FTE admin support. However, the food safety officers will be reduced to 4.5 FTEs around June 2015. This is significantly below the number required to comply with our statutory requirements. <b>(See Table I – Summary of Food Team Resources)</b>. Outsourcing of the service is currently being explored.</li> </ul>

	<b>Service Delivery</b> <ul style="list-style-type: none"> <li>• The service is based at the Bromley Civic Centre where the Customer Service Centre(CSC) is located to receive personal and telephone callers. The decision has been taken to relocate the CSC to Barrow in the future.</li> <li>• Due to the reduction in food team staff, the service will focus on its statutory requirements with high risk activities taking priority.</li> <li>• The service operates between office hours</li> <li>• An emergency out of hours service is available.</li> <li>• Out of hours interventions are carried out by officers as required.</li> <li>• The Council's website has sign posts to Food Team information for both consumers and businesses.</li> </ul>
	<b>External Factors Having Impact on the Service</b> <ul style="list-style-type: none"> <li>• FBO's having limited understanding of English</li> <li>• The increasing number of business that only operate outside of office hours</li> <li>• The high turnover of food businesses</li> <li>• Emergency work such as closures, seizures, outbreaks and Food Alerts</li> <li>• Prosecution work</li> <li>• The increasing number of existing and new businesses seeking advice</li> <li>• The increasing number of home based food businesses</li> <li>• The redevelopment of Bromley Town Centre</li> <li>• Food Hygiene Rating re-score requests</li> <li>• Freedom of Information requests</li> </ul>
<b>2.5</b>	<b>REGULATION POLICY</b>
	<ul style="list-style-type: none"> <li>• Public Protection has signed the Cabinet Office's Enforcement Concordat.</li> <li>• The Enforcement Policy for Public Protection applies to all enforcement action taken in relation to the food service. It is located in the Legal Process Quality Manual of Public Protection "A Guide to Our Enforcement Policy" has been produced setting out the principles of the policy and enforcement actions. The policy is publicised on the Council's website.</li> <li>• The Food Safety Team work to support the aims of the Regulators Code</li> </ul>
<b>3.0</b>	<b>SERVICE DELIVERY</b>
<b>3.1</b>	<b>Food Premises Interventions</b>
	<p>The Food Safety Team inspects premises according to the FSA'S Food Law Code of Practice, where resources allow. Inspection frequencies are based on the food safety risk posed by the premises and inspection frequencies calculated using Chapter 5 of the Code.</p> <p>Food standard and hygiene inspections are combined when either will be due before the next routine inspection. However, separate Food Standards inspections are carried out in high risk premises</p>

3.1	<b>Food Premises Interventions contd.</b>
	<p>New premises are to receive a food safety inspection within 28 days of registration to comply with the Code, however, this is not always possible due to our resources. We therefore aim to inspect them within 3 months, depending on their food safety risk. New premises which are deemed to be low risk e.g. home cake-makers, are not routinely inspected. Their risk is assessed by a desk top exercise. This is a pragmatic approach which does not comply with the Code but ensures our resources are targeted towards higher risk premises. To date, we have 250 new premises which are awaiting an inspection, 151 of which are low risk home businesses.</p> <p>To comply with the Code, Category A &amp; B food hygiene inspections are to be carried out within 28 days of their inspection date and we aim to comply with this requirement. We have a back log of 26 B rated inspections, 11 of which only trade out of office hours. The Code requires premises to be inspected while they are trading. We will inspect these premises within 2015/16 as a priority.</p> <p>Category C food hygiene inspections are to be inspected every 18 months. We have a backlog of 334 outstanding C rated inspections from 2014/15, 63 of which only trade out of office hours. The Code requires premises to be inspected while they are trading. We will inspect these premises within 2015/16.</p> <p>The number of outstanding category C food hygiene inspections from 2014/15 will have an impact on ability to comply with the inspection interval set out in the code in 2015/16. Therefore the majority of C rated food hygiene premises due in 2015/16, will have their food hygiene inspection delayed until 2016/17. This will have a cumulative effect on target inspection numbers in the following years.</p> <p>Category D food hygiene inspections are to be inspected every 24 months. Due to our resources, these premises are only inspected when we have capacity or when they are the subject of a complaint. We currently have a back log of around 246 Category D food hygiene premises awaiting inspection. With the current level of resources these will remain uninspected in this and future years.</p> <p>Category A food standards inspections are due annually, we have 1 outstanding which will be given priority. Category B food standards inspections are due every 24 months. These are combined with hygiene inspections when the hygiene inspection is due. We currently have 74 outstanding category B food standard inspections.</p> <p>Premises which are a category D for food hygiene and category B or C for food standards are not routinely inspected due to our resources.</p> <p>Low risk premises rated E for food hygiene and C for food standards are not routinely inspected as permitted in the Code. They are contacted every 3 years to assess their food safety risk under our Alternative Enforcement Strategy (AES). This was last undertaken during 2013/14.</p>

3.1	<b>Food Premises Interventions Contd.</b>
	<p>The resultant backlog in inspections is the result of the gradual reduction in food safety officers and admin staff over recent years, a food safety officer being on maternity leave during the second half of the year and the four prosecutions undertaken during the year, two of which required detailed investigations to identify the Food Business Operators.</p> <p><b><u>In total, there are 606 overdue food hygiene inspections, 1 food standards inspection and 99 unrated premises awaiting inspection. This, in addition to the 607 premises due for inspection in 2015/16 and the estimated 160 new premises likely to register during the year, gives a total inspection target for 2015/16 of around 1473 premises.</u></b></p> <p>During 2015/16 we will prioritise the</p> <ul style="list-style-type: none"> <li>• 360 overdue B &amp; C food hygiene inspections,</li> <li>• the 1 overdue food standards inspection,</li> <li>• the 132, A &amp; B food hygiene inspections</li> <li>• the 5, A food standard inspection due;</li> <li>• the 99 unrated premises which are not low risk; and</li> <li>• the projected 160 new high-risk premises.</li> </ul> <p>This gives a total of 757 food inspections due during the year and will require 4.3 FTE food safety officers based on our current inspection target, if no emergency or enforcement work is undertaken.</p> <p>An additional 4.1 FTE food safety officers will be required if the 246 overdue D food hygiene inspections and the 416 C &amp; 54 D inspections due this year are to be carried out during 2015/16.</p> <p>Following a food hygiene inspection, food premises are rated in accordance with the Food Standards Agencies (FSA) Food Hygiene Rating Scheme (FHRS).</p> <p>Premises rated 0 - 2 receive additional follow up visits and written letters to ensure compliance and improved standards. Formal action will be considered where informal action is not successful, in line with our Enforcement Policy.</p> <p>Under the Food Hygiene Rating Scheme (FHRS), premises can request to have their business re-rated with a non- programmed inspection being carried out Under the Brand Standard for the scheme, which Bromley has agreed to follow. These rescore inspections must take place within 3 to 6 months of the request being made.</p> <p>Approved premises are to be inspected on an annual basis and we aim to comply with this requirement.</p>

	OBJECTIVES	PERFORMANCE MEASURES
	<ul style="list-style-type: none"> <li>To carry out 757 food hygiene interventions, largely by inspection.</li> </ul>	<ul style="list-style-type: none"> <li>Number of hygiene interventions carried out and % of those due.</li> </ul>
	<ul style="list-style-type: none"> <li>To carry out 300 food standards interventions, largely by inspection.</li> </ul>	<ul style="list-style-type: none"> <li>Number of food standards interventions and % of those due.</li> </ul>
	<ul style="list-style-type: none"> <li>To send up to 600 schedules of improvement / warning letters to improve standards following interventions.</li> </ul>	<ul style="list-style-type: none"> <li>Number of schedules of improvements / warning letters sent.</li> </ul>
	<ul style="list-style-type: none"> <li>To maintain the percentage of premises broadly compliant for food hygiene at the time of inspection to 70%.</li> </ul>	<ul style="list-style-type: none"> <li>Number of Premises broadly compliant as a %</li> </ul>
	<ul style="list-style-type: none"> <li>To carry out up to 200 follow-up visits, focusing on zero - 2 star premises.</li> </ul>	<ul style="list-style-type: none"> <li>Number of follow-up visits carried out.</li> </ul>
	<ul style="list-style-type: none"> <li>To improve 5 rated zero premises (This is a key performance indicator)</li> </ul>	<ul style="list-style-type: none"> <li>Number of zero premises which have improved their rating</li> </ul>
<b>3.2</b>	<b>Food Complaints /Service Requests</b>	
	The team will respond to complaints about food and food premises within the Borough where a breach of food safety legislation is suspected. The speed of response and level of investigation will depend on the severity of the complaint. This will be decided by the investigating officer with advice from the Lead Officer for food and/or the team manager as required and in accordance with our internal procedures. Urgent complaints will be responded to within 24 hours and non-urgent ones within 5 working days.	
	OBJECTIVES	PERFORMANCE MEASURES
	<ul style="list-style-type: none"> <li>To respond to up to 300 complaints/enquiries about food and food premises.</li> </ul>	<ul style="list-style-type: none"> <li>Number of complaints/service enquiries responded to.</li> </ul>
<b>3.3</b>	<b>Home Authority Principle/ Primary Authority Partnerships</b>	
	The authority respects both the Primary and Home Authority schemes. We currently have no Primary Authority partnerships and 2 Informal Home Authority agreements which will be terminated during 2015-2016. We will follow the Home Authority principles when dealing with requests about or from premises based in our Borough, even where no formal agreement exists.	
	<ul style="list-style-type: none"> <li>To use Primary Authority Inspections forms where appropriate and refer to the Primary Authority to resolve issues found during inspection.</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure</li> </ul>
	<ul style="list-style-type: none"> <li>To refer to Primary Authorities when dealing with food complaints about food manufactured outside the Borough.</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure</li> </ul>

<b>3.4</b>	<b>Advice to Food Businesses</b>	
	<p>The provision of advice and guidance to secure compliance with food law is an integral part of the work carried out by the service. Advice to existing food businesses will mostly be offered during inspections and revisits. Businesses seeking advice which is not directly related to a current food safety inspection will be directed to our website where food safety advice is available on a self-serve basis. Businesses will be given advice on the new Food Information Regulations 2014 during inspections.</p> <p>Advice to new and proposed food business and to consumers is given via our website only on a self-serve basis. Advisory visits to proposed food or refurbished premises are not made.</p>	
	<ul style="list-style-type: none"> <li>To continue to focus on improving the star rating of food premises in the Borough with 0 stars by 100%.</li> </ul>	<ul style="list-style-type: none"> <li>% of zero star premises that have a higher rating at the end of March 2016.</li> </ul>
<b>3.5</b>	<b>Food Inspection and Sampling</b>	
	Food sampling is an essential part of our enforcement service and is carried out in line with our sampling policy and programme. Our food sampling is intelligence led, focusing on existing and emerging issues, especially for food manufactured in the Borough or imported from third countries. Where possible, food sampling will be combined with food inspections or revisits.	
	<b>OBJECTIVES</b>	<b>PERFORMANCE MEASURES</b>
	<ul style="list-style-type: none"> <li>To participate in South East London Food Liaison Group, London Food Coordinating Group (FLCG), Food Standards Agency (FSA) and Public Health England (PHE) and EU sampling programmes for both analysis and examination.</li> <li>To carry out intelligence-led local sampling projects as a result of inspections, complaints or other information.</li> </ul>	<ul style="list-style-type: none"> <li>Number of food samples analysed or examined.</li> </ul>
<b>3.6</b>	<b>Control and Investigations of Outbreaks and Food Related Infectious Disease</b>	
	The Public Health (Control of Disease) Act 1984 as amended and the Public Health (Infectious Disease) Regulations 1988 require certain communicable diseases to be notified to the Proper Officer within a Local Authority. Food Team officers investigate food borne diseases and food poisoning to establish the source of infection and prevent further spread. Outbreaks are investigated along with the South East London Health Protection Team who provide infection control advice along with statistical analysis.	
	<ul style="list-style-type: none"> <li>To investigate cases of food poisoning or suspected food poisoning connected with premises within the Bromley, in line with South East London Health Protection Team guidelines</li> </ul>	<ul style="list-style-type: none"> <li>Number of cases investigated.</li> </ul>
	<ul style="list-style-type: none"> <li>To investigate outbreaks of food poisoning/suspected food poisoning/viral gastroenteritis.</li> </ul>	<ul style="list-style-type: none"> <li>Number of outbreaks investigated.</li> </ul>
<b>3.7</b>	<b>Food Safety Incidents</b>	
	Food Alerts are received from the Food Standards Agency by email to our Food Safety Team email inbox. This is monitored regularly by the team admin. Alerts are sent to the Food Team Lead Practitioner or team manager to determine the action required.	

	Where urgent action is required this work will be given priority, and, if necessary, resources can be brought in from other teams to assist. There is an out of office hours emergency arrangement where urgent action is required when the office is closed.	
	<ul style="list-style-type: none"> <li>To respond to all food alerts and other food safety incidents issued by the FSA, as appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>Number of food alerts/incidents responded to.</li> </ul>
<b>3.8</b>	<b>Liaison with Other Organisations</b>	
	The Team is a member of the South East London Food Liaison Group, Environmental Health Working Group and the Public Health Group and has designated members to attend. The team will also liaise with other enforcement organisations such as the Food Standards Agency and Department for Environment, Food and Rural Affairs etc., other Environmental Health Departments and professional organisations such as The Association of London Environmental Health Managers.	
	<ul style="list-style-type: none"> <li>To ensure the food service liaises with and participates in joint initiatives with other Council Departments, organisations and Borough as required.</li> <li>To send representatives to the South East London Food Liaison Group, Environmental Health Working Group and Public Health Group.</li> <li>To have a nominated OFSTED liaison officer</li> <li>To have a nominated schools liaison officer</li> </ul>	<ul style="list-style-type: none"> <li>No performance measures.</li> </ul>
<b>3.9</b>	<b>Food Safety and Standards Promotion</b>	
	The promotion of food safety issues is an important means to secure food safety compliance in food businesses. The website and press releases are used to highlight key issues such as food safety week. The team participates in the FSA Food Hygiene Rating Scheme and encourages business to display the score received.	
	<ul style="list-style-type: none"> <li>To update the food service's website.</li> </ul>	<ul style="list-style-type: none"> <li>Evaluated by the Website Coordinator.</li> </ul>
	<ul style="list-style-type: none"> <li>To publicise food hygiene myths during Food Safety Week</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure</li> </ul>
	<ul style="list-style-type: none"> <li>To continue to participate in the FSAs FHRS</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure</li> </ul>
	<ul style="list-style-type: none"> <li>To issue Press Releases</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure</li> </ul>
	<b>OBJECTIVES</b>	<b>PERFORMANCE MEASURES</b>
<b>3.10</b>	<b>Health and Safety in Food Premises</b>	
	Food team officers carry out health and safety hazard spotting while visiting food premises. Significant offences will be reported to the Public Protection Health and Safety team for action.	
	<ul style="list-style-type: none"> <li>To carry out up to health and safety "hazard spotting" in food premises where significant offences are noted.</li> <li>To liaise with the Health and Safety Team where formal action in food premises is required..</li> </ul>	<ul style="list-style-type: none"> <li>Number of health and safety "hazard spotting" inspections carried out.</li> </ul>
<b>4.0</b>	<b>RESOURCES</b>	

4.1	<b>Financial Allocation</b>	
	<ul style="list-style-type: none"> <li>The overall cost of the food service for 2014/15 was £301,606 (salaries inc national insurance and pension)</li> <li>The budget set aside for 2015/16 is ££214.506</li> <li>The budget set aside for food sampling &amp; analysis is £6,000</li> </ul>	
4.2	<b>Staffing Allocation</b>	
	<ul style="list-style-type: none"> <li>See Table 1</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure.</li> </ul>
4.3	<b>Staff Development</b>	
	<ul style="list-style-type: none"> <li>Staff training and development needs are met via a mixture on in-house and external training.</li> <li>PADs reviews are carried out by the team manager</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure.</li> <li>No performance measure.</li> </ul>
5.0	<b>Quality Assessment</b>	
5.1	<ul style="list-style-type: none"> <li>To carry out internal monitoring to verify conformance with legal obligations, the Code and internal procedures.</li> </ul>	<ul style="list-style-type: none"> <li>Internal monitoring.</li> </ul>
	<ul style="list-style-type: none"> <li>To track the outcomes of zero rated inspections, with the aim of improving their star ratings.</li> </ul>	<ul style="list-style-type: none"> <li>Internal monitoring.</li> </ul>
	<ul style="list-style-type: none"> <li>To participate in Inter authority auditing as required.</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure</li> </ul>
6.0	<b>Review</b>	
6.1	<ul style="list-style-type: none"> <li>The Service Plan will be reviewed at 6 monthly intervals and progress reported to the Head of Food, Safety and Licensing along with service developments.</li> </ul>	<ul style="list-style-type: none"> <li>Internal Monitoring</li> </ul>



**TABLE 1 - SUMMARY OF STAFF RESOURCES REQUIRED FOR FOOD SERVICE**

<b>SERVICE DELIVERY</b>	<b>FULL TIME EQUIVALENT OFFICERS - BELOW MANAGER LEVEL REQUIRED TO UNDERTAKE 2015/16 WORK PLAN IF NO ENFORCEMENT WORK IS UNDERTAKEN (1)</b>	<b>FULL TIME EQUIVALENT OFFICERS - BELOW MANAGER LEVEL TO CARRY OUT ALL OVERDUE INSPECTIONS (2)</b>
Food Premises Inspections	• 4.3 *FSO/LO	• 8.4 *FSO/LO
Food Complaints	• 0.4 FSO/LO	• 0.4 FSO/LO
Home Authority Advice	• 0.0 (No longer offered)	• 0.0 (No longer offered)
Advice to Businesses	• 0.0 (No longer offered)	• 0.0 (No longer offered)
Advice to Consumers	• 0.0 (No longer offered)	• 0.0 (No longer offered)
Food Sampling	• 0.10 FSO/LO	• 0.10 FSO/LO
Control and Investigation of Outbreaks and Food Related Infectious Disease	• 0.25 FSO/LO	• 0.25 FSO/LO
Food Safety Incidents	• 0.03 FSO/LO	• 0.03 FSO/LO
Liaison - with the South East London Sector food liaison & Environmental Health Working Groups	• 0.02 LO	• 0.02 FSO/LO
Food Safety and Standards Promotion	• 0.01 FSO/LO	• 0.01 FSO/LO
Health and Safety in Food Premises	• 0.25 FSO/LO	• 0.25 FSO/LO
Staff Training and Development	• 0.10 FSO/LO	• 0.10 FSO/LO
Quality Assessment	• 0.20 LO	• 0.10 LO
Technical Support	• 0.50 LO	• 0.50 LO
Administration	• 0.50	• 0.50
<b>TOTAL STAFF RESOURCE REQUIRED</b>	• <b>6.66</b>	• <b>10.76</b>
<b>TOTAL RESOURCE PROVIDED</b>	• <b>4.66</b>	• <b>4.66</b>

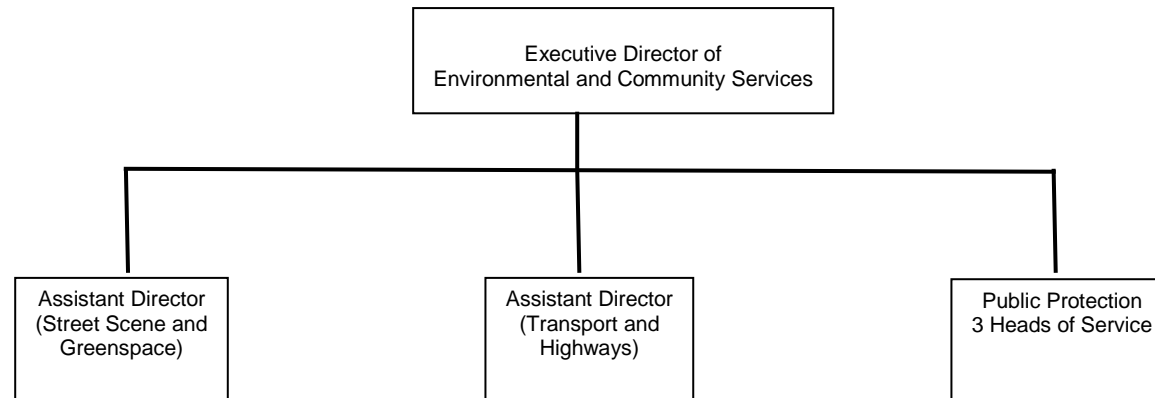
*\*FSO = Food Safety Officer LO = Lead Officer*

*(1)- Staff required to carry out 2015/16 work plan ( if no enforcement work is undertaken)*

*(2)- Staff required to carry out all due and overdue inspections in 2015/16 (if no enforcement work is undertaken)*

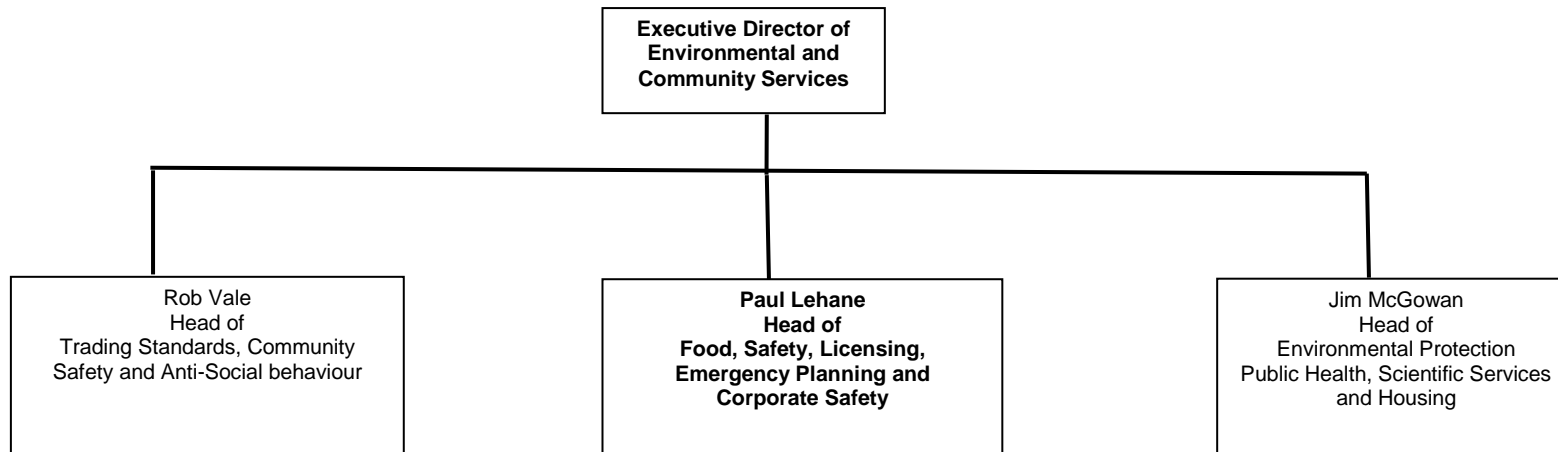
**Table 2**

**Environmental and Community Services Department  
Departmental Structure**



**Table 3**

**Environmental Services Department  
Public Protection Structure**



**PERFORMANCE REVIEW 2014-15**

<b>3.0</b>	<b>2014/15</b>	
<b>3.1</b>	<b>OBJECTIVES</b>	<b>PERFORMANCE REVIEW</b>
<b>3.1</b>	<b>Food Premises Interventions</b>	
	<ul style="list-style-type: none"> <li>To carry out 1100 food hygiene interventions, largely by inspection.</li> </ul>	<ul style="list-style-type: none"> <li><b>612</b> food hygiene interventions were carried out. This is <b>69 %</b> of those due.</li> </ul>
	<ul style="list-style-type: none"> <li>To carry out 110 food standards interventions, largely by inspection.</li> </ul>	<ul style="list-style-type: none"> <li><b>262</b> food standards interventions were carried out.</li> </ul>
	<ul style="list-style-type: none"> <li>To send up to 700 schedules of improvement / warning letters to improve standards following interventions.</li> </ul>	<ul style="list-style-type: none"> <li><b>610</b> schedules of improvements / warning letters sent.</li> </ul>
	<ul style="list-style-type: none"> <li>To improve the percentage of premises broadly compliant for food hygiene at the time of inspection to 70%.</li> </ul>	<ul style="list-style-type: none"> <li><b>76%</b> of premises were broadly compliant.</li> </ul>
	<ul style="list-style-type: none"> <li>To carry out up to 15 inspections of mobile food businesses at one-off events/ visiting markets.</li> </ul>	<ul style="list-style-type: none"> <li>This target was not monitored.</li> </ul>
	<ul style="list-style-type: none"> <li>To carry out up to 500 follow-up visits, focusing on zero - 2 star premises.</li> </ul>	<ul style="list-style-type: none"> <li><b>176</b> follow-up visits were carried out.</li> </ul>
	<ul style="list-style-type: none"> <li>To improve 95% of premises rated zero</li> </ul>	<ul style="list-style-type: none"> <li><b>100%</b> zero premises which have improved their rating</li> </ul>
<b>3.2</b>	<b>Food Complaints /Service Requests</b>	
	<ul style="list-style-type: none"> <li>To respond to up to 70 complaints/enquiries about food and food premises.</li> </ul>	<ul style="list-style-type: none"> <li><b>289</b> complaints/service enquiries were responded to.</li> </ul>
	<b>OBJECTIVES</b>	<b>PERFORMANCE MEASURES</b>
<b>3.3</b>	<b>Home Authority Principle/ Primary Authority Partnerships</b>	
	<ul style="list-style-type: none"> <li>To respond to requests for advice about food standards matters from Home Authority businesses.</li> </ul>	<ul style="list-style-type: none"> <li>3 requests for advice responded to.</li> </ul>
<b>3.4</b>	<b>Advice to Food Businesses</b>	
	<ul style="list-style-type: none"> <li>To provide advice to up to 200 existing &amp; proposed food businesses.</li> </ul>	<ul style="list-style-type: none"> <li><b>263</b> existing and proposed food businesses to whom advice was given.</li> </ul>
	<ul style="list-style-type: none"> <li>To support local food businesses by training at least 60 proprietors/managers regarding the introduction of Safer Food Better Business (SFBB) hazard analysis system.</li> </ul>	<ul style="list-style-type: none"> <li><b>61</b> people from local businesses were trained.</li> </ul>
	<ul style="list-style-type: none"> <li>To continue to focus on improving the star rating of food premises in the borough with 0 stars by 60%.</li> </ul>	<ul style="list-style-type: none"> <li><b>100%</b> of zero star premises that have a higher rating at the end of March 2014.</li> </ul>

<b>3.5</b>	<b>Food Inspection and Sampling</b>	
	<ul style="list-style-type: none"> <li>To participate in South East London Food Liaison Group, LACORS, Food Standards Agency (FSA) and EU sampling programmes for both analysis and examination.</li> <li>To carry out intelligence-led local sampling projects as a result of inspections, complaints or other information.</li> </ul>	<ul style="list-style-type: none"> <li><b>55</b> samples were analysed or examined.</li> </ul>
	<b>OBJECTIVES</b>	<b>PERFORMANCE MEASURES</b>
<b>3.6</b>	<b>Control and Investigations of Outbreaks and Food Related Infectious Disease</b>	
	<ul style="list-style-type: none"> <li>To investigate cases of food poisoning or suspected food poisoning brought to the Authority's attention via GP's notifications and laboratory reports, in line with South East London health protection team guidelines</li> </ul>	<ul style="list-style-type: none"> <li>0 cases were investigated.</li> </ul>
	<ul style="list-style-type: none"> <li>To investigate outbreaks of food poisoning/suspected food poisoning/viral gastroenteritis.</li> </ul>	<ul style="list-style-type: none"> <li><b>7</b> outbreaks were investigated.</li> </ul>
	<ul style="list-style-type: none"> <li>To continue to develop a paperless infectious disease notification and investigation system.</li> </ul>	<ul style="list-style-type: none"> <li>Completed.</li> </ul>
<b>3.7</b>	<b>Food Safety Incidents</b>	
	<ul style="list-style-type: none"> <li>To respond to all food alerts and other food safety incidents issued by the FSA, as appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>3 food alerts/incidents responded to.</li> </ul>
<b>3.8</b>	<b>Liaison with Other Organisations</b>	
	<ul style="list-style-type: none"> <li>To ensure the food service liaises with and participates in joint initiatives with other, Council Departments, organisations and Borough as required.</li> <li>To send representatives to the South East London Food Liaison Group and the Environmental Health Working Group.</li> <li>To have a nominated OFSTED liaison officer</li> <li>To have a nominated schools liaison officer</li> </ul>	<ul style="list-style-type: none"> <li>No performance measures.</li> </ul>
<b>3.9</b>	<b>Food Safety and Standards Promotion</b>	
	<ul style="list-style-type: none"> <li>To update the food service's website.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>
	<ul style="list-style-type: none"> <li>To publicise food hygiene myths during Food Safety Week</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure</li> </ul>
	<ul style="list-style-type: none"> <li>To continue to participate in the FSAs FHRs</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure</li> </ul>

	OBJECTIVES	PERFORMANCE MEASURES
3.11	<b>Health and Safety in Food Premises</b>	
	<ul style="list-style-type: none"> <li>To carry out up to health and safety “hazard spotting” inspections in food premises where significant offences are noted.</li> <li>To carry out enforcement in line with the Enforcement Policy.</li> </ul>	<ul style="list-style-type: none"> <li><b>51</b> health and safety “hazard spotting” inspections carried out.</li> <li><b>2</b> health &amp; safety prohibition notices were served. This work is now mostly undertaken by the health &amp; safety team.</li> </ul>
4.0	<b>RESOURCES</b>	
4.1	<b>Financial Allocation</b>	
	<ul style="list-style-type: none"> <li>The overall cost of the food service for 2013/14 was £326,997.36 (salaries inc national insurance and pension)</li> <li>The budget set aside for 2014/15 is £301,606</li> <li>The budget set aside for food sampling &amp; analysis is £6,000</li> </ul>	
4.2	<b>Staffing Allocation</b>	
	<ul style="list-style-type: none"> <li>See Table 1</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure.</li> </ul>
4.3	<b>Staff Development</b>	
	<ul style="list-style-type: none"> <li>Staff training and development needs are met via a mixture on in-house and external training.</li> <li>PADs reviews are carried out by the team manager</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure.</li> <li>No performance measure.</li> </ul>
5.0	<b>Quality Assessment</b>	
5.1	<ul style="list-style-type: none"> <li>To carry out internal monitoring to verify conformance with legal obligations, Codes of Practice and internal procedures.</li> </ul>	<ul style="list-style-type: none"> <li>Internal monitoring.</li> </ul>
	<ul style="list-style-type: none"> <li>To track the outcomes of zero rated inspections, with the aim of improving the star ratings.</li> </ul>	<ul style="list-style-type: none"> <li>Internal monitoring.</li> </ul>
	<ul style="list-style-type: none"> <li>To participate in Inter authority auditing as required.</li> </ul>	<ul style="list-style-type: none"> <li>No performance measure</li> </ul>
6.0	<b>Review</b>	
6.1	<ul style="list-style-type: none"> <li>The Service plan will be reviewed at 6 monthly intervals and progress reported to the Head of Food, Safety and Licensing along with service developments.</li> </ul>	<ul style="list-style-type: none"> <li>Internal Monitoring</li> </ul>

Report No:  
CSD16016

London Borough of Bromley

## PART ONE - PUBLIC

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**Decision Maker:** Public Protection and Safety PDS Committee

**Date:** 20<sup>th</sup> January 2016

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** WORK PROGRAMME AND CONTRACTS REGISTER

**Contact Officer:** Stephen Wood, Democratic Services Officer  
Tel: 020 8313 4316 E-mail: [stephen.wood@bromley.gov.uk](mailto:stephen.wood@bromley.gov.uk)

**Chief Officer:** Mark Bowen, Director of Corporate Services

**Ward:** All

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1. Reason for report

- 1.1 Members are asked to review the Committee's Work Programme and to consider the contracts summary for the Public Protection and Safety Portfolio.
  - 1.2 Members should note that the Work Programme is fluid and subject to as change as required.
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2. RECOMMENDATION

2.1 That the Committee:

- (i) reviews its Work Programme (Appendix 1); and
- (ii) Notes the Public Protection and Safety Portfolio Contracts (Appendix 2).

### Corporate Policy

1. Policy Status: Existing Policy: Committees normally receive a report on The Work Programme and Contracts Register at each meeting.
  2. BBB Priority: Excellent Council Safer Bromley
- 

### Financial

1. Cost of proposal: No Cost
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £326,980.
  5. Source of funding: 2015/16 revenue budget
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### Staff

1. Number of staff (current and additional): 10 posts (8.75fte)
  2. If from existing staff resources, number of staff hours: Maintaining the Committee's work programme normally takes less than an hour per meeting.
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### Legal

1. Legal Requirement: None:
  2. Call-in: Not Applicable: This report does not involve an executive decision.
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is primarily for the benefit of Committee Members.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A



### 3. COMMENTARY

#### Forward Programme

- 3.1 The table at **Appendix 1** sets out the Public Protection and Safety PDS Forward Work Programme. The Committee is invited to comment on the schedule and to propose any changes it considers appropriate.
- 3.2 Other reports may come into the programme - schemes may be brought forward or there may be references from other Committees, the Portfolio Holder or the Executive.

#### Contracts Register

- 3.3 A Public Protection and Safety Contracts Register Summary is at **Appendix 2**.

### 4. POLICY IMPLICATIONS

- 4.1 Each PDS Committee is responsible for setting its own work programme.

<b>Non-Applicable Sections:</b>	Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Previous Work Programme Reports and Minutes of the previous meeting.

**PP&S PDS COMMITTEE - FORWARD WORK PROGRAMME**

<b>PUBLIC PROTECTION AND SAFETY PDS—20<sup>th</sup> January 2016</b>
Matters Arising
Chairman's Update
Police Update
Presentation from Victim Support
Amendments to Dog Service
Draft 2016/17 Budget
Review of SBP Minutes.
Review of Food Safety Service
Work Programme and Contracts Register
<b>PUBLIC PROTECTION AND SAFETY PDS—2nd March 2016</b>
Matters Arising
Chairman's Update
Police Update
Review of SBP Minutes
Presentation from Bromley Youth Council
Update from SLAM
Trading Standards Update Report
Budget Monitoring
Update Report on the PREVENT Strategy from SBP Strategic Group
Portfolio Holder Update
Work Programme and Contracts Register
<b>Future items for possible allocation to the Work Programme:</b>
Update Report on Drug Misuse in Bromley
Update on Resilience

## Appendix 2

### Public Protection and Safety Contracts Register Summary

<b>Contract</b>	<b>Start</b>	<b>Complete</b>	<b>Extension granted to</b>	<b>Contractor</b>	<b>Total Value £</b>	<b>Annual Value £</b>	<b>Public Protection &amp; Safety PDS</b>
CCTV Maintenance	1.4.2012	31.03.17	N/A	Eurovia	Fixed 3 years, then increased by CPI £214,256	£42,851	
CCTV Control Room Monitoring	1.4.2012	31.03.17	N/A	OCS	Fixed 3 years, then increased by CPI £1,263,258	£252,652	
Dog Collection – Stray and Abandoned Dogs	1.12.2012	31.03.14	30.04.17	SDK Environmental Ltd	£280,810	£63,566	PP&S PDS 08/04/2017  Extended to 30.04.2017
Kennels – Stray and Abandoned Dogs	1.12.2012	30.03.14	30.04.17	Woodland Annual Care Ltd	£360,950	£96,000 (Average variable cost)	PP&S PDS 08/04/15.  Extended to 30.04.2017.
Vets Animal Welfare Enforcements	1.4.2014	31.3.15	31.03.17	Corporation of London Veterinary Service	£42,000	£14,000	Waiver agreed by Executive Director of Environmental and Community Services.
Bromley Domestic Abuse Support Groups	1.9.2013	31.3.17	N/A	Bromley Women's Aid	£92,212	£25,760 (Average per annum)	Funded by MOPAC
Safer Bromley Van	1.4.2013	31.3.2017	N/A	Victim Support	£105,751	£26,440 Average per annum)	Funded by MOPAC

<b>Contract</b>	<b>Start</b>	<b>Complete</b>	<b>Extension granted to</b>	<b>Contractor</b>	<b>Total Value £</b>	<b>Annual Value £</b>	<b>Public Protection &amp; Safety PDS</b>
Domestic Abuse Advocacy Project	1.4.2014	31.3.2017	N/A	Victim Support	£349,285	£116,385	MOPAC funded.
Domestic Abuse Perpetrator Programme	1.5.2015	31.3.2017	N/A	DVIP	£54,627	£28,452	Funded by MOPAC
Schools Programme, Volunteer Manager, and Resettlement Officer	1.10.2015	31.3.2017	N/A	Bromley Women's Aid	£86,570 Average	£57,713 per annum)	Funded by DCLG
Mortuary Contract	1.10.14	30.09.18	n/a	Princess Royal Hospital mortuary via Kings College Hospital NHS Foundation Trust	£384,000	£96,000 pa	<i>Contract in conjunction with LB Bexley</i>