



THE LONDON BOROUGH
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DATE: 18 September 2017

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, Kim Botting FRSA, David Cartwright QFSM,
Mary Cooke, Hannah Gray, Tom Philpott and Richard Williams

Non-Voting Co-opted Members –

Robert Atkin, Bromley Victim Support
Katie Bacon, Bromley Youth Council
Terry Belcher, Safer Neighbourhood Board
Dr Robert Hadley, Bromley Federation of Residents Associations
Alf Kennedy, Bromley Neighbourhood Watch
Emily Warnham, Bromley Youth Council

A meeting of the Public Protection and Safety Policy Development and Scrutiny Committee will be held at Bromley Civic Centre on **WEDNESDAY 27 SEPTEMBER 2017 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 FOR THE CHAIRMAN**

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 21st September 2017.

4 MINUTES OF THE PUBLIC PROTECTION AND SAFETY, POLICY DEVELOPMENT AND SCRUTINY COMMITTEE--29TH JUNE 2017. (Pages 1 - 20)

5 MATTERS ARISING (Pages 21 - 24)

6 CHAIRMAN'S UPDATE

7 POLICE UPDATE

8 PRESENTATION FROM SARAH ARMSTRONG (SAY NO 2 KNIVES) ON KNIFE CRIME

Sarah Armstrong is a member of the Safer Neighbourhood Board and founded 'Say No 2 Knives' in 2008 after she was stabbed twice by youths who wanted her phone.

9 PRESENTATION FROM THE BOROUGH GANGS' TEAM

An update will be provided by DCI Charles Clare from the Borough's Gangs' Team.

10 LONDON ASSEMBLY POLICE AND CRIME COMMITTEE ANNUAL REPORT--2016-2017 (Pages 25 - 44)

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

11 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS.

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 21st September 2017.

12 PORTFOLIO HOLDER UPDATE

13 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 FOOD SAFETY SERVICE PLAN 2017 TO 2018 (Pages 45 - 74)

b TRADING STANDARDS SERVICE PLAN (Pages 75 - 92)

c CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2017/18 (Pages 93 - 98)

d DOGS AND PEST CONTROL CONTRACTS (TO FOLLOW)

This report is to follow.

POLICY DEVELOPMENT AND OTHER ITEMS

- 14 EXPENDITURE ON CONSULTANTS 2016/17 AND 2017/18** (Pages 99 - 114)
- 15 CONTRACT REGISTER AND CONTRACTS DATABASE UPDATE** (Pages 115 - 124)
- 16 WORK PROGRAMME, AND RISK REGISTER** (Pages 125 - 132)
- 17 MEMBER VISITS**

Members are invited to suggest ideas for future visits.

- 18 ANY OTHER BUSINESS**
- 19 DATE OF THE NEXT MEETING**

The next meeting is scheduled for 21st November 2017.

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PUBLIC PROTECTION AND SAFETY POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 29 June 2017

Present:

Councillor Alexa Michael (Chairman)
Councillor Chris Pierce (Vice-Chairman)
Councillors Julian Benington, Kim Botting FRSA,
David Cartwright QFSM, Mary Cooke, Ian Dunn,
Hannah Gray and Tom Philpott

Robert Atkin, Terry Belcher and Dr Robert Hadley

Also Present:

Sharon Baldwin, Nigel Davies, Chris Hafford, Dan Jones,
Paul Lehane, Councillor Kate Lymer, Jim McGowan and
Rob Vale, David House, Karen Ryan, Kasia Filipek

STANDARD ITEMS

149 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Katie Bacon and Alf Kennedy. Mr David House attended as a substitute for Mr Kennedy. Councillor Richard Williams sent apologies and Councillor Ian Dunn attended as substitute.

Apologies were also received from Emily Warnham.

150 DECLARATIONS OF INTEREST

There were no declarations of interest.

151 QUESTIONS TO THE CHAIRMAN AND COMMITTEE FROM COUNCILLORS AND MEMBERS OF THE PUBLIC

No questions were received from Councillors or Members of the Public for the Chairman.

152 MINUTES OF THE PUBLIC PROTECTION AND SAFETY PDS COMMITTEE MEETING HELD ON 29th MARCH 2017

The Committee considered the minutes of the meeting of the Public Protection and Safety PDS Committee held on 29th March 2017.

RESOLVED that the minutes of the meeting held on 29th March 2017 be agreed and signed as a correct record.

153 CO-OPTED MEMBERS FOR APPOINTMENT AND RE-APPOINTMENT--2017-2018

CSD 17084

Members considered the nominations for the appointment of new co-opted members, and for the re-appointment of existing co-opted members. The Chairman asked Mr Atkin to say a few words about himself and what he hoped to achieve on the Committee. Mr Atkin duly did so.

RESOLVED

(1) That Mr Terry Belcher, Mr Alfred Kennedy, Miss Katie Bacon and Dr Robert Hadley be re-appointed as non-voting co-opted members

(2) That Mr Robert Atkin and Miss Emily Warnham be appointed as non-voting co-opted members.

154 MATTERS ARISING

CSD 17083

Minute 142 on the Matters Arising report referenced the work of Resilience and Corporate Safety. Members were informed that there would be a full review of Emergency Planning Services.

RESOLVED that the Matters Arising report be noted.

155 CHAIRMAN'S UPDATE

The Chairman informed the Committee that she had recently met with officers to discuss the forward work programme for the Public Protection and Safety PDS Committee.

156 POLICE UPDATE

The Borough Police Commander updated the Committee as follows:

The response to I calls (those requiring a 15 minute response time) was running at 89%.

The response to S calls (requiring a response within 60 minutes) was running at 83%.

The number of ASB related calls had increased by 17%.

The Chairman explained that the main focus of the Police Update would be knife crimes in the Bromley Borough. Members would be able to ask questions on other crime-related matters afterwards.

The Borough Commander updated the Committee with respect to gang and knife crime. In the rolling 12 months, there had been an increase in knife crime offenses from 162 to 314. There did not appear to be a specific area where the offences took place; they occurred in different locations at various times. The offences had peaked in February, but had subsided in the last four months. Proactive operations had been undertaken to combat knife crime.

The Borough Commander commented that previously, there had been a move away from stop and search operations. He expressed the view that this should be changed and that stop and search operations should be increased. He stated that his officers were undertaking daily weapon sweeps. It was noted that the new Mayoral Strategy pertaining to knife crime had recently been published, and the link had been emailed to all councillors.

The Committee heard that two main gangs operated in Bromley, and that 30-40 gang nominals had been identified. Operations had recently been undertaken in Penge, and 30 stop and searches had been carried out—this had resulted in 8 arrests. The main areas for gang and knife crime currently, appeared to be Penge, Cator and Crystal Palace. Bromley Police had contributed to Operation Sceptre, and were also involved in presentations at schools.

The Vice Chairman enquired if a knife amnesty was still in force. The Borough Commander informed that there was a weapons bin outside of Bromley Police Station, and three weapons a week on average were deposited in it.

Councillor Kim Botting noted that knife crime had increased by 80% and expressed concern that aligning with Croydon and Sutton in a BCU (Basic Command Unit) would only make matters worse. The Borough Commander stated that no final decision on BCUs had been taken. It was also the case that the success or otherwise of the two BCU pathfinder sites would need evaluation. The final decisions regarding BCUs would be undertaken by the London Mayor and by the Police Commissioner. The Borough Commander pointed out that all of the surrounding boroughs (except for Bexley) had bigger gang problems than Bromley. Councillor Botting felt that representations should be continued to prevent a BCU alignment with Croydon.

Councillor David Cartwright commented that the newly published Knife Crime Strategy was good, but that it did not appear to have any targets. The Borough Commander confirmed that this was the case, but that nevertheless it would require the allocation of additional resources. It was also the case that other crimes were increasing, and that extra resources were having to be allocated to deal with other matters such as safeguarding. Councillor Cartwright wondered how the police could be held accountable for implementing the Knife Crime Strategy without targets.

The Borough Commander responded that when targets were applied to MOPAC 7, there was criticism of this, and so it was difficult to get the balance right.

Councillor Mary Cooke asked for an explanation as to what was classed as 'knife crime' and what the age range was of those involved. The Borough Commander answered that the main age range was 13-25, and that the definition of knife crime was any crime where a knife or bladed instrument was used.

Councillor Hannah Gray referred to question 2 for the Portfolio Holder. The question asked for data around the number of knife related robberies and possession of a bladed article offences in Bromley since March 1st 2017. She also asked for an explanation concerning outcomes subsequent to arrest, and asked how this trend could be stopped.

The Borough Commander responded that as much prevention and education work in schools should be undertaken, and that the number of weapons searches was increasing. Seventeen individuals had been charged with carrying knives or bladed articles, and 12 individuals had been charged with robbery offences.

The Borough Commander declared that it was the aim of the Police that as far as possible offenders received custodial sentences. However, he expressed the view that this was not the case with other partner agencies; they seemed to operate with KPIs aimed at keeping young people out of the criminal justice system. The Borough Commander cited a gang related incident that had taken place recently in MacDonald's Penge, and had involved youths from Lewisham. This was a serious and frightening incident where a machete and a very long knife were used. However, there was no application from the Youth Offending Service for a custodial sentence. An incident had occurred on the evening before the PPS/PDS meeting--also in Penge. The Police were looking for a robber when two unarmed officers were threatened by a young person brandishing a shotgun. The matter was being investigated by officers from Operation Trident.

Councillor Gray asked if the Police could put forward their wishes to the court in terms of sentencing and bail conditions. The Borough Commander confirmed that the Police would normally ask for bail conditions, but it was the courts that made the final judicial decisions. He felt that it was important that the Police continue to make effective use of social media like Twitter, and increase stop and search activities. In his view, the policy concerning not chasing motorbike offenders should be repealed, and that feed-back from as many partners as possible advocating this, should be communicated to central government, the London Mayor, and the MET.

Councillor Botting asked what resources were available for dealing with crime and disorder associated with pubs and clubs. The Borough Commander informed that Operation Equinox patrols were deployed in Beckenham and

Bromley on Friday and Saturday nights. The patrols would consist of 5-6 officers backed up by special constables.

Councillor Julian Benington asked how many knife offences were committed within close proximity to schools. The Borough Commander did not have this data with him at the meeting. He stated that the provision of data was becoming problematical without the use of crime analysts. It was noted that the peak crime periods for knife related crime were between 3.00pm to 6.00pm (school related), and 9.00pm to midnight (night time economy).

Councillor Cartwright expressed grave concern regarding the number of crimes where motorbikes were involved, and the fact that the Police were not allowed to give chase. He suggested that a cross party letter be sent to the London Mayor, expressing LBB's concerns regarding motorbike crime. This was agreed and passed as a resolution.

The Chairman cited an article in the Evening Standard which stated that schools were not to blame for these problems, but that rather it was the parents that were to blame. She asked what was being done to engage families. The Borough Commander responded that any person aged 17 or younger would need a responsible adult with them at the police station, and that this was normally an older family member. They would be shown the offensive weapon and invited to knife crime workshops.

Councillor Botting enquired if Bromley Police used School Liaison Officers. The Borough Commander confirmed that a Young People's Team of 11 officers existed. They focused on secondary schools and engaged with young people in schools, giving talks and presentations. A series of school visits was planned for the following week.

The Vice Chairman praised the Borough Commander for his excellent use of social media, particularly Twitter—the updates were informative and in real time.

Reference had previously been made to the proposed 12 new commanders of the BCUs ('super boroughs') if the BCU scheme was implemented. Mr Terry Belcher enquired if the Borough Commander was likely to be one of these. The Borough Commander stated that this was unlikely, and that he would assess his options after the new BCU command structure was established.

Councillor Gray wondered if the schools education programme was effective and if not what else could be done. The Borough Commander mentioned the 'Troubled Families' initiative, but he was unclear how this was joined up with other agencies. He added that there needed to be greater networking and integrated working with other agencies across the board.

The Chairman referenced a previous advertising campaign aimed at reducing gun crime. The campaign showed a picture of a corpse in a mortuary accompanied by the words, 'Carrying a gun can get you into the coolest places'. She asked how effective the advertising campaign was. The Borough

Commander stated that he would look into this and get back to the Committee.

Post meeting note:

According to an article dated 14th November 2007 in the Evening Standard, this was part of a three year campaign that helped to reduce gang violence in London by 15%, and increased cooperation with the black community by 86%. The campaign consisted of posters, tv advertising, internet campaigns, petrol pump adverts and an anti-gun rap song.

The Borough Commander concluded by stating that a significant number of officers would be supplied with tasers, but it was still currently the case that plain clothes officers were not allowed to use them.

RESOLVED that a cross-party letter be drafted to the London Mayor. The letter to express the Committee's concerns around motor bike crime and the current restrictions imposed upon the Police which limit how they can respond to crimes where motor bikes are involved.

157 PRESENTATION FROM BRITISH TRANSPORT POLICE

The presentation from British Transport Police (BTP) was given by Station Commander Kasia Filipek.

Ms Filipek explained that the ambition and purpose of the BTP was to provide a first class police force that would help the travelling public to get home safely and on time every day.

The BTP had 4 strategic objectives which were:

- Reduce disruption
- Reduce crime
- Increase confidence
- Deliver value for money

Ms Filipek outlined the 7 BTP priorities:

- Counter terrorism
- Preventing crime
- Protecting vulnerable people
- Supporting the railways
- Supporting and valuing the BTP workforce
- Building confidence and satisfaction
- Improving effectiveness and efficiency

The Station Commander highlighted that with respect to counter terrorism, it was one of her officers that was first on the scene at the recent terrorist

incident at London Bridge. She emphasised the need for public support. More officers were being trained in the use of tasers and firearms.

The Station Commander referred to vulnerable people and explained that in this group, BTP would class children, people who were suicidal and others who had been sexually assaulted. Advertising campaigns had been undertaken to encourage the reporting of offences, discouraging hate crime, and warning young people of the dangers of playing on railway lines. The Committee were informed that a mental health suicide reduction team had been set up.

BTP worked in partnership with industry and other partners to keep the railway running efficiently and on time. They responded quickly to incidents that caused delay in order to safeguard the public and reinstate services as quickly as possible.

Ms Filipek highlighted that BTP supported and valued staff, and that TRIM and Carefirst counselling services had been established to provide support.

The Committee were briefed on the Demand Review that aimed to address how the Force could balance its services in line with the demand of passengers and the rail industry.

The review commenced in 2015 and looked at how BTP could more effectively manage resources, taking in to account the peak times for specialist services.

Proposals indicated how BTP could better align the working arrangements of PCs and PCSOs to the times and days of the week when calls for service were highest. The proposals were based on an examination of crime levels, incidents and other calls for service and public order policing.

The Demand Review was completed and implemented on 9th of April 2017.

The Chairman asked what sort of response was received from the public in terms of providing information and intelligence. The Station Commander advised that BTP received a lot of information that was useful, and which could in some cases be used to prevent future attacks.

Councillor Botting asked the Station Commander how she felt about her officers using tasers. The Station Commander responded that she was from Poland and that in Poland all officers were armed. As far she was concerned, tasers were a tool that was required.

Councillor Benington asked if there were geographical limits to the jurisdiction of the BTP. The Station Commander responded that the BTP had a national power of arrest.

Dr Robert Hadley asked how the BTP was funded. It was explained that funding came from the Home Office and from the train operating companies.

The Chairman enquired about ASB and wondered how the BTP dealt with beggars and people putting their feet on seats. The Station Commander responded that if they saw people putting their feet on seats, they would ask them to take their feet off the seats. They would not normally arrest anyone for this offence as it was not considered a good use of time and resources. The BTP were more likely deal with beggars as in many cases, begging was linked to organised crime.

The numbers to contact BTP were:

0800 405040

Text 61016

In an emergency always call 999.

The Chairman thanked the Station Commander for her very interesting and informative presentation.

158 PORTFOLIO HOLDER UPDATE

The Portfolio Holder had recently attended a meeting and workshops with London Councils. This had incorporated training on how to apply for MOPAC funding going forward. Expressions of interest for the first tranche of funding had to be submitted in August.

The Portfolio Holder informed the Committee that the Public Protection Division had been removed from the Environmental Services tendering process.

The Portfolio Holder would be attending a meeting related to BCUs the following week, and this would include a meeting with the Croydon Borough Police Commander. She was also due to attend a meeting the following week with Bromley Police to discuss 'Stop and Search'.

There had been some good news associated with London Fire Brigade. The Bromley Borough Fire Commander had obtained funding for a significant number of Fire Cadets.

RESOLVED that the Portfolio Holder update be noted.

159 RISK REGISTER INFORMATION ITEM

No questions were received prior to the meeting concerning the Public Protection Risk Register.

Members noted the various risks and in particular the high risk rating that was currently assigned to the Food Safety Service after the Food Standards Agency audit.

Councillor Benington asked if LBB was happy with the level of risk associated with Emergency Planning Services. The Executive Director for Environment and Community Services stated that the Leader had commissioned a full review and that Councillor David Cartwright was assisting with this. Members also expressed concern over the significant risks associated with a reduction in MOPAC funding.

Councillor Dunn asked if there was a timescale set for the proposed actions relating to Health and Safety Risks. The Executive Director clarified that a full inspection programme was scheduled over a three month period. The Director for Environment confirmed that the recruitment process for a full time corporate health and safety advisor was being progressed.

Councillor Benington asked if LBB was happy with the cladding used on North Block, and the Executive Director responded that this issue was being looked at.

RESOLVED that the Risk Register Information Item briefing be noted.

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

160 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS

Three questions had been received from Councillor Nicholas Bennett.

The questions and answers will be attached as an appendix to the minutes.

a BUDGET MONITORING 2017-2018

FSD17403

The Budget Monitoring report (2017/18) was written by Claire Martin—Head of Finance.

The report was drafted to show the latest budget monitoring position for 2017/18 for the Public Protection and Safety Portfolio. This was based on expenditure and activity levels up to 31st May 2017.

It was noted that there was a projected over-spend of £66k. This was due to increased expenditure for the Mortuary Service. The current total budget allocation was £2.34m; it was estimated that the total expenditure in the budget would rise to £2.40m.

Councillor Benington asked why the mortuary service cost had increased. The Executive Director for Environmental and Community Services explained that a big inquest was going to be held, which was going to be costly. It was difficult to factor in costs of this nature as they were unexpected.

RESOLVED that the Portfolio Holder endorse the latest 2017/18 budget projection for the Public Protection and Safety Portfolio.

b PROVISIONAL OUTTURN 2017/18

FSD17044

The Provisional Outturn report (2016/17) was drafted by Clare Martin, Head of Finance.

The purpose of the report was to provide the Portfolio Holder with the provisional final outturn position for 2016/17 for the Public Protection and Safety Portfolio. This showed an underspend of £31k for 2016/17 which would be ploughed back into central reserves.

The Committee was asked to note the report, and the Portfolio Holder was requested to endorse the 2016/17 provisional outturn position for the Public Protection and Safety Portfolio.

RESOLVED that the Portfolio Holder endorses the report.

c DRAFT PORTFOLIO PLAN--2017-2018

The Portfolio Holder referred the Committee to a rag rated document that had been prepared by the Director for Environment. The document was a summary of Portfolio Plan performance for 2016/17. Out of 16 objectives, 12 had been rated as outcomes being achieved, and 4 as partly achieved and the 4 targets which were partly achieved had very good reasons why they weren't quite met.

Councillor Benington asked how the green rag ratings for the Food Safety Service related to the findings that had been identified in the Food Safety Audit report. The Portfolio Holder explained that the green rag ratings in the summary performance document related to high level risk businesses only.

Councillor Gray asked why the rapid response target for responding to service calls for the victims of doorstep crimes and scams had not been achieved. The Portfolio Holder pointed out that they only just missed the target of 50 by 3. The Head of Community Safety and Trading Standards added that 100% of level one complaints had been responded to.

With respect to aim 4.3—developing a computerised system for contaminated land reporting—progress had been hampered as it had not yet been possible to recruit a replacement officer with the correct level of technical expertise.

The Portfolio Holder highlighted the priorities of the Plan

- To support the Safer Bromley Partnership and to co-ordinate the Council's statutory response to its duties under Prevent

- To add in a focus this year of tackling underage knife sales
- To take action against rogue traders, especially those that targeted vulnerable people
- To inspect 100% of high risk food businesses
- To maintain a safe environment in Bromley by providing a CCTV monitoring service for the town centre and other key locations.

RESOLVED that

(1) The Public Protection and Safety Scrutiny Committee note the report

(2) The Portfolio Holder endorse the Portfolio Plan for 2017/18.

d GATE ZERO REPORT-ANIMAL HEALTH AND WELFARE SERVICE

ES 17042

This report was submitted by Mr Paul Lehane, Head of Food Safety and Licensing.

The report outlined why it was not considered economical or necessary to go to market for a tender exercise to re-tender the existing contract with the City of London Veterinary Service, (COLVS) and that the continuation of the current service agreement needed formalising by the Council.

It was noted that the 'Zoo' referenced in the table in section 4.4 was the one at Crystal Palace. It was further noted that Christmas Tree Farm was not licenced as a zoo.

The Chairman referred to section 6.5 of the report and asked what was meant by 'zoonosis'. Mr Lehane explained that this was a term used to refer to the transmission of an animal disease to humans.

RESOLVED that

(1) The Portfolio Holder agree to the contract for the Animal Health and Welfare Service be exempt from the formal tender process for the reasons set out in the report

(2) The Portfolio Holder agree to continue to use the services currently provided to the Council by the COLVS under formal arrangement for a period of three years, with the option to extend for a further two years with authorisation delegated to the Executive Director for Environment and Community Services.

e FOOD STANDARDS AGENCY AUDIT OF FOOD HYGIENE SERVICE DELIVERY

ES17041

The Committee looked at the Food Standards Agency—Audit of Food Hygiene Service Delivery report for April 2017.

The report had been drafted by Mr Paul Lehane, Head of Food Safety, Occupational Safety and Licensing. The purpose of the report was to update Members of the findings of the Food Standards Agency audit of the food safety team that had taken place on 27th April 2017.

The Chairman commented that the Food Safety Team had done an excellent job given the fact that they were understaffed. Mr Lehane informed the Committee that the Food Safety Service needed to recruit 2 full time staff and 3 full time temporary staff to deal with the backlog of inspections.

It was noted that the FSA audit had been prompted by high numbers of overdue and unrated premises. The FSA sent the draft audit report to the Council on 5th June 2017. The Portfolio Holder explained that previously the FSA had adopted a relatively lenient stance regarding having a backlog-as long as Councils had been managing risk, but this had now changed.

Councillor Benington asked for an explanation of what was classed as high and low risk. Ms Karen Ryan (Lead Practitioner--Food Safety Officer) explained that it would depend on what activities were being undertaken, how these activities were being managed, and what process the company was using for handling food. An example of a low risk business would be a home cake making business. Consideration would also be given concerning the recipients of the food. Schools and Care Homes would normally be regarded as high risk.

Councillor Dunn suggested that it should have been easy to predict that there was going to be a backlog of inspections. Mr Lehane responded that the backlog was caused by a combination of losing existing staff, and lack of funding for new staff. The Annual Service Plan set out the staff resource required against the actual resource.

It was noted that there was a shortage of qualified staff and that the employment of agency personnel was very expensive. The last agency person employed cost LBB £1200 per week. Councillor Hannah Gray asked if festivals and events would be classed as high risk. Ms Ryan stated that the Food Safety Service Team would attend as many events as they could, and would check as many traders as possible. Event organisers would normally try and use compliant businesses.

Councillor Botting asked if anyone in Bromley had ever died of food poisoning, and the answer to this was no. It was also asked if the Food Safety Service ever closed premises. Ms Ryan answered that this was rare, but LBB had closed one about a week ago.

The Committee was informed that the Secretary of State did possess interventionary powers and could issue formal directions. It was also the case that they could send someone in to run the service, with consequent reputational damage to the Council. If a death occurred there could be a public inquest.

RESOLVED that

(1) The Portfolio Holder note the findings of the Food Standards Agency Audit

(2) The Portfolio Holder agree the Action Plan to be submitted to the Food Standards Agency

(3) The Portfolio Holder submit a bid for additional resources to the Executive.

f ENFORCEMENT ACTIVITY REPORT APRIL 2016-MARCH 2017

ES17040

The Enforcement Activity Report for April 2016 to March 2017 was drafted by Mr Jim McGowan, Head of Environmental Protection. The report had been presented to the Committee to provide a summary of the activity undertaken by the Public Protection Division during the period 1st April 2016 to 31st March 2017 where enforcement activity had been undertaken under delegated powers.

It was noted that the report highlighted that an increased number of decisions had been made to issue HMO (Houses of Multiple Occupation) licences. This was mainly because most of the licences were due for renewal.

The Vice Chairman asked for an explanation of what constituted a HMO. It was explained that a house in multiple occupation was a property rented out by at least 3 people who were not from 1 'household' (eg a family) but shared facilities like the bathroom and kitchen.

Landlords must have a licence if they were renting out a large HMO. The property would be defined as a large HMO if all of the following apply:

- it's rented to 5 or more people who form more than 1 household
- it's at least 3 storeys high
- tenants share toilet, bathroom or kitchen facilities

Mr McGowan mentioned that going forward it was likely that the definition of a HMO would be expanded to include 2 storey properties.

It was RESOLVED that the report be noted and members agreed to receive further similar reports every six months.

g MOPAC UPDATE

ES17039

The Mopac Update report was written by Mr Rob Vale, Head of Trading Standards and Community Safety. The report was written to update the Committee on the Local Crime Prevention Fund (LCPF) granted by the Mayor's Office for Policing and Crime (MOPAC).

The Committee was informed that the funding allocation for LBB for 2017/18 was £401,731. Unfortunately, the funding for 2018/19 was significantly lower at £241,699. It was the case that the funding could be spent as LBB wished over the 2 year period. The total 2 year funding was £643,430, and LBB had taken the decision to apportion the grant funding over the two years. Table 3.4 in the report explained in the detail how the money would be spent. The Chairman expressed concern over the reduced budget for ASB and noise nuisance. She hoped that some of the deficit could be picked up from within the organisation.

Mr Vale was concerned about the co-commissioning element of funding that would commence during 2019/20, and continue into 2020/21. During these two years, 70% of funding would be direct borough funding, but 30% would need to be sourced from a co-commissioning budget. He felt that the process for obtaining funding from the co-commission pot was complex, and it was possible that an application may not be successful. There were also tight timescales to adhere to. Mr Vale stated that the funding gap could have a negative impact on VAWG projects.

RESOLVED that the MOPAC Update report be noted.

161 WORK PROGRAMME

CSD 17082

The Work Programme was noted.

Two suggestions were put forward for future Committee visits, these were a visit to the Youth Offending Service and to Victim Support.

RESOLVED that the Work Programme be noted.

162 ANY OTHER BUSINESS

No other business was discussed.

163 DATE OF THE NEXT MEETING

The date of the next meeting was confirmed as 27th September 2017.

The Meeting ended at 9.00 pm

Chairman

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ORAL QUESTIONS TO THE PORTFOLIO HOLDER FOR PUBLIC PROTECTION AND SAFETY

Public Protection and Safety PDS Committee—29th June 2017

Oral questions have been received from Councillor Nicholas Bennett:

Cllrs Tom Philpott and Hannah Gray, as members of the Committee will ask them on Cllr Bennett's behalf:

QUESTIONS:

1. What information does the Portfolio Holder have concerning the number of knife robberies in each ward in each month since March 2017?

ANSWER TO QUESTION ONE IN TABLE FORM:

		March	April	May	June		Total
PY01	Bickley	1	1				2
PY02	Biggin Hill		1				1
PY03	Bromley Common & Keston		2		1		3
PY04	Bromley Town	6	4	4	1		15
PY05	Chelsfield & Pratts Bottom						
PY06	Chislehurst		1				1
PY07	Clockhouse		1				1
PY08	Copers Cope		1	1	1		3
PY09	Cray Valley East	2		1			3
PY10	Cray Valley West						
PY11	Crystal Palace	1	1	2	3		7
PY12	Darwin						
PY13	Farnborough & Crofton						
PY14	Hayes & Coney Hall	1					1
PY15	Kelsey & Eden Park		4				4
PY16	Mott' & Chislehurst North		1				1
PY17	Orpington			1			1
PY18	Penge & Cator	1			2		3
PY19	Petts Wood & Sundridge				1		1
PY20	Plaistow & Sundridge						
PY21	Shortlands			1			1
PY22	West Wickham						
PG41	Triangle		1	1			2
		12	18	11	9		50

2. What information does the Portfolio Holder have concerning the number of persons arrested and charged with the following offences since March 1st 2017?

- i. knife related robberies
- ii. possession of a bladed article

ANSWER TO QUESTION 2 IN TABLE FORM:

	Robbery	Robbery with knife	Possession offensive weapon	Points & Blades		Total
Charged	15	6	10	9		40
Community Resolution	1	0	1	0		2
Youth Caution	0	0	3	2		5
Adult Caution	0	0	4	0		4
Total	16	6	18	11		51

3. What discussions has the Portfolio Holder had with the Borough Commander about knife crime since March 1st 2017?

ANSWERS TO QUESTION 3:

Q3: Since concerns were raised around knife crime in West Wickham in April, Cllr Lymer met with the Borough Police Commander promptly on April 13th, to highlight these concerns and to agree a joint work plan between the Police and the local authority. A community engagement day was held on Friday 23rd June in St Francis Hall, West Wickham. Bromley Council Road Safety Team remain committed to supporting local police teams in bike marking events to help keep young people safe. Local authority officers have been in regular contact with community representatives and have supported the community with advice on the production of staying safe guidance for young people, being distributed through schools. The Police and the local authority will be attending a further meeting in early July to agree how best the local authority, Ward Security, local police and residents can work together to help counter the seasonal spike in crime during the summer holidays. Conversations regarding knife crime are ongoing as part of routine meetings held regularly between Cllr Lymer, the Executive Director for Environment, and the Borough Commander.

Q3-Supplementary Question:

Can more be done to break down any barriers that may currently exist between schools and the Police?

Q3-Supplementary Answer:

More integration and communication is required between schools and the Police. It is the case that at the moment this is dis-jointed. The Deputy Borough Police Commander as Chairman of the Gangs Team is working to resolve this.

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Report No.
CSD 17119

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Public Protection and Safety PDS Committee

Date: 27th September 2017

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

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

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

2. RECOMMENDATION

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

Non-Applicable Sections:	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: £343,810
 5. Source of funding: 2017/18 revenue budget
-

Staff

1. Number of staff (current and additional): 8 posts (6.87fte)
 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
-

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>
Minute 142 Portfolio Holder Update 29th March 2017	<p>It was hoped to fill the Corporate Safety Advisor Post on a full time basis. This would provide support to the emergency planning and business continuity service.</p> <p>A request was also being made for an additional £40k for a full time support post to support the work of Laurie Grasty in Resilience, and Corporate Safety.</p>	<p>Both of these positions are part of a plan being developed by the Director for Environment.</p> <p>Report ES 17059 went to the Executive on 09/08/17 to request extra resources for ECS.</p> <p>The extra resources have been agreed and recruitment action is being taken.</p>
Minute 142 Portfolio Holder Update 29th March 2017	<p>Recruitment was underway for a graduate intern to assist with the commissioning of stray dogs and CCTV contracts.</p>	<p>Adequate support is now in place.</p>
Minute 142 Portfolio Holder Update 29th March 2017	<p>It was noted that the FSA would be conducting an audit on April 27th.</p>	<p>Report ES 17059 went to the Executive on 09/08/17 to request extra resources for ECS. This included a request for funding for extra Food Safety Officers.</p> <p>Extra funding has been agreed and the recruitment process is underway.</p>
Minute 156 Police Update 29th June 2017	<p>It was resolved that a cross party letter be drafted to the London Mayor, regarding concerns around the restrictions imposed upon the Police in responding to incidents of motor bike crime.</p>	<p>The Chairman of the PPS/PDS Committee has completed the final draft of the letter, and this was due to be posted to the London Mayor on 21st September.</p>

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LONDON ASSEMBLY

Work of the Police and Crime Committee in 2016-17



June 2017

Who we are

The **Police and Crime Committee** is a cross-party body, chaired by Conservative Assembly Member Steve O’Connell. We examine the work of the Mayor and his Office for Policing and Crime (MOPAC), to make sure that he is delivering on his promises to Londoners. We also investigate other issues relating to policing and crime in the capital.

Our work involves a range of activities, including meetings with MOPAC, the Met and other stakeholders, site visits, written consultations and roundtable meetings. The committee meets formally, in public, twice a month:

- One of these meetings is used to hold a question and answer (Q&A) session with the Deputy Mayor for Policing and Crime and the Met on current issues.
- The other is used to consider a particular topic or aspect of policing and crime in greater detail, hearing from a range of people and often resulting in a report with recommendations to the Mayor.

We routinely publish the findings and recommendations of our investigations, including the responses we receive from the Mayor. These can be found on our [investigations page](#).

Your Police and Crime Committee members this year were



Steve O'Connell AM

Chairman of the Police and Crime Committee



I became Chairman of the London Assembly Police and Crime Committee at a time of great challenge for policing in the capital. Funding for policing is drastically reducing; overall crime is falling, but certain crimes, such as knife crime, gun crime, and serious violence are starting to rise; the number of specialist investigations the Metropolitan Police has to carry out is growing; and broader pressures on public services means that police officers are expected to do more in their day-to-day work.

It is, therefore, more important than ever to ensure that those responsible for keeping us safe are doing so in the best ways possible. To this end, we seek to challenge and influence the decisions and actions being taken by the Mayor through his Office for Policing and Crime (MOPAC), the Met and the wider criminal justice system, on behalf of Londoners.

This report summarises the work we have done this year. We have challenged slow progress and poor performance in areas such as custody healthcare, and in tackling electoral fraud; we have gathered evidence to influence the Mayor's priorities on issues such as serious violence and violence against women and girls;

and we have engaged with decision makers and Londoners on issues such as tackling knife crime, and safety at major events like Notting Hill Carnival. All of this work has contributed to the development of the Mayor's Police and Crime Plan, which sets out his priorities for policing and justice over the next four years.

In the year ahead, we will hold the Mayor to account on his commitments and continue to examine the issues that matter to Londoners. We plan to pay particular attention to the crimes that cause serious harm, such as gun and knife crime, and those that can increase the fear of crime in communities, such as antisocial behaviour. We will also look at the needs of specific groups of people in London, such as victims of crime and women who enter the criminal justice system, to ensure these are being met as far as is possible.

Our work benefits from your involvement. I would encourage you, whether as an organisation or an individual, to contribute your views to our investigations and let us know about the policing and crime issues that concern you. While we can't resolve individual cases, your input helps us to identify the issues and ask the right questions of the people that are tasked with keeping London a safe place to live, work, and visit.

I would like to thank everyone that has been involved in supporting our work this year.

Some of our achievements this year

- Our investigation into safety at the Notting Hill Carnival created the impetus for a **major review of crowd management arrangements at Carnival** and of how the Carnival is run.
- Our investigation into electoral fraud in the capital led to the Met undertaking a set of related **investigations into historical allegations of electoral fraud** at the 2014 Tower Hamlets Mayoral Election.
- We continued our work into how people in police custody receive appropriate healthcare: be it for physical injuries, mental health issues or substance abuse. As a result of our work, the Mayor has agreed to a **review of the Met's custody healthcare arrangements**.
- We said that the Mayor needs a clear plan for supporting people with mental health needs that come into contact with the police. The Mayor has made new **commitments on health and criminal justice, including a trial of new Mental Health Investigation Teams**.
- Our reports into Serious Youth Violence, Violence against Women and Girls, and tackling extremism all **contributed to the development of the Mayor's Police and Crime Plan**.

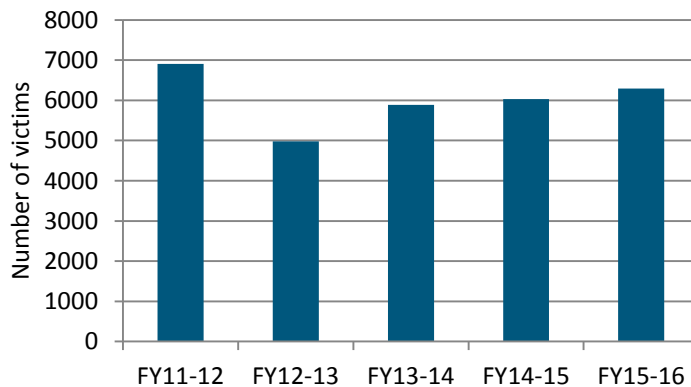
Serious Youth Violence: fear is fuelling violence among London's young people

One of our first major pieces of work was to look at the issue of Serious Youth Violence (SYV), in particular the increase in knife crime among young people.

We examined the impact of SYV in the capital; how organisations work with young people exposed to violence; and the opportunities the Mayor has to help tackle and prevent it.

We found a worrying rise in SYV in London. The number of victims of SYV is up around 20 per cent on four years ago: in 2015-16, that was over 6,000 victims.

The number of victims of serious youth violence has been rising slowly since 2012-13



Source: Metropolitan Police

Around half of all reports of youth violence in London involve a knife. We heard about the belief among some young people that they need to be prepared to defend themselves. This is fuelled, in part, by a perception of the number and severity of weapons on the streets, or by young people seeing or hearing about friends being hurt, and feeling they need to carry a knife for protection.

Our report, [*Serious Youth Violence*](#), published in September 2016, summarised the available data on SYV, and set out what needs to be done to tackle the rise in crime. This includes the need for:

- a better understanding of the drivers of SYV
- an increase in confidence amongst young people to report violence
- more effective and appropriate messages to London's young people about the realities of knife crime

We concluded that if a serious incident occurs, there needs to be more of a concerted effort by the police and other agencies to reassure young people that they are safe, and to tackle the immediate sense of danger.

Our report has helped to support discussions at a local level with young people about serious violence and knife crime. Our findings were also reflected in the Mayor's Police and Crime Plan.

Violence against Women and Girls: is the Met equipped to deal with an increase in reporting?

Reports of Violence against Women and Girls (VAWG) in London are rising as victims gain confidence to come forward. This is to be welcomed, but reporting has not translated into increased action against alleged perpetrators.

We looked at the available data and spoke to organisations working with victims, to understand what more can be done to improve the way VAWG is tackled and how victims can be better supported.

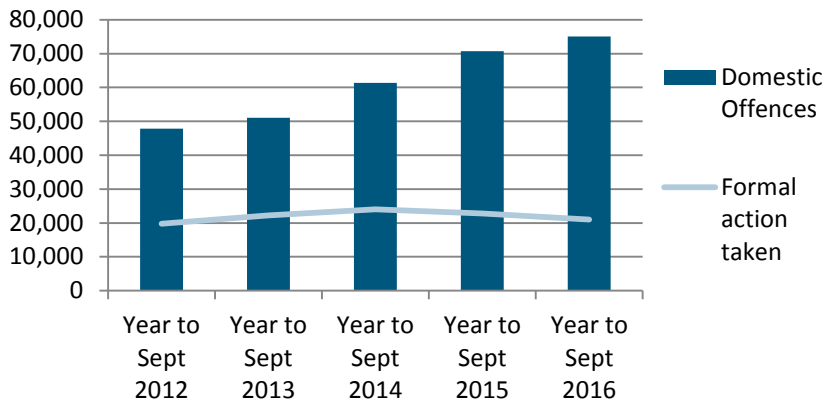
The low level of action against perpetrators suggests that the Met has struggled to keep up with the increase in reports. In the year to September 2016, for example, there were over 70,000 domestic offences reported, but only 28 per cent of these resulted in a charge, caution or other outcome. This compares to 41 per cent of the 48,000 offences reported in the year to September 2012.

Our report, [*Violence Against Women and Girls*](#), published in November 2016, concluded that while the increase in reporting should be seen as a success there is a risk that public confidence will be lost if the resources available cannot meet demand.

We called on the Mayor to provide visible leadership on the issue. To ensure that services meet demand, we recommended, for example, that the number of Independent Sexual Violence Advisers is increased, to help survivors and guide them through the criminal justice process.

The Mayor has committed to a refresh of the current VAWG strategy, and to a campaign to raise awareness of the issues and tackle unacceptable attitudes towards women and girls.

While domestic offences are rising, the total number of people that have had formal action taken against them has remained fairly constant



Source: MOPAC domestic and sexual violence dashboard

Preventing extremism: Do our existing strategies prevent the growth of extremism in London?

Protecting people from extremism is becoming more challenging. With an increase in online radicalisation, for example, it is increasingly hard for public services to identify those who are vulnerable and at risk, and provide them with the necessary support.

This year we called on MOPAC to make more progress in helping public services across the capital effectively tackle extremism.

We heard about the good work being carried out at a local level to tackle extremism. Practitioners across the London boroughs are working together to find ways of delivering high quality interventions despite the support and funding provided by Government being patchy.

We also found, however, that progress elsewhere has been slow. Over a year ago MOPAC, along with partners like the Met and the Home Office, set up the London CONTEST Board to oversee London's counter-terror strategy. We were told that the Board needs to do more, and at a faster pace, to help improve information sharing, transparency and interventions for people at risk.

We [wrote to MOPAC](#) recommending that it do more to make sure that all parts of London have the tools they need to support vulnerable individuals, by working with the Home Office to commission projects on a pan-London basis, rather than in specific local authority areas. We also stressed the need for the Mayor to commit to regular, open and honest communication with the public about what is happening in London to tackle extremism.

The report contributed to the development of the Mayor's Draft Police and Crime Plan, with the findings and recommendations being directly reflected in the Plan.

Notting Hill Carnival: time to stop dancing around the issue of public safety

Notting Hill Carnival hits the headlines every year, but unfortunately often for the wrong reasons. Following reports that arrests at Notting Hill Carnival had reached record levels, we carried out an urgent piece of work looking at the existing policing and security arrangements, and to identify any improvements that can be made to keep people safe.

What we found in terms of crime was worrying. While the number of crimes at Carnival has risen over recent years, what is most significant is the rise in serious and violent incidents. Last year, the Met Police recorded 151 offences of violence against the person at Carnival: an 86 per cent increase on 2010.

One of the most obvious risks for Carnival is overcrowding, which makes keeping people safe from harm difficult. This is made all the more acute because of the number of people going to Carnival and its street-based location. Public safety at Carnival is a growing problem.

Putting these two issues together, we concluded in our report, [*Notting Hill Carnival: safer and better*](#), that there is a clear and present risk to people's safety and the reputation of Notting Hill Carnival. We said that if

Carnival is to thrive, those who know it best need to look at how the situation can be improved. We also highlighted our concern about the ability of the London Notting Hill Carnival Enterprise Trust Ltd—the organisers of Carnival—to deliver the event effectively.

We asked the Mayor to do two things: to help the Carnival Trust to become a stronger, more formal, organising body; and to work with them to look at what changes might improve the safety and quality of Carnival. We stressed that the Mayor and Carnival organisers should engage Londoners on any proposals for the future of Carnival.

The report received a high level of public attention and Carnival organisers admitted that public safety is an issue that needs to be addressed. The investigation created the impetus for MOPAC to commission a major review of crowd management arrangements at Carnival and of how the Carnival is run, with changes expected this year.



Members of the Police and Crime Committee visited Carnival 2016

Electoral Fraud: fraud identified, but why no criminal prosecutions?

In response to public concern, we held an urgent investigation to clarify the involvement of the Met and MOPAC in tackling allegations of electoral fraud in London. We paid



particular attention to the 2014 Tower Hamlets Mayoral Election, following an Election Court Judgement that found that corrupt practices had taken place.

We explored how allegations of electoral fraud are tackled and the types and volume of accusations in London in recent years. The Met told us about the process for an investigation and the difficulties of gathering sufficient evidence necessary to seek the prosecution of offenders.

Following the discussion we [wrote to MOPAC](#) to request further investigation into the work carried out by the Met in relation to the Tower Hamlets Mayoral Election.

In a significant move, the Deputy Mayor for Policing and Crime agreed to our recommendation and wrote to Her

Majesty's Inspectorate of Constabulary to request an independent investigation.

In addition, our work prompted the Met to launch its own investigation, Operation Lynemouth, to look at whether there is sufficient evidence to mount criminal prosecutions related to the 2014 Tower Hamlets Mayoral Election.

Visits and other meetings

- We examined the Met's arrangements for healthcare in custody with a visit to Brixton Custody Suite. After seeing the facilities, we heard from staff about the challenges faced in respect of care: including staffing; a shortage of drug and alcohol workers; and difficulties in finding secure accommodation. The visit supported the committee's questioning of MOPAC and the Met at its regular Q&A meetings, and, following the committee's work, the Mayor committed in the Police and Crime Plan to a review of custody healthcare arrangements.



Committee members heard from staff at Brixton Custody Suite about the healthcare provided for detainees

- Following high profile incidents of violence at football matches at the London Stadium, we visited the Stadium to assure ourselves that the security procedures both in and around the Stadium were effective. We met with key personnel, toured the security facilities and heard about the improvements being made to the security plans.


Our work for 2017-18

In the coming year, we will hold the Mayor to account for his commitments in the Police and Crime Plan and continue to examine the issues that matter to Londoners.

We will hold investigations into topics such as **antisocial behaviour, gun crime, and women in the criminal justice system.**

We will also continue our regular examination of MOPAC and the Met through our monthly Q&A meetings, looking at topics such as **counter-terrorism, knife crime, serious violence, hate crime and neighbourhood policing.**

How can I get involved in the committee's work?

- Contribute to our investigations. Details on our current work can be found on the [Police and Crime Committee webpage](#).
- Get in touch with us via policeandcrimecommittee@london.gov.uk.
- Raise issues of concern with [Assembly Members directly](#).
- Tweet us [@LondonAssembly](#) and follow Committee Twitter conversations with #AssemblyPolice. 
- Come to a committee meeting at City Hall – you are welcome to come and [observe our debates](#).
- [Watch our meetings live](#) from your computer, mobile or tablet.



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Report No.
ES17071

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION AND SAFETY PORTFOLIO HOLDER

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

Date: Wednesday 27 September 2017

Decision Type: Non-Urgent Executive Non-Key

Title: FOOD SAFETY SERVICE PLAN 2017 TO 2018

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: Executive Director of Environment & Community Services

Ward: (All Wards);

1. Reason for report

Following the audit of the Food Safety Service by the FSA in April 2017 Members are asked to consider the Food Safety Service Plan for the current year.

2. **RECOMMENDATION(S)**

The Portfolio Holder is asked to

2.1 Approve the service plan for the Food Safety team and

2.2 Note that the targets to reduce the backlog of inspections are dependent on being able to recruit to the additional food safety posts.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Premises providing food for vulnerable adults and children will continue to be inspected according to the risks they present to food safety.
-

Corporate Policy

1. Policy Status: Existing Policy: The Food Safety Service publishes an annual service plan
 2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres Healthy Bromley Regeneration:
-

Financial

1. Cost of proposal: Estimated Cost: £436k in 217/18, £561k in 2018/19 & £411k for 2019/20 onwards
 2. Ongoing costs: Recurring Cost: £411k per annum
 3. Budget head/performance centre: Food Safety and Licensing Service
 4. Total current budget for this head: £436k incl £125k for additional food safety officers
 5. Source of funding: Existing Revenue Budget 2017/18
-

Personnel

1. Number of staff (current and additional): Current 5.76ftes (including 0.76fte admin)
Funding has been approved for 2 fte permanent and 3fte temporary Food Safety Officers to help comply with the FSA audit requirements.
 2. If from existing staff resources, number of staff hours: Not applicable
-

Legal

1. Legal Requirement: Statutory Requirement: The Council is the Food Safety Authority under the Food Safety Act 1990 and has a duty to enforce food safety, food standards and feed requirements. Our performance is monitored by the Food Standards Agency against the Food Law Code of Practice.
 2. Call-in: Applicable:
-

Procurement

1. Summary of Procurement Implications: The additional food safety officers may have to be recruited though the Councils preferred employment agency, if they cannot recruited though the usual channels.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): There are some 2600 registered food businesses in the Borough that come under the remit of the team for inspection. The protection afforded though those businesses being inspected extends to everyone who buys or eats food in the Borough.
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 Members were advised at the meeting of the Public Protection & Safety PDS on 29 June 2017 (Report ES 17041) of the outcome of the Food Standards Agency (FSA) Audit of the Food Safety Service.
- 3.2 Members recommended the Portfolio Holder agree the action plan and that she should seek additional resources for 2 full time permanent and three full time temporary food safety officers for up to 18 months, to implement the action plan.
- 3.3 The Executive agreed the additional resources on 9 August 2017 and an updated action plan was submitted to the FSA.
- 3.4 Having secured the additional resources the Food Safety Service annual service plan was updated to reflect this.
- 3.5 A copy of the annual service plan is attached for Members comments.
- 3.6 The key points to note in the plan are.
- i. The additional resources required to maintain inspection frequencies and address the backlog and un-rated premises is set out at para 2.4b on pages 4 and 5.
 - ii. The target of 918 planned inspections is set out at 3.1j on page 9.
 - iii. The 735 overdue inspections are referred to at 3.1i on page 9, with a proposal to address this over 18 months
 - iv. The 600 low risk but unrated premises are referred to at 3.1k on page 9, again the proposal is to address this over 18 months.
- 3.7 The second part of the service plan reviews the team performance over the last year 2016/2017. Whilst recognising that the team was under resourced they achieved:
- i. 638 hygiene inspections. This was 84% of the target of 757, but only 34% of what we should have been inspecting had we been fully resourced.
 - ii. 332 food standards inspections. This was over 100% of the target of 300 set, but only 38% of what we should have been inspecting
 - iii. These inspections resulted in 700 schedules of improvements / letters being sent to food businesses. This was 111 more than last year
 - iv. 225 follow up visits were undertaken. This is 77 more than last year
 - v. We investigated 358 complaints which was an increase of 102 over the previous year.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Premises providing food for vulnerable adults and children will continue to be inspected according to the risks they present to food safety.

5. POLICY IMPLICATIONS

- 5.1 Providing a resilient Food Safety Service in compliance with the FSA audit supports Building a Better Bromley through being an Excellent Council and maintaining minimum standards in food business helps to ensure Bromley is both safe and healthy.

6. FINANCIAL IMPLICATIONS

6.1 The 2017/18 controllable budget for the Food Safety team is £311k. On 9 August 2017 the Executive agreed additional resources to fund 5 extra food safety officers, 3 of which would be temporary posts for 18 months to help clear the backlog of inspections.

6.2 The table below summarises the funding for the Food Safety Service over the next 3 years: -

Food Safety Service Budget	2017/18	2018/19	2019/20
	£'000	£'000	£'000
Original budget	311	311	311
Additional funding for 2 fte permanent food safety officers	50	100	100
Additional funding for 3fte temporary food safety officers	75	150	0
	436	561	411
Staffing (FTEs)	8.30	10.80	7.80

7. PERSONNEL IMPLICATIONS

7.1 We can only achieve the targets set out in the service plan and meet the FSA expectations following their audit if we are able to recruit to the additional posts.

7.2 We have been seeking to appoint contract food safety officers through the Councils preferred agency since early July, but to date not a single suitable applicant has been forthcoming.

7.3 The posts will also be advertised in the usual way through the Councils website and the Chartered Institute of Environmental Health shortly.

8. LEGAL IMPLICATIONS

8.1 The Council is the Food Authority under the Food Safety Act 1990. Our performance is monitored by the FSA who have undertaken an audit and published its findings. They will continue to monitor our performance closely until we have reduced our backlog of inspections and have established a resilience service.

8.2 The powers of the FSA are derived from Section 40 Food Safety Act 1990. The Secretary of State may issue code of practice as regards the execution and enforcement of the Act and Regulations. This is the 'Food Law Code of Practice (England). Where a Food Authority fail to comply with the Code of Practice the FSA can issue a direction to them requiring them to take specified steps to comply. The recent audit by the FSA is not a formal Direction under Section 40 of the Food Safety Act 1990 but is an informal intervention designed to assist the Council comply with its duties.

8.3 The Council as the Food Authority shall have regard to the Code of Practice and shall comply with any direction given by the FSA (Food Safety Act 1990 Section 40(2)).

8.4 Under Section 42 Food Safety Act 1990 the Secretary of State may order another food authority or the Food Standards Agency to discharge our duties.

Non-Applicable Sections:	PROCUREMENT IMPLICATIONS
Background Documents: (Access via Contact Officer)	Reports to PP&S PDS ref ES 17041 29 June 2017 and ES 16008 20 January 2016

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**London Borough of Bromley
Environment and Community Services
Public Protection**

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

Food Service Plan 2017-18 and Performance Review 2016-17

1.0	SERVICE AIMS AND OBJECTIVES
1.1	Aims and Objectives
	<ul style="list-style-type: none"> • 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 self-service web based business advice. • To exercise control and surveillance of communicable diseases. • To investigate complaints about food premises and food sold in the borough. • To provide a fair, equitable and cost effective service to the boroughs residents, visitors and businesses.
1.2	LINKS TO CORPORATE OBJECTIVES AND PLANS
	<ul style="list-style-type: none"> • Building a Better Bromley objectives • Public Protection & Safety Portfolio Plan. • Environmental Services Enforcement Policy
2.0	BACKGROUND
2.1	PROFILE OF THE LOCAL AUTHORITY
	<p>The borough is the largest in London by area and occupies 59 square miles (152.8 km²), of which the majority is Metropolitan Green Belt land. 30 % of the land is farm land. There are four town centers; Bromley, Orpington, Beckenham and Penge. It has a population of over 320,000 people, with a BAME population of 16%. This is less than most London boroughs. 72% of the residents are owner occupiers and over 74% of the economically active population are in employment with only 5.3% unemployed. The latest figures show that there are over 14,000 businesses in the borough, mostly operating in property, finance, retail and construction. 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>
2.2	ORGANISATIONAL STRUCTURE
	<ul style="list-style-type: none"> • The Food Team is located within the Public Protection Division of the Environment and Community Services Department (See tables 2 and 3 for structure details). • Feeding stuffs and alcohol authenticity enforcement are carried out by the Trading Standards team. • Kent Scientific Services is appointed as the Food Analyst. • Public Health England acts as the Council's Food Examiner.

2.3	SCOPE OF THE FOOD SERVICE
	<p>Scope The Food Safety team undertakes the following activities to improve the safety of food manufactured, prepared and supplied within the borough of Bromley, control food borne communicable diseases and prevent food fraud via:</p> <ul style="list-style-type: none"> • Food hygiene and Food standards inspections • Responding to food safety incidents • Issuing approvals for premises under product specific hygiene regulations, • Food sampling • The investigation of complaints relating to food premises within the borough • The investigation of complaints about food produced or purchased within the borough • To act as the Proper Officer for notifiable communicable diseases. • The investigation of notifiable food borne infections to determine the source of infection and prevent further spread • The investigation of premises within the borough where there are possible links to food poisoning • 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 • Publicity relating to food safety • Consumer food advice via our website.
	<p>Other services provided alongside the food service:</p> <ul style="list-style-type: none"> • Health and safety “hazard spotting” is carried out in food premises where the local authority is the enforcing authority and where significant health and safety matters are noted. This is in line with the Health and Safety Executives (HSE) National Local Authority Enforcement Code. • Advice about infection control procedures is given during visits to child day care settings. • Responding to Freedom of Information requests. • Information sharing with Government departments on requests, e.g. Food Standards Agency, HMRC and UK Boarder Agency • Information sharing with utility companies on request.

2.4	DEMANDS ON THE FOOD SERVICE
a	<p>Premises Profile There are approximately 2600 food premises in Bromley, most of which are SMEs. They include:</p> <ul style="list-style-type: none"> 7 third country food importers 1 large manufacturing baker, 42 supermarkets, 4 approved premises 1 FSA approved catering butcher 1 weekly market with another one due to open in autumn 2017 and several occasional and visiting markets and events. <p>352 new premises were registered in 2016/17, an increase of 11% on 2015/16.</p> <p>The redevelopment at St Mark’s Square in Bromley, due to be completed winter 2017, will result in an increased number of new food businesses.</p>
b	<p>Resources The Food Team is run and managed in-house. At the 1st April the establishment was:</p> <ul style="list-style-type: none"> • 4.5 FTE food safety officers • 0.8 FTE Food Team Coordinator, who does not have a full inspection caseload. • 0.5 FTE technical admin support, who does not have a full inspection caseload. <p>This was significantly below the number required to comply with our statutory requirements, and this was confirmed by an audit of the food team carried out by the Food Standards Agency in April 2107.</p> <p>Following the audit an Action Plan was presented to the PPS PDS Committee in June 2017 and agreed by the Portfolio Holder who secured additional resources from the Executive on 9 August 2017.</p> <p>An additional 2 FTE food safety officers will be recruited to carry out all inspections due in 2017/18 and leave scope for the team to undertake reactive and enforcement work. This is based on a food safety officer’s annual target of 161 inspections over a 46 week year. The cost of this will be £100k per annum.</p> <p>Two full time temporary food safety officers will be recruited for up to 18 months to address the backlog of 715 overdue inspections. These comprise 192 C and 487 D rated inspections and 36 high risk unrated inspections.</p>

2.4	DEMANDS ON THE FOOD SERVICE Contd.
b	<p>Resources Contd:</p> <p>A further full time temporary food safety officer will be recruited for up to 18 months to address the 671 unrated businesses. These have been determined by a desk based risk assessment to present a low risk e.g. home based cake makers, chemists etc. However, the Food Law Code of Practice requires all premises to receive an initial inspection to enable them to be rated.</p> <p>Additional resources of £225k were agreed by the Executive on 9 August 2017 to fund the 3 temporary posts for 18 months. This will enable the Council to fully comply with the Code of Practice and meet the legal obligations to undertake official food controls. (See Table I – Summary of Food Team Resources).</p> <p>However, even with the additional resources that have been made available, there may still be a problem recruiting permanent and temporary staff as there is a shortage of qualified food safety inspectors. Last year it took 2 attempts to recruit a permanent food safety officer (the post was eventually recruited in house) and the only contractor available through ADECCO commuted to Bromley from Yorkshire. Another reason why it has been hard to recruit permanent staff externally is a concern over the Council’s commissioning agenda and perceived job insecurity.</p> <p>Commissioning options for the service are still being explored.</p>
c	<p>Service Delivery</p> <ul style="list-style-type: none"> • The service is based at the Bromley Civic Centre where the Customer Service Centre (CSC) is located to receive personal callers. • Until the new posts are recruited to, the service will continue to focus on its statutory obligations with non-compliant, high risk businesses taking priority. • The service operates between 9am and 5pm • An emergency out of hours service is available. • Out of hours interventions are carried out by officers as required. • The Council’s website has sign posts to food safety information for both consumers and businesses.

d	<p>External Factors Having an Impact on the Service</p> <ul style="list-style-type: none"> • Food Business Operators having limited understanding of English • Food Businesses operating with a low profit margin • The increasing number of business that only operate outside of office hours • The high turnover of food businesses • Emergency work such as closures, seizures, outbreaks and Food Alerts • Prosecution work • The increasing number of home based food businesses • The redevelopment of St Mark’s Square, Bromley • Food Hygiene Rating re-score requests and appeals • Freedom of Information requests
2.5	<p>REGULATION POLICY</p>
	<ul style="list-style-type: none"> • Public Protection has signed the Cabinet Office's Enforcement Concordat. • 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. • The Food Safety Team supports the aims of the Regulators Code
3.0	<p>SERVICE DELIVERY</p>
3.1	<p>Food Premises Interventions</p>
a	<p>Overview</p> <p>Local authorities have a legal obligation to carry out official controls in food premises. The Food Standards Agency’s (FSA) Food Law Code of Practice (The Code) stipulates how this is to be undertaken. Inspection frequencies are based on the food safety risk posed by the premises and are calculated using Chapter 5 of the Code.</p> <p>The Food Safety Team carries out official controls at premises according to the Code, where resources allow. Unfortunately, a backlog of inspections has built up over time resulting in inspection frequencies being greater than those in the Code. Also, category D compliant businesses and low risk new businesses are not routinely inspected. This has resulted from the gradual reduction in food safety officers and admin staff over recent years along with the continued increase in the number of registered food businesses.</p> <p>To reduce the burden on business and to increase efficiency, food standard and hygiene inspections are combined. However, separate food standards inspections are carried out in high risk premises.</p> <p>Following a food hygiene inspection, food premises are rated in accordance with the FSA’s 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</p>

3.1	Food Premises Interventions Contd.
	considered where informal action is not successful, in line with our Enforcement Policy
b	<p>New Premises</p> <p>New premises are required to receive a food safety inspection within 28 days of registration to comply with the Food Law Code of Practice. However, until the new posts filled we will continue to inspect new businesses deemed to be high risk within 3 months e.g. caterers.</p> <p>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. Until the new posts are filled we will continue with this pragmatic approach. This does not comply with the Food Law Code of Practice, but ensures our resources are targeted towards higher risk premises. These businesses remain on our database as unrated.</p> <p>This approach can be problematic for businesses that trade at markets or events as the organisers generally require their traders to have a Food Hygiene Rating score of 3 or more. Where a request for an inspection is received from such a business, they will be added to the inspection programme to enable them to trade.</p> <p>At 1st April 17 we had a backlog of 56 newly registered, high risk premises awaiting an inspection.</p>
c	<p>Category A & B Premises</p> <p>To comply with the Food Law Code of Practice, Category A & B food hygiene inspections should be carried out within 28 days of their inspection date and we aim to comply with this requirement. At the 1st April we had a back log of 6 B rated inspections. We will inspect these premises within 2017/18 as a priority.</p> <p>Category A food standards inspections are due annually. At the 1st April we had 2 outstanding which will be given priority in 2017/18.</p> <p>Category B food standards inspections are due every 48 months. At 1st April we had 106 outstanding category B food standard inspections. These will be combined with hygiene inspections when the hygiene inspection is due.</p>
d	<p>Category C Premises</p> <p>Category C food hygiene premises should be inspected every 18 months. Due to our current resources, these premises are only inspected when due if they have a food hygiene rating of 0-2 or when they are the subject of a genuine complaint. At 1st April we had a backlog of 193 outstanding C rated inspections from 2016/17. We will inspect these premises within 2017/18.</p> <p>The number of outstanding category C food hygiene inspections from 2016/17 will have an impact on the Council's ability to comply with the inspection intervals set out in the Code in 2017/18. Therefore, 231 broadly compliant C rated food hygiene premises due in 2017/18 will have their food hygiene inspections delayed until 2018/19. This will have a cumulative effect on target inspection numbers in the following years. This approach will be reviewed in the light of recruitment of the new posts.</p>

	Category C food standards inspections are carried out when the food hygiene inspection is due.
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3.1	Food Premises Interventions Contd.
e	<p>Category D Premises</p> <p>Category D food hygiene inspections are due to have an intervention every 24 months. This can alternate between an official control e.g. inspection or non- official control e.g. information gathering, where high risk food is not handled.</p> <p>Until we fill the new posts, Category D premises will only be inspected if they have a food hygiene rating of 0-2 or when they are the subject of a genuine complaint.</p> <p>At 1st April we had a back log of around 487 Category D food hygiene premises from previous years. 83 D rated premises, which carry out high risk activities, will be added to the inspection programme for 2017/18. Until the new posts are recruited to, the majority of category D premises will remain uninspected. On the positive side these premises are largely those which handle high risk food and have very good controls or only handle low risk food. This approach will be reviewed in the light of the actual recruitment of the new posts.</p> <p>The number of outstanding category D inspections is a concern as, if their standards drop or their or ownership activities changes, this will not be routinely picked up by the team, potentially putting the public at risk. It also exposes the Council to the risk of reputational damage if one of these overdue premises were to be the subject of a food poisoning outbreak or cause a fatal allergic reaction. This position should improve once the new posts are recruited to.</p>
f	<p>Category E Premises</p> <p>Premises rated E for food hygiene which present a low food safety risk 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). The AES project due to be carried out during 2016/17 has been delayed until 2017/18 and its completion is dependent on the additional posts being filled .</p>
h	<p>Rescore requests</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 were to take place within 3 to 6 months of the request being made. 48 were carried out during 2016/17. It is projected that approximately 30 rescore requests will be received this year as there will now be a charge of £165 per rescore inspections. Paid rescore request are now to take place within 3 months.</p>

3.1	Food Premises Interventions Contd.
i	Enforcement
<p>We have an enforcement policy and follow a graduated approach to enforcement. .</p>	
j	Inspection Programme 2017/18 and Required Resources
<p>The 918 inspections due in 2017/18 are:</p> <p>531 Category A – D Food Hygiene inspections 7 Category A Food Standards inspections 30 Rescore requests 350 (approx) newly registered businesses</p> <p>Based on an inspection target of 161 inspections per food safety officer over a 46 week year. The <u>additional 2 full time permanent food safety officers if recruited will enable the Team</u> to carry out these inspections and leave scope to undertake reactive and enforcement work. The Council will then be able to fully comply with the Food Law Code of Practice and meet the legal obligation to undertake official food controls.</p>	
k	Low Risk Unrated Premises
<p>We also have around 600 unrated businesses which we have determined by questionnaire to present a low risk e.g. home based cake makers. However, the Code requires all premises to receive an inspection before they can be dealt with as AES.</p> <p><i>This should be addressed by employing an additional full time food inspector for 18 months (see para 2.4 b).</i></p>	
l	Backlog for 2017/18
<p>The backlog of overdue inspections amounts to 735 inspections, composed of 192 C and 487 D rated inspections and 56 high risk unrated inspections.</p> <p><u><i>This should be addressed by employing 2 full time temporary food inspectors for 18 months who would be dedicated to addressing the backlog only (See para 2.4 b).</i></u></p>	

3.1	Food Premises Interventions Contd.	
m	<p>Until the new posts are recruited to, during 2017/18 the following will be prioritised:</p> <ul style="list-style-type: none"> • 199 overdue B & C food hygiene inspections • 2 overdue food standards inspection • 135 due A & B food hygiene inspections • 27 due non-compliant Cs & Ds • 56 unrated premises which are high risk • 83 overdue Ds which are high risk • 150 new high-risk premises; and • 30 FHRS rescore requests 	
o	<p>This gives a total of 682 food inspections for the year and will require 4 FTE food safety officers based on our current inspection target, if no emergency or enforcement work is undertaken. This will be carried out by the equivalent of 4 FTE food safety officers and it is anticipated the team will achieve 100% of the inspections selected.</p> <p>The food team objectives below will be reviewed once the new posts have been filled.</p>	
	OBJECTIVES 2017/2018	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> • To carry out 682 food hygiene interventions, largely by inspection, including rescore requests. 	<ul style="list-style-type: none"> • Number of hygiene interventions carried out and % of those due.
2	<ul style="list-style-type: none"> • To carry out 250 food standards interventions, largely by inspection. 	<ul style="list-style-type: none"> • Number of food standards interventions and % of those due.
3	<ul style="list-style-type: none"> • To send up to 600 schedules of improvement / warning letters to improve standards following interventions. 	<ul style="list-style-type: none"> • Number of schedules of improvements / warning letters sent
4	<ul style="list-style-type: none"> • To maintain the percentage of premises broadly compliant* for food hygiene at the time of inspection at 70%. (* Food Hygiene Rating of 5,4 or 3) 	<ul style="list-style-type: none"> • Number of Premises broadly compliant as a %
5	<ul style="list-style-type: none"> • To carry out up to 200 follow-up visits, focusing on zero - 2 star premises. 	<ul style="list-style-type: none"> • Number of follow-up visits carried out.
6	<ul style="list-style-type: none"> • To improve 4 rated zero premises (This is a key performance indicator) 	<ul style="list-style-type: none"> • Number of zero rated premises which have improved their rating.
7	<ul style="list-style-type: none"> • To improve 40 of the 80 1 rated premises. (This is a key performance indicator) 	<ul style="list-style-type: none"> • Number of 1 rated premises which have improved their rating.

3.1	Food Premises Interventions Contd.	
8	<ul style="list-style-type: none"> To serve improvement notices on non-compliant businesses where informal action has been unsuccessful. 	<ul style="list-style-type: none"> Number of improvement notices served.
9	<ul style="list-style-type: none"> To prosecute food business operators where other actions have been unsuccessful. 	<ul style="list-style-type: none"> Number of prosecutions.
10	<ul style="list-style-type: none"> To enforce the Food Information Regulations 2014 via Food Information Regulations Improvement Notices (FIRINs) 	<ul style="list-style-type: none"> Number of FIRINs served.
11	<ul style="list-style-type: none"> To assess newly registered unrated business. 	<ul style="list-style-type: none"> Number of questionnaires sent.
12	<ul style="list-style-type: none"> To carry out an AES survey of E rated businesses 	<ul style="list-style-type: none"> AES survey carried out.
13	<ul style="list-style-type: none"> To reduce the level of unrated premises by 25% 	<ul style="list-style-type: none"> Unrated premises reduced.
14	<ul style="list-style-type: none"> To reduce the level of outstanding inspections by 25% 	<ul style="list-style-type: none"> Outstanding inspections reduced.
3.2	Food Complaints /Service Requests	
	<p>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.</p>	
	OBJECTIVES	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> To respond to up to 250 complaints/enquiries about food and food premises. 	<ul style="list-style-type: none"> Number of complaints/service enquiries responded to.
3.3	Home Authority Principle/ Primary Authority Partnerships	
	<p>The authority respects both the Primary and Home Authority schemes. We currently have no Primary Authority partnerships. We follow the Home Authority principles when dealing with requests about or from premises based in our borough, even where no formal agreement exists.</p>	
	OBJECTIVES	PERFORMANCE MEASURES
	<ul style="list-style-type: none"> To use Primary Authority Inspections forms where appropriate and refer to the Primary Authority to resolve issues found during inspection. 	<ul style="list-style-type: none"> No performance measure
	<ul style="list-style-type: none"> To refer to Primary Authorities when dealing with food complaints about food manufactured outside the Borough. 	<ul style="list-style-type: none"> No performance measure

3.4	Advice to Food Businesses	
	<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 or investigation will be directed to our website where food safety advice is available on a self-serve basis. Where this is insufficient to meet the businesses need they may need to seek advice from a food safety consultant. 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>	
	OBJECTIVES	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> To continue to provide advice to business during inspections. 	<ul style="list-style-type: none"> No performance measure
3.5	Food Inspection and Sampling	
	<p>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.</p>	
	OBJECTIVES	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> Number of food samples analysed or examined.
2	<ul style="list-style-type: none"> To carry out intelligence-led local sampling projects as a result of inspections, complaints or other information 	

3.6	Control and Investigations of Outbreaks and Food Related Infectious Disease	
	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.	
	OBJECTIVES	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> Number of cases investigated.
2	<ul style="list-style-type: none"> To investigate outbreaks of food poisoning/suspected food poisoning/viral gastroenteritis. 	<ul style="list-style-type: none"> Number of outbreaks investigated.
3.7	Food Safety Incidents	
	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. (This flexibility must remain, because even with an enlarged team, additional assistance may be required to deal with a major emergency)	
	OBJECTIVES	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> To respond to all food alerts and other food safety incidents issued by the FSA, as appropriate. 	<ul style="list-style-type: none"> Number of food alerts/incidents responded to.

3.8	Liaison with Other Organisations	
	The Team is a member of the South East London Food Liaison Group, Environmental Health Working Group and the Public Health Group, London Food Fraud 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.	
	OBJECTIVES	PERFORMANCE MEASURES
	<ul style="list-style-type: none"> To ensure the food service liaises with and participates in joint initiatives with other Council Departments, organisations and Boroughs as required. 	<ul style="list-style-type: none"> No performance measures.
	<ul style="list-style-type: none"> To send representatives to the South East London Food Liaison Group, Environmental Health Working Group and Public Health Group 	
	<ul style="list-style-type: none"> To have a nominated OFSTED liaison officer 	
	<ul style="list-style-type: none"> To have a nominated schools liaison officer 	
3.9	Food Safety and Standards Promotion	
	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 rating received.	
	OBJECTIVES	PERFORMANCE MEASURES
	<ul style="list-style-type: none"> To update the food service's website. 	<ul style="list-style-type: none"> Evaluated by the Website Coordinator. No performance measure
	<ul style="list-style-type: none"> To publicise food hygiene myths during Food Safety Week 	
	<ul style="list-style-type: none"> To continue to participate in the FSAs FHRS 	
	<ul style="list-style-type: none"> To issue Press Releases 	
3.10	Health and Safety in Food Premises	
	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.	
	OBJECTIVES	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> To carry out up to health and safety "hazard spotting" in food premises where significant offences are noted. 	<ul style="list-style-type: none"> Number of health and safety "hazard spotting" inspections carried out.
2	<ul style="list-style-type: none"> To liaise with the Health and Safety Team where formal action in food premises is required. 	<ul style="list-style-type: none"> No performance measure.

4.0	RESOURCES	
4.1	Financial Allocation	
	<ul style="list-style-type: none"> The overall cost of the food service for 2016/17 was £302k. The original budget set aside for 2017/18 is £311k, of which £6.2k is set aside for food sampling & analysis Executive on 9 August 2017 agreed additional funding to meet the costs of two permanent full time food safety officers (£100k p.a.) and three temporary full time food safety officers for 18 months (£225k). 	
4.2	Staffing Allocation	
	<ul style="list-style-type: none"> See Table 1 	<ul style="list-style-type: none"> No performance measure.
4.3	Staff Development	
	OBJECTIVES	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> Staff training and development needs are met via a mixture of in-house and external training. 	<ul style="list-style-type: none"> Staff carryout a minimum of 20 hrs training
2	<ul style="list-style-type: none"> DISCUSS sessions are carried out by the lead practitioner for food. 	<ul style="list-style-type: none"> DISCUSS sessions are carried out on a 1/4ly basis.
5.0	Quality Assessment	
	OBJECTIVES	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> To carry out internal monitoring to verify conformance with legal obligations, the Code and internal procedures. 	<ul style="list-style-type: none"> Internal monitoring to be carried out for all staff.
2	<ul style="list-style-type: none"> To track the outcomes of zero rated inspections, with the aim of improving their star ratings. 	<ul style="list-style-type: none"> Internal monitoring.
3	<ul style="list-style-type: none"> To participate in Inter authority auditing as required. 	<ul style="list-style-type: none"> No performance measure
6.0	Review	
	OBJECTIVES	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> Internal Monitoring

TABLE 1 - SUMMARY OF STAFF RESOURCES REQUIRED FOR FOOD SERVICE

SERVICE DELIVERY	FULL TIME EQUIVALENT OFFICERS - BELOW MANAGER LEVEL REQUIRED TO UNDERTAKE 2017/18 WORK PLAN (IF NO ENFORCEMENT WORK IS UNDERTAKEN)	FULL TIME EQUIVALENT OFFICERS - BELOW MANAGER LEVEL TO CARRY OUT ALL OVERDUE INSPECTIONS) (IF NO ENFORCEMENT WORK IS UNDERTAKEN)
Food Premises Inspections	• 4.6 *FSO/LO	• 7.6 *FSO/LO
Food Complaints	• 0.5 FSO/LO	• 0.5 FSO/LO
Home Authority Advice	• 0.0 (No longer offered directly)	• 0.0 (No longer offered directly)
Advice to Businesses	• 0.0 (No longer offered directly)	• 0.0 (No longer offered directly)
Advice to Consumers	• 0.0 (No longer offered directly)	• 0.0 (No longer offered directly)
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	• 0.02 FSO/LO	• 0.02 FSO/LO
Liaison - with the South East London Sector food liaison & Environmental Health Working Groups	• 0.02 LO	• 0.02 LO
Food Safety and Standards Promotion	• 0.01 FSO	• 0.01 FSO
Health and Safety in Food Premises	• 0.10 FSO/LO	• 0.10 FSO/LO
Staff Training and Development	• 0.10 FSO/LO	• 0.10 FSO/LO
Assessing low risk businesses via AES	• 0.20 FSO	• 0.20 FSO
FOIs and FHRS appeals and right of reply	• 0.10 FSO/LO	• 0.10 LO
Quality Assessment	• 0.20 LO	• 0.20 LO
Technical Support	• 0,60 LO	• 0.60 LO
Administration	• 0.50	• 0.50
TOTAL STAFF RESOURCE REQUIRED	• 7.3	• 10.3
TOTAL RESOURCE PROVIDED	• 5.3	• 5.3

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

Table 2



Table 3



PERFORMANCE REVIEW 2016-17

	OBJECTIVES	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> To carry out 757 food hygiene interventions, largely by inspection. 	<ul style="list-style-type: none"> Number of hygiene interventions carried out was 638 and 84% of those selected for inspection and 34% of the total number of inspections due and overdue.
2	<ul style="list-style-type: none"> To carry out 300 food standards interventions, largely by inspection. 	<ul style="list-style-type: none"> Number of food standards interventions was 332 and over 110 % of those selected for inspection and 38% of the total number of inspections due and overdue.
3	<ul style="list-style-type: none"> To send up to 600 schedules of improvement / warning letters to improve standards following interventions. 	<ul style="list-style-type: none"> Number of schedules of improvements / warning letters sent was 700. 72 formal Hygiene Improvement notices were served to ensure non-complainant businesses improve and 1 business was successfully prosecuted
4	<ul style="list-style-type: none"> To maintain the percentage of premises broadly compliant for food hygiene at the time of inspection to 70%. 	<ul style="list-style-type: none"> Number of Premises broadly compliant as a % is 76%
5	<ul style="list-style-type: none"> To carry out up to 200 follow-up visits, focusing on zero - 2 rated premises. 	<ul style="list-style-type: none"> Number of follow-up visits carried out was 225.
6	<ul style="list-style-type: none"> To improve 4 rated zero premises (This is a key performance indicator) 	<ul style="list-style-type: none"> Number of zero premises which have improved their rating is 4
3.2	Food Complaints /Service Requests	
	The team responds 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 depends on the severity of the complaint. This is 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 were responded to within 24 hours and non-urgent ones within 5 working days.	
	OBJECTIVES	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> To respond to up to 300 complaints/enquiries about food and food premises. 	<ul style="list-style-type: none"> Number of complaints/service enquiries responded to was 358.

3.3	Home Authority Principle/ Primary Authority Partnerships	
2	The authority respects both the Primary and Home Authority schemes. We currently have no Primary Authority partnerships and 2 Informal Home Authority agreements which were 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.	
3	<ul style="list-style-type: none"> To use Primary Authority Inspections forms where appropriate and refer to the Primary Authority to resolve issues found during inspection. 	
4	<ul style="list-style-type: none"> To refer to Primary Authorities when dealing with food complaints about food manufactured outside the Borough. 	
3.4	Advice to Food Businesses	
	<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>	
1	<ul style="list-style-type: none"> To continue to focus on improving the rating of food premises in the borough with 0 stars by 100%. 	<ul style="list-style-type: none"> 100 % of zero star premises have a higher rating at the end of March 2017.
3.5	Food Inspection and Sampling	
	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.	

	OBJECTIVES	PERFORMANCE MEASURES
1	<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> Number of food samples analysed or examined was 48.
2	<ul style="list-style-type: none"> To carry out intelligence-led local sampling projects as a result of inspections, complaints or other information. 	
3.6	Control and Investigations of Outbreaks and Food Related Infectious Disease	
	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.	
1	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> Number of cases investigated was 482.
2	<ul style="list-style-type: none"> To investigate outbreaks of food poisoning/suspected food poisoning/viral gastroenteritis. 	<ul style="list-style-type: none"> Number of outbreaks investigated was 1.
3.7	Food Safety Incidents	
	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.	
1	<ul style="list-style-type: none"> To respond to all food alerts and other food safety incidents issued by the FSA, as appropriate. 	<ul style="list-style-type: none"> Number of food alerts/incidents responded to was 2.

3.8	Liaison with Other Organisations	
	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"> To ensure the food service liaises with and participates in joint initiatives with other Council Departments, organisations and Borough as required. To send representatives to the South East London Food Liaison Group, Environmental Health Working Group and Public Health Group. To have a nominated OFSTED liaison officer To have a nominated schools liaison officer 	<ul style="list-style-type: none"> No performance measure
3.9	Food Safety and Standards Promotion	
	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.	
1	<ul style="list-style-type: none"> To update the food service's website. 	<ul style="list-style-type: none"> Evaluated by the Website Coordinator.
2	<ul style="list-style-type: none"> To publicise food hygiene myths during Food Safety Week 	<ul style="list-style-type: none"> No performance measure
3	<ul style="list-style-type: none"> To continue to participate in the FSAs FHRS 	<ul style="list-style-type: none"> No performance measure
4	<ul style="list-style-type: none"> To issue Press Releases 	<ul style="list-style-type: none"> No performance measure
	OBJECTIVES	PERFORMANCE MEASURES
3.10	Health and Safety in Food Premises	
	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.	
1	<ul style="list-style-type: none"> To carry out up to health and safety "hazard spotting" in food premises where significant offences are noted... 	<ul style="list-style-type: none"> Number of health and safety "hazard spotting" inspections carried out was 25.
2	<ul style="list-style-type: none"> To liaise with the Health and Safety Team where formal action in food premises is required 	

4.0	RESOURCES	
4.1	Financial Allocation	
	<ul style="list-style-type: none"> The overall cost of the food service for 2016/17 was £302,293 £2,544 of this was spent on food sampling & analysis 	
4.2	Staffing Allocation	
	<ul style="list-style-type: none"> See Table 1 	
4.3	Staff Development	
	<ul style="list-style-type: none"> Staff training and development needs are met via a mixture on in-house and external training. 	<ul style="list-style-type: none"> All staff carried out a minimum of 20 hours CPD as required by the Code.
	<ul style="list-style-type: none"> PADs reviews are carried out by the team manager 	<ul style="list-style-type: none"> Pads undertaken by team manager.
5.0	Quality Assessment	
1	<ul style="list-style-type: none"> To carry out internal monitoring to verify conformance with legal obligations, the Code and internal procedures. 	<ul style="list-style-type: none"> Qualitative monitoring did not take place in 2016/17.
2	<ul style="list-style-type: none"> To track the outcomes of zero rated inspections, with the aim of improving their star ratings. 	<ul style="list-style-type: none"> Internal monitoring.
3	<ul style="list-style-type: none"> To participate in Inter authority auditing as required. 	<ul style="list-style-type: none"> The team underwent a FSA audit in April 2017.
6.0	Review	
1	<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> Internal Monitoring

Report No.
ES17067

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION AND SAFETY PORTFOLIO HOLDER
FOR PRE DECISION SCRUTINY BY THE PUBLIC PROTECTION AND SAFETY PDS COMMITTEE ON

Date: Wednesday 27 September 2017

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

Title: TRADING STANDARDS SERVICE PLAN

Contact Officer: Rob Vale, Head of Trading Standards & Community Safety
Tel: 020 8313 4785 E-mail: Rob.Vale@bromley.gov.uk

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

Ward: Borough-wide

1. Reason for report

1.1 This report sets out the work of Trading Standards and the service plan for the 2017-19.

2. **RECOMMENDATION**

2.1 The Portfolio Holder for Public Protection and Safety is asked to approve the service plan.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The Trading Standards team works with key partner agencies such as Adult Safeguarding, Community Safety, Public Health and the Police to protect older residents, and acts on intelligence about Safeguarding issues, making appropriate referrals with auditable records to evidence that steps have been taken to protect those people at risk from abuse or neglect. A significant proportion of our resources are used to raise awareness of financial abuse against the elderly, targeted at potential victims through community engagement and to partners who work with older people.

There is a range of consumer products which are controlled by age restrictions which are enforced by trading standards. These include tobacco, alcohol, fireworks, solvents and knives. The underage sales programme seeks to restrict access to these products by maintaining high levels of business compliance, with robust action against traders who are caught selling to under age children.

Corporate Policy

1. Policy Status: Existing Policy
2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Supporting Independence Healthy Bromley:

Financial

1. Cost of proposal: Not Applicable
2. Ongoing costs: Not Applicable:
3. Budget head/performance centre: Trading Standards
4. Total current budget for this head: £302k
5. Source of funding: Existing controllable budget for 2017/18

Personnel

1. Number of staff (current and additional): 8.03fte plus 0.5fte management
2. If from existing staff resources, number of staff hours: NA

Legal

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

Procurement

1. Summary of Procurement Implications: Not applicable

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All residents, business and visitors to the borough

Ward Councillor Views

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

3. COMMENTARY

- 3.1 Bromley Trading Standards is located within the Public Protection Division of Environmental Services. Our key priorities are set out below and are based on a number of intelligence based indicators which include the analysis of intelligence reports and complaints data, national priorities and local knowledge and demographics.
- 3.2 The service plan at Appendix 1 seeks to direct the enforcement work of the service over the next two years. It sets out prevention, intelligence and enforcement work across the priority areas identified as being of greatest local importance.
- 3.3 Bromley trading standards has a clear vision which is to protect our residents and businesses from unfair and unsafe commercial practice. The vast majority of Bromley businesses want to comply with the law and provide Bromley residents and visitors with value for money services and goods. A small number of traders, often those not located in the borough, are intent on taking advantage of our residents and our businesses. Often this can result in taking business opportunities away from legitimate local traders which can have an effect on the local economy. Our role, through the delivery of this service plan, is to focus on those key areas of consumer detriment.
- 3.4 Over the next two years our priorities are:
- protecting and safeguarding vulnerable consumers from the fraudulent and financially abusive activities of rogue traders
 - combatting the trade in unsafe, illicit and counterfeit products and unfair trading
 - safeguarding the health and wellbeing of young people by ensuring underage children are not sold age restricted goods and services
 - working with regulatory partners to combat rogue landlords and letting agents
- 3.5 Appendix 1 contains a summary of the performance indicators and commentary which are reported to the senior management team.
- 3.6 Achievements in the last year include a fraud investigation where an elderly man was tricked into signing his house over to a bogus builder in lieu of property repairs. The trader was sentenced to 5 years imprisonment following a trial in January 2017. Another man admitted seven charges of fraud by misrepresentation against vulnerable consumers and was sentenced in July 2016 to 20 months imprisonment.
- 3.7 A Bromley trader found guilty following a trial of nine charges relating to misleading statements about a qualification course for students. Three of these offences were under the Fraud Act 2006. He was sentenced in June 2016 to 12 months suspended for 2 years on each count concurrent. He was also ordered to carry out 150 hours unpaid work and compensate the victims.
- 3.8 Our officers carry out test purchase operations using under age volunteers to check whether premises are selling alcohol, tobacco or fireworks to young people under the age of 18. These visits are intelligence based and require sign off by at the Magistrates Court. A total of 197 test purchases were made which included alcohol, tobacco and fireworks. As a result of the 26 illegal sales we took 9 businesses to a licensing review and issued 7 formal cautions. One review resulted in a suspension of a licence.
- 3.9 We work hard to ensure the products sold in Bromley are safe. This means regular engagements with regional and national safety hubs, respond to complaints and conducting pro-active campaigns of test purchasing and testing. In some cases unsafe products are seized in order to remove them from the supply chain.

3.10 We have an Accredited Financial Investigator who is an integral part of all the criminal investigations we conduct. Last year the AFI was raised to support a planning investigation which, following conviction, resulted in an order under the Proceeds of Crime Act.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1 Any form of financial abuse can have a considerable impact on the victim and the average age of a victim of rogue trading and scams in Bromley is 78. The number of older people in Bromley has been increasing and is projected to continue to rise. One of the key consequences of this is a rise in the number of people living with dementia and people living in isolation. The prevalence of dementia is predicted to rise. Raising awareness within the community about financial abuse associated with rogue trading and scams is a key part of our prevention work, as it not only safeguards potential victims from becoming victims, it also increases reporting which allows us to tackle and disrupt the activities of those responsible for these crimes.

4.2 Young people can be particularly vulnerable to harmful products and trading standards plays a role in reducing the availability of a range of age restricted products through test purchasing and supporting responsible retailers. Access to illicit tobacco, alcohol, fireworks and e cigarettes can contribute to poor health and anti-social behaviour. Knife crime with injury has been on the increase for three years across the UK with significant increases seen in Bromley. We are working closely with retailers in Bromley to stop children accessing knives which forms part of a London wide response to support the Mayors Knife Control Strategy.

5. POLICY IMPLICATIONS

5.1 The Trading Standards service plan seeks to contribute to a wide range of the significant priorities for the Council, and in particular links directly with the Building a Better Bromley priority 2016-18: "For a Safe Bromley we will continue to protect the elderly and vulnerable from scams and doorstep crime."

6 FINANCIAL IMPLICATIONS

6.1 The table below provides the budget and fte's for the Trading Standards team for 2017/18: -

	2017/18
	£
Staffing	385,680
Running expenses	38,100
One-off grant income	-11,630
Recharge to Public Health	<u>-110,560</u>
Total controllable budget	<u>301,590</u>
FTEs	8.53

7. LEGAL IMPLICATIONS

7.1 The role of trading standards services is to protect consumers from unfair trading and support business growth by enforcing national legislation at a local level and maintaining a level playing field for legitimate business. There are presently more than 250 pieces of legislation assigning separate statutory duties to trading standards authorities.

Non-Applicable Sections:	Personnel Implications Procurement Implications
Background Documents: (Access via Contact Officer)	NA

Bromley Trading Standards

Service Plan 2017-19

1. Introduction

2. Our Priorities

3. Safeguarding

4. Summary of activities 2016/17

5. Control strategy

6. Performance Indicators

7. E&CS Performance 2016/17 outcomes

1. Introduction

Bromley Trading Standards is located within the Public Protection Division of Environmental Services. The role is to protect residents from unfair and illegal business practice and ensure there is a fair and safe trading environment within the London Borough Bromley. The key priorities are set out below and are based on a number of intelligence based indicators which include the analysis of intelligence reports and complaints data, national priorities and local knowledge and demographics.

This service plan seeks to direct the enforcement work of the service over the next two years. It sets out prevention, intelligence and enforcement work across the priority areas identified as being of greatest local importance.

2. Our priorities

Bromley trading standards has a clear vision which is to protect our residents and businesses from unfair and unsafe commercial practice. The vast majority of Bromley businesses want to comply with the law and provide Bromley residents and visitors with value for money services and goods. A small number of traders, often those not located in the borough, are intent on taking advantage of our residents and our businesses. Often this can result in taking business opportunities away from legitimate local traders which can have an effect on the local economy. Our role, through the delivery of this service plan, is to focus on those key areas of consumer detriment.

Over the next two years our priorities are:

- protecting and safeguarding vulnerable consumers from the fraudulent and financially abusive activities of rogue traders
- combatting the trade in unsafe, illicit and counterfeit products and unfair trading
- safeguarding the health and wellbeing of young people by ensuring underage children are not sold age restricted goods and services
- working with regulatory partners to combat rogue landlords and letting agents

3. Safeguarding

Adults

It has long been suspected that victims of scams, specifically the elderly and consumers made vulnerable by their circumstances, experience deteriorating health, loss of independence and loss of self-confidence. These give rise to additional financial costs on the health and social care sector which could be prevented through earlier intervention and protection. The number of older people in Bromley has been increasing and is projected to continue to rise. One of the key consequences of this is a rise in the numbers of people with dementia and people living in isolation. There are currently 4000 people living with dementia in Bromley. The prevalence of dementia is predicted to rise, and although recording of dementia has increased in Bromley over the last two years, it is likely that there

are still many cases not known to clinical services. (Joint Strategic Needs Assessment (JSNA) 2016). There is also strong evidence that loneliness is linked with deterioration of health.

The Trading Standards team works with key partner agencies such as Adult Safeguarding, Community Safety, Public Health and the Police to protect older residents, and acts on intelligence about Safeguarding issues, making appropriate referrals with auditable records to evidence that steps have been taken to protect those people at risk from abuse or neglect. A significant proportion of our resources are used to raise awareness of financial abuse against the elderly, targeted at potential victims through community engagement and to partners who work with older people.

The role of Trading Standards in protecting vulnerable adults links directly with the Building a Better Bromley priority 2016-18: “For a Safe Bromley we will continue to protect the elderly and vulnerable from scams and doorstep crime.”

Children

Smoking - Despite the decline in smoking rates published by recent figures from the NHS Health and Social Care Information Centre, smoking remains the leading cause of preventable death and hundreds of children start smoking every day. More young people in Bromley are regular smokers compared to the London smoking rates, according to the What About Youth (WAY) Survey 2014.

Smoking Prevalence Indicators for Children aged 15

Indicator	Bromley	London	England	Indicator Definition
Smoking Prevalence at age 15 – Current Smokers	9.9	6.1	8.2	I sometimes smoke cigarettes now but I don't smoke as many as one a week. I usually smoke between one and six cigarettes per week OR I usually smoke more than six cigarettes per week.
Smoking Prevalence at age 15 – Regular Smokers	6.6	3.4	5.5	I usually smoke between one and six cigarettes per week OR I usually smoke more than six cigarettes per week.
Smoking Prevalence at age 15 – Occasional Smokers	3.3	2.7	2.7	I sometimes smoke cigarettes now but I don't smoke as many as one a week.

Public Health Outcomes Framework – latest data collection 2014/15.

In May 2016, new regulations concerning tobacco products, herbal products for smoking and electronic cigarettes came into force. The Standardised Packaging of Tobacco Products Regulations 2015 requires all cigarettes and hand rolling tobacco packets to be in the same

olive green colour. New rules on electronic cigarettes include the requirement for packs to include a health warning and to be child and tamper proof. In May 2017 the transition period came to an end and trading standards officers are responsible for ensuring compliance with the law.

Alcohol – Public Health England report that there is an ongoing downward trend in alcohol consumption among those aged under 16. However, by the age of 17, half of all girls and almost two-thirds of boys report drinking alcohol every week.

Nationally, the alcohol-specific hospital admission rate for under 18 year olds is declining and in Bromley has been gradually decreasing over the last two years, and is comparable with the rate for London (23.73 per 100,000), but significantly lower than the rate for England (36.61 per 100,000 population)(JSNA 2016).

Knives – knife crime with injury has been on the increase for three years across the UK. In the 12 months to March 2017, there were over 12,000 knife crimes recorded in London. In Bromley, there has been an 80% increase of recorded knife crime offences. Trading Standards play a role in reducing the availability of knives to children and young persons through test purchasing and the supporting responsible retailers by way of voluntary agreements committing them to working with police and the local authority.

This year we will launch the responsible retailer project “Bladesafe”, together with a test purchase programme involving knives, as part of a London wide trading standards campaign which contributes to the Mayor of London’s MOPAC Knife Control Strategy.

4. Summary of activities in 2016/17

Appendix 1 contains a summary of the performance indicators and commentary which are reported to the senior management team.

Budget reductions in 2015 resulted in the service having to manage a reduction in enforcement staff from 9.9 fte to 7.29 fte (excluding 0.5 mgt and 0.5 admin). This has led to a reduction in the number of investigations and routine compliance work. However, priority areas have been protected as much as possible.

Achievements in the last year include a fraud investigation where an elderly man was tricked into signing his house over to a bogus builder in lieu of property repairs. The trader was sentenced to 5 years imprisonment following a trial in January 2017. Another man admitted seven charges of fraud by misrepresentation against vulnerable consumers and was sentenced in July 2016 to 20 months imprisonment.

A Bromley trader found guilty following a trial of nine charges relating to misleading statements about a qualification course for students. Three of these offences were under the Fraud Act 2006. He was sentenced in June 2016 to 12 months suspended for 2 years on each count concurrent. He was also ordered to carry out 150 hours unpaid work and compensate the victims.

Our officers carry out test purchase operations using under age volunteers to check whether premises are selling alcohol, tobacco or fireworks to young people under the age of 18. These visits are intelligence based and require sign off by at the Magistrates Court. A total of 197 test purchases were made which included alcohol, tobacco and fireworks. As a result of the 26 illegal sales we took 9 businesses to a licensing review and issued 7 formal cautions. One review resulted in a suspension of a licence.

We work hard to ensure the products sold in Bromley are safe. This means regular engagements with regional and national safety hubs, respond to complaints and conducting pro-active campaigns of test purchasing and testing. In some cases unsafe products are seized in order to remove them from the supply chain.

We have an Accredited Financial Investigator who is an integral part of all the criminal investigations we conduct. Last year the AFI was raised to support a planning investigation which, following conviction, resulted in an order under the Proceeds of Crime Act.

Summary of the calls to our service in 2016/17.

Calls to service	2016/17	2015/16
Total CitA referrals/notifications (Complaints from Bromley Consumers)	2,974	3,135
Complaints against Bromley traders from all Complainant Regions	1,118	1,309
Complaints about unsafe goods and services	59	58
Other sources of enquiry eg email. letters	199	173
Complaints alleging sale of age restricted products to under age	37	25
Complaints about property repairs rogue traders	109	144
Complaints about Mass Market Fraud and other scams	208	230
Calls to rapid response number	229	256

5. Control Strategy

The following have been identified as priority areas over the next 2 years:

Protecting and safeguarding vulnerable consumers from the fraudulent and financially abusive activities of rogue traders	
Links to Building a Better Bromley – Safe Bromley; Supporting Independence; Quality Environment	
Doorstep Crime & Mass Marketing Fraud Scams	
Preventative	Raise awareness of doorstep crime (DC) & Mass Market Fraud scams (MMF) and provide support to vulnerable consumers through advice & education
	Engage all partners through training and partnership working to ensure information is shared and good support networks exist for victims of DC and scams. Work with the police will be maintained to improve joint working, and relationship building continued with the financial sector to improve their response to safeguarding vulnerable adults
	Engage with the media to publicise successful outcomes and raise profile of doorstep crime and scams by reporting incidents
	Provide trader approvals for consumers’ reference during pre-shopping checks
	Continue to engage with the national Scams Hub
	Provide appropriate and timely referrals of all vulnerable adults at risk having regard to our statutory responsibilities under the CARE ACT 2014.
Intelligence	Deliver locally the Trading Standards Intelligence Operating Model. Analyse trends, and prioritise resources
	Share information with partner agencies to ensure victims and potential victims receive support
	Raise awareness of DC and MMF in the community to encourage reporting via the dedicated rapid response number
	Share intelligence regionally and nationally through intelligence submissions to MEMEX

	Review analytical products produced by regional and national TS intelligence sources. Undertake local and regional analysis to target investigations
Enforcement	Provide a rapid response service to all level 1 complaints
	Carry out pro-active operations which are intelligence led as directed by intelligence products and combine with awareness raising events
	Take proportionate action against locally based scams
	Respond to complaints/enquiries from older/vulnerable consumers concerning mass marketing and other scams and ensure appropriate action is taken where victim is an adult at risk

Combatting the trade in unsafe, illicit and counterfeit products, and unfair trading	
Links to Building a Better Bromley – Safe Bromley; Quality Environment	
Fair trading, product safety & counterfeiting	
Preventative	Provide advice and support to vulnerable consumers who are in dispute with businesses, including mediation where cases are complex
	Provide advice to local businesses via the TS Broadcast LBB website
	Respond to safety intel from the Ports Authority relating to LBB traders
Intelligence	Share intelligence regionally and nationally through intelligence submissions to MEMEX
	Identify complaint trends to target problem areas
	Continue to maintain a regular over view of intelligence on safety matters through timely interrogation of intelligence via the TS Link information sharing, national Intelligence Hub, Memex, RAPEX and the South East London Intelligence Tobacco Network

Enforcement	Undertake robust enforcement of all criminal complaints where there is a good investigative opportunity
	Target traders who consistently cause consumer detriment
	Conduct compliance visits to business within chosen trade sectors with the aim of minimising consumer detriment and promoting a safe and fair trading environment
	Target traders who are suspected of trading within in the informal economy
	Respond appropriately to complaints of a safety matter in order that consumers are not put at risk
	Maintain statutory registers for explosives and animal feed hygiene premises and undertake compliance inspections

Safeguarding the health and wellbeing of young people by ensuring underage children are not sold age restricted goods and services	
Links to Building a Better Bromley – Safe Bromley; Support our children and young people; Quality Environment	
Under age sales	
Preventative	Provide advice and guidance to local businesses who sell age restricted products
	Raise awareness about age restricted sales prevention and new legislation
Intelligence	Share intelligence with partners, especially police and licensing and community safety to identify problem traders and strengthen enforcement actions across agencies
	Share intelligence regionally and nationally through intelligence submissions to MEMEX

	Gather intelligence of premises likely to sell age restricted products to a child
Enforcement	Undertake test purchases to test compliance with underage sales legislation
	Complete an appropriate judicial disposal on all underage sales

6. Performance indicators

The following sets out the desired outcomes and targets of the service over the next two years. The targets are annual.

Protecting and safeguarding vulnerable consumers from the fraudulent and financially abusive activities of rogue traders		
Desired outcome	Activity	Output /target
Raise awareness of doorstep crime (DC) & Mass Market Fraud scams (MMF) and provide support to vulnerable consumers through advice & education eg talks and events	Maintain a programme of education and advice talks to groups across the borough.	Target: 50
Engage all partners through training and partnership working to ensure information is shared and good support networks exist for victims of DC and scams. Work with the police will be maintained to improve joint working, and relationship building continued with the financial sector to improve their response to safeguarding vulnerable adults	Continue to develop and deliver the bespoke half day training package aimed at partners who engage with vulnerable adults, eg safeguarding professionals and police.	Target: 30
	Deliver awareness raising sessions with the local banks	Target: all banks
	Number of referrals of doorstep crime & scams incidents from banks, police and adult safeguarding partners.	Target: 50
Engage with the media to publicise successful outcomes and raise profile of doorstep crime and scams by reporting incidents	On-going reporting of incidents and successful prosecutions.	Report all prosecutions via the media
Provide trader approvals for consumers' reference during pre-shopping checks	Engage with Kent Trading Standards and Checkatrade trader approval scheme and respond to information requests	Target: 100% of all referrals

Continue to engage with the national Scams Hub	Respond to all referrals of potential MMF victims and visit to advise and support	Target: 100% of referrals
Provide appropriate and timely referrals of all vulnerable adults at risk having regards to our statutory responsibilities under the CARE ACT 2014.	All TS staff undertake training about dealing with safeguarding issues	Target: 100% of staff
	Introduce and implement written procedures for effective risk rating and audit	Target: procedure completed by Jan 2018
Raise awareness of DC and MMF in the community to encourage reporting via the dedicated rapid response number	Continue with the "Safeguarding is everyone's responsibility" campaign to deliver key messages via local businesses, Neighbourhood Watch, Residents Associations and Safer Neighbourhood Panels to encourage reporting of suspicious activity relating to DC and MMF.	
Provide a rapid response service to all level 1 complaints	All calls to service will be responded to, engaging police support where necessary	Target: 100%
Response to enquiries alleging financial abuse against vulnerable residents	Respond to all complaints/enquiries from older/vulnerable consumers concerning mass marketing and other scams and ensure appropriate action is taken where victim is an adult at risk	Target: 100% of referrals
Combatting the trade in unsafe, illicit and counterfeit products, and unfair trading		
Desired outcome	Activity	Output /target
Undertake robust enforcement of all criminal complaints where there is a good investigative opportunity	Ensure the enforcement strategy is followed in all cases, namely: <ul style="list-style-type: none"> • Investigate the criminal not the crime • Work with partners • Consider all legal avenues Engage the financial investigator at every opportunity	Target: 40
Provide advice and support to vulnerable consumers who are in dispute with businesses, including mediation where cases are complex	Respond to complaints/enquiries from older/vulnerable consumers concerning and ensure appropriate action is taken where victim is an adult at risk having regard to our statutory responsibilities under the CARE ACT 2014	Target: 100%
Respond to safety intel from the Ports Authority relating to LBB traders	Contact the trader whenever a safety issue is raised by the Port Authority	Target: 100%
Share intelligence regionally and nationally	Enter intelligence reports into regional and national database called Memex about all valid local safety issues	Target: 100%
Respond appropriately to complaints of a safety matter in order that consumers are not put at risk	All safety complaints will be reviewed but the nature and extent of the risk presented by non-compliances and an assessment about the level of risk posed by the product will be used to determine the appropriate enforcement action	Target: 100%
Maintain statutory registers for explosives and animal feed hygiene premises and undertake compliance inspections	Undertake inspections to all high risk businesses who register to stock and sell explosives and participate in regional animal feed inspection programme of feed business to support businesses to improve	Target: 100% high risk explosives businesses and those due a visit under FSA

	awareness and compliance with feed hygiene legislation.	criteria
Safeguarding the health and wellbeing of young people by ensuring underage children are not sold age restricted goods and services		
Desired outcome	Activity	Output /target
Provide advice and guidance to local businesses who sell age restricted products	Carry out information visits to high risk traders and new traders to improve awareness and compliance with related legislation and help ensure effective due diligence exists. Written and verbal guidance will be provided, plus details about inexpensive on-line training Launch and operate Blade Safe, a free responsible retailer charter for knife retailers to join Supply an underage advice pack to businesses which apply for a new alcohol premises licence or an explosives licence Respond to all allegations of under age sales with a visit or letter to trader.	Target: 86 Target: 34 visits Target: all applicants Target: 100%
Raise awareness about age restricted sales prevention and new legislation	Prepare press releases and information items at key periods of the year to raise the profile of under age sales and new legislation	Target: Prepare and distribute press releases/ information pieces and/or mailouts as the need arises
Gather intelligence of premises likely to sell age restricted products to a child	Test all business' that received an information visit or Blade Safe visit with a Challenge 25 test purchase	Target: 120
Undertake test purchases to test compliance with underage sales legislation	Test all business' that failed a Challenge 25 test purchase, who have sold previously, are the subject of a complaint or considered high risk based on intelligence with an underage test purchase.	Target: 100% of failed test purchase
Complete appropriate judicial disposal on all underage sales	Dispose of all failures either with a prosecution, licence review, Simple Caution or written warning	Target: 100%

7. E&CS Performance 2016/17 outcomes

2.1 (PHP) (2A)	Take action against rogue traders, particularly those who target the vulnerable, through preventative and enforcement activity with banks and adult safeguarding partners	<ul style="list-style-type: none"> We will raise awareness of doorstep crime and scams within the community; we will provide training to partners, eg bank staff, police, social care and volunteers; we will prosecute perpetrators where appropriate; we will warn residents of scams via media alerts on an on-going basis 	<ul style="list-style-type: none"> The year end total for all talks and training events was 115, attended by 2,913 There were 80 referrals of vulnerable adults targeted by rogue traders and scams received from banks and social care partners. A year total of 65 calls were received from police officers. Trading Standards attended a number of partnership events as keynote speakers and workshops including the Annual Adult Safeguarding Conference and the Social Isolation Conference.
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2.2 (2B)	Provide a rapid response service to all victims of doorstep crimes and scams	<ul style="list-style-type: none"> • We will immediately respond to all calls to service in relation to doorstep crime incidents, liaising with police where necessary, with the key aim of protecting vulnerable consumers from financial abuse, disrupting fraudulent trading and where appropriate take formal action against perpetrators on an on-going basis 	<ul style="list-style-type: none"> • This year saw 229 calls to the rapid response number resulting in 63 immediate response visits to vulnerable consumers. Disruption and interventions of rogue trader activity resulted in savings of £399,000. • In January 2017 two men pleaded guilty to 4 offences of fraud and will be sentenced in June. Victims of their tree surgeon activity were aged between 70 and 90 and were all female. The main quoted prices for work which were then grossly inflated and then bullied the women to hand over the cash, in some cases driving them to their bank.
2.3 (PHP) (2C)	Tackle the sale of age-restricted products, particularly alcohol and tobacco, through test purchase operations	<ul style="list-style-type: none"> • Over 2016/17, the Trading Standards team will: • Deliver a programme of planned visits to high risk premises to advise on due diligence and offer accredited training • Provide accredited training • Provide Challenge 25 due diligence packs to all new premises • Conduct Challenge 25 test purchases to measure compliance and confidence in businesses • Conduct formal under-age test purchasing visits to 100% of businesses identified as a high risk through audit, CH25 failure or intelligence 	<ul style="list-style-type: none"> • 111 business visits have been carried out to high risk premises. Retailers were advised on due diligence requirements and provided with a free CH25 and age restricted product due diligence information pack. Up until the end of Q3 they were invited to attend an accredited Fair trading Award training session at Council Offices. The number of businesses which expressed an interest in the course made it unviable. Accreditation to run the course lapsed so an alternative low cost on-line training provided by the Chartered Trading Standards Institute/Virtual College began to be promoted as a training option to traders in Q4 • Free CH25 and age restricted sales due diligence advice materials have been provided to all new applicants of a premises licence. • Formal under age test purchasing began in August 2016 and ended in March 2017. A total 197 test purchases were attempted over the 12 months resulting in 26 product sales. 13 alcohol, 10 tobacco and 3 fireworks. • The offences were disposed of though 2 Simple Cautions, 7 licence reviews, 5 written warnings and 1 meeting with premise licence holder/licencing/police/trading standards. 2 further licence reviews were completed in May 17.

Report No.
FSD17073

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION & SAFETY PORTFOLIO HOLDER

Date: For pre-decision scrutiny by the Public Protection & Safety PDS Committee on 27th September 2017

Decision Type: Non-Urgent Executive Non-Key

Title: CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2017/18

Contact Officer: James Mullender, Principal Accountant
Tel: 020 8313 4292 E-mail: james.mullender@bromley.gov.uk

Chief Officer: Director of Finance

Ward: All Wards

1. Reason for report

- 1.1 On 19th July 2017, the Executive received the 1st quarterly capital monitoring report for 2017/18 and agreed a revised Capital Programme for the four year period 2017/18 to 2020/21. The report also covered any detailed issues relating to the 2016/17 Capital Programme outturn, which had been reported in summary form to the June meeting of the Executive. This report highlights in paragraphs 3.1 to 3.2 changes agreed by the Executive in respect of the Capital Programme for the Public Protection and Safety Portfolio. The revised programme for this portfolio is set out in Appendix A. Detailed comments on scheme progress as at the end of the first quarter of 2017/18 are shown in Appendix B, and details of the 2016/17 outturn are included in Appendix C.

2. **RECOMMENDATION**

- 2.1 **The Portfolio Holder is asked to note and confirm the changes agreed by the Executive on 19th July 2017.**

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. 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".
 2. BBB Priority: Excellent Council
-

Financial

1. Cost of proposal: Nil net effect.
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: £13k for the PP&S Portfolio over four years 2017/18 to 2020/21
 5. Source of funding: Capital receipts
-

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: 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? N/A
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

Capital Monitoring – variations agreed by the Executive on 19th July 2017

- 3.1 A revised Capital Programme was approved by the Executive in July, following final outturn figures for 2016/17 and a detailed monitoring exercise carried out after the 1st quarter of 2017/18. The base position was the revised programme approved by the Executive on 8th February 2017, as amended by variations approved at subsequent Executive meetings. All changes to schemes in the Public Protection and Safety Portfolio Programme are itemised in the table below and further details are included in paragraphs 3.2. The revised Programme for the Public Protection and Safety Portfolio is attached as Appendix A. Appendix B shows actual spend against budget in the first quarter of 2017/18, together with detailed comments on individual schemes, and Appendix C includes details of the final outturn in 2016/17.

	2017/18	2018/19	2019/20	2020/21	TOTAL 2017/18 to 2020/21
	£000	£000	£000	£000	£000
Programme approved by Executive 08/02/17	33	0	0	0	33
<u>Variations approved by Executive 20/06/17</u>					
Net overspends in 2016/17 met from 2017/18 budget (see para 3.2)	Cr 20	0	0	0	Cr 20
Total Amendment to the Capital Programme	Cr 20	0	0	0	Cr 20
Total Revised PP&S Programme	13	0	0	0	13

3.2 Net overspends in 2016/17 met from 2017/18 budget

The 2016/17 Capital Outturn was reported to the Executive on 20th June 2017. The final capital outturn for the year for PP&S Portfolio scheme was £86k compared to a revised budget of £66k approved by the Executive in February. The £20k overspend has been met from 2017/18 budget. The total revised budget for PP&S Portfolio is £13k.

Post-Completion Reports

- 3.3 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 prior 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. No post-completion reports are currently due for the PP&S Portfolio, but this quarterly report will monitor the future position and will highlight any further reports required.

4. POLICY IMPLICATIONS

- 4.1 Capital Programme monitoring and review is part of the planning and review process for all services.

5. FINANCIAL IMPLICATIONS

- 5.1 These were reported in full to Executive on 19th July 2017. Changes agreed by the Executive for the Resources Portfolio Capital Programme are set out in paragraph 3.1.

Non-Applicable Sections:	Legal, Personnel & Procurement Implications, Impact on Vulnerable Adults and Children
Background Documents: (Access via Contact Officer)	Approved Capital Programme (Executive 19/07/17) Capital Outturn report (Executive 20/06/17) Q1 monitoring report (Executive 19/07/17)

Appendix A

PUBLIC PROTECTION & SAFETY PORTFOLIO - APPROVED CAPITAL PROGRAMME 19th JULY 2017								
Code	Capital Scheme/Project	Total Approved Estimate	Actual to 31.03.17	Estimate 2017/18	Estimate 2018/19	Estimate 2019/20	Estimate 2020/21	Responsible Officer
		£'000's	£'000's	£'000's	£'000's	£'000's	£'000's	
939446	CCTV Control room - refurbishment	340	327	13	0	0	0	Jim McGowan
TOTAL PUBLIC PROTECTION & SAFETY PORTFOLIO		340	327	13	0	0	0	

Appendix B

PUBLIC PROTECTION & SAFETY PORTFOLIO - QUARTER 1 2017/18					
Code	Capital Scheme/Project	Approved Estimate Feb 2017	Revised Estimate July 2017	Actual to 17.08.17	Responsible Officer Comments
		£'000's	£'000's	£'000's	
939446	CCTV Control room - refurbishment	33	13	Cr 35	The scheme has completed and in defect period. A sum of retention has been applied, the system will need to run successfully for a period of 12 months before final payment is made. This scheme will be reviewed, and any residual balance will be removed from future capital programme.
TOTAL PUBLIC PROTECTION & SAFETY PORTFOLIO		33	13	Cr 35	

Appendix C

PUBLIC PROTECTION & SAFETY PORTFOLIO - 2016/17 OUTTURN						
Code	Capital Scheme/Project	Actual to 31.03.17	Approved Estimate Feb 2017	Final Outturn	Variation	Comments / action taken
		£'000's	£'000's	£'000's	£'000's	
939446	CCTV Control room - refurbishment	327	66	86	20	Overspends in 2016/17 met from 2017/18 budgets
TOTAL PUBLIC PROTECTION & SAFETY PORTFOLIO		0	340	241	Cr 99	

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Report No.
CSD17138

London Borough of Bromley

PART ONE - PUBLIC

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

Date: Wednesday 27 September 2017

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

Title: EXPENDITURE ON CONSULTANTS 2016/17 AND 2017/18

Contact Officer: Philippa Gibbs, Democratic Services Officer
Tel: 020 8461 7638 E-mail: Philippa.Gibbs@bromley.gov.uk

Chief Officer: Director of Corporate Services

Ward: Borough-wide

1. Reason for report

- 1.1 At its meeting on 7th September 2017, the Executive and Resources PDS Committee considered the attached report on expenditure on consultants across all Council departments for both revenue (appendix 2) and capital (appendix 3) budgets. The Committee requested that the report be considered by all PDS Committees.
-

2. **RECOMMENDATION(S)**

- 2.1 That the Committee considers the information about expenditure on consultants relating to the Public Protection and Safety Portfolio contained in the attached report, and considers whether any further scrutiny is required.

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
-

Corporate Policy

1. Policy Status: Not Applicable:
 2. BBB Priority: Not Applicable:
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre:
 4. Total current budget for this head: £
 5. Source of funding:
-

Personnel

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

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: No Executive decision.
-

Procurement

1. Summary of Procurement Implications:
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 Revenue expenditure on consultants in the Public Protection and Safety Portfolio is set out in Appendix 2, and is focused on (i) one-off specialist advice, no-one with specialist skills and (ii) insufficient in-house skills/resources. Expenditure amounted to £17,779 in 2016/17 and £2,710 in 2017/18 to date.
- 3.2 Capital expenditure on consultants in the Public Protection and Safety Portfolio is set out in Appendix 3. No capital consultants are listed under the Public Protection and Safety Portfolio.

Non-Applicable Sections:	Impact on Vulnerable Adults and Children/Policy/Financial/Personnel/Legal/Procurement
Background Documents: (Access via Contact Officer)	None

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Decision Maker: EXECUTIVE AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: 7 September 2017

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

Title: Expenditure on Consultants 2016/17 and 2017/18

Contact Officer: Claire Martin, Head of Finance
Tel: 020 8313 4286 E-mail: claire.martin@bromley.gov.uk
David Bradshaw, Head of Finance
Tel: 020 8313 4807 E-mail: david.bradshaw@bromley.gov.uk
Tracey Pearson, Chief Accountant
Tel: 020 8313 4323 E-mail: tracey.pearson@bromley.gov.uk

Chief Officer: Peter Turner, Director of Finance

Ward: N/A

1. Reason for report

Members of ER PDS requested a full report on Consultant expenditure be submitted each year. Officers have therefore looked at total expenditure in 2016/17 and expenditure to date for 2017/18 for both Revenue and Capital Budgets.

2. **RECOMMENDATION(S)**

Members to:-

2.1 Note the overall expenditure on Consultants as set out in this report.

2.2 Refer this report onto individual PDS Committees for further consideration

Impact on Vulnerable Adults and Children

1. Summary of Impact: Any issues concerning vulnerable adults and children should be considered within each individual project brief.
-

Corporate Policy

1. Policy Status: Not Applicable
 2. BBB Priority: Not Applicable
-

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: All one-off expenditure met from allocated budgets
 3. Budget head/performance centre: Consultants
 4. Total current budget for this head: £N/A
 5. Source of funding: Revenue & Capital
-

Personnel

1. Number of staff (current and additional): N/A – one-off costs
 2. If from existing staff resources, number of staff hours:
-

Legal

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

Procurement

1. Summary of Procurement Implications: Consultants should be appointed in accordance with CPRs 8.2 and 8.6. IR35 Tax implications also need to be considered.
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 ER PDS members requested information on the Councils expenditure on Consultants be reported each year. To do this officers have looked at the total expenditure in 2016/17 and also the expenditure for this financial year as at the end of June 2017. This work covered both Revenue and Capital expenditure.
- 3.2 The basic reason for the use of consultants is that at times the Council requires that specialised work is undertaken for specific projects. This is particularly valid when consultants are engaged to work on large scale projects. For completeness expenditure on Architects, Engineers, Surveyors and other consultants commissioned to work on Capital Projects have been included as these generally meet the definition of one-off projects. Proposed expenditure on Capital Projects will have been approved by Executive before being included in the Capital Programme.
- 3.3 The Councils Contract Procedure rules sets out the procurement process to be followed when appointing a consultant and there is also guidance available to staff about what needs to be included in the formal agreement when engaging a consultant, which as a minimum needs to confirm the overall cost, project deliverables, clear brief and reporting arrangements. Appendix 1 provides this in more detail.
- 3.4 There is an element of subjectivity as to what constitutes a “consultant” as a number of services could fall within this definition, however it is generally defined as “a person brought into the Council to carry out a specific job” which is not on-going. For the purposes of this report expenditure on medical fees, counsel and legal fees have been excluded as these are considered to be professional fees rather than consultants.
- 3.5 In looking at consultants, members need to be minded that officers will use them to carry out work on the Council’s behalf when:-
- There is no one internally with the relevant skills or experience
 - There is no capacity/resources available to undertake this work
 - Specialist skills are required
- 3.6 It is important when recruiting a consultant that the project brief sets out the reasons for the use of consultant, that officers have consider any alternative options and also to evaluate the effectiveness of the work undertaken by consultants within the authority.
- 3.7 The benefit of employing consultants is that the Council makes a saving in relation to employer National Insurance and pension contribution. Also in employing consultants the Council is under no obligation to pay consultants for days when they are not working for the Council e.g. sickness and holiday and they are only engaged for a specific period of time – however offsetting this is that these staff are often more expensive.
- 3.8 The risk in not using consultants is that the Council would have to recruit a more substantial and specialised workforce at a greater expense, and thus creating an employment relation or a “contract of service with the associated diversity of employment rights including unfair dismissal and redundancy payment rights, etc.
- 3.9 This report provides a detailed breakdown of all costs officers believe are consultants, broken down over Portfolio’s and service areas. This is shown in Appendix 2 (revenue) and Appendix 3 (capital). It also examines the procurement arrangements associated with engaging the consultants as part of that process.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Any issues concerning vulnerable adults and children should be considered within each individual project brief.

5. FINANCIAL IMPLICATIONS

- 5.1 Included in the body of the report.

6. LEGAL IMPLICATIONS

- 6.1 There is a considerable amount of legislation affording specific employment rights such as paid holiday, maternity leave and pay, entitlement to redundancy payments, minimum notice periods and protection from unfair dismissal, to name but a few to employees. In general terms Self-employed individuals consultants, on the other hand, are not entitled to these enhanced statutory rights or protections, because, arguably, they are not employees in the strict legal sense. However, given the distinction between an employee and a worker, in light of the recent high profile cases including the Uber and the Pimlico Plumber cases some self-employed individuals may be classified as workers with legal entitlement to paid holiday, national minimum wage, etc.
- 6.2 In addition to statutory rights, an employer/employee relationship also implies a duty of trust and confidence between the parties concerned and suggests that neither should act in such a way as to undermine it. This notion introduces the idea of reasonableness into the way in which employers treat their employees. But the relationship between an organisation and a self-employed consultant does not have the same implied duties, with the consultant's protection relying largely on the contractual terms in place.
- 6.3 Describing a role as a consultant will not provide a definitive position and as a starting point, there are three key areas that should be evaluated:
- (i) a requirement for personal service
 - (ii) the existence of mutuality of obligation
 - (iii) the level of control that the council has over an individual.
- 6.3.1 **Personal service** - Is the individual personally required to perform services for the company? An employee is someone who is employed under a contract of service, that is, a contract that requires them to personally turn up for work and carry out the duties requested of them. A consultant, on the other hand, is engaged under a contract for services, that is, a contract under which they agree to provide the company with particular services. But, while they are obliged to ensure that these services are provided, they are not necessarily required to carry out the work personally.
- 6.3.2 **Mutuality of obligation** - Are employers obliged to offer individuals work under their agreed contract? Equally, if an employer offers an individual work, are they obliged to accept it? If they are, it could indicate an employment relationship.
- 6.3.3 **Control** - How much control does the employer have over an individual? Who decides what work needs to be done, how it should be done and when?
- 6.4 HMRC uses different, albeit similar, criteria when determining individual's employment status or otherwise. This means that an individual could be considered an employee for tax purposes and yet remains a consultant from an employment perspective. As stated above, the

processes relating to the engagement of consultants is being tightened with the appropriate checks and balances, taking in account the impact of IR35 regulations. These will reduce or eliminate the obvious employment law risks including the accrual of the statutory protection rights set out in para 5.1 above. HR advice should be sought to ensure that each assignment/engagement is not likely to give rise to employment or "contract of services. Ultimately, who is an employee or a worker, or self- employed individual for employment law purposes is a matter for the court to decide.

7. PROCUREMENT IMPLICATIONS

7.1 Consultants should be appointed in line with CPR 8.6 which requires a detailed project brief to be included with specific outcomes identified. Chief Officers are responsible for ensuring that project briefs are in place and that no payments are made until the specific outcomes have been achieved.

8. POLICY IMPLICATIONS

8.1 Consultants may be used to assist officers in meeting the Council’s key priorities as set out in the updated “Building a Better Bromley 2016-18”.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	Held in Finance teams

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CONSULTANT

Coding for Consultants/Agency/Temp Staff

The difference between agency/temporary staff and consultants is often confused and wrongly coded on Oracle. For clarity the difference is explained below:-

➤ Agency staff – Revenue Funded (0104)*

People appointed to cover vacant posts – and paid either by LBB or via comensera. Anyone that we employ but we pay as a company will need to be separately identified and for the purposes of LBB classified as working under a consultancy basis (see below).

➤ Temporary Staff – Revenue Funded (0104)*

People that are employed for less than 3 months to do a specific urgent piece of work, where no post exists, so a supernumerary post is allocated and virement rules apply. Once the post exceeds 3 months a post creation form will need to be set up (back dated to when the post commenced working with the council) and justification and funding identified.

➤ Consultants – Revenue/Capital (1708)**

Consultants should be used to undertake one-off projects, where there is no one internally with the relevant skills. There should be transparency around funding of the post which should be on a fixed fee and clear deliverable, which should be reviewed at the end of the project.

* 0104 codes – there may be a basket of temporary codes so please check the FCB

** 1708 codes – unless there is a good reason, at all times this is the code that should be used.

In general terms a **Consultant** is viewed as being: -

Someone employed for a specific length of time to work to a defined project brief with clear outcomes to be delivered, which brings specialist skills or knowledge to the role, and where the council has no ready access to employees with the skills, experience or capacity to undertake the work.

A Consultant should be engaged on a fixed price contract and would not normally be employed on a day rate (this will ensure VFM).

Further details on these requirements and advice on the employment of Consultants can be found in the Council's Contract Procedure Rules (CPR 8.1 & 8.5) and the accompanying Practice Notes /Contract Document on the employment of Consultants, which can be found in the Procurement Toolkit.

Employing the Consultant

Audit Commission research has indicated that most consultancy work was not usually let on the basis of lowest price, although few authorities held records to justify their decisions. You must always take account of the available budget.

You should prepare a formal agreement before a consultancy assignment commences. This may range from a letter to a formal legal contract. As a minimum the agreement should:

- confirm agreed total costs (fixed price arrangements are usually preferable),
- description of all project deliverables
- make reference to the brief
- make reference to the consultant's submission
- confirm invoicing and payment arrangements
- set out termination and arbitration arrangements
- set out reporting arrangements

You must also ensure that sufficient provision is made for any necessary Insurances and Indemnities required to protect the Council's position. This includes a need to establish the tax position of the Consultant to ensure payments made under any commission placed are correctly treated.

Requirement for a Consultant

The initial requirements around the commissioning of Consultancy Services should include consideration of how service requirements are met and other approaches which might be used. For example can the requirement be met through the completion of work via Agency Staff, the employment of an interim manager (via a direct/temporary contract of employment with the Council), or Secondment arrangements. Only once the best "fit" has been identified should work be commissioned. The arrangement should also be subject to periodic review as, for example, an initial urgent requirement placed with a Consultant might not be better completed at a later date via a temporary contract of employment

There needs to be a clear **accountable** officer responsible for commissioning the consultants work, who monitors progress and delivery and ensures VFM is delivered at all times. The consultant would not normally manage any staff directly or be responsible for authorising spend.

Procurement – Competition Requirements (contract procedure rule 8.1) now incorporates the tender procedures for consultants with effect from September 2016.

8.2 Procurement – Competition Requirements

8.2.1 Where the Estimated Cost or Value for a purchase is within the limits identified in the in the first column below, the Award Procedure in the second column must be followed. Shortlisting shall be done by the persons specified in the third column.

Estimated Cost (or Value)	Tender procedure	Shortlisting
Up to £5,000 (£25,000 for Consultancy Services)	One oral Quotation (confirmed in writing where the Estimated Cost or Value exceeds £1,000) using the Using the Council's "Local Rules" Process where possible and other Approved Lists where Authorised	Officer
£5,000 - up to £25,000	3 written Quotations using the Council's "Local Rules" Process where possible and other lists as Agreed with the Head of Procurement.	Officer
£25,000 – £100,000	Request for Quotation using the Council's "Local Rules" Process where possible and other lists as Agreed with the Head of Procurement., to at least 3 and no more than 6 Candidates. If for whatever reason, a Request for Quotation is made using a Public Advertisement, the opportunity must also be included on "Contract Finder", with all Suitable Candidates responding, being considered. In both cases use must be made of the Council's E Procurement System, unless otherwise agreed by the Head of Procurement.	Officer and Line Manager
£100,000 up to the EU Threshold for Supplies and Services (applies to all activities)	Invitation to Tender making use of a Public Advertisement. The opportunity must also be included on "Contract Finder", with all Suitable Candidates responding, being considered. No Prior Qualification process is permitted Use must be made of the Council's E Procurement System, unless otherwise agreed by the Head of Procurement.	Officer, HOS and Head of Procurement, Head of Finance
Above EU Threshold for Supplies and Services (applies to all activities) and / or £500,000 arrangements.	The appropriate EU / Public Contract Procedure or, where this does not apply, Invitation to Tender by an Appropriate Notice /Advertisement to at least five and no more than eight Candidate.	As above + in Consultation with the Director of Corporate Services and Customer Services and Director of Finance – see Rules 7.2.3 & 8.1.4

Note – Where an intended arrangement is for the provision of Consultancy Type Service, including those for Construction related activity and the estimated value of the intended arrangement is above **£50,000** the relevant Portfolio Holder will be Formally Consulted on the intended action and contracting arrangements to be used.

8.2.2 Where it can be demonstrated that there are insufficient suitably qualified Candidates to meet the competition requirement, all suitably qualified Candidates must be invited.

8.2.3 An Officer must not enter into separate contracts nor select a method of calculating the Total Value in order to minimise the application of these Contract Procedure Rules or the Public Contract Regulations.

8.2.4 Where a Public Contract Regulations 2015 applies, the Officer shall discuss with the Head of Procurement and Consult with the Director of Corporate Services and Director of Finance to determine the arrangements to be used for the completion of the Procurement. In any case the Final Contract Documentation shall be available for viewing, via the internet, from the date of publication of any required Contract Notice, unless otherwise agreed.

8.6 The Appointment of Consultants to Provide Services

8.6.1 Consultant architects, engineers, surveyors and other professional Consultants shall be selected and commissions awarded in accordance with the procedures detailed within these Contract Procedure Rules as outlined above.

8.6.2 The engagement of a Consultant shall follow the preparation of a brief that adequately describes the scope of the services to be provided and shall be subject to completion of a formal letter or contract of appointment, using the Council's Standard Form of Consultancy Contract, unless otherwise agreed by the Director of Corporate Services.

8.6.3 Records of Consultancy appointments shall be kept in accordance with Rule 6.

8.6.4 Consultants shall be required to provide evidence of, and maintain professional indemnity insurance policies to the satisfaction of the relevant Head of Finance for the periods specified in the relevant agreement. The officer commissioning the employment of a Consultant and/or responsible for the Approval of their employment shall ensure that the Consultants tax arrangements or company structure are properly considered and do not result in any tax liability to the Authority.

It should be noted that Standard documents have now been amended to reflect IR35.

Category / Supplier Name	Division/Serv. Area	16-17	17-18	Description	Procurement procedure followed	No. of quotes obtained	Date Reported to Members
		£	£				
One-off specialist advice, no one with relevant specialist skills							
FA BARTLETT TREE COMPANY	Public Protection	2,355	0	Expert report fraud investigation	Single quote under CPR 8.5.1	2	
One-off specialist work total		2,355	0				
Insufficient in-house skills / resources							
AECOM LTD	Public Protection	0	1,900	Air Quality Status Monitoring Report and Summary Status report data ratification	Single quote under CPR 8.5.1	1	
CLEAPPS	Public Protection	541	0	Safety advice to schools. Costs recovered.	Single quote under CPR 8.5.1	1	
ECLIPSE RESEARCH LTD	Public Protection	14,243	0	CCTV Consultant costs	Single quote under CPR 8.5.1 and waiver to include additional value £15k signed by	1	
G B SURVEYORS LTD	Public Protection	640	810	Expert witness TS fraud investigation	Single quote under CPR 8.5.1	1	
Insufficient in-house skills total		15,424	2,710				
GRAND TOTAL		17,779	2,710				

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Report No:
ES17074

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Public Protection and Safety PDS Committee

Date: 27 September 2017

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

Title: Contract Register & Contracts Database Update

Contact Officer: Dan Jones, Director of Environment

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

Ward: All Wards

1. Reason for report

- 1.1 This report presents an extract from September 2017's Contracts Register for scrutiny by PDS Committee – all PDS committees will receive a similar report each cycle.
 - 1.2 This report is based on information, covering all Portfolios, which was presented to Contracts Sub Committee on 21 September 2017.
 - 1.3 The Contracts Register appended includes a commentary on each contract.
 - 1.4 This report also updates PDS Committee on progress with the Council's new Contracts Database (which generates the Contract Registers among other things).
-

2. **RECOMMENDATIONS**

That PDS Committee:

- 2.1 reviews the appended £50k+ Contracts Register (which also forms part of the Council's commitment to data transparency) and;
- 2.2 notes that the Contracts Register appended to this report contains additional, information in its commentary regarding the commissioning process.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The appended Contracts Register covers services which may be universal or targeted. Addressing the impact of service provision on vulnerable adults and children is a matter for the relevant procurement strategies, contracts award and monitoring reports, and service delivery rather than this report.
-

Corporate Policy

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

Financial

1. Cost of proposal: - N/A
 2. Ongoing costs: - N/A
 3. Budget head/performance centre: PPS Portfolio
 4. Total current budget for this head: - £1.963m
 5. Source of funding: - Controllable
-

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications: Improves the Council's approach to contract management
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY


Contracts Register Background

- 3.1 The appended Contracts Register details key information concerning Public Protection and Safety's Portfolio contracts with a Total Contract Value (TCV) greater than £50k (as of 11 September 2017).
- 3.2 The Register is generated from the Council's new Contracts Database (CDB) which is administered by Commissioning & Procurement Directorate and populated by the relevant service managers (Contract Owners) and approved by their managers (Contract Approvers).
- 3.3 As a Commissioning Council, this information is vital to facilitate a full understanding of the Council's procurement activity and registers are reviewed by the Commission Board, the Corporate Leadership Team, and Contracts Sub-Committee as appropriate.
- 3.4 It is anticipated that the information will be updated four times a year following Contract Sub Committee meetings in: September 2017; November 2017; March 2018 and June 2018.
- 3.5 Each PDS committee will undertake detailed scrutiny of its contracts – including scrutinising suppliers – and hold the Portfolio Holder to account on service quality and procurement arrangements.

Contract Register Summary


- 3.6 The table below summarises key data from September's £50k+ Contracts Register Report for all six portfolios (including this portfolio).

All Portfolios

Issue	Data	Number	Percentage
Contracts (>£50k)	All Portfolios	265	100%
Flagged as a concern 	All Portfolios	11	6.1%
Contracts by Portfolio	Care Services	106	40%
	Environment	20	7.5%
	Education, Children & Families	60	22.6%
	Public Protection & Safety	6	2.3%
	Renewal & Recreation	19	7.2%
	Resources	54	20.4%
TOTALS		265	100%
Contracts by Risk Index	Red	19	7.17%
	Amber	95	35.85%
	Yellow	123	46.42%
	Green	28	10.57%
TOTALS		265	100%
Contracts by Procurement Status	Red	96	29.25%
	Amber	73	31.13%
	Yellow	29	19.81%
	Green/Black/New	67	19.81%
TOTALS		265	100%

3.7 Key information, for this Portfolio, extracted from September's £50k+ Contracts Register.


Public Protection & Safety Portfolio

Issue	Data	Number	Percentage
Contracts	£50k+	6	100%
Concern Flag		0	0%
Risk Index	Red	0	0%
	Amber	2	33.4%
	Yellow	4	66.6%
	Green	0	0%
Portfolio Total		6	100%
Procurement Status	Red	3	50%
	Amber	1	16.66%
	Yellow	1	16.66%
	Green/Black/New	1	16.66%
Portfolio Total		6	100%

PP&S has 6 (2.3%) of the Council's 265 contracts (valued at greater than £50k)

Contract Register Key

3.8 A key to the Corporate Contracts Register (which was output from the Contract Database for the first time on 11 September 2017) is set out in the table below.

Register Category	Explanation
Risk Index	A colour-ranking system reflecting eight automatically scored and weighted criteria providing a final score (out of 100) / colour (red, amber, yellow, green) reflecting the contract's intrinsic risk
Contract ID	Each contract has a unique reference which is to be used in related committee reports and authorisations
Owner	Manager / commissioner with budgetary / service responsibility
Approver	Owner's manager, responsible for approving information quality
Contract Title	Commonly used or formal title
Supplier	Main contractor or supplier responsible for service provision
Portfolio	Relevant portfolio for receiving procurement, contract monitoring and budget monitoring reports
Total Contract Value (TCV)	Contract's value from commencement to expiry of formally approved period (i.e. excluding any extensions which have yet to be approved)
Original Annual Value	Value of the contract its first year (which may be difference from the value in subsequent years due to contract commencement costs etc)
Budget	Approved budget for the current financial year
Projection	The expected spend by the end of the financial year
Procurement Status	Automatic ranking system based on value and proximity to expiry designed to alert Owners to take procurement action. Red ragging typically means the contract is nearing expiry.
Start & End Dates	Approved dates excluding extensions yet to be authorised
Months duration	Contract term in months
Attention 	Red flag to denote Commissioning & Procurement Directorate concern (also see Commentary)
Commentary	Owners provide a comment where Risk Index or Procurement Status is ragged red or amber. C&P Directorate has added a comment where appropriate <i>Commentary only appears in the Part 2 report</i>

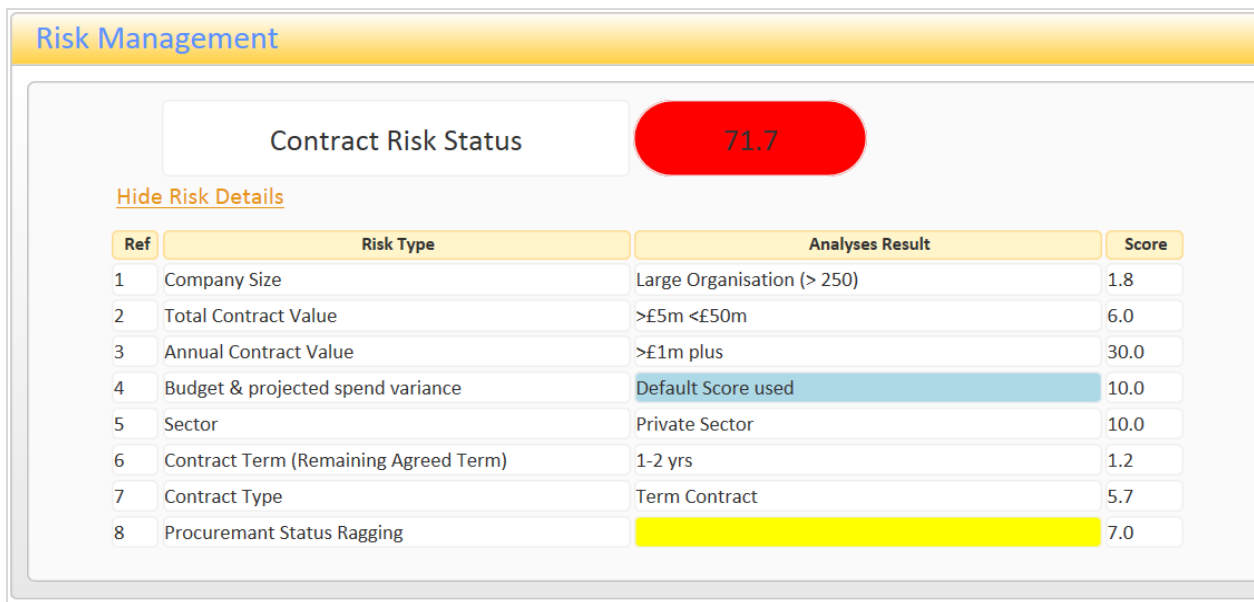
Capital	Most of the Council's contracts are revenue-funded but capital contracts are separately identified (and listed at the foot of the register) because different reporting / accounting rules apply
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Contract Register Order

3.9 The Contracts Register is output in Risk Index order. It is then ordered by Procurement Status, Portfolio, and finally Contract Value. Capital contracts appear at the foot of the Register and contracts of concern (to Commissioning & Procurement Directorate) are flagged at the top.

Risk Index

- 3.10 The Risk Index is designed to focus attention on contracts presenting the most significant risks to the Council. All contracts involve some risk and these may be broadly categorised in relation to finance, service, health & safety, reputation or compliance.
- 3.11 Risk needs to be controlled to an acceptable level (our risk appetite) rather than entirely eliminated and so the issue is how best to assess and mitigate contract risk. Contract risk is assessed (in the CDB) according to eight separate factors and scored and weighted to produce a Risk Index figure (out of 100). These scores are ragged to provide a visual reference.



Procurement Status

3.12 A contract's Procurement Status is a combination of its Total Contract Value and number of months to expiry. The table below is used to assign a ragging colour. Contracts ragged red, amber or yellow require action – which should be set out in the Commentary.

		Procurement / Commissioning Status					
Period	3 months	Red	Red	Red	Red	Red	
	6 months	Amber	Red	Red	Red	Red	
	9 months	Yellow	Amber	Red	Red	Red	
	12 months	Green	Yellow	Amber	Red	Red	
	18 months	Green	Green	Amber	Yellow	Red	
		£5k - £50k	£50k - £100k	£100k - £173k	£173k - £500k	>£500k	
		Total Contract Value					

Contracts Database

- 3.13 The Contracts Database (CDB) was developed from the former contract registers previously received by Contracts Sub and the individual Contract Monitoring Summaries. Those documents, while useful, had limited utility and it was agreed to develop a database rather than rely on a collection of documents and spreadsheets.
- 3.14 The Contracts Database aims to improve the Council's contract management (in response to procurement rules not always being followed) and corporate memory by creating a live documentary system with all key contract information being accessible from one location.
- 3.15 The CDB can be accessed (directly or from Team Contract Management) from any LB Bromley computer (or via CITRIX) using the secure 'single sign-in' system. It is the Contract Owners' responsibility to ensure that contract records are kept up-to-date, accurate and fully populated. In particular, Contract Owners will ensure their records are updated for each contract reporting cycle. It is the 'Approvers' responsibility to approve the 'commentary' at each reporting cycle and to generally quality-assure the contract information.
- 3.16 The Contract Owners and Approvers were trained in how to use the Contracts Database during July and August 2017 and the activity was generally well received. Indeed, many suggestions were volunteered regarding how to improve the Database's utility and these may be incorporated into its future development.
- 3.17 Contracts are listed as a single line summary in a 'directory format' (not dissimilar to the Contracts Register). More detailed information is held for each contract in the following sections
- Main Contract Details
 - Dates & Values
 - Financials
 - Supplier Details
 - Council Contacts
 - Supplier Contacts
 - Contract Register Commentary
 - Contract Documents
 - Risk Management
 - Linked Services/Contracts (to be developed)
 - Linked Strategies/Plans (to be developed)
 - Regulatory Requirements (to be developed)
 - Approver Sign-off (to be developed)

Contract Database Next Steps

- 3.18 Now that Workstream One has been completed, the Programme Board will take a view on the priority order in which to address the Programme's next stages which include: alerting; authorisation; credit-checking; usability; monitoring; document storage; insurance and funding.

4. IMPACT ON VULNERABLE ADULTS & CHILDREN

- 4.1 The Corporate Contracts Register covers all Council services: both those used universally by residents and those specifically directed towards vulnerable adults and children. Addressing the impact of service provision on the vulnerable is a matter for the relevant procurement strategies, contracts, and delivery of specific services rather than this summary register.

5. POLICY IMPLICATIONS

- 5.1 The Council's renewed ambition for the borough is set out in the 2016-18 update to [Building a Better Bromley](#) and the Contracts Database (and associated Contract Registers) help in

delivering all of the aims but especially in delivering the aim of being an ‘Excellent Council’. For an ‘Excellent Council’, this activity specifically helps by ‘ensuring good contract management to ensure value-for-money and quality services’.

6. PROCUREMENT IMPLICATIONS

- 6.1 Most of the Council’s (£50k plus) procurement spend is now captured by the Contracts Database. The database will help in ensuring that procurement activity is undertaken in a timely manner, that Contract Procedure Rules are followed, and that Members are able to scrutinise procurement activity in a regular and systematic manner.

7. FINANCIAL IMPLICATIONS

- 7.1 The Contracts Database and Contract Registers are not primarily financial tools – the Council has other systems and reports for this purpose such as FBM and the Budget Monitoring reports.
- 7.2 However, the CDB and registers do contain financial information both in terms of contract dates and values and also budgets and spend for the current year.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no direct personnel implications but the Contracts Database is useful in identifying those officers directly involved in managing the Council’s contracts.

9. LEGAL IMPLICATIONS

- 9.1 There are no direct legal implications but the Contracts Database does identify those contracts which have a statutory basis and also those laws which should be complied with in delivering the contracted services.
- 9.2 A list of all (irrespective of value) the Council’s contracts may be found on Bromley.gov.uk to aid transparency.

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	Contracts Register Reports to Contracts Sub-Committee

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Contract Register Report +£50k Public Protection and Safety: September 2017

Risk Index	MAIN CONTRACT DATA						FINANCE DATA				CONTRACT TERMS			COMMENTARY			
	Contract ID	Owner	Approver	Contract Title	Supplier Name	Portfolio	Total Value	Original Annual Value	Budget	Projection	Proc. Status	Start Date	End Date	Months Duration	Attention	September 2017 Commentary	Capital
●	43	JIM MCGOWAN	DAN JONES	CCTV Monitoring	OCS Ltd	Public Protection and Safety	1,515,258	252,652	266,510	266,510	■	01/04/2012	31/03/2018	72		<p>Commissioning Comment ----- Extension until 2019 is being sought in September 2017 to enable Officers to carry out more work on the Future Strategy of the CCTV Service and options with regards to the Accommodation Strategy and the need to relocate the CCTV Control room.</p> <p>Owner Comment ----- Contract can be extended to 31/3/19 (PPS PDS 28.09.16 at discretion of ED ECS) to facilitate tender process. More generally, the provision of CCTV services is under review and a Programme Board appointed.</p>	
●	44	JIM MCGOWAN	DAN JONES	Dog Collection & Transportation	SDK Environmental Ltd	Public Protection and Safety	729,300	63,600	63,600	63,600	■	01/04/2006	31/01/2018	142		<p>Commissioning Comment ----- This Contract is due to be awarded pending final decision in October 2017 and whilst the Procurement Status is flagged Red this is no longer of Procurement concern. Linked to Waiver beyond contract term Contract ID 2589.</p> <p>Owner Comment ----- Contract has been re tendered and is due to be awarded before the end of December 2017, for a new start date of 1 February 2018.</p>	
●	42	JIM MCGOWAN	DAN JONES	CCTV Repair and Maintenance	Eurovia Infrastructure Ltd	Public Protection and Safety	257,108	42,852	137,450	137,450	■	01/04/2012	31/03/2018	72		<p>Commissioning Comment ----- Extension until 2019 is being sought in September 2017 to enable Officers to carry out more work on the Future Strategy of the CCTV Service and options with regards to the Accommodation Strategy and the need to relocate the CCTV Control room</p> <p>Owner Comment ----- An extension from 1 April 2018 to 31 March 2019 is available (PPS 28/9/16 Report ES16052) if required (decision delegated by Portfolio Holder to ED ECS)</p>	
●	46	JIM MCGOWAN	DAN JONES	Coroner's Service	London Borough of Croydon	Public Protection and Safety	224,320	224,320	269,600	335,600	■	01/04/1966	31/03/2018	625		<p>Owner Comment ----- LB Bromley's involvement is essentially to pay relevant coronial costs. There is no formal contract between LB Croydon and LB Bromley but a MoU between LB Croydon and LB Bromley is pending</p>	
●	47	JIM MCGOWAN	DAN JONES	Mortuary Contract	Princess Royal University Hospital Mortuary via Kings College Hospital NHS Foundation Trust (with LB Bexley)	Public Protection and Safety	384,000	96,000	133,370	133,370	■	01/10/2014	30/09/2018	48		<p>Commissioning Comment ----- This will need to be seen by the Commissioning Board prior to going to PDS on 28th September 2017</p> <p>Owner Comment ----- Gate zero report being put before the PPS PDS on 28 September 2017 for LB Bromley to tender as a single entity rather than a joint contract.</p>	
●	299	AILEEN STAMATE		Domestic Abuse - Advocacy Project	Victim Support	Public Protection and Safety	368,692	116,461	20,420	20,420	■	01/04/2014	31/03/2019	60			

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Report No:
CSD 17125

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION AND SAFETY PDS COMMITTEE

Date: 27th September 2017

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

Title: WORK PROGRAMME

Contact Officer: Stephen Wood, Democratic Services Officer
Tel: 020 8313 4316 E-mail: stephen.wood@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: All

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 change as required.

2. **RECOMMENDATIONS**

2.1 **That the Committee:**

- (1) **Notes the current Work Programme.**
- (2) **Comments on the Corporate Contract Register extract and commentary relating to the Public Protection and Safety Portfolio Contracts.**
- (3) **The Committee comments on any matters that it thinks should be incorporated into the Work Programme.**
- (4) **The Committee puts forward suggestions for Member visits.**

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: £343,810
 5. Source of funding: 2017/2018 revenue budget
-

Staff

1. Number of staff (current and additional): 8 posts (6.87fte)
 2. If from existing staff resources, number of staff hours: Maintaining the Committee's Work Programme normally takes approximately an hour per meeting, but is fluid and may need to be modified as required.
-

Legal

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

Customer Impact

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

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. The Committee is also invited to make suggestions with regard to Member visits.
- 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 Summary

- 3.3 Council services are underpinned by contracts and, as a Commissioning Council, it's important that these are tendered in accordance with the newly revised (1 September 2016) Contract Procedure Rules.
- 3.4 A new Council-wide approach to contract reporting has been agreed which involves the entire Corporate Contract Register being reported to Contracts Sub-Committee (latest meeting: 2 November 2016). Relevant extracts are then reported to each subsequent PDS meeting to ensure a consistent approach to contract reporting during each committee cycle.
- 3.5 The Public Protection & Safety Portfolio's contracts follow as a separate document and report (total contract value of more than £50k). Report ES 17077.
- 3.6 The Contract Monitoring Summaries pioneered by E&CS and the Corporate Contract Register have been merged to form a Corporate Contract Database. This Contract Database will be at the heart of the Council's future Commissioning and Procurement activity and will generate alerts and reports, as required, to ensure timely procurement and consistent Member reporting.

4. POLICY IMPLICATIONS

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

Background Documents: (Access via Contact Officer)	Previous Work Programme Reports and Minutes of the previous meeting.
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PP&S PDS COMMITTEE - FORWARD WORK PROGRAMME

PUBLIC PROTECTION AND SAFETY PDS—27th September 2017
Matters Arising
Chairman's Update
Police Update
Portfolio Holder Update
Presentation from a representative of the Borough Gangs' Team--Acting DCI Charles Clare
Presentation from Sarah Armstrong (Say No 2 Knives) on Knife Crime and Stop and Search.
Discussion around the London Assembly Police and Crime Commission Report
Food Safety Service Plan—2017-2018
Capital Programme Monitoring Report-1 st Quarter—2017-2018
Trading Standards Service Plan
Dogs and Pest Control Contracts
Expenditure on Consultants
Work Programme, Contracts Register, and Risk Register
PUBLIC PROTECTION AND SAFETY PDS—21st November 2017
Matters Arising
Chairman's Update
Police Update
Budget Monitoring
Portfolio Holder Update
Guidance for Noise Control on Construction Sites Controlled Under the Control of Pollution Act
MOPAC Update-including Community Impact Days.
Counter Terrorism/Prevent Update
Presentation from Probation Services
Report on CCTV Procurement Strategy
Report on Domestic Violence and VAWG Services
Report on Gate Review for Mortuary Service
Work Programme, Contracts Register and Risk Register
PUBLIC PROTECTION AND SAFETY PDS—16th January 2018
Matters Arising
Chairman's Update
Police Update
Portfolio Holder Update
Work Programme and Contracts Register
Draft Budget Report
Update report on Emergency Planning and Business Continuity Service
Report on Crime and Disorder in the night time economy
Presentation on Town Centre Policing and Public Safety, including the Night Time Economy.
Presentation from London Fire Brigade—including Impact Factor and Tower Blocks Enforcement Activity Update

PUBLIC PROTECTION AND SAFETY PDS—6th March 2018
Matters Arising
Chairman's Update
Police Update
Budget Monitoring
Portfolio Holder Update
Update Report on Drug and Alcohol Abuse
LAS Presentation
Presentation from Bromley Youth Council
Presentation from Impact Factor
Environmental Protection Update
SLaM Update
Work Programme, Contracts Register and Risk Register
POSSIBLE FUTURE PRESENTATIONS and AGENDA ITEMS
Presentation on the RSA's New Futures Network
Ministry of Justice's New Employment Programme
Prison Reform
POSSIBLE FUTURE VISITS
Victim Support-Waiting for confirmation from Joanna Davidson

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E&CS RISK REGISTER MASTER COPY: JUNE 2017

[Link to Environmental Services Contract Risk Register](#)

Risk Reference	Department	Division	Section	Risk & Consequences	Risk Category	Risk Owner	Gross Impact	Gross Likelihood	Gross Risk Rating	Gross Score	Existing Controls and Proposed Actions	Net Impact	Net Likelihood	Net Risk Rating	Net Score	Financial Implications (Mainly for High or Significant Net Risks if 'financial')
ENV/H&S.0399	Environment and Community Services	Public Protection	Health and Safety	<p>Risk: Health and Safety failure (e.g. injury or death)</p> <p>Consequence: Leading to prosecution of the Council and / or civil claim for compensation</p>	Health and Safety	Paul Lehane	4	2	Medium	8	<p>Controls:</p> <ol style="list-style-type: none"> 0.6 fte Corporate Safety Advisor employed (Post currently vacant but plans to make it full time). Safety Policy reviewed and updated regularly Commitment to HSW from Chief Executive and Directors Risk assessment & proactive monitoring in place to ensure highest standards for Council premises, equipment & activities. Supported by H&S training programme and network of policies and procedures (regularly reviewed) Divisional Safety Committees meet regularly Properly related HSW matters now provided through Amey <p>Actions: Process underway to recruit full time corporate health and safety advisor. Fire safety risk assessments are in the process of being updated by the total facilities management contractor, Amey.</p>	3	1	Low	3	Corporate manslaughter attracts severe financial penalties. An appropriate penalty will seldom be less than £500k and may be several millions. Lesser, though still serious, H&S offences can cost ~£100k. Civil claims can also be up to £500k depending on the circumstances.
ENV/CSU.0288	Environment and Community Services	Public Protection	Community Safety	<p>Risk: Falling public confidence in Council around fear of crime leading to reputational risk.</p> <p>Consequence: Additional statutory obligations have been introduced this year by way of the Counter Terrorism Act 2015 placing new burdens on the local authority in relation to training and reducing risk as part of the PREVENT programme.</p>	Reputation	Rob Vale	4	3	Significant	12	<p>Controls:</p> <ol style="list-style-type: none"> Communications strategy to raise public confidence <p>Actions:</p> <ul style="list-style-type: none"> Safer Bromley Partnership newsletter report on activities of the Partnership LBB to provide PREVENT training to relevant staff 	4	2	Medium	8	
ENV/CSU.xxxx	Environment and Community Services	Public Protection	Community Safety	<p>Risk: Possible reduction in Mayoral MOPAC grant funding for ASB service, Domestic Violence services and out-of-hours service from March 2017</p> <p>Consequence: Leading to budget shortfall, service reduction, and reputational risk</p> <p>UPDATED May 2017 - VAWG services now sit with Adults Safeguarding. MOPAC funding for 2017-2021 has been reduced by 40%, which will impact the Noise Service, ASB Co-ordinator post and the Mentoring programme in April 2018.</p>	Service Delivery, Financial	Rob Vale	3	4	Significant	12	<p>Controls:</p> <ol style="list-style-type: none"> Outside LB Bromley control <p>Actions:</p> <ul style="list-style-type: none"> Explore possible alternative funding provision to maintain existing levels of service 	3	4	Significant	12	The MOPAC funding framework will be based on a 2 + 2 model. The Year 1 and Year 2 funding has been granted which incorporates a 40% funding reduction in Year 2. This means April 2017 to March 2018 funding will remain the same as previous years, but a significant reduction from April 2018 to March 2021 (£57k in 2018/19 and est. £108k in years 2019/20 and 20/21) will impact on the delivery of ASB work and the noise out of hours service. To maintain the current levels of service alternative funding will need to be found.

Risk Reference	Department	Division	Section	Risk & Consequences	Risk Category	Risk Owner	Gross Impact	Gross Likelihood	Gross Risk Rating	Gross Score	Existing Controls and Proposed Actions	Net Impact	Net Likelihood	Net Risk Rating	Net Score	Financial Implications (Mainly for High or Significant Net Risks if 'financial')
3	Environment and Community Services	Public Protection	Environmental Protection	<p>Risk: Failure to upgrade Closed Circuit Television (CCTV) system, which is no longer technically supported</p> <p>Consequence: Leading to service loss and loss of parking income</p>	Service Delivery, Financial	Jim McGowan	3	1	Low	3	<p>Controls: 1. Regular monitoring of system by Risk Owner 2. Major problems are reported as soon as they occur</p> <p>Actions: - System has been rebuilt at a cost of £340k - new system is fully supported and likelihood reduced</p>	3	1	Low	3	
ENV/FSL.0038	Environment and Community Services	Public Protection	Food, Safety and Licensing and Emergency Planning	<p>Risk: Outbreak of infectious disease / flu pandemic</p> <p>Consequence: Disruption to normal services due to staff sickness, high demand on services from community increased numbers of deaths</p>	Service Delivery, Health and Safety	Paul Lehane	5	1	Medium	5	<p>Controls: 1. Notifiable Infectious Disease Protocol in place (with Public Health England and DEFRA) including out-of-hours provision 2. Flu Pandemic Plan also in place</p> <p>Actions: - Regular multi-agency review of Protocols - Consider immunisation for key staff - Implement BCPs as appropriate. Each Executive Director/Director should develop contingency plans to ensure service continuity in the event of a major outbreak affecting significant staff. - Seek funding for additional Business Continuity Officer post.</p>	5	1	Medium	5	<p>Difficult to determine the financial impact, as it depends on severity of the situation and extent of outbreak.</p> <p>Staff absence will result in sick pay costs and a scenario could be 50% of staff off work for say 2-3 weeks.</p> <p>Also a potential cost associated with loss of income from services.</p> <p>More generally there would be community / business costs in the Borough.</p> <p>Additional cost of Business Continuity Officer post = £35k pa.</p>
ENV/FSL.0039	Environment and Community Services	Public Protection	Food, Safety and Licensing and Emergency Planning	<p>Risk: Failure to meet required service standards as required by Food Standards Agency Audit (April 17) due to a lack of resource to meet code of practice service standards</p> <p>Consequence: Leading to reputational damage and possible use of power of direction.</p>	Service Delivery, Health and Safety, Reputational,	Paul Lehane	4	4	High	16	<p>Controls: 1. Current levels of resourcing 2. Prioritised according risk</p> <p>Actions: - Review audit recommendations - Consider response from existing capacity and the availability of additional resources</p>	3	3	Medium	9	<p>Cost of additional Food Safety Officer posts: 3 x £221k for 18 months. + 2 x £98k pa - ongoing.</p>