

**PUBLIC PROTECTION AND ENFORCEMENT POLICY DEVELOPMENT &
SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 4 December 2018
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Present:

Councillor David Cartwright QFSM (Chairman)
Councillor Chris Pierce (Vice-Chairman)
Councillors Julian Benington, Mike Botting, Kevin Brooks,
Hannah Gray, Samaris Huntington-Thresher,
Alexa Michael and Harry Stranger

Sharon Baldwin, Dr Robert Hadley, Alf Kennedy and
Cameron Ward

Also Present:

George Brown, Sarah Foster, Superintendent Craig
Knight, Steve Phillips, Andrew Rogers, John Stephenson,
Joanne Stowell and Louise Sylver

STANDARD ITEMS

**34 APOLOGIES FOR ABSENCE AND NOTIFICATION OF
SUBSTITUTE MEMBERS**

Apologies were received from Julie Clark.

Apologies were received from Nigel Davies, and Joanne Stowell attended as substitute.

Apologies were also received from Councillor Kathy Bance and Councillor Kevin Brooks attended as substitute.

35 DECLARATIONS OF INTEREST

There were no declarations of interest.

**36 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE
PUBLIC FOR THE ATTENTION OF THE CHAIRMAN OR
COMMITTEE**

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

**37 MINUTES OF THE PUBLIC PROTECTION AND
ENFORCEMENT PDS COMMITTEE HELD ON 27th
SEPTEMBER 2018--EXCLUDING EXEMPT INFORMATION**

The Committee considered the minutes of the meeting of Public Protection and Enforcement PDS Committee held on 27th September 2018.

RESOLVED that the minutes of the meeting held on 27th September 2018 be agreed and signed as a correct record.

38 MATTERS ARISING

CSD18177

Members noted the Matters Arising report, and the progress that had been made regarding these matters since the previous meeting.

The Chairman suggested that Superintendent Knight update on matters arising relating to the police in the Police update.

It was agreed that the update due from the Head of Trading Standards and Community Safety in connection with property management operators and the redress scheme, would be looked into outside of the meeting by the Assistant Director for Public Protection.

RESOLVED that the matter relating to whether or not property management operators had to pay to join a redress scheme be investigated by the Assistant Director for Public Protection, and reported back to the Committee.

39 POLICE UPDATE

The police update was provided by Superintendent Craig Knight. The Chairman referenced the fact that he had requested statistical information from Mr Knight in advance of the meeting. The Chairman acknowledged that in this case he had probably not submitted the request in good enough time. Nevertheless, the Superintendent had provided a Headline Performance document on the morning of the meeting, and this had been disseminated to the Committee.

Mr Knight addressed the matter that had arisen at the previous meeting concerning fleet vehicles. He explained that due to tighter controls on car emissions in central London, Bromley police had lost their newest fleet of vehicles and had got their old fleet of vehicles back. Bromley police were not getting new vehicles; they were bound by fleet management rules. They were also looking at trying to obtain local sponsorship for some vehicles.

A Member suggested that due to the size of the Bromley Borough, Bromley needed cars more than inner London, and perhaps this was an argument that could be used with Fleet Management. Mr Knight stated that the argument had been made. It was clarified that the vehicle exchange was undertaken on a one to one exchange basis.

The Chairman asked what would happen in central London (in the tighter emission control areas) if they required reinforcements from older vehicles. It was noted that in case of emergencies, the police would have no choice other than to use the older vehicles. The Chairman enquired what the timescale was to resolve the matter. Mr Knight responded that the debate was ongoing and that a detailed paper had been submitted concerning the Bromley fleet. A response was expected in March 2019. It was noted that police vehicles normally had a lifespan of three years, and were then replaced.

A co-opted member enquired if Bromley police were short of vehicles. Mr Knight answered that it would be helpful if they could obtain 2/3 vehicles that could be dedicated to remoter areas. Bromley police were not lacking any response vehicles, what would be helpful was a few more vehicles that could be used by Safer Neighbourhood Teams. Conversations with potential sponsors were currently taking place. It was noted that vehicles pertaining to dog handlers fell under a different command.

Mr Knight provided an update with respect to police office buildings in Bromley. The Committee was saddened to hear that buildings were going to be closed and leases were not going to be renewed. Alternatives were being looked at such as sharing premises with the LFB. There was going to be a trial at Purley Fire Station in February to see if operating out of fire stations was workable. Sainsbury's had offered to help with office space. The main police station in Bromley South would remain open.

A Member asked if a possible location could be community centres. Mr Knight said that all options would be looked at. Any premises used by the police would require 24/7 access and certain security measures would need to be in place. A discussion took place concerning how decisions were made to close buildings and what the specifications were for new buildings as in the past the specifications often changed. The sale of properties was taking place as part of the ongoing need to save revenue as it was still the case that £360m was required to be saved over the next three years. The sale of properties was funding new technology.

A Member asked if the police had considered a partnership with McDonalds in Penge. The franchise owner of the premises was very positive towards community groups. There were some rooms upstairs in the premises that could possibly be used. Mr Knight said that he would make an approach. The Chairman asked if there was a list of premises and their anticipated closure dates. Mr Knight said that there was, but it changed frequently. Mr Knight stated that Bromley police were now effectively looking for free space as they could not afford to pay rent.

A Member asked if any specific facilities would be required in a building used by the police. Mr Knight responded that technology had moved on, so the two main things required would be secure lockers and electric points for the charging of equipment.

Mr Knight then referred to the other matter that had arisen which was concerned with the arrest and prosecution of Travellers. He informed the Committee that there was a problem with accessing the relevant data and asked if the matter could be carried over to the next meeting. The problem was caused by the fact that when Travellers were arrested, they would be taken to different custody suites run by different commands. The Chairman agreed that the matter could be carried over to the next meeting. The Chairman asked Mr Knight to inform him if accessing the data continued to be problematic, as he would not wish to use up too much police time on an action that may not bear fruit that was proportionate to the effort involved in sourcing the data.

Burglary was rising in Bromley, but it was also rising across the country. In the rolling 12 months, burglary in Bromley had increased by 4%, which was in line with the MET average. Some of this increase was due to burglaries carried out by foreign criminal gangs during the spring and summer periods; arrests had been made, but the trend was still rising. Additionally, there had been a lot of smaller scale burglaries in the north of the borough.

Mr Knight informed the Committee that there would be two ANPR operations undertaken over the next 4 weeks, one would be overt and one would be covert. He would be happy to report back on the results of the operations. Operation 'Be Safe' (burglary initiative) would coincide with the winter nights. Social media would be used to increase the awareness of the public to burglary and crime prevention. Mr Knight informed the Committee that he had recently been appointed as the Strategic Lead for burglary in the south area.

It was noted that the number of offences for non-domestic violence was increasing. Mr Knight said that a greater number of arrests had been made for various public order, weapons and drug offences—this was because a greater number of uniformed officers had been placed on the streets.

The Committee was briefed that over the next six months, there would be an increase in the number of stop and search operations in an attempt to reduce knife crime and other serious violence offences.

The Superintendent mentioned the response times for 'I' and 'S' calls. 'I' calls were the most urgent calls that required a response within 15 minutes. There had been a dip in hitting this target across the MET, and also in Bromley. This had not been helped because of Bromley's geography. The Chairman pointed out that this issue had been raised in the Tri-Borough discussions. Mr Knight assured that the problem was not a serious one. The performance for the response to S calls was rising.

Mr Knight expressed the view that Bromley was still a safe borough. A Member responded and questioned the validity of this assertion based on the fact that in the Penge, Anerley and Crystal Palace Wards, it was not uncommon for there to be attacks using knives, acid and firearms. He was concerned that there was a not a proper understanding of the borough in that

when assertions were made with respect to safety, certain problem wards in Bromley were not being properly taken into consideration.

Mr Knight maintained that Bromley was still probably the safest borough in London but he was aware that certain wards had problems unique to them. He said that the wards where there were issues with gangs and other serious violence had seen extra resources deployed. LBB had previously been concerned that resources would be removed from Bromley to deal with issues in Croydon, but Mr Knight said that in fact the reverse was happening. Resources were being deployed from Croydon and Sutton to deal with crime in Bromley.

A Member also raised the issue of young people being placed in Penge from Lewisham (for emergency housing) when in some cases they belonged to a rival gang. He asked if Mr Knight had any control over this, and Mr Knight responded that he did raise objections, but it was a matter that he was not able to control.

A Member enquired about the data that pertained to low level crime in the borough. It was explained that this related to low level offences such as noisy neighbours, house parties, people being drunk, and kids playing around. It was a deliberately broad classification and hard to break down further.

Mr Knight stated that police satisfaction was high in Bromley, and that he intended to keep it that way. His focus would be on reducing priority crimes such as violence with injury, burglary and other high harm crimes like sexual offences. The number of reported sexual offences was rising because people now had more confidence to report such incidences. Some of the reporting of sexual offences was historic. As a consequence of this, more resources had to be allocated to safeguarding.

There was a discussion around the issue of perception, and the allocation of resources. Mr Knight explained that he had to allocate officers to where crimes were being committed and so this would mean that in some cases officers would not always be able to attend community meetings. A discussion also took place about the potential for a conflict of priorities for the police, as it seemed that different priorities were emanating from diverse sources. Mr Knight responded that the police clearly had a duty to deal with crime related to Violence with Injury, Burglary, Safeguarding and Terrorism. However in terms of local priorities the focus was likely to be on VWI, Burglary, and the priorities set by the Local Ward Panels.

A Member raised the matter of Duty Officer cover after being informed when he attended a fire at a bus garage recently that no Duty Officer was available at that time. Mr Knight explained about the number of Duty Officers available, and how their work was allocated.

A Member asked if a breakdown of the burglary figures could be provided and it was noted that these were primarily residential burglaries. A question was also asked about the definition of a firearm and it was clarified that this

definition would apply to any section 5 weapon and would include CS Gas canisters. It was explained that the definition of 'knife crime' would include crimes where the use of a knife was threatened even if it was not seen.

Mr Knight gave an explanation of the work and shift patterns of Ward Officers.

The Chair of BYC (Bromley Youth Council) had attended the BYC conference that had been focused on Gangs. He said that the feedback that he had received from young people was that the police were not listening or engaging with them properly. They felt that the police were not there for them and not engaging with them in schools. He asked what could be done to change this. Mr Knight answered that there had been a significant investment in Schools Officers, and that the number of Schools Officers was going to increase in the south area from 22 to 34. Additionally, £150k was going to be invested in a trial pilot to further engage with young people, and it was hoped that by the end of the pilot, young people would be able to be involved in stop and search operations. The Chairman asked if Cameron could be invited to School Officers briefing meetings and Mr Knight said that he would arrange this.

The Chairman thanked Mr Knight for attending the meeting. He suggested that he meet with Mr Knight to discuss the format of pre-written information/data going forward. Mr Knight stated that he wanted to use a standardised format. Members were free to write to the Chairman if they wanted to raise any further questions outside of the meeting.

RESOLVED that:

- 1) The police update is noted.**
- 2) The matter regarding the data for the arrest and prosecution of Travellers be deferred to the January meeting.**
- 3) Superintendent Knight would invite Cameron Ward to future School Officers' meetings.**
- 4) The Chairman and Mr Knight would meet up at some point to discuss how the police could provide pre-written information for the PDS Committee going forward.**

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

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

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

41 PORTFOLIO HOLDER UPDATE

The Portfolio Holder update was provided by the Portfolio Holder for Public Protection and Enforcement—Councillor Kate Lymer.

She updated the Committee as follows:

- The Crime Summit took place in September and was very successful with around 140 attendees. Presentations were given by BYC and by Neighbourhood Watch
- She had attended a meeting of the 'Gold' Group, following the murder that had taken place in Penge
- Monthly meetings were taking place to discuss remedies for the ongoing fly tipping problems in Star Lane
- There had recently been a court hearing where LBB had applied for an extension to the injunction that had been obtained previously with regard to Travellers. The Hearing had been adjourned.
- Because the Hearing was adjourned, an extension was granted in the interim.
- The Safer Bromley News had just been published and was being distributed
- The Portfolio Holder had travelled to Erith with the Communications Executive to witness the crushing of a van that had been involved in fly tipping.
- The Portfolio Holder gave a brief update concerning an organisation called 'Recycling Lives' that was involved in finding employment for former prisoners after they had been released from prison. Their work had been very effective in reducing re-offending.

RESOLVED that the Portfolio Holder update is noted.

42 PORTFOLIO PLAN--6 MONTH PERFORMANCE OVERVIEW

The Portfolio Plan Six Month Performance Overview update was given by Sarah Foster.

The update was presented by using an A3 colour spreadsheet. Despite this, the print was still a bit small and the Chairman asked if larger type could be used in the future. Ms Foster agreed to spread the data over two pages next time.

The Committee was referred to item number 9 which was the number of unrated food premises that required inspection. This had changed from a Red to Amber risk which was good news for the Food Safety Team (FST). This was because the FSA (Food Standards Agency) had met with the FST and had advised them to shift the focus away from unrated premises. The target had therefore reduced down from 427 to 327.

Ms Foster updated the Committee with respect to the matter of fly tipping. She said that the Fly Tipping Working Group had met three times this year, but was now being reinvigorated and would be meeting again the same week. The working group was developing a fly tipping action plan. The Legal Section had advised that it was ok for LBB to send out fly tipping warning letters in cases where fly tipping was not proven but suspected. Increases in vehicle stop and search were planned.

A Member raised concerns around the non-inspection of low risk premises, and pointed out that the situation could change over time. Karen Ryan from the Food Safety Team explained about the different ratings for food premises and the inspection regime.

It was noted that although the official figures with respect to fly tipping had decreased, it was also the case that many cases of fly-tipping probably went unreported because it was such a common occurrence in certain areas like Star Lane.

The Committee discussed the effectiveness (or otherwise) of using CCTV cameras. It was noted that in the Star Lane area this practice had not proved effective for various reasons including all of the bends in the road. Four cameras had recently been installed at Star Lane and they were all stolen. A Co-opted Member asked if LBB had enough enforcement officers and wondered why LBB was using temporary agency staff.

The Committee noted the update on Mentoring Relationships and was advised to contact Councillor Lymer if any further information was required.

RESOLVED that the Portfolio Plan Performance Overview Report is noted.

a BUDGET MONITORING 2018/2019

FSD18089

The Budget Monitoring report had been drafted by Claire Martin—Head of Finance.

The report provided an update on the current budget monitoring position for 2018/19 for the Public Protection and Enforcement Portfolio, based on expenditure and activity levels up to 30th September 2018. It showed an underspend of £118K.

The Committee was satisfied with the reasons for the underspend.

RESOLVED that the Portfolio Holder endorses the latest 2018/19 budget projection for the Public Protection and Enforcement Portfolio.

b FOOD SAFETY SERVICE PLAN 2018 to 2019

The report was written by Joanne Stowell and presented by Karen Ryan. The Chairman praised the report for being good and comprehensive. A Member expressed concern at the lack of resourcing in the Food Safety Team. She asked what the position was with respect to recruiting permanent staff, or possibly using a graduate trainee, or even to train up a school leaver. She also asked if some of the work could be undertaken by someone who did not have the relevant qualifications.

Ms Stowell explained that some local authorities had nurtured their own staff and then they went on to leave. This was because they could earn more money doing agency work. The matter of 'golden handcuffs' was mentioned. A discussion took place around inspections relating to market stalls.

Ms Ryan elaborated on the matter of food poisoning as mentioned in the report. It was explained that these were single isolated outbreaks where the source of the potential food poisoning was difficult to determine, and so no prosecutions had taken place.

RESOLVED that

1) The Portfolio Holder approves the Service Plan for the Food Safety Team.

2) The PDS Committee and the Portfolio Holder note the progress that had been made against the resubmitted Action Plan which had been agreed with the FSA.

3) The PDS Committee and the Portfolio Holder note that the targets to reduce the backlog of inspections remained dependent on being able to recruit to the additional food safety posts.

43 ANIMAL LICENSING LEGISLATION--REVIEW OF FEES.

ES18096

The report on Animal Licensing Legislation—Review of Fees, was presented by Steve Phillips—Lead Practitioner for the Licensing Team.

A new statutory instrument came into effect from 1st October 2018. The new legislation introduced a new licensing framework and revised fee structure for a variety of activities involving animals. The report showed the revised fees that needed to be implemented, which were based upon the premise of cost recovery.

Members noted that the new fees were significantly higher, and it was feared that many small businesses would no longer be able to operate, and would have to close.

A Member asked if DEFRA would be informing people that they were responsible for the introduction of the increased fees. The answer to this was no. LBB would be undertaking a letter campaign so that the public understood that the fee structure had been introduced by DEFRA, and not by LBB.

A discussion took place regarding the City of London Vet Services and whether or not an alternative provider could be considered. Mr Phillips explained that the City of London Vet Services provided the complete package of services that was required, and that their rates were reasonable. Their service was good and they also supported the other London boroughs.

RESOLVED that the report be noted and that the Portfolio Holder agree the revised fees as set out in Appendix 1 of the report—to be implemented from 1st January 2019.

a CAPITAL MONITORING REPORT--QUARTER 2--2018-2019

FSD18097

The Committee was presented with the Capital Programme Monitoring Report for the second quarter of 2018/19.

The Committee noted the report, and the changes to the Capital Programme that had been agreed by the Executive in November 2018.

RESOLVED that the Portfolio Holder confirms the changes agreed by the Executive in respect to the Capital Programme for the Public Protection and Enforcement Portfolio.

44 PLANNING ENFORCEMENT SCRUTINY REPORT

ES18092

The Planning Enforcement Scrutiny Report was written and presented by John Stephenson, (Head of Planning Appeals and Enforcement Manager).

Members were being asked to consider the report.

Members were pleased to note that the Planning Enforcement Team was being more pro-active in their approach. It was noted in section 3.6 of the report that the term 'enquiries' was now being used instead of 'complaints'.

Members noted that since January 2018, 785 cases had been closed and this was good news. However, it was also the case that unfortunately 390 new cases had been registered for investigation.

It was explained that the Planning Enforcement Team consisted of 3 full time officers and 2 full time temporary officers who were agency staff. A Member commented that it was plain to see the benefits of being able to employ 2 extra investigating officers. She asked if it would be better if they were full time instead of temporary agency staff and Mr Stephenson agreed that it would be better if they were full time permanent staff. This would be a decision for Members.

Members referred to section 3.9 of the report which was a list of enforcement cases pending prosecution. A Member stated that it was important to prosecute whenever possible, and that successful prosecutions should be publicised by the Communications Team.

Members noted section 3.14 of the report which was a list of cases where prosecutions were pending. A Member asked if from time to time ward councillors could be kept updated concerning the progress of these cases. Mr Stephenson said that this should be possible.

A Member asked if a new case number was created if a previously closed case was re-opened. It was explained if new information came to light, and a case had to be re-opened, it would be linked to the previous case, but it would be allocated a new case number.

RESOLVED that

- 1) The Planning Enforcement Scrutiny Report is noted.**
- 2) The Planning Enforcement Team periodically update Members concerning progress made with regard to planning enforcement prosecutions.**

45 UPDATE ON THE MORTUARY CONTRACT

As this update would contain matters that were likely to be commercially sensitive, it was moved that the update be provided under the Part 2 section of the meeting.

46 WORK PROGRAMME

CSD18153

Members noted the Work Programme.

It was suggested that a possible future report that could be considered by the Committee was a report on LBB's contract with the Coroner.

It was agreed that outcomes pertaining to the Locality Review should come back to a future meeting for noting.

It was suggested that a possible future visit could be to the Coroners' Court.

RESOLVED that the Work Programme Report is noted.

Post Meeting Note:

An item had been listed (TBC) on the Work Programme for a report on the Air Quality Action Plan. It has since been decided that this item will go to the Environment PDS instead.

47 DATE OF THE NEXT MEETING

The date of the next meeting was confirmed as 30th January 2019.

**48 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE
LOCAL GOVERNMENT (ACCESS TO
INFORMATION)(VARIATION) ORDER 2006, AND THE
FREEDOM OF INFORMATION ACT 2000**

**49 UPDATE ON NEGOTIATIONS REGARDING THE MORTUARY
CONTRACT**

The minutes for this item are in the Part 2 section of the minutes.

**50 EXEMPT MINUTES OF THE MEETING HELD ON 27th
SEPTEMBER 2018**

The exempt minutes of the meeting held on 27th September 2018 were agreed and signed as a correct record.

The meeting ended at 9.40 pm

Chairman