

PUBLIC PROTECTION AND ENFORCEMENT POLICY DEVELOPMENT & SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 10 September 2019

Present:

Councillor David Cartwright QFSM (Chairman)
Councillor Chris Pierce (Vice-Chairman)
Councillors Kathy Bance MBE, Julian Benington,
Kim Botting FRSA, Mike Botting, Alexa Michael,
Suraj Sharma and Harry Stranger

Sharon Baldwin, Dr Robert Hadley and Cameron Ward

Also Present:

Councillor Kate Lymer, Portfolio Holder for Public
Protection & Enforcement

STANDARD ITEMS

18 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Emily Warnham (Bromley Youth Council).
Apologies were also received from the Executive Director of Environmental
and Community Services.

The Chairman and the Committee extended their congratulations Bromley
Youth Council who had recently won the Mayor of London's 2019 Volunteer
Award for its work on the Anti-Gang Campaign.

Post meeting apologies were received from Mr Alf Kennedy.

19 DECLARATIONS OF INTEREST

There were no declarations of interest.

20 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC TO THE CHAIRMAN

No questions were received.

21 MINUTES OF THE PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE--26th JUNE 2019

The minutes of the meeting held on 26th June 2019, we agreed and signed as a correct record.

22 MATTERS OUTSTANDING

Report CSD19122

The Committee considered a report providing an update on matters outstanding from previous meetings.

Regarding Minute 8a (Public Protection and Enforcement Portfolio Plan), Members noted that the Community Safety Co-ordinator had been appointed as Strategic Lead for Gangs and Youth Violence and would be leading on reviewing the findings of the Home Office Locality Review into Gang Violence in Bromley.

In relation to parking enforcement activity and developing a 'FAQ' section on the parking website, the Assistant Director of Public Protection and Enforcement confirmed that work on this was ongoing, and a further update would be provided to the Committee at a future meeting. The Chairman also asked for details concerning the number of out of hours calls for parking to be provided to the Committee following the meeting.

In response to question from the Chairman concerning complaints about general noise nuisance being directed to the Council in the first instance and not the police, the Assistant Director of Public Protection and Enforcement confirmed that the issue had been raised with the Council's Customer Services Call Centre.

Knife and Serious Violence Action Plan Update

The Head of Trading Standards and Community Safety reported that whilst the Mayor's Office for Policing And Crime (MOPAC) was not yet ready to share best practice from the London-wide submissions, Bromley's Action Plan had been 'RAG Rated' 'Green' by MOPAC. Staff were being appointed to the Mayor of London's Violent Crime Reduction Unit (VCR) and feedback was expected in the near future on the Action Plans across London. The Chairman expressed disappointment and concern at the length of time it was taking for the VCR unit to commence actual work on reducing violent crime. The Head of Trading Standards and Community Safety confirmed that the Council continued to make progress on its own Action Plan, and Officers were sustaining pressure on MOPAC for updates.

A Member noted with concern, the escalation of gun as well as knife crime in Bromley. The Head of Trading Standards and Community Safety confirmed that the Action Plan covered early interventions across a range of issues and services, and would be able to address any form of serious violence.

The Chairman reported that feedback he had received from young people, highlighted the importance of expediting the implementation of the Action Plan.

RESOLVED: That the report is noted.

23 POLICE UPDATE

Superintendent Carswell attended to provide the police update and to address issues arising from the 'Bromley ASB and Crime Performance & Analysis' document that had been circulated prior to the meeting. The Superintendent gave an introduction highlighting the following issues:-

- The BCU had been involved with the response to the recent fire at a block of flats in LB Sutton which had resulted in the need to rehouse 23 families. The Local Authority Emergency Plan had appeared to work well and in addition there had been offers of help from neighbouring boroughs.
- The BCU had now been in place for 6 months and overall its implementation was going well.
- Serious Youth Violence generally referred to young people carrying knives as weapons. Young people carrying knives was not new, but the propensity of much younger children to carry knives, was concerning.
- Offences involving firearms were immediately actioned as nothing was considered more serious.
- For the past 4 months there had not been a known habitual knife or firearms carrier at liberty in the borough.
- When the BCU was launched earlier in the year, there had been an apparent rise in levels of crime. This trend had now been reversed although there was more work to do to drive it down still further.
- Motor Vehicle Theft was of particular concern to residents across the borough and as a result, this was a focus for the police. Motor Vehicle Theft was a targeted crime which was actively investigated.
- Burglary was understandably the biggest public concern. The Borough of Bromley had the highest levels of burglary across the three boroughs within the BCU. As a result, Dedicated Ward Officers across the borough had been focusing on burglary and this had led to an 11% reduction in burglaries across the Borough. In addition, property marking kits and 'Ring' video door bells were being made available to vulnerable victims of burglary.
- Across the BCU there had been 92 arrests related to burglary (including 42 known perpetrators). MOPAC had granted each BCU 5 additional PCSOs to focus on burglary.

Superintendent Carswell then responded to questions making the following comments:-

- CID was split between serious and complex crime and safeguarding. Responsibility for investigating the majority of burglaries now stayed

with the reporting officer until the completion of the investigation. There was a national shortage of detectives and across the BCU there were 300 detectives within CID (it was not possible to provide a specific number for Bromley). The Gangs Unit was fully staffed, however safeguarding carried the majority of vacancies and this was the case across the Metropolitan Police Service. There were also vacancies at PC level in proactive units.

- Chilean gangs, which flew into the UK specifically to engage in burglary, were a real concern in Bromley and work to address this was ongoing.
- The aim of Dedicated Ward Officers was threefold: 1. Reduce Risk; 2. Reduce Demand; and 3. Increase Confidence. In terms of filling vacancies when Ward Officers moved elsewhere, it was only possible to fill a vacancy when a vacancy existed. Wards across the London Borough of Bromley had the full complement of 2 Dedicated Ward Officers, the exception being when staff were on maternity leave or sick leave.
- There were no issues concerning GDPR and where doorbell cameras were pointed. Doorbell cameras had proved invaluable in the prevention and prosecution of burglaries.
- Training for stop and search was undertaken on a number of levels. Officers were respectful and should be able to adapt their approach to the individual who was the subject of the stop and search. The law was clear about the information that had to be relayed to the subject of a stop and search. The information had to be relayed in a way that could be understood by the specific individual.
- In terms of the policing priorities for the Mayor of London which were: Burglary, Violent Crime, and Anti-Social Behaviour, the Superintendent confirmed that he was happy with the direction of travel across the borough and the focus of Dedicated Ward Officers on problem solving. There needed to be more work to reduce levels of Anti-Social Behaviour as this issue, by its very nature, affected large numbers of people and public confidence.
- Statistics relating to “Public Fear, Alarm or Distress” concerned Public Order Offences. The Chairman asked that more information be provided on these particular statistics following the meeting.
- There had been a specific focus around hotspots in Penge, Bromley Town Centre and the Crays. A problem solving plan had been developed to target the top 10 offenders and support repeat victims. The intention was to deliver long-term change. The Chairman requested that the Police Update at the next meeting on 14th November 2019, concentrate on this work. It was also agreed that Councillor Bance would circulate a short briefing on the positive work being undertaken in Penge.
- It was clear that town centres had suffered as a result of the reduction in police numbers. It was important for the police and the local authority to work with shop keepers to ensure that shops were less attractive to shoplifters. It was noted that in recent years, business

communities had taken responsibility and had been doing more to actively prevent crime.

The Chairman thanked Superintendent Carswell for his presentation to the Committee.

RESOLVED that the police update is noted.

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

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

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

25 MOPAC UPDATE

The Head of Trading Standards and Community Safety reported that 3 community impact days had been held in Mottingham, Cray Valley West and Penge. Over the three community impact days there had been 7 arrests, 10 weapon sweeps, and 35 visits to high profile addresses. Positive results were continuing to be seen from this work and the PDS Committee would receive a presentation in the New Year.

In response to a question from the Chairman, the Head of Trading Standards and Community Safety confirmed that funding was in place until 2021.

Finally, the Committee extended its thanks and best wishes to Peter Sibley, ASB Co-ordinator, who would be retiring at the end of October.

RESOLVED that the MOPAC update is noted.

26 PORTFOLIO HOLDER UPDATE

The Portfolio Holder for Public Protection and Enforcement, Cllr Kate Lymer, attended the meeting to respond to questions from the Committee. The Portfolio Holder gave a brief introduction highlighting the following issues:-

- Since the last meeting, a visit to Orpington Fire Station had taken place. During the visit the Portfolio Holder had met the Fire Cadets.
- With support from other London boroughs, LB Bromley would be appealing the decision that had been made in relation to the Traveler injunction.
- Over the coming weeks, the Portfolio Holder would be attending the following events:
 - A meeting at London Councils regarding County Lines;
 - A London Trading Standards Week event at Guildhall;

- Safer Bromley Partnership meeting
 - Crime Summit; and
 - Bromley Safeguarding Adult Board Annual Conference
- The Portfolio Holder extended her congratulations to Bromley Youth Council who had won the Mayor of London's 2019 Volunteer Award for its work on the Anti-Gang Campaign.

27 CAPITAL PROGRAMME MONITORING--2018/2019 OUTTURN

Report FSD19076

On 21st May 2019, the Executive received a report summarising the outturn position on the capital programme. The report considered by the Public Protection and Enforcement PDS Committee detailed the changes agreed by the Executive.

RESOLVED: That the Portfolio Holder be recommended to note and confirm the changes to the Capital Programme agreed by the Executive on 21 May 2019.

28 DRAFT FOOD SAFETY PLAN--2019-2020

Report ES19061

The Committee considered a report setting out the Council's annual plan for effective enforcement of food safety legislation. The objective of the plan was to satisfy the Food Standards Agency (FSA) that the intended enforcement and inspection regime ensured that food in the Borough was produced and sold under hygienic conditions, was without risk to health and was of the quality expected by consumers. The plan had been developed to reflect progress made against the Action Plan submitted to the FSA in September 2017 and to show the total resource available to the Council to deliver the service demands and review the outcomes of the service in the previous year.

In response to a question, the Lead Practitioner Food Safety Team, explained that following inspections, non-compliant businesses would be re-visited. At this point improvement would usually be made. However, where sufficient improvement was not made, an enforcement notice may be issued, or in the case of a new business, training provided. Any action that was taken would depend on the history of the premises. In extreme cases, where there was an imminent threat to health, the premises could be shut down. Members noted that a progressive approach was taken to premises that repeatedly failed to meet the required standards, involving non-court cautions, seizure of unsafe food, and closure of the premises.

The Lead Practitioner food Safety Team confirmed that premises were encouraged to display their rating but display of the rating was not a

mandatory legal requirement. Members noted that the FSA website displayed ratings for all premises.

The Committee noted that there was a requirement to visit new premises within 21 days, although these visits had to be prioritised by the Food Safety Team due to volumes.

RESOLVED: That the Portfolio Holder is recommended to:

- 1. Approve the Service Plan for the Food Safety Team;**
- 2. Note the progress made against the resubmitted Action Plan - September 2017, agreed with the Food Standards Agency; and**
- 3. Note that the ability to achieve targets is reliant on maintaining the staffing levels and the ability to recruit to the vacant food safety posts and that an early indication of any problems in this regard is provided to the Portfolio Holder and the PP&E PDS.**

29 RISK REGISTER UPDATE REPORT

Report ES19050

The Committee considered the revised Environment and Community Services Risk Register which formed part of the Annual Governance Statement evidence-base.

In relation to the Food Standards Agency Audit (Reference 12), the Head of Performance Management and Business Support reported that the outcome of the Food Standards Agency Audit remained outstanding but it was hoped that once the outcome was received the risk would reduce.

(NB: Following the meeting the Assistant Director for Public Protection confirmed that Food Standards Agency had considered the evidence provided and confirmed that they would close the existing open published FSA audit. The Lead Practitioner and the Food Safety Team had worked extraordinarily hard, and the progress they had made over the past year had been exceptional. Notwithstanding this, the FSA would still monitor progress in tackling the overdue unrated establishments for 6-12 months, (outside of the audit), however, the Assistant Director was confident that the action plan would tackle the issue and that there would be no matters arising out of it.)

In respect of Income Reconciliation (Public Protection Licensing) (Reference 19) the Committee noted that there had been a positive outcome from the Internal Audit and some recommendations had been made. Further work was being done around reconciliation and it was expected that this would further reduce the risk.

Members noted that the Risk Register would be considered by the Corporate Risk Management Group following the meeting.

RESOLVED: That the Environment and Community Safety Risk Register is noted.

30 CONTRACTS REGISTER REPORT AND PART 1 DATABASE EXTRACT

Report ED19052

The Committee considered an extract from the July 2019 Contracts Register for detailed scrutiny. It was noted that there would be further updates in the report considered at the next meeting.

RESOLVED: That the Contracts Register report is noted

31 PP&E PERFORMANCE OVERVIEW

The Committee considered the Performance Indicators currently rated 'Amber':

Indicator 15 – Number of fly tipping enforcement actions – Members noted that a Fly Tipping Working Group had been established and a Fly Tipping Action Plan developed. It was hoped that this would have a positive improvement on performance in the next quarter.

Indicator 18 - Parking ETA cases won by LBB – Members noted that Officers were now reviewing each decision to identify areas of learning. Where necessary, processes were being changed to reflect this learning and it was hoped this would improve performance.

Resolved that the PP&E Performance Overview is noted.

32 WORK PROGRAMME

Report CSD19121

The Committee considered its Work Programme for 2019/20.

The Chairman highlighted the need to progress arrangements for visits to SLAM and the Coroners Court.

It was agreed that Bromley Youth Council should be invited to give a presentation to a future meeting. Bromley Youth Council would be asked to confirm whether the February or March meeting would be more convenient. The Chairman also suggested that consideration needed to be given to the timing of the presentation.

It was agreed that the Chairman would discuss with Superintendent Carswell whether a Member visit to Bromley Police Station would be of value.

RESOLVED that

1- The Work Programme for 2019 to 2020 is noted

2- Bromley Youth Council be invited to present at either the February or March 2020 meeting.

3- The Chairman would discuss with Superintended Carswell whether a Member visit to Bromley Police Station would be of value.

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

RESOLVED that the Press and public be excluded during consideration of the items of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
refer to matters involving exempt information**

34 PART 2 MINUTES--26th JUNE 2019

The Part 2 (exempt) minutes of the meeting held on 26th June 2019 were agreed, and signed as a correct record.

35 PART 2 REPORTS FOR COMMITTEE SCRUTINY BEFORE GOING TO THE EXECUTIVE FOR DECISION

a AWARD OF CONTRACT FOR THE MORTUARY SERVICE

The Committee considered the report and supported the recommendations.

The meeting ended at 9.20 pm

Chairman