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DATE: 30 November 2020

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

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

Non-Voting Co-opted Members –

Sharon Baldwin, Chairman - Safer Neighbourhood Board  
Dr Robert Hadley, Bromley Federation of Residents Associations  
Alf Kennedy, Bromley Neighbourhood Watch)  
Jacob Evers, (Bromley Youth Council Chair)  
Oscar Seal, (Bromley Youth Council)

A **virtual meeting** of the Public Protection and Enforcement Policy Development &  
Scrutiny Committee will take place on **TUESDAY 8 DECEMBER 2020 AT 6.30 PM**

The link to view the meeting will be published with the agenda on the Council  
Website.

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 MINUTES OF THE PUBLIC PROTECTION AND ENFORCEMENT PDS  
COMMITTEE HELD ON 4TH FEBRUARY 2020 (Pages 1 - 16)**

#### **4 QUESTIONS FOR THE CHAIRMAN OF THE PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE**

In accordance with the Council's Constitution, questions that are not specific to reports on the agenda must have been received in writing 10 working days before the date of the meeting. Therefore, any questions not specific to the agenda would have been required to be received by 5.00pm on November 24<sup>th</sup> 2020.

Questions specifically concerning reports on the agenda should be received within two working days of the publication date of the agenda. Please ensure that questions specifically regarding reports on the agenda are received by the Democratic Services Team by **5pm on 2<sup>nd</sup> December 2020.**

#### **a QUESTIONS FOR THE PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER**

In accordance with the Council's Constitution, questions that are not specific to reports on the agenda must have been received in writing 10 working days before the date of the meeting. Therefore, any questions not specific to the agenda would have been required to be received by 5.00pm on November 24<sup>th</sup> 2020.

Questions specifically concerning reports on the agenda should be received within two working days of the publication date of the agenda. Please ensure that questions specifically regarding reports on the agenda are received by the Democratic Services Team by **5pm on 2<sup>nd</sup> December 2020.**

#### **5 CO-OPTED MEMBERS REPORT (Pages 17 - 20)**

#### **6 MATTERS OUTSTANDING (Pages 21 - 24)**

A report is received at every meeting that details any matters that may be outstanding.

#### **7 BROMLEY YOUTH COUNCIL STRATEGY PRESENTATION (Pages 25 - 46)**

#### **8 YEAR TO DATE UPDATE FROM THE MET POLICE (Pages 47 - 58)**

An update from the police is provided at every meeting.

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

#### **9 PRE-DECISION SCRUTINY OF PORTFOLIO HOLDER REPORTS**

Portfolio Holder decisions for pre-decision scrutiny.

#### **10 BUDGET MONITORING 2020/21 (Pages 59 - 64)**

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

- 11 **PORTFOLIO HOLDER UPDATE AND PP&E PERFORMANCE OVERVIEW** (Pages 65 - 66)
- 12 **ENFORCEMENT ACTIVITY UPDATE** (Pages 67 - 92)
- 13 **REVIEW OF PUBLIC SPACE PROTECTION ORDERS CONCERNING ALCOHOL CONTROL ZONES 2020** (Pages 93 - 116)
- 14 **UPDATE ON THE PUBLIC PROTECTION RISK REGISTER** (Pages 117 - 128)
- 15 **MOPAC--VERBAL UPDATE**
- 16 **CONTRACTS REGISTER REPORT** (Pages 129 - 138)
- 17 **EXPENDITURE ON CONSULTANTS 2019/20 AND 2020/21** (Pages 139 - 162)
- 18 **WORK PROGRAMME** (Pages 163 - 168)

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

Minutes of the meeting held at 7.00 pm on 4 February 2020

### **Present:**

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

Sharon Baldwin, Dr Robert Hadley and Alf Kennedy

### **STANDARD ITEMS**

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

Apologies were received from Councillor Kathy Bance; Councillor Angela Wilkins attended as substitute.

Apologies were also received from Emily Warnham and Cameron Ward.

#### **54 DECLARATIONS OF INTEREST**

No declarations of interest were received.

#### **55 QUESTIONS TO THE CHAIRMAN AND THE PORTFOLIO HOLDER**

Two questions were received for the Portfolio Holder. The questions and responses are attached as an appendix to the minutes.

#### **56 QUESTIONS TO THE CHAIRMAN**

No questions were received for the Chairman.

#### **57 QUESTIONS TO THE PORTFOLIO HOLDER**

Two questions were received for the Portfolio Holder.

A written response was disseminated in response to a question from Councillor Julian Benington. This is attached as Appendix A.

A question was received from Councillor Ian Dunn for oral response. Councillor Dunn was not present at the meeting and so a written response would be provided. This is attached as Appendix B.

**58 MINUTES OF THE PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE HELD ON 14th NOVEMBER 2019 (EXCLUDING EXEMPT INFORMATION)**

The Committee considered the minutes of the meeting of the Public Protection and Enforcement PDS Committee held on 14<sup>th</sup> November 2019.

It was noted that no matters were outstanding and the Chairman thanked the Committee Clerk for an excellent set of minutes.

**RESOLVED that the minutes of the meeting held on 14<sup>th</sup> November are agreed and signed as a correct record.**

**59 POLICE UPDATE**

Superintendent Colin Carswell attended to provide the Police Update. Also in attendance were Inspector Gary Byfield, Superintendent Andy Brittain and DCI Lewis Collins.

The Chairman welcomed the officers and reminded the Committee that a set of questions had already been sent to the police for response, and the said questions with responses had been disseminated to Members beforehand. The rationale was to make the police update more efficient and streamlined, as well as limited to 30 minutes.

Superintendent Carswell stated that the primary objective of the police was to protect the residents that lay under the covering of the BCU (Basic Command Unit). The police were aware of the different demographics that existed, and they were also aware of the various hotspots for violence and crime in the area, especially north of the borough. Resultantly, Chief Inspector Craig Knight had been tasked solely with leading a team to reduce violence in the area covered by the BCU. Mr Knight would be supported by an Acting Chief Inspector. The police were aware that there was a fear that assets would be sucked into Croydon.

Mr Carswell stated that there had been success over the Christmas period in reducing crime in Bromley Town Centre. The police had worked collaboratively with LBB and the use of Dispersal Orders had been successful. He felt that it was helpful if the public understood the nature and purpose of Dispersal Orders, as transparency was important. A Section 60 Order had not been used, but Section 35 Dispersal Orders had been implemented. This was basically a warning to certain individuals to leave the area or get arrested. This had been used on six occasions over the Christmas period.

The use of the Dispersal Orders seemed to have had a calming effect and so no arrests were required, and the number of robberies decreased. The use of the Dispersal Orders had been advertised on Twitter.

The Chairman asked where Chief Inspector Craig Knight would be based. Mr Carswell responded that Mr Knight would still be working as part of the BCU, and would come under the authority of Superintendent Andy Brittain. Mr Knight would be responsible for reducing violence across the BCU. A rumour had been circulating that he would be moving to the Violence Reduction Unit at City Hall, but this was not correct.

The Chairman referred to the minutes of the previous meeting of the SBP (Safer Bromley Partnership) where Mr Carswell had mentioned his concerns regarding robbery and burglary, and the fact that the police 'were having to go back to the drawing board'. The Chairman expressed concern that if this was the case then something else would 'fall off the end'.

DCI Collins came to the table to respond to this concern. He said that a dedicated response was required and so burglaries would now be dealt with by a 'dedicated investigative strand' with more proactive elements involved in the investigation. There would be an uplift in staffing to facilitate this. The Chairman hoped that it was not a case of 'robbing Peter to pay Paul'.

DCI Collins explained that burglaries would now be dealt with by a 'Serious Inquisitive Crime Team'. It was envisaged that the Team would be 60% reactive and 40% proactive. The immediate focus would be on dealing with the current outstanding burglary cases and making arrests.

The Chairman commented that he had received information from the public complaining that they had been burgled, but had not been visited by the police. DCI Collins responded that the police were looking at ways to resolve this, and were seeking to hold more public meetings with Safer Neighbourhood Teams.

Mr Carswell requested that in these circumstances, it would be helpful if this information was fed back to the police. The situation could have changed, or the ball could have been dropped by the police. Either way, he requested that the information be fed back to Inspector Gary Byfield as the lead local Inspector. It was Mr Byfield's responsibility to deal with after care.

A Member asked DCI Collins if the culprits who had been carrying out burglaries in Orpington had now been caught. Mr Collins responded that there had been some success across the BCU in this regard, but not all of the offenders had been caught; operations were ongoing.

A Member raised the issue of Dedicated Ward Officers, and especially in the Bromley and Keston Ward, where there was currently only one officer allocated instead of the usual two. She said that she had been in contact with Mr Knight, but no guarantees had been forthcoming. She highlighted the need for visible local policing and felt that the situation was worrying.

Mr Carswell responded that it had been the case for some time that the police had been under resourced and had to prioritise blue light responses. He said that new recruitment had been undertaken and that currently there was in the region of 300-400 officers being trained. The new recruits would be split across the BCU, but in the meantime they had to be trained and everyone had to hold their nerve. He expected that by March 16<sup>th</sup> there would be a significant amount of new recruits allocated to active duty. He was anticipating that by then, 15/17 DWO posts would be filled. He was not able to make any guarantees regarding this, but he was able to say that the position by then in terms of resource would be significantly different. Any decisions made in the way that officers would be allocated would be made on risk.

The Member suggested that blue light responses could be reduced by the use of a visible local police presence. Mr Carswell responded that he agreed that prevention was better than cure, but it was the case that the police had difficult decisions to make.

A Member stated that a pan London issue existed concerning how confidence could be built with local communities. She also expressed the need for effective communication with Ward Panels.

A Member asked why the figures for reported domestic abuse had gone up. Mr Carswell stated that he was glad to see this, as it meant that confidence and trust in the police's ability to deal with this issue had increased, so that people now felt more confident to report these crimes. It did not mean that there was now a big increase in society's problems. The important issue was concerning what help victims received, and what the final outcome was. He said that he had seen a similar trend regarding hate crimes--it meant that more people now felt confident to come forward and report the crime.

The Member asked if there was enough non-police provision available (e.g. Refuges) and Mr Carswell answered that this was a question for the local authority. It was also noted that the problem of domestic abuse was not limited to one particular strata of society. It was often the case that domestic abuse took place in families that were generally regarded as being 'better off'.

A Member asked how the 20,000 new police officers that had been promised by central government would be allocated across the Met and the BCU. Mr Carswell responded that 1300 had been allocated to the Met to date, and these were being split across the 12 BCUs.

A Member asked if officers attended every burglary, and asked for comments on what he perceived to be a fall out from the Direct Entry Scheme. DCI Collins answered that not every burglary was attend by police officers and there was a heavy reliance on Forensic Teams. He disagreed with criticisms of the Direct Entry Scheme and expressed the view that in the main the scheme had been a success. There had been high drop out rates in the past, but now retention rates were 95% and officers were better coached and supported.

The Vice Chairman asked if Members could be informed if a DWO was lost for whatever reason, and this was agreed. The Chairman initiated a discussion regarding the shift pattern for DWOs. The rationale behind the shift pattern was explained by Inspector Gary Byfield.

The Chairman and the Committee expressed their thanks and appreciation to Mr Carswell for his long and dedicated service as he was now retiring from the police force. His role would now be taken up by Superintendent Andy Brittain.

**RESOLVED that the police update is noted.**

**60 MINUTES OF THE MEETING OF THE SAFER BROMLEY PARTNERSHIP STRATEGIC GROUP HELD ON 5th DECEMBER 2019**

The Committee noted the minutes of the meeting of the Safer Bromley Partnership that had met on 5<sup>th</sup> December 2019. The Portfolio Holder for Public Protection and Safety was also the Chairman of the Safer Bromley Partnership.

The Chairman referenced minute 40 which was the Chairman's Update. He concurred with the sentiment that out of the £14m allocation from the MOPAC Violence Reduction Unit, LBB was being granted only a very small (0.3%) allocation of the funding.

Minute 41 was an update from the Housing Division and a reference was made to 'Inherent Jurisdiction'. The Assistant Director for Public Protection and Enforcement explained what this was. She expanded that the problem of begging was going to be explored at the next JAG (Joint Action Group) meeting. The JAG would look at what powers could be used under the Crime and Policing Act, together with the possible use of Dispersal Orders. These powers would not be used against those deemed as 'vulnerable'.

**RESOLVED that the minutes of the meeting of the Safer Bromley Partnership from the meeting of 5<sup>th</sup> December 2019 are noted.**

**HOLDING THE PORTFOLIO HOLDER TO ACCOUNT**

**61 PORTFOLIO HOLDER UPDATE**

The Portfolio Holder for Public Protection and Safety (Councillor Kate Lymer) provided the following update:

In December 2019, the Portfolio Holder had attended the Bromley Youth Council Executive meeting which focussed on BYC's Anti Knife Crime Campaign. The Portfolio Holder had also attended a meeting at the Warren for BYC's Knife Prevention Youth Conference; representatives from most of the senior schools in the borough were in attendance.

The Crime Survey was distributed on 13<sup>th</sup> December 2019. The results of the survey would be used to influence the Safer Bromley Strategy which would be presented to the Safer Bromley Partnership at its March meeting.

The Portfolio Holder had recently attended a meeting with the Chairman regarding the Bromley Youth Mentoring Initiative. It had been decided that a new mentoring initiative would be started which would be aimed at the siblings of young people involved in gang and knife crime.

The day following the meeting (5<sup>th</sup> February), the Portfolio Holder would be attending a meeting at City Hall. This was for the launch of the mayor of London's City Resilience Strategy.

The Portfolio Holder would be attending a SNB meeting at the Warren on 12<sup>th</sup> March regarding Cyber Security.

Two further bids to MOPAC had been accepted, one of which was a theatre workshop/performance concerning 'County Lines'. This would be a new project managed by public health. The other project was a BMX bike track at Cray Valley West.

The Crime Summit for 2020 would be held on 19<sup>th</sup> September.

The Committee was informed that the High Court appeal which sought to reinforce an injunction against Travellers had been lost because there was a lack of space in Bromley to move them elsewhere.

**RESOLVED that the update from the Portfolio Holder is noted.**

## **62 PP&E PERFORMANCE OVERVIEW**

The Head of Performance Management and Business Support attended to present the update regarding the PP&E Performance Overview. Most of the outcomes on the report were either rag rated as purple or green. She mentioned that although LBB had lost the High Court injunction case with respect to the Travellers, an injunction was still in place to prevent 'persons unknown' from fly tipping in Bromley's parks.

The data with respect to fly tipping enforcement actions had been rag rated as 'amber'. This was because the year-end projections for enforcement actions were short of the target figure. It was explained that the implementation of the Fly Tipping Action Plan was expected to result in an improvement in performance. A co-ordinated approach was being achieved through the Fly-Tipping and Enforcement Working Group.

Plans were underway to purchase 2 covert cameras and 1 CCTV camera in the fight against fly tipping. There had recently been three prosecutions for fly tipping and it was confirmed that these successes were publicised via press releases on the Council website.

Meetings with the Environment Agency were planned to discuss illegal waste disposal.

The Council had requested information from other local authorities with respect to fly tipping FPNs. The matter of Fly Tipping on private land was discussed. It was noted that LBB would only get involved in this type of situation if there was a statutory nuisance that required enforcing.

It was noted that LBB would be using CAA (Civil Aviation Authority) certified drone operators to seek out possible fly tipping sites that were not easily visible from ground level.

A Member asked if LBB made use of the Proceeds of Crime Act and it was confirmed that when the occasion warranted, appropriate legal action based on the Act would be undertaken.

**RESOLVED that the update regarding the Public Protection and Performance Overview is noted.**

#### **63 ENFORCEMENT POLICY FOR PUBLIC PROTECTION**

Report ES20007

The Committee was briefed that the Enforcement Policy for Public Protection had been reviewed and revised to allow for legislative changes and also other changes that had been brought about by modifications to the 2014 Regulator's Code. The report being presented outlined the results of the consultation of the draft Policy. The issues raised had been responded to and now the final Policy was being presented to the Portfolio Holder for approval.

The Committee noted the three responses that had been received from the consultation, together with the actions that had been taken as a result.

**RESOLVED that the Portfolio Holder for Public Protection and Enforcement adopt the 2020 Public Protection Enforcement Policy.**

#### **64 PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO DRAFT BUDGET 2020/21**

The Committee was presented with a report concerning the Public Protection and Enforcement Portfolio Draft Budget for 2020/2021. The report considered future cost pressures and possible budget savings for the next financial year. The budget had previously been considered by the Executive on 15<sup>th</sup> January 2020, and the Committee was being asked to consider the proposal and provide any relevant comments back to the Executive for consideration.

The Chairman and the Committee concluded that the report was straight forward, and that the recommendations of the report should be noted and agreed.

**RESOLVED that**

**1) The update on the Public Protection financial forecast for 2020/21 to 2023/24 is noted.**

**2) The initial draft budget is agreed as the basis for setting the 2020/21 budget.**

**65 MOPAC UPDATE/PRESENTATION**

The Head of Trading Standards and Community Safety used a PowerPoint to update the Committee.

It was noted that the MOPAC (Mayor's Office for Policing and Crime) funding for LBB was drawn down from the London Crime Policing Fund. It was confirmed that VAWG (violence against women and girls) now sat under an alternative Directorate. Reference was made to the VAWG related work that was being undertaken by Croydon and Bromley Women's Aid. Youth mentoring was overseen by the Youth Offending Service.

The Head of Trading Standards and Community Safety briefed the Committee that LBB received monies from MOPAC that covered areas like ASB, Noise, IOM, Youth Mentoring, and VAWG.

Funding to the value of £7k (one fifth of total salary) was provided so that an officer could undertake IOM related work once a week. This work involved attending IOM Panel Meetings and providing data that would be fed back in to the Safer Bromley Partnership.

Members heard that with respect to nuisance from excess noise, this was normally related either to parties or to construction sites. Real time evidence was required for follow up and enforcement action. There was a Noise App and it was being used.

The Committee was advised that in terms of noise, contrary to popular opinion there was not a cut off time of 11.00pm. Construction sites would normally operate according to a code of practice. The Assistant Director for Public Protection and Enforcement clarified that for LBB to undertake enforcement action there must be a statutory nuisance which materially affected the use of a room.

The Head of Trading Standards and Community Safety explained what happened on 'Community Impact Days' (formerly known as 'Operation Crystal'). He outlined the various partners that were involved and mentioned that Peter Sibley had been replaced by Sandra Campbell as the new ASB



officer. It was MOPAC funding that covered the ASB officer post. Community Impact Days were:

- Led by ASB Project Officer (MOPAC Funded)
- Multi Agency
- Intelligence led – with a monthly planning meeting
- Deployments were made monthly
- Targets Environmental, ASB and Criminal issues

The aims of Community Impact Days were:

- To clear the area of long-term rubbish in and around targeted areas
- To raise awareness amongst the community about these matters.
- To reassure residents regarding Crime and other issues.
- To deal with Crime and ASB related matters in the area.
- To carry out Operations as defined by the intelligence and statistics provided by the Operations Intelligence Hub.

An update on the newly formed 'JAG' (Joint Action Group) was provided. The JAG had met in December, and a decision had been made to undertake high visibility joint patrols along with the use of Dispersal Orders. Local traders and CCTV managers had also been invited to the meeting. Since then, 21 young people had been given ABC (Acceptable Behaviour Contract) notices and some of these had escalated to Criminal Behaviour Order Notices. The next JAG meeting would be focusing on Homelessness and Street Begging. It was noted that BTP (British Transport Police) had been involved in operations from time to time along with BIA (Border and Immigration Agency) and HMRC.

A Member made a plea for the better sharing of information, she said that she was not aware of the Noise App and was not aware of Community Impact Days. She said that she was also not aware of the consultation process that had taken place with respect to the enforcement policy and that Councillors should be better informed so that they could help to promote consultation. The Assistant Director for Public Protection and Enforcement responded that details of the consultation regarding the Enforcement Policy had been disseminated in the same way as the Crime Survey, but that it was the Crime Survey that had received the much better response.

A discussion took place regarding the possible link between ASB and burglaries. The Head of Trading Standards and Community Safety stated that he was not aware that such a link had been proven.

It was noted that the LBB ASB officer and her counterpart in the police worked closely together.

The Assistant Director for Public Protection and Enforcement pointed out that a significant amount of burglary was linked to organised crime.

It was agreed that contact would be renewed with Community Payback.

**RESOLVED that the MOPAC update is noted and that the Head of Trading Standards and Community Safety re-open links with Community Payback.**

**66            CONTRACTS REGISTER UPDATE REPORT**

ES20005

The Chairman and the Committee were pleased to note that no contracts were flagged as 'Red'.

There would be an update regarding the Dogs and Pest Control Contract at the next meeting.

**RESOLVED that the appended contract register is noted, and that this formed part of the Council's commitment to data transparency.**

**67            ENVIRONMENT AND PUBLIC PROTECTION RISK REGISTER**

ES 20003

The Committee noted the report which highlighted the risks associated with the Public Protection Portfolio.

It was commented at the meeting that David Tait (Emergency Planning and Corporate Resilience Lead) had (assisted by Sarah Baker), revolutionised LBB's Resilience capabilities. Member training in this regard was going to be rolled out soon.

The Chairman noted that there were three areas of risk that had a net risk rating of 12. These were the Out of Hours Noise Service, Integrated Offender Management and the Anti-Social Behaviour Co-ordinator Post. However, the reason for this was that each area was reliant on MOPAC funding to fill key posts.

**RESOLVED that the Risk Register report is noted.**

**68            WORK PROGRAMME**

CSD 20015

Members noted the Work Programme for the Public Protection and Enforcement Committee.

The Chairman highlighted that at the meeting on 31st March there would be a presentation from Bromley Youth Council. He asked committee members to attend at 6.30 to facilitate this.

It was agreed that the item related to the licensing hours for the White Hart Pub in Orpington should be removed from the Work Programme.

The Assistant Director pointed out that LBB did not have a 'contract' with the Coroner; rather it was a memorandum of understanding.

It was agreed that a date should be formalised for Members to visit the Coroner's Court.

**RESOLVED that the Work Programme is noted and amended as per the above recommendations.**

The meeting ended at 9.00 pm

Chairman

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## Question from Cllr Benington for Written Response

As a result of the recent Animal Protection Legislation, an inspection has been carried out at Boarding Catteries and I assume Boarding Kennels for Dogs, by a Veterinary Surgeon or similarly qualified Person from the City Of London Veterinary Service. I have received complaints that some very long established and very efficient Boarding Cattery owners are so concerned at this inspection and the unnecessary rules, conditions and reductions in the number of boarding cats permitted by the Inspector, that they intend to close their business, or will have to pay substantial sums to change their premises. These businesses are long established, mainly run by a husband and wife, which have no history of welfare problems.

Can the Portfolio Holder answer the following questions:

- a. How many Catteries have raised objections to their inspections, either formally or informally?
- b. The total reduction in numbers of cats allowed to be boarded by the Inspector for the Borough?
- c. The justification for these decisions in detail, please do not answer it is a matter of "Animal Welfare".
- d. Is this just another example of "one size fits all" by the Inspector?
- e. The qualifications of the Inspector from the City of London.

### Answers to the Questions:

Answer to Question A:

**The number of catteries that have raised objections to their inspections is three.**

Answer to Question B:

**Prior to this legislation the last licensing year had 575 cats within the Borough. Under the new legislation this number is now 409 cats equating to a reduction of approx. 29%**

Answer to Question C:

**The justification for a decision is clearly laid down by the standards required by the statutory DEFRA Guidance. This guidance outlines the conditions that must be complied with in order to receive an animal activities licence for the activity of providing boarding for cats. Having said that, the basis for the primary legislation does fall back to welfare of animals.**

Answer to Question D:

**No, it is not just another example of ‘one size fits all’ by the Inspector. Decision making is based on the guidance, and subsequent engagement between the Council Officer and authorised vet.**

Answer to Question E:

**The inspectors must be “suitably qualified” as such the must either:**

- **Hold a Level 3 certificate or equivalent granted by a body, recognised and regulated by the Office of Qualifications and Examinations Regulation which oversees the training and assessment of persons in inspecting and licensing animal activities businesses, confirming the passing of an independent examination. A person is only considered to be qualified to inspect a particular type of activity if their certificate applies to that activity.**

**Or:**

- **Hold a formal veterinary qualification, as recognised by the Royal College of Veterinary Surgeons (“RCVS”), together with a relevant RCVS continuing professional development record; and**
- **Until October 2021, any person that can show evidence of at least one year of experience in licensing and inspecting animal activities businesses.”**

## QUESTION TO THE PORTFOLIO HOLDER FOR PUBLIC PROTECTION AND SAFETY FROM COUNCILLOR IAN DUNN—FOR ORAL REPLY.

I have recently obtained the following information on Fixed Penalty Notices issued by London Councils for enviro-crime in 2018/19.

Year	ONS Code	LA Name	Region	Total Fixed Penalty Notice Actions
<b>2018-19</b>	<b>*Total</b>	<b>*Total</b>	<b>London</b>	<b>42813</b>
2018-19	E09000031	Waltham Forest	London	9977
2018-19	E09000024	Merton	London	8560
2018-19	E09000033	Westminster	London	4158
2018-19	E09000009	Ealing	London	4055
2018-19	E09000017	Hillingdon	London	3343
2018-19	E09000019	Islington	London	2831
2018-19	E09000005	Brent	London	1679
2018-19	E09000003	Barnet	London	1016
2018-19	E09000022	Lambeth	London	730
2018-19	E09000025	Newham	London	722
2018-19	E09000032	Wandsworth	London	652
2018-19	E09000008	Croydon	London	518
2018-19	E09000028	Southwark	London	507
2018-19	E09000007	Camden	London	489
2018-19	E09000010	Enfield	London	457
2018-19	E09000002	Barking and Dagenham	London	411
2018-19	E09000018	Hounslow	London	408
2018-19	E09000027	Richmond upon Thames	London	364
2018-19	E09000029	Sutton	London	338
2018-19	E09000023	Lewisham	London	331
2018-19	E09000012	Hackney	London	210

2018-19	E09000013	Hammersmith and Fulham	London	195
2018-19	E09000001	City of London	London	189
2018-19	E09000014	Haringey	London	165
2018-19	E09000016	Havering	London	160
2018-19	E09000011	Greenwich	London	132
2018-19	E09000004	Bexley	London	86
2018-19	E09000020	Kensington and Chelsea	London	85
2018-19	E09000021	Kingston upon Thames	London	21
2018-19	E09000015	Harrow	London	15
2018-19	E09000006	Bromley	London	9
2018-19	E09000030	Tower Hamlets	London	0

Can the Portfolio Holder please explain why Bromley has issued such a small number?

**ANSWER:**

The figures quoted are taken from the Defra Fly-Tipping statistics for 2018/19, which were published on 7th November 2019 (with a link to the data table from page 13 of the report): [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/845171/FlyTipping\\_201819\\_Statistical\\_Release\\_FINAL\\_Accessible.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/845171/FlyTipping_201819_Statistical_Release_FINAL_Accessible.pdf)

Defra have advised on p2 of the report to use caution when comparing authorities:

*'In assessing the figures, local authorities should not be ranked or classified as 'good' or 'poor' performers based purely on numbers of fly-tips. Direct comparison between local authorities is not appropriate. ....Trends over time for a particular local authority may be a fairer comparison..'*

Bromley has recently issued a benchmarking survey to all London Environment Directors requesting their borough's definition of fly-tipping, along with the FTEs and budgets assigned to enforcement in their authority. This should assist LBB officers in undertaking a more robust comparison exercise.



Report No.  
CSD20105

London Borough of Bromley

PART ONE - PUBLIC

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

**Date:** 8<sup>th</sup> December 2020

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

**Title:** Co-opted Members for Appointment/Re-appointment

**Contact Officer:** Stephen Wood, Democratic Services Officer  
Tel: 020 8 313 4316 E-mail: stephen.wood@bromley.gov.uk

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

**Ward:** N/A

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1. Reason for report

- 1.1 To update the Committee on details concerning the appointment of new Co-opted Members from the Bromley Youth Council.
- 1.2 Additionally, the report proposes the re-appointment of existing Co-opted Members.

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2. **RECOMMENDATIONS**

- 2.1 **The Committee is requested to confirm the re-appointment of existing non-voting Co-opted Members for 2020/21 as outlined in Paragraph 3.1.**
- 2.2 **The Committee is requested to confirm the appointment of new Co-opted Members from Bromley Youth Council.**

## **Corporate Policy**

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

## **Financial**

1. Cost of proposal: Not Applicable:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £361k
  5. Source of funding: 2020/2021 Revenue Budget
- 

## **Staff**

1. Number of staff (current and additional): 7 posts (6.66fte)
  2. If from existing staff resources, number of staff hours: Maintaining Co-opted Membership up to date involves about an hour's work.
- 

## **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 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

### 3. COMMENTARY

3.1 The following nominations are submitted for **re-appointment** to the Public Protection and Enforcement PDS Committee for the 2020/21 Municipal Year.

- Mr Alfred Kennedy (Chairman of Bromley Neighbourhood Watch);
- Dr Robert Hadley (Chairman of the Bromley Residents' Federation).
- Sharon Baldwin (Chairman of the Safer Neighbourhood Board)

3.2 In addition, Members are asked to confirm the appointment of the following **new** co-opted members from Bromley Youth Council:

- Jacob Evers (BYC Chair)
- Oscar Seal (BYC Youth Representative)

### 4. POLICY IMPLICATIONS

The Bromley Council Constitution allows for the appointment of non-voting Co-opted Members to this Committee.

### 5. FINANCIAL IMPLICATIONS

N/A

### 6. LEGAL IMPLICATIONS

N/A

### 7. PERSONNEL IMPLICATIONS

N/A

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	N/A

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Report No.  
CSD21007

London Borough of Bromley

PART ONE - PUBLIC

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

**Date:** 8<sup>th</sup> December 2020

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

**Title:** **MATTERS OUTSTANDING**

**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

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1. Reason for report

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

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## 2. RECOMMENDATION

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

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

### Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Safe 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: £359,420
  5. Source of funding: 2020/2021 revenue budget
- 

### Staff

1. Number of staff (current and additional): 7 posts (6.67fte)
  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>
<b>Minute 65</b> <b>4<sup>th</sup> Feb 2020</b>  <b>Mopac Update</b>	It was resolved that the Head of Trading Standards and Community Safety re-open links with Community Payback	An update will be provided at the meeting

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## Bromley Youth Council Your Choice Youth Conference:

### *Informed and influenced to stay safe in Bromley. Preventing Knife Crime & Youth Violence Report*

**Title:** *BYC Your Choice Youth Conference: Informed and influenced to stay safe in Bromley. Preventing Knife Crime & Youth Violence Report*

**Date:** December 2019

**Chairperson** Emily Warnham

**Contact Info:** [BYC@bromley.gov.uk](mailto:BYC@bromley.gov.uk)

**Report produced by:** Emily Warnham, Ellen Thom, Cameron Ward, Tajana Reeves, Jacob Eyers, Sean Gardener, Seejay Brown, Phoebe Phillimore, Hannah Dumbrell, Nathan Ward, Rayyan Fayisal, Abdullah Aslam.

## 1. Introduction

Bromley Youth Council (BYC) is run for young people by young people and supported by the London Borough of Bromley. The primary route for involvement is through borough wide election where young people can get involved. Young people come together to represent the views of their peers and to bring about positive changes for all young people living, working and educated in the borough. Through participation in the youth council, young people gain new skills, make new friends, share new experiences, but most of all they work to improve the lives of other young people in Bromley.

## 2. BYC Manifesto 2019/20

2.1 BYC host a Youth Manifesto conference annually to ensure it is representing the voice of young people in the London Borough of Bromley. Student councils and local youth forums are invited along to the one-day youth conference, planned and delivered by members of the youth council. Young people are empowered to have a say on what is important to them through various activities. Attendees get the opportunity to vote on a primary and secondary campaign for BYC's forth coming year. They highlight the key areas under a chosen campaign area, and this forms the youth councils Manifesto for that year. In 2019, BYC members introduced a digital online voting system to allow wider youth participation voting on campaigns.

2.2 Youth Councillors come together to evaluate the Manifesto event and plan how they will tackle the voted campaign areas going forward. A detailed campaign plan is produced every year by youth councillors to ensure they deliver a robust campaign. Over 714 young people voted on campaigns in 2019. The Primary campaign was 'Put an End to Knife Crime' and the secondary campaign was Youth Mental Health. Youth Councillor's presented their Manifesto and campaign plans to elected members, key LBB officers and partners in June 2019 at the BYC Executive meeting. Please see *Appendix 1* for the campaign plan for 'Put an End to Knife Crime'.

### 3. Rationale for Youth Conference

3.1 Over the past 10 years, London has seen an increase in youth violence including gangs and knife crime incidences, acid attacks and assaults on young people by young people. In 2019 young people living, educated or working in Bromley voted at the Manifesto event for BYC members to campaign and 'Put an End to Knife Crime'. This follows the BYC campaign to raise awareness and address Bromley's emerging gang culture campaign in 2018.

Youth councillors took to the streets in Bromley to survey 796 young people on youth violence in Penge, Orpington and Bromley Town Centre. Young people gave their suggestions about what more BYC can do to address the challenges. Interacting with young people is very important to BYC and running a survey was a great way to meet young people that might not be familiar with us or what we do. Young people felt there was not enough direct education tackling these issues; young people would like to see knife crime awareness lessons in school; more information and access to services working to prevent and reduce knife crime. Following the success of the anti-gang's conference for young people in 2018, BYC members felt direct education to a targeted audience has the best impact and can make a real difference.

3.2 Youth violence, gangs and knife crime have been voted as key campaigns locally and nationally through the UK Youth Parliament (UKYP) and London Youth Assembly (LYA) in the last two years. As a result, young people debated the issue of knife crime in the House of Parliament in November 2019 and LYA members put their concerns and recommendations to The Mayor of London, Sadiq Khan. LYA members were able to scrutinise Sophie Linden, Deputy Mayor for Policing and Crime in London on these issues facing young people today.

### 4. Overview of Youth Conference:

4.1 BYC members researched key facilitators for the event, taking on board learning points from the previous youth conference on gangs. They worked in partnership with secondary head teachers, Met Police and Bromley Safeguarding board to ensure the content delivery was meaningful. The workshop facilitators included Margaret and Barry from The Jimmy Mizen foundation; an ex-gang member from the organisation 2020; COBRA Defence organisation, a local organisation in Bromley and Barnardo's. All workshops covered various topics that can be contributing factors to knife crime. They aimed to educate young people and support all to live a safe and productive lives. Details of the organisations used are in *Appendix 2*.

4.2 The overall conference held on Thursday 28<sup>th</sup> November 2019, held at The Warren Metropolitan sports ground was an overall success. The event was well attended by 74 young people. This included students from Bromley Trust Academy, Bullers Wood Girls School, Bishop Justus, Darrick Wood, Eden Park High School, Glebe, Hayes, Harris Academy Beckenham, Langley Park School for Boys, Langley Park School for Girls, The Ravensbourne, Tutorial Foundation and Marjorie McClure. School's

identified young people who are considered as vulnerable or at risk of carrying a knife or involved with gangs, to attend. There was careful planning and preparation in partnership with schools, Bromley Youth Support Programme, Youth Offending Service with the Metropolitan police to ensure the conference was safe and educational for all.

4.3 BYC followed a recommendation from the Principal at a Bromley Secondary school, to give consideration on the name of the conference and to remove any reference to the attendees being identified as 'vulnerable' or 'at risk'. All attendees were welcomed to the youth conference as representatives from their school attending an educational conference called 'Your Choice', providing educational workshops on current issues affecting young people in Bromley.

## 5. Survey Results

5.1 On arrival, all participants were given a pre-conference questionnaire to measure their knowledge, understanding and concerns around knife crime. It will provide information key information to measure the impact the conference made. Interestingly knife crime, gangs, grooming and personal safety were the highest concerns for this group. Only 17% would report crime anonymously.

5.2 Please find below the results from the pre-conference questionnaire.

Q1. Have you been to a youth conference before?	Yes	17%
	No	83%
Q2. Are you concerned about any of the following;	Knife Crime	96%
	Gangs	90%
	Peer Pressure	95%
	Drugs	65%
	Youth Violence	45%
	Grooming	80%
	Internet safety	38%
	County lines	50%
	Weapons	60%
	Reporting crime	48%
	Exploitation	38%
	Personal Safety	60%
Q3. Have you attended any workshops/assemblies on any of these issues before?	Yes	40%
	No	38%
	Don't know	22%
Q4. Have you heard of 'For Jimmy' and what they do?	Yes	12%
	No	70%
	Don't know	18%
Q5: Have you heard of COBRA Defence and what they do?	Yes	0%
	No	88%
	Don't know	2%
Q6: Have you heard of 2020 and what they do?	Yes	0%
	No	90%
	Don't know	10%
Q7: Have you heard of Fearless and what they do?	Yes	10%
	No	85%
	Don't know	5%
	Yes	17%

Q8. Would you report a Crime Anonymously?	No	43%
	Don't know	40%

5.3 Please find below the results from the completed evaluation forms by young people. All young people said they learnt something new from attending the conference and many were able to tell us what they learnt. The workshop with the ex-gang member from 2020 was rated excellent by 80% of the young people, followed by the 'For Jimmy' talk.

There was an increase in the number of young people who would now report a crime anonymously from 17% to 66%. This was due to young people not knowing how to report a crime or that they could anonymously.

Overall, 64% of young people that attended the youth conference felt it was excellent and 96% of young people feel it is important to have youth conferences to educate young people on important issues impacting young people lives.

Q1. Did you learn something new today?	Yes No	100%
Q2. What did you learn from the youth conference?	<ul style="list-style-type: none"> <li>• Forgiveness &amp; hope</li> <li>• Think before you act</li> <li>• How knife crime effects everyone</li> <li>• Don't carry a knife</li> <li>• Anger is why stuff happens</li> <li>• Freedom is important</li> <li>• You can report a crime</li> <li>• Life sentence is 25 years</li> <li>• Don't carry a knife</li> <li>• Life is m or important than selling drugs</li> </ul>	
Q3. How would you rate the 'For Jimmy Talk' by the Mizzen family?	Excellent 76% OK 2% Poor 2%	
Q4. How would you rate the FEARLESS workshop?	Excellent 68% OK 10% Poor 22%	
Q5. How would you rate the COBRA workshop?	Excellent 20% OK 44% Poor 36%	
Q6. How would you rate the 2020 workshop?	Excellent 80% OK 18% Poor 2%	

Q7. How would you rate the BYC team?	Excellent 72% OK 26% Poor 2%
Q8. Would you report a crime anonymously after taking part in the workshop?	Yes 66% No 30% Don't Know 4%
Q9. How would you rate today's youth conference as a whole?	Excellent 64% Good 36% Ok Poor Bad
Q10. Do you think it is important to have regular youth conferences on important issues like today's one in the future?	Yes 96% No Don't know 4%

*“Thank you, Bromley Youth Council, for a really informative and educational conference on knife crime. I have learnt a lot about my students today. You have saved many lives. Keep up the good work.” – Teacher, Bromley Trust Academy.*



## 6. Summary & Recommendations

- 6.1 BYC recognises there needs to be more joined up strategic work across services to eradicate and reduce knife crime and youth violence within Bromley. Following the evidence the 'For Jimmy' talk had a real impact on young people, BYC members participated in a sponsored walk from City Hall to Bromley, 9.5 miles to raise funds that would support The Mizen Foundation to give their talks to more young people within Bromley schools. Currently 14 secondary schools have signed up for talks/workshops and to empower young people to lead on a community social action project around safety
- 6.2 There was great feedback from teachers, students and facilitators delivering at the youth conferences. BYC received several emails from teachers sharing the difference BYC has made to young people's lives and potentially save some lives through providing direct education through a conference.
- 6.3 BYC members have learned a lot from engaging in both campaigns around youth violence. It is important to recognise there is a small group of young people marginalised from society that do engage, for many different reasons, in youth violence. BYC members identified a link between youth violence and mental health. More needs to be done in partnership with mental health services for young people to work holistically to address knife crime locally.
- 6.4 BYC would like to understand how services in the Borough share information on key young people at risk or caught carrying a knife to ensure these young people are offered early intervention and a holistic educational programme to support them. Information gained from the conference indicated that there is no clear guidance for schools, and some do not have a weapons policy.

Thank you to all youth councillors, Bromley Safer Neighbourhood board,  
Bromley Youth Support Programme.



<b>BYC Campaign: Put an End to Knife Crime</b>		
<p>Knife crime has been an ever growing problem throughout the last year with over 200 fatal stabbings in England and Wales of this 132 people killed were from the city of London alone, the highest for 10 years. Furthermore, one in four (71%) of victims were young men aged 18-24. This epidemic is a rising problem that we as young people have made clear is a problem we are truly passionate about and feel as if should be tackled hence why the young people voted for it at the manifesto event of 2019.</p> <p>The purpose of our campaign is to make a change that will reduce these drastic figures. This is why UK chancellor Philip Hammond is donating £100 million to help the police fight the battle, which is knife crime. Philip Hammond also said “We know action is needed now to tackle knife crime, which is blighting communities around the country,” “I’ve heard the calls from the police and the families affected by this devastating crime.”</p> <p>We are aware that this growing issue is one that will be hard to overcome but that is all the more reasons why this campaign is our primary issue this year.</p>		
Date	Action (What)	Outcome (Why)
	<p>To provide direct education around the consequences of knife crime to young people.</p> <ul style="list-style-type: none"> <li>Organise for a minimum of twelve secondary schools to sign up to at least one “Talk for Change” workshop led by the Mizen family from the “For Jimmy” charity.</li> <li>BYC will plan an event and fundraise to seek funding to pay for the educational “Talk for Change” workshops delivered by the Mizen’s from the For Jimmy charity. We will use an online fundraising link and publicise the opportunity to donate via Youth Council Social Media.</li> <li>To survey young people before/after the workshop to measure the impact of the education on knife crime.</li> </ul>	<ul style="list-style-type: none"> <li>To empower schools to sign up to the For Jimmy workshop.</li> <li>To inform, influence and educate young people against carrying a knife</li> <li>To enable young people to hear the messages that “all their lives are valuable”, and that “we have the power to build the type of communities we all want to live in”</li> <li>To plan and deliver a fund raising activity</li> <li>To raise funds to pay for the For Jimmy workshops (minimum of approx. £2,400)</li> <li>To create a safer community for everyone to live in</li> <li>To give young people a voice on knife crime</li> </ul>
	<p>To raise awareness of <a href="http://www.Fearless.org">www.Fearless.org</a> a service where young people can report crime 100% anonymously and access non-judgemental advice and guidance.</p> <p>To promote the use of Knife free lesson plans in schools and youth groups across the borough and distribute posters and social media links. <a href="https://www.pshe-association.org.uk/curriculum-and-resources/resources/home-office-knifefree-lesson-plans-ks34-%E2%80%93updated">https://www.pshe-association.org.uk/curriculum-and-resources/resources/home-office-knifefree-lesson-plans-ks34-%E2%80%93updated</a></p>	<ul style="list-style-type: none"> <li>To access and distribute knife crime awareness leaflets and posters</li> <li>Young people will develop research and planning skills</li> <li>Young people will communicate with educational establishments to distribute material and research the Schools involvement in supporting the no knives agenda.</li> <li>Young people will work as a team</li> <li>Young people will champion tackling knife crime among their peers.</li> </ul>

	<p><a href="https://www.gov.uk/government/publications/knifefree-campaign-graphics-and-posters">https://www.gov.uk/government/publications/knifefree-campaign-graphics-and-posters</a></p> <p>Research via School Councils what work is undertaken in schools in relation to Knife crime and knife carrying.</p>	
	<p>BYC members Consult on the LBB Knife Crime and Serious Violence Action Plan</p>	<ul style="list-style-type: none"> <li>• Young people will develop consultation; giving/receiving feedback</li> <li>• Young people will work as a team</li> <li>• Young people will influence local policy</li> </ul>
	<p>BYC members to work in partnership with Bromley Police Cadets to be trained and assist with a knife sweep.</p>	<ul style="list-style-type: none"> <li>• Young people to undertake hands on experience/ research in how many knives are on the street.</li> <li>• Young people to gain an insight into the severity of knife crime in Bromley Borough</li> </ul>
	<p>BYC will plan, organise and deliver a one day youth conference aimed at young people around knife crime.</p> <ul style="list-style-type: none"> <li>• This will bring together young people and local services to look and knife crime and find solutions for the borough.</li> <li>• The day will offer informed workshops to educate young people away from knife crime.</li> </ul>	<ul style="list-style-type: none"> <li>• Young people will develop their planning and organisational skills</li> <li>• Young people will increase their learning around the criminal justice system, crime and consequence</li> <li>• Young people will increase their knowledge around why young people carry knives and the pressures on young people to carry out illegal activities</li> <li>• Young people will be more informed around locally services and initiatives challenging knife crime</li> </ul>



### ***'For Jimmy' - Talk for Change***

Shortly after Jimmy was killed in 2008, Barry and Margaret were asked to speak in a local school. Far from confident public speakers, they both shared stories about what they knew best – Jimmy. Those initial talks have evolved into a programme that inspires young people, schools and businesses to build safer, more peaceful communities.

mizenfoundation.org

Margaret Mizen - [margaret@mizenfoundation.org](mailto:margaret@mizenfoundation.org)

### ***Cobra Defence London***

COBRA Defence offer training against knife crime and gang activity as well as Early Prevention Workshops. **Mind Over Matter** consists of an **Interactive Early Prevention** 1-hour workshop. This is a fun, engaging experience and is designed to develop/enhance the participants ability to make the right decisions in their lives. It's very important that young people can identify the correct paths in life and make those important decisions for themselves.

COBRA Defence London - [cobradefencelondon@yahoo.com](mailto:cobradefencelondon@yahoo.com)

### ***2020***

Gun & Knife Crime Awareness. Guns & knives ruin lives! But all too often, kids associate these deadly weapons with the fun experiences of playing ever more realistic video games, the glamorous illusions peddled by the film industry or the macho lyrics of the gangster rap star. To ensure kids understand the gravity of the decision to use or carry guns or knives, they need to be introduced to the reality of weapons and the law, the real implications of making poor decisions involving weapons and the ways in which conflict can be avoided without the need of a dangerous deterrent. Age-appropriate role-plays and open discussion forums are used to fully engage with young people and understand their perspectives on gun and knife crime.

[www.2020dreams.org.uk](http://www.2020dreams.org.uk)

Daniel Paul - [daniel@2020dreams.org.uk](mailto:daniel@2020dreams.org.uk)

### ***Fearless***

Fearless is a service that allows individuals to pass on information about crime 100% anonymously. It is government lead and the team provide education and resources on the individual crime types. Where possible, Fearless have included relevant supporting video's and signposted to other agencies who are industry experts.

Hannah Halls - [Hannah.Halls@crimestoppers-uk.org](mailto:Hannah.Halls@crimestoppers-uk.org)

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## 2020 -21 Bromley Youth Council Mid-Year Report

**Title:** BYC Campaign Progress 2020 - 2021

**Date:** November 2020

**Chairperson** Jacob Evers

**Contact Info:** [BYC@bromley.gov.uk](mailto:BYC@bromley.gov.uk)

**Report produced by** Jacob Evers, Ellen Thom, Rayyan Faysial, Oscar Seul, Chloe Quigley, Kaitlin Fae, Mathew Baccarini, Tommy Velvick, Dominika Cupa, Izzy Hansford, George Junior, Phoebe Phillimore, Libby Hyde, Derryck Ben Frost, Nathan Ward, Hannah Dumbrell, Jess Jones.

### 1. Reason for report

This report is to inform Members and Officers of the London Borough of Bromley on the mid-year progress of the 2020-21 Manifesto Campaign Objectives. The report will show progress made by Bromley Youth Council and its members in working on their campaign areas of Youth mental Health and Youth Domestic Abuse.

### 2. Introduction

Bromley Youth Council is a representative forum organised and supported by Bromley Council which enables young residents of the Borough to have a voice in local decision making and encourages young people to take part in campaigns and projects to address the issues that affect them.

The Youth Manifesto sets out the key priorities that have been identified through the online survey monkey and, in turn, that Bromley Youth Council members have committed to address during their term of office.

The Bromley Youth Council planned Annual Manifesto Event, due to take place in March 2020 was cancelled due to the national lock down in response to the global pandemic Covid-19. BYC responded by creating an online survey monkey consulting with young people digitally on issues affecting them. A total of 714 young people voted. The 2020 - 21 Youth Manifesto was launched in July 2020.

### 3. Manifesto Priorities

The Youth Council was directed, as a result of the Youth Manifesto Event online survey, to focus on the following key issues, to campaign and facilitate positive change for young people in Bromley:

- Primary campaign Area: Youth Mental Health
- Subsidiary/Secondary Campaign Area: Youth Domestic Abuse

A copy of the full campaign Plan is available at Appendix 1

## **4. Campaign Progress**

**4.1 Youth Mental Health:** The key area of concern for young people was Youth Mental Health and this has been identified as a campaign area for a second year. Youth Mental Health has been voted as a campaign area five times in the last 15 years. Particular areas of concern for young people included:

- Young people discussed issues about the lack of awareness and education around mental health in schools and other educational settings. Young people would like to be better informed around what mental health services are available to them and how to access them through education and local services.
- Young people feel there are not enough positive activities provided in Bromley to support young people with good mental health or to manage low level mental health issues and would like to see more.
- Young people would like to engage with stakeholders to discuss and shape local mental health services.
- Young people feel there is a gap in services and inconsistent approaches to delivering Youth Mental Health services to young people in Bromley. Young people would like to understand how mental health services are held to account.

### **4.1.1 To address the issues the Youth Council proposed to:**

- BYC to undertake a mapping exercise of what services are happening in schools and youth services. (Collate all the effective mental health projects/activities in schools)
- Promote good mental health in schools and youth services by encouraging a 'Bronze, Silver, Gold' award scheme for good models of positive mental health projects/activities)
- To champion all schools to sign up to the 360 Schools Community.
- To champion all schools, sign up to training 6<sup>th</sup> formers as Youth Mental Health First Aiders.
- To work in partnership with BYC, Bromley Youth Support Programme Youth Mental health first aiders & CCG to coproduce a Mental Health programme to provide a 'road show' taking Mental Health awareness to the streets using the mobile bus.
- To update & distribute BYC 'Survival Guide'.
- To support all BYC members to access Youth Mental health awareness training.

- To work with CCG to explore the possibility of a Bromley Youth Mental Health Forum.

#### **4.1.2 Outputs achieved to date:**

- 40 young people have worked on this campaign in a variety of ways; they have researched, undertaken training, spoken to their peers, designed the campaign plan and started to progress the work.
- 40 young people developed the campaign plans to consider how to involve schools and local youth projects in the campaign.
- 16 youth councillors have undertaken accredited online Young People and their Mental Health Training with Future Learn.
- 1 youth councillor met with Public health leads to discuss promoting healthy schools award and working in partnership to deliver a number of online events during national childrens's mental health Week 1-7 February 2020.
- 5 youth councillors developed a survey monkey to Map mental health services within LBB secondary schools.
- 43 youth councillors' have completed the online survey monkey consultation to date.
- 5 youth councillors' have reviewed BYC's recent publicity 'Survival Guide' for young people addressing basic mental health support and updated the content.
- 10 social media posts around positive mental health, increasing youth following.
- Youth Councillors have reposted on social media local and national services and information from Young Minds UK, Place2Be, Bromley Y, Bromley Children and Families Forum.
- Using social media, Youth Councillors are promoting their campaign work on YMH and engaging with secondary schools and LSEC.
- 15 young people have started planning a webex conference for schools in February 2021 in partnership with public Health.
- 15 youth councillors have reviewed 8 mobile apps to date supporting young people with mental health.
- Over 2,952 individual youth councillors' hours have been dedicated to this campaign to date.

#### **4.1.3 Outcomes achieved to date:**

- 40 youth councillors are more informed regarding the key issues around youth mental health in Bromley.
- 40 young people consulted in what services are provided by schools around mental health across the Bromley Borough.
- 25 youth councillors are more informed and feel confident discussing different types on mental health issues and solutions.
- 40 youth councillors have participated in the campaign to date and have increased their confidence in research skills, knowledge of wellbeing and the key issues affecting young people.
- All youth councillors have gained a greater understanding of their role as youth councillors and how they represent other young people within the public forum.
- All youth councillors have continued to improve their presentation skills and public speaking/ debating skills.
- 30 young people have developed skills, confidence and knowledge using digital technology to meet, plan and deliver their campaign.
- 25 young people gained awareness of the importance of working to deadlines and meeting commitments.
- 6 youth councillors raised this campaign at local and nation forums through the UK Youth Parliament and the London Youth Assembly.
- 25 youth councillors who worked on this campaign gain improved teamwork skills, alongside negotiation, feedback and timekeeping skills.
- 30 Young people are informed around what Mental Health is and the impacts on young people's lives
- 30 Young people will be more informed around locally services and initiatives promoting positive Mental Health and wellbeing.

**4.2.** Young people also identified **Youth Domestic Abuse** as a campaign area; this will now form one of the campaigns for the year. This is the second time Domestic Abuse has been voted in as a campaign. Particular areas of concern raised by young people included:

- Young people expressed that they would like more information on services available to them, their families, friends and education in their schools around domestic abuse and consequences.
- There was significant discussion about how abuse can be by family members and/or within a relationship and can be violent. Often young

people are oblivious to understanding what is happening to them and feel disempowered to put an end to it.

- Young people feel there is not many campaigns aimed at young people as the victim of a domestic abuse and are not aware of local services that can help them. Young people feel domestic abuse is on the increase.

#### **4.2.1 To address the issues the Youth Council proposed to:**

- Research available resources on the subject of Domestic Abuse and educate BYC members on the actions that are considered domestic abuse.
- Identify potential resources which are available that would be useful for Schools and Youth Groups in the borough to use to inform and educate other young people on the issue.
- Identify local and online sources of information, help and support for young people who are affected by Domestic Abuse.
- To provide direct education around the consequences of domestic abuse to young people.
- To develop a 6 month long social media campaign – providing weekly information posts every Friday about elements of Domestic abuse, which will build an informative information source for young people, using an “Instagram highlight”
- Research sponsoring Instagram posts to reach all young people in our age demographic in the Bromley borough.
- Our social media campaign will include viewing domestic abuse from the perspective of an abuser, a victim/survivor and that of a bystander.
- Offer local young people – via Schools and via social media – the opportunity to produce their own social media content to be featured in the social media weekly post campaign.

#### **4.2.2 Outputs achieved to date:**

- 40 youth councillors have worked on this campaign to date.
- 10 youth councillors researched how local boroughs offer information, advice and guidance to young people via local websites and social media and national schemes for DA.
- 18 youth councillors engaged in online training from Bromley and Croydon’s Women’s Aid on DA.

- 3 youth councillors designed a DA awareness t-shirt to be worn by youth councillors during the month of October to raise awareness within schools.
- 2 Youth Councillors developed a presentation on the DA campaign to use in school form time or PHSE lessons.
- 45 youth councillors all wore their purple t-shirts on 8<sup>th</sup> October to officially launch the DA campaign.
- 1 youth councillor researched local, national and global hash tags and selected the most used hash tag along with our BYC hash tag to use for the social media DA campaign.
- 8 youth councillors worked on a DA poster/post to launch the DA campaign 'Scars'.
- 6 youth councillors worked on a themed timetable to deliver weekly social media post under the DA umbrella affecting young people.
- 26 youth councillors met with Cllr Peter Fortune, Janet Bailey and David Dare to discuss their DA campaign.
- 4 youth councillors reviewed LBB's page on DA and gave feedback.
- 15 youth councillors researched key resources and emailed to school encouraging awareness and schools to actively engage with BYC social media campaign.
- 6 youth councillors had developed and posted over 16 posts and 20+ tweets, reaching over 1400 people.

#### **4.2.3 Outcomes achieved to date:**

- Youth councillors have increased their knowledge of the pressures that young people in Bromley are facing around youth Domestic Abuse.
- 25 youth councillors gained information on the services provided by Bromley LBB,
- 25 youth councillors are informed around different apps and Instagram pages raising awareness on DA for young people.
- Youth council have met with and discussed their DA campaign with schools, colleges, Bromley & Croydon Women's Aid, Bromley Children's project, Bromley Police Engagement Team, Encouraging her project and Public Health.
- 6 schools to date have engaged in BYC DA social media campaign and BYC have re posted or tweeted.



- Many Councillors and other services have reposted or re tweeted raising awareness.
- Bromley and Croydon women's Aid have provided excellent resources to use for social media post.
- BYC social media following has increased in the month of October to nearly 100 between Instagram and twitter.
- BYC have a 6-month planned social media post calendar.
- Instagram have affected our Instagram promotions by blocking any promotion of DA post to a wider audience citing it may influence elections.
- Youth Councillors researched excellent examples of DA Guidance for schools produced by Public health. BYC are in discussion with Public health to produce a Bromley version of this.

## **5. Next Steps**

Bromley Youth Council and its members will continue to progress the work on its campaign areas. The Youth Council aim to complete the work on both campaigns by the end of March 2021. Some areas of the campaign will naturally continue.

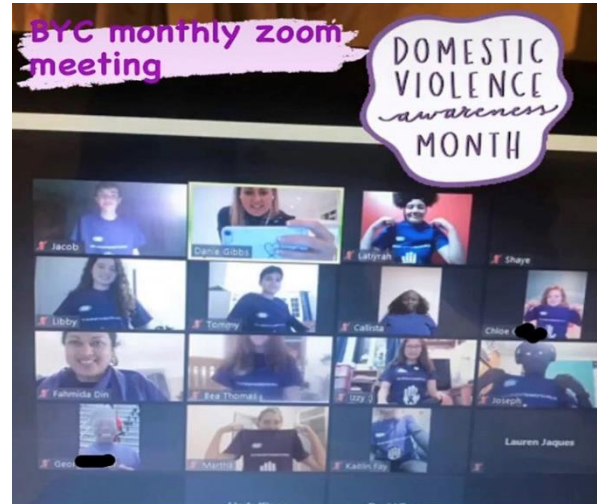
We will draw up an end of year report in March 2021 showing overall progress made on each campaign area and outcomes and output as well as the skills gained by Youth Councillors through participation in these campaigns.

The Youth Council plans to hold its annual Manifesto Event in March 2021, subject to the current pandemic and to funding. At this event the Youth Council will facilitate 3 workshops to delegates detailing the campaigns and their outcomes and looking at wider youth issues. This will hopefully help inform next year's campaign issues.

Bromley Youth Council will hold its Biennial Elections in January and February 2022. This will elect a new group of Youth Councillors to the Youth Council from secondary schools, colleges and Youth organisations across the borough.

Those young people whom have completed their two-year term of office have the opportunity to apply to extend that term of office on the grounds of 'extraordinary contribution'.

**Bromley Youth Council would like to thank all the Young People, Officers, Services and Members who have supported and helped the Youth Council in their 2020/2021 campaigns to date. We hope we can count on your continued support.**



**BYC Young people sponsored walk 2019 & Domestic Abuse zoom launch 2020.**



# Bromley Youth Council

## 2020/21 Campaigns Work Plan

### BYC Campaign: Domestic Abuse

Domestic abuse as an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence, in the majority of cases by a partner or ex-partner, but also by a family member or carer. It is very common. In the vast majority of cases it is experienced by women and is perpetrated by men. Domestic abuse can include, but is not limited to, the following:

- Coercive control (a pattern of intimidation, degradation, isolation and control with the use or threat of physical or sexual violence)
- Psychological and/or emotional abuse
- Physical or sexual abuse
- Financial or economic abuse
- Harassment and stalking
- Online or digital abuse

•One in seven (14.2%) children and young people under the age of 18 will have lived with domestic violence at some point in their childhood

The purpose of our campaign is to raise awareness of domestic abuse as an issue. To develop peoples understanding of the issues and how they affect young people both as a member of a family where domestic abuse may be taking place and as a young person starting out on relationships and understanding what healthy relationships look like and how to achieve them.

Date	Action (What)	Outcome (Why)
	<ul style="list-style-type: none"> <li>• Research available resources on the subject of Domestic Abuse and educate BYC members on the actions that are considered domestic abuse.</li> <li>• Identify potential resources which are available that would be useful for Schools and Youth Groups in the borough to use to inform and educate other young people on the issue.</li> <li>• Identify local and online sources of information, help and support for young people who are affected by Domestic Abuse.</li> <li>• To provide direct education around the consequences of domestic abuse to young people.</li> </ul>	<p><b>5</b> To have a better understanding of the issue and actions that are involved.</p> <p><b>6</b> To widen young people of Bromley's information and knowledge on the subject.</p> <p><b>7</b> To share across services examples of what is working for young people.</p> <p><b>8</b> Young people will develop their planning and organisational skills</p> <p><b>9</b> Young people will increase their learning around DA</p> <p><b>10</b> Young people will be informed around what DA is and the impacts on young people's lives</p> <p><b>11</b> Young people will be more informed around locally services and initiatives in relation to DA.</p>

	<p><b>12</b> To develop a 6 month long social media campaign – providing weekly information posts every Friday about elements of Domestic abuse, which will build an informative information source for young people, using an “Instagram highlight”</p> <p><b>13</b> Research sponsoring Instagram posts to reach all young people in our age demographic in the Bromley borough.</p> <p><b>14</b> Our social media campaign will include viewing domestic abuse from the perspective of an abuser, a victim/survivor and that of a bystander.</p> <p><b>15</b> Offer local young people – via Schools and via social media – the opportunity to produce their own social media content to be featured in the social media weekly post campaign.</p>	<ul style="list-style-type: none"> <li>• Encouraging young people in Bromley to be involved in looking at the issues in the domestic abuse campaign and use their skills to design appropriate social media posts.</li> <li>• Young people will develop skills in producing content using different techniques – this could include drama, animation etc.</li> <li>• Young people will gain knowledge of sponsorship and advertising and marketing skills.</li> </ul>
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### BYC Campaign: Mental Health and Wellbeing

Mental health has long been an issue, but recently, the problems facing young people and their mental health have become increasingly evident. This was made clear to Bromley Youth Council by the large number of votes it received at this years survey monkey vote in lieu of our annual Manifesto event. We also believe that following a period of significant change following COVID 19 and a countrywide lockdown, the mental health and wellbeing of young people is more at risk.

10% of children and young people (aged 5-16 years) have a clinically diagnosable mental health problem, yet 70% of children and adolescents who experience mental health problems have not had appropriate interventions at a sufficiently early age, according to the Children’s Society. Additionally, half of all mental illnesses begin by the age of 14 and three-quarters by mid-20s, and as a result, it is more important than ever for work to be done to support young people. The purpose of this campaign is to raise awareness about the severity of this issue in schools in Bromley, making sure that schools and services in Bromley are doing as much as they can for their young people.

BYC supports Young Minds vision leading the fight for young people’s mental health. They are leading the fight for a future where ‘ all young minds are supported and empowered, whatever the challenges’. ‘3 children in every classroom have a mental health problem.’- Mind website. Mind are working to put young people at the heart of tackling the problem. Mind are currently leading on a ‘Wise Up to Wellbeing in Schools’ campaign. This calls on the Government to rebalance the education system so that the wellbeing of students is as important as academic achievement.

Date	Action (What)	Outcome (Why)
	<p><b>16</b> BYC to undertake a map of what services are happening in schools and youth services. (Collate all the effective mental health projects/activities in schools)</p> <p><b>17</b> Promote good mental health in schools and youth services by encouraging a ‘Bronze, Silver, Gold’ award scheme for good models of positive mental health projects/activities)</p> <p><b>18</b> To champion all schools to sign up to the 360 Schools Community.</p> <p><b>19</b> To champion all schools sign up to training 6<sup>th</sup> formers as Youth Mental Health First Aiders.</p>	<p><b>20</b> To have a better understanding of good work already being under taken.</p> <p><b>21</b> To reward those educational establishments leading on good practice.</p> <p><b>22</b> To share across services examples of what is working for young people.</p> <p><b>23</b> Young people will develop their planning and organisational skills</p> <p><b>24</b> Young people will increase their learning around MH</p>

		<p><b>25</b> Young people will be informed around what MH is and the impacts on young people's lives</p> <p><b>26</b> Young people will be more informed around locally services and initiatives promoting positive MH and wellbeing.</p>
	<p><b>27</b> To work in partnership with BYC, Bromley Youth Support Programme Youth Mental health first aiders &amp; CCG to coproduce a Mental Health programme to provide a 'road show' taking MH awareness to the streets.</p> <p><b>28</b> To use the mobile music bus and visit town centres/schools to promote positive MH.</p> <p><b>29</b> To distribute BYC 'Survival Guide'.</p>	<p><b>30</b> Young people will plan, deliver and evaluate a co production programme on Mental Health</p> <p><b>31</b> Young people will be empowered to work in partnership with local service.</p> <p><b>32</b> Young people will increase their confidence in talking to their peers about MH issues.</p> <p><b>33</b> Raising of awareness the wider community that this is an issue that matters to young people.</p> <p><b>34</b> Clear information on where to get help</p> <p><b>35</b> Raise awareness of campaign and issues nationally through British Youth Council and United Kingdom Youth Parliament</p>
	<p><b>36</b> To support BYC members (over 16 years old) to be trained as Youth Mental health First Aiders.</p> <p><b>37</b> To support all BYC members to access Youth Mental health awareness training.</p>	<p><b>38</b> .Young people to be trained as Youth MH first Aiders</p> <p><b>39</b> Develop young people's skills and knowledge on MH</p>
	<p><b>40</b> To meet with CCG and discuss how BYC can contribute to the trailblazer project and be part of the coproduction of improving MH services for young people in Bromley.</p> <p><b>41</b> To explore a Youth MH panel/youth forum lead by CCG</p>	<p><b>42</b> To work in partnership with local services on MH to raise awareness on key factors/findings around youth MH.</p> <p><b>43</b> To provide a platform for young people to influence key decisions.</p>

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# Bromley ASB and Crime Performance & Analysis

**End of Year Update April 19- March 20 and April 20 to date**

# Local Priorities

- The MOPAC Plan performance framework consciously moved away from city wide targets to enable local solutions to local problems based upon evidence. The framework incorporated London wide priorities with a focus on high harm crimes and wider issues that affected all of London, alongside local volume crime priorities chosen by local authorities in partnership with local police.
- At the start of 2019/20, Bromley chose the following as local volume crime priorities:
  - Non-Domestic Abuse Violence With Injury**
  - Burglary (Residential)**
  - ASB (a priority for all London Boroughs)**



# Other Volume Crime In Bromley

## (April19- March 20)



From the suite of high-volume crimes, identified during the development of the Police and Crime Plan (from which local priorities were chosen) the below indicates the varying influence they have on total crime.

Crime Rank	Crime Type	% of Borough TNO (25130)
1	Harassment	13.2% (3325)
2	Criminal Damage	8.3% (2093)
3	Common Assault	8.2% (2076)
4	Residential Burglary	8.1% (2059)
5	Non-Domestic Violence with Injury	6% (1529)
6	Possession of Drugs	4.3% (1089)
7	Theft of MV	4.2% (1061)
8	Robbery – Personal Property	1.8% (467)
9	Offensive Weapons	0.4% (123)
10	Drug Trafficking	0.17 (44)

# Total Notifiable Offences

- Total Notifiable Offences (TNO)
  - April 18 – March 19 = **23662**
  - April 19 – March 20 = **25130**
  - % Change = **+ 6.2%**
  - **London Rank- LBB is currently positioned at 22<sup>nd</sup> for TNO across the 32 London boroughs**
- 
- April 19 - Oct 19 = **14750**
  - April 20- Oct 20 = **12397**
  - % change = **-15.9%**

# Notifiable Offences

(April 19- March 20)



Crime Rank	Crime Type	Borough TNO (25130)	% Change 18-19
1	Harassment	3325	3054 +8.8%
2	Criminal Damage	2093	2166 -3.3%
3	Common Assault	2076	1899 +9.3%
4	Residential Burglary	2059	2164 -4%
5	Non-Domestic Violence with Injury	1529	1535 -0.3%
6	Possession of Drugs	1089	793 +37%
7	Theft of MV	1061	925 +14.7%
8	Robbery – Personal Property	467	363 +28.6%
9	Offensive Weapons	0.4% (123)	189 -34%
10	Drug Trafficking	0.17 (44)	33 +33%

# Sanctioned Detections

(April 19- March 20)

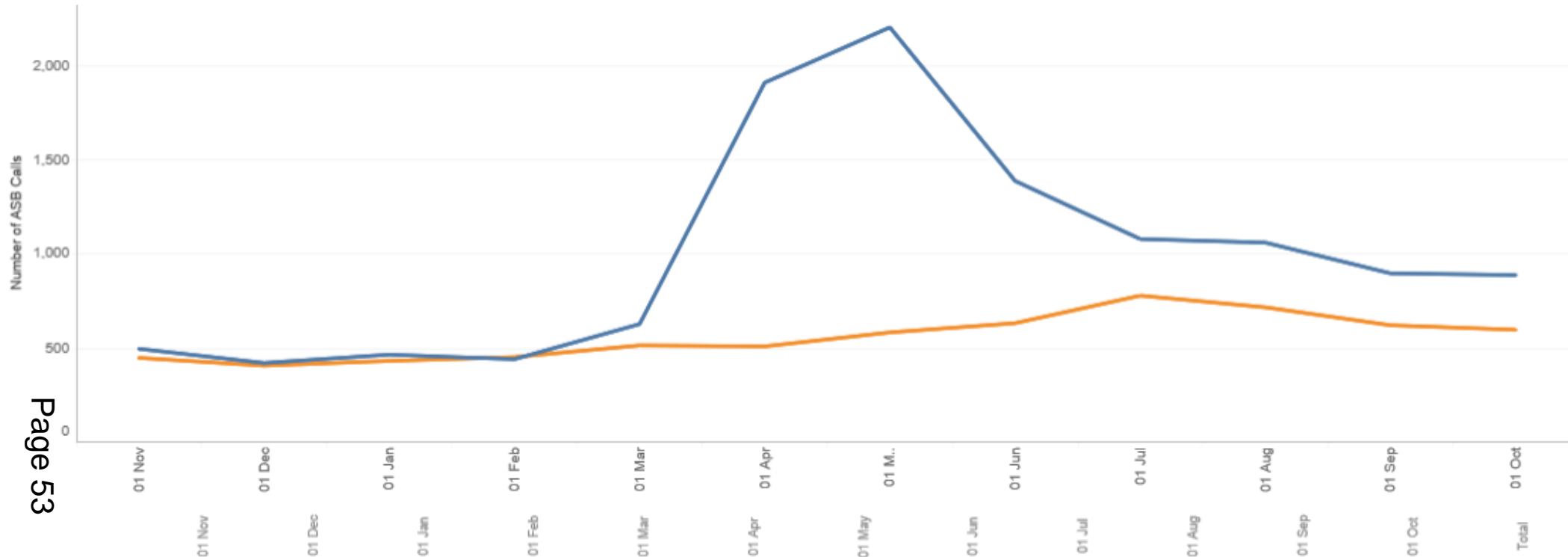


Crime Type	Number Of SD 18-19	Number Of SD 19-20 % Change
ASB	234	225 -3.8%
Criminal Damage	154	129 -16%
Common Assault	182	127 -30%
Residential Burglary	55	51 0%
Non-Domestic Violence with Injury	249	198 -20%
Theft of MV	5	24 +380%
Robbery – Personal Property	34	35 +3%
Possession of Drugs	283	358 +26%
Offensive Weapons	112	89 -20%
Drug Trafficking	14	31 +121%

# ASB Rolling Year



ASB Comparison - ASB Calls By Reporting Period



**Chart Controls**

Compare

Reporting Period

Date Period

Last 12 Months

---

**Filter Controls**

BCU or Borough

Borough

BCU \ Borough

Bromley

ASB Category

(All)

- Current 12 Months
- Previous 12 Months

Current 12 Months	495	420	464	440	626	1,906	2,199	1,385	1,077	1,058	895	886	11,851
Previous 12 Months	447	406	431	451	513	508	582	631	777	715	620	596	6,677

ASB Comparison - ASB Calls By ASB Category (Current Year)

**Chart Controls**

Compare

# Crime Statistics April 20 - October 2020

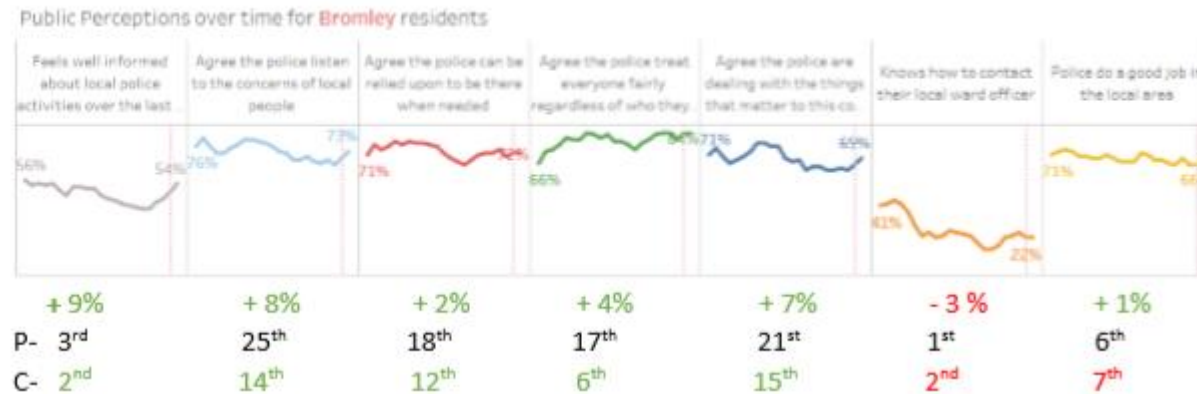


Crime Type	TNO April - Oct 2019 (14750)	TNO April – Oct 20 % Change (12397)	Sanctioned Detections April – Oct 19 1241	Sanctioned Detections April – Oct 20 % Change 1274
Harassment	2041	+2.69% (2096)	122	+3% 126
Criminal Damage	1280	-16.4% (1069)	86	-3% 83
Common Assault	1188	-0.42% (1183)	80	-2.5% 78
Residential Burglary	1103	-44% (613)	33	-12% 29
Non-Domestic Violence with Injury	899	-2.5% (876)	124	-4% 119
Possession of Drugs	621	+ 11.9% (695)	220	257 +16.8%
Theft of MV	624	-16.8% (519)	20	19 -5%
Robbery – Personal Property	225	-8.8% (205)	16	24 +50%
Offensive Weapons	63	+ 47.6% (93)	60	65 +8.3%
Drug Trafficking	21	+76.1% (37)	37	27 +58.8%

## Six month review - September 2020

This review will compare each of the Boroughs against the latest data to identify if improvements have been made and to allow targeted focus where required. The percentage increase/decrease will be highlighted along with the previous (P) and current (C) MPS position in the league table.

### PY latest data (copied from dashboard June 2020)



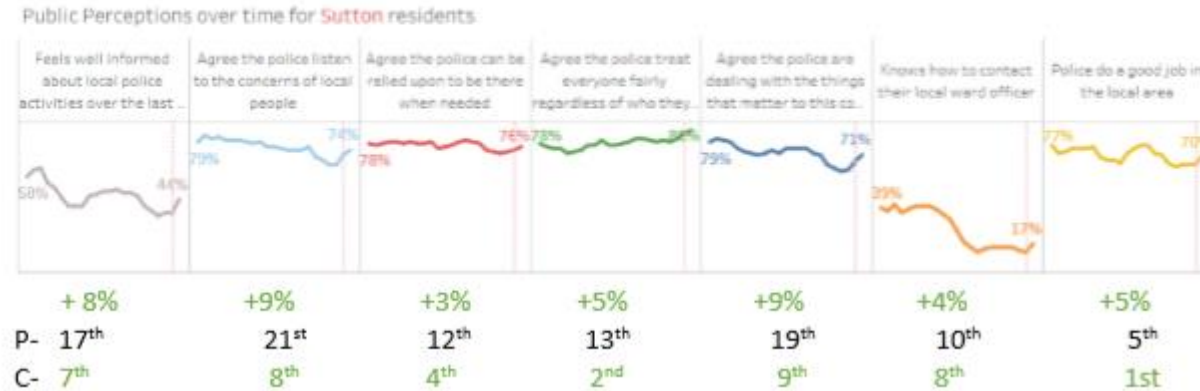
In summary, PY have achieved increased performance in six out of seven key areas, they have moved up the league table in five of the seven areas, moving down by a single place in the other two areas.

### ZD latest data (copied from dashboard June 2020)



In summary ZD have seen a decrease in five of the seven areas with one improvement and one no change. As a result ZD have moved down the league table in all seven key areas.

**ZT latest data (copied from dashboard June 2020)**



In summary ZT has achieved improved performance across all seven key areas, they have made significant upward movement in the league table and are now in the top 10 boroughs for all areas, ZT is the best perceived Borough in the MPS for ‘doing a good job in the local area’.

Overall summary As the above tables indicate SN are performing well in 2 of the 3 Boroughs, however ZD remains a challenge. In response I have chaired a meeting with ZD SNT Insp Steve Warnes and Social Media Inspector Cathy Thomas where a number of actions have been agreed increasing the support for ZD Ward teams and the consistency of public messaging. These actions will be subject to ongoing review and scrutiny.



Finally the table below averages out the performance across South Area.

***South Area average for each key area***

Feels well informed about local police activities over the last	Agree the police listen to the concerns of local people	Agree the police can be relied upon to be there when needed	Agree the police treat everyone fairly regardless of who they	Agree the police are dealing with the things that matter to this co.	Knows how to contact their local ward officer	Police do a good job in the local area
+5.6%	+3.6%	+0.6%	+0.3%	+4.3%	+1%	+1.3%

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Report No.  
FSD20085

London Borough of Bromley

PART ONE - PUBLIC

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

For Pre-Decision Scrutiny by Public Protection & Enforcement PDS  
Committee on:

**Date:** 8<sup>th</sup> December 2020

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

**Title:** BUDGET MONITORING 2020/21

**Contact Officer:** Keith Lazarus, Head of Finance ECS & Corporate  
Tel: 020 8313 4312 E-mail: Keith.Lazarus@bromley.gov.uk

**Chief Officer:** Colin Brand, Director of Environment & Public Protection

**Ward:** (All Wards);

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1. Reason for report

This report provides an update of the latest revenue budget monitoring position for 2020/21 for the Public Protection & Enforcement Portfolio, based on expenditure and activity levels up to 30 September 2020.

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2. **RECOMMENDATION(S)**

The Public Protection & Enforcement Portfolio Holder is requested to:

- 2.1 Endorse the latest 2020/21 revenue budget monitoring for the Public Protection & Enforcement Portfolio.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: None directly from this report.
- 

### Corporate Policy

1. Policy Status: Sound financial management
  2. BBB Priority: Excellent Council Quality Environment
- 

### Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Recurring Cost
  3. Budget head/performance centre: All Public Protection & Enforcement Portfolio Budgets
  4. Total current budget for this head: £3.4m
  5. Source of funding: Revenue budgets 2020/21
- 

### Personnel

1. Number of staff (current and additional): 46.26fte
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory Requirement: The statutory duties relating to financial reporting are covered within the Local Government Act 1972; the Local Government Finance Act 1998; the Accounts and Audit Regulations 1996; the Local Government Act 2000 and the Local Government Act 2002
  2. Call-in: Applicable
- 

### Procurement

1. Summary of Procurement Implications: N/A
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The services covered in this report affect all Council Taxpayers, Business Ratepayers, those who owe general income to the Council, all staff, Members and Pensioners.
- 

### Ward Councillor Views

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

### 3. COMMENTARY

- 3.1 This report sets out the results of the latest quarterly revenue budget monitoring exercise for the 2020/21 financial year for the Public Protection & Enforcement Portfolio based on financial information available as at 30 September 2020.
- 3.2 It should be noted the impact of Covid-19 on the Portfolio's budgets is not included as these details are reported separately to the Executive.
- 3.3 The projected outturn is detailed in Appendix 1A, which shows the forecast spend for each division within the Portfolio compared to the latest approved budget. Whilst Portfolio's overall budget is projected to be in balance, there are a number of offsetting variations within this as summarised in the table below:

	<b>£'000</b>
Staffing Costs:	
• Community Safety	Cr 67
• Emergency Planning	Dr 11
• Public Protection	Cr 40
CCTV Camera Upgrades	Dr 96
<b>Total Variation</b>	<b>-</b>

- 3.4 Appendix 1B provides further detail and commentary on each of the projected variations within each service.

### 4. POLICY IMPLICATIONS

- 4.1 The "Building a Better Bromley" objective of being an Excellent Council refers to the Council's intention to provide efficient services and to have a financial strategy that focuses on stewardship and sustainability. Delivering Value for Money is one of the Corporate Operating Principles supporting Building a Better Bromley.
- 4.2 The "2020/21 Council Tax" report highlighted the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised to minimise the risk of compounding financial pressures in future years.
- 4.3 Chief Officers and Departmental Heads of Finance are continuing to place emphasis on the need for strict compliance with the Council's budgetary control and monitoring arrangements.

### 5. FINANCIAL IMPLICATIONS

- 5.1 A detailed breakdown of the projected outturn by service area is shown in Appendix 1A with explanatory notes in Appendix 1B.
- 5.2 No overall variation is projected on the Portfolio's budget based on the information available as at 30 September 2020.

## 6 COMMENTS FROM THE DIRECTOR OF ENVIRONMENT & PUBLIC PROTECTION

- 6.1 Like the rest of the Council, the Covid-19 pandemic and resultant restrictions have impacted on economic activity and are having a significant impact on some of the Portfolio's services.
- 6.2 The latest rise in cases and the recent increase in restrictions has again added to the uncertainty of not knowing for how long restrictions will be in place. Nor it is yet clear what the longer term wider economic impacts will be and how this will affect services later in the year and beyond.

<b>Non-Applicable Sections:</b>	Legal, Personnel & Procurement Implications
Background Documents: (Access via Contact Officer)	2020/21 budget monitoring files within E&CS Finance section

## Public Protection &amp; Enforcement Budget Monitoring Summary

2019/20 Actuals £'000	Service Areas	2020/21 Original Budget £'000	2020/21 Latest Approved £'000	2020/21 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
253	Public Protection	170	482	415	Cr 67	1	0	0
133	Community Safety	134	134	145	11	2	0	0
670	Emergency Planning	574	574	574	0		0	0
1,676	Mortuary & Coroners Service	1,556	1,244	1,300	56	3	0	0
	Public Protection							
<b>2,732</b>	<b>TOTAL CONTROLLABLE</b>	<b>2,434</b>	<b>2,434</b>	<b>2,434</b>	<b>0</b>		<b>0</b>	<b>0</b>
318	<b>TOTAL NON CONTROLLABLE</b>	7	7	7	0		0	0
941	<b>TOTAL EXCLUDED RECHARGES</b>	973	973	973	0		0	0
<b>3,991</b>	<b>PORTFOLIO TOTAL</b>	<b>3,414</b>	<b>3,414</b>	<b>3,414</b>	<b>0</b>		<b>0</b>	<b>0</b>

Reconciliation of Latest Approved Budget £'000

Original Budget 2020/21 3,414

Carry Forward Requests approved from 2019/20

Asset Recovery Incentivisation Scheme 48  
 Cr Asset Recovery Incentivisation Scheme 48

Other

Latest Approved Budget for 2020/21 3,414

**REASONS FOR VARIATIONS**

The Covid-19 restrictions that were introduced on 23rd March have had a significant impact on many of the Portfolio's services. Although restrictions were subsequently eased, they have again been raised recently and it is not known how long these will remain or even be increased in the coming weeks. Nor it is clear what the longer term wider economic impacts will be and how this will affect services later in the year and beyond. Therefore, projections will continue to be refined and updated as the financial year progresses.

**1. Community Safety Cr£67k**

This service is forecast to underspend by £67k due to in year staffing vacancies. All posts are currently being recruited to.

**2. Emergency Planning Dr£11k**

There are also some additional staffing costs forecast of £11k this financial year relating to overtime and on call costs.

**3. Public Protection Dr £56k**

Staffing is forecast to underspend by £40k due to in year vacancies. All posts are currently being recruited to. CCTV camera upgrades will be undertaken this financial year which will cost approximately £96k. A number of obsolete and old cameras need replacing and the intention is to replace 16 this year.

**Waiver of Financial Regulations:**

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempt from the normal requirement to obtain competitive quotations the Chief Officer has to obtain the agreement of the Director of Corporate Services, the Director of Finance and the Director of Commissioning and (where over £100,000) approval of the Portfolio Holder and report use of this exemption to Audit Sub committee bi-annually. Since the last report to the Executive, the following waivers over £50k have been

- 1) a 1 year extension of the Stray Dog service and Pest Control contract with SDK from 1st February 2021 to 31st January 2022. The annual contract value is £94k resulting in cumulative spend with SDK of £879k

**Virements Approved to date under Director's Delegated Powers**

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, no virements have been actioned.



Report No: ES20046		PP&E PORTFOLIO PLAN - PERFORMANCE OVERVIEW (2020/21)																							
Outcome	No.	PORTFOLIO PLAN INDICATOR	DESCRIPTION	2014/15 ACTUAL	2015/16 ACTUAL	2016/17 TARGET	2016/17 ACTUAL	2017/18 TARGET	2017/18 ACTUAL	2018/19 TARGET	2018/19 ACTUAL	2019/20 TARGET	2019/20 ACTUAL	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Year End Projection	WHAT DOES GOOD PERFORMANCE LOOK LIKE?	2020-21 TARGET	2019-20 RAG STATUS	COMMENTARY (BY EXCEPTION)	
1: We will keep Bromley safe	PPE 1	1A	Number of Community Impact Days	12	12	12	12	12	12	12	12	12	12	1	1	1	1	1	1	12	HIGH	12	GREEN		
2: We will protect consumers	PPE 2	2A	Awareness raising events & training to groups & partners (No.)	45	80	N/A	115	70	129	70	90	70	72	0	0	0	0	1	0	70	HIGH	70	RED	The Trading Standards team have been unable to deliver outreach events in the community (e.g. talks and training) due to social distancing requirements. The team have completed an online event via zoom. There have been no opportunities to carry out test purchases since the start of the pandemic. LBB have recently spoken to our local police partners and are formulating plans to re-visit this area of work in the next couple of months.	
	PPE 3	2B	Rapid Response interventions responded to within 2 hours (%)	N/A	N/A	N/A	N/A	N/A	New KPI for 18/19	N/A	100.00%	100%	100%	0	1 (100%)	3 (100%)	4 (100%)	2 (100%)	0	100%	OUTCOME	N/A	OUTCOME		
3: We will support and regulate businesses	PPE 4	2C	Test purchase operations to detect the sale of age-restricted products (No.)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI for 19/20	100	97	0	0	0	0	0	0	100	HIGH	100	RED	Since the new Windows 10 laptops have been issued to LBB staff there have been difficulties working with Caps Uniform both from home and since the introduction of Windows 10. This resulted in a delay in re-establishing a number of reporting tools, and subsequently delays in producing outputs. The current situation is that access to uniform remotely has improved.	
	PPE 5	3A	Inspections of high-risk food hygiene business undertaken (%) (Risk A and B food premises)	N/A	100	100	100% (A) 96% (B)	100% (A) 97% (B)	100% (A) 97% (B)	100% (A) 97% (B)	100% (A) 100% (B)	100% (A) 100% (B)	100% (A) 100% (B)	100% Risk A (3/3) 96% Risk B (107/111)	Annual	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	Annual	HIGH	% to be determined by the FSA due to COVID-19		The Food Standards Agency (FSA) instructed Local Authorities not to carry out inspections from mid-March to mid-July. The COVID-19 precautions result in the inspection process taking longer than normal. Therefore the Food team will not be able to nor be expected to make up the backlog of inspections by 31/3/21.
4: We will protect and improve the environment	PPE 6	3B	Due Food Hygiene Interventions Completed (%)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI 20/21	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	Annual	HIGH	% to be determined by the FSA due to COVID-19			
	PPE 7	3C	Due Food Standards Interventions Completed (%)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI 20/21	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	FSA have suspended inspections for 20/21 due to the disruption of COVID-19 to the programme	Annual	HIGH	% to be determined by the FSA due to COVID-19			
4: We will protect and improve the environment	PPE 8	3D	Respond to 70% of complaints/enquiries about food and food premises within 5 working days (%)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI for 19/20	80%	86%	92% (11 out of 12)	100% (22 out of 22)	87% (19 out of 22)	98% (35 out of 36)	91% (41 out of 45)	88% (38 out of 43)	93%	HIGH	70%	GREEN		
	PPE 10	4A	Comply with 100% of CCTV Evidence Requests (%)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI for 19/20	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	HIGH	100%	GREEN	
	PPE 11	4B	Comply with 100% of Contaminated Land report requests (%)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI for 19/20	100%	100%	100% (0)	100% (0)	100% (1)	100% (11)	100% (1)	100% (1)	100%	100%	OUTCOME	N/A	OUTCOME	
	PPE 12	4C	Serve statutory notices where appropriate (Nuisance and pollution) (%)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI for 19/20	100%	100%	100% (5)	100% (3)	100% (2)	100% (16)	100% (5)	100% (5)	100%	100%	OUTCOME	N/A	OUTCOME	
	PPE 13	4D	Cases where investigations of breaches of planning control are completed (%)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI for 19/20	100%	96%	30%	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	100%	100%	OUTCOME	N/A	OUTCOME	
	PPE 14	4E	Issue validated licences for Houses in Multiple Occupation within 12 weeks (%)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI for 19/20	75%	45%	0% (0 out of 1)	0% (0 out of 1)	0% (0 out of 4)	0% (0 out of 1)	0% (0)	0%	N/A	HIGH	85%	RED	0 (None issued HMO inspections not possible due to COVID). COVID-19 restrictions on HMO licensing inspections have resulted in no HMO Licences being issued since August.	
	PPE 16	4F	Total Number of Fly-tipping incidents (No.)	3373	3343	3250	3178	3250	3067	3069	3172	3000	3123	196	218	227	284	307	370	3204	OUTCOME	N/A	OUTCOME	Indicators 4G and 4H are new KPIs and a new method of reporting has been produced. This data will be produced from November 2020 onwards. The data will be reported from the LBB Enforcer System which will provide a detailed audit trail for these indicators.	
	PPE 17	4G	Total Number of open fly-tipping incident investigations (No.)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI 20/21	New KPI will be reported from November 2020 onwards	New KPI will be reported from November 2020 onwards	New KPI will be reported from November 2020 onwards	New KPI will be reported from November 2020 onwards	New KPI will be reported from November 2020 onwards	New KPI will be reported from November 2020 onwards	New KPI will be reported from November 2020 onwards	N/A	OUTCOME	N/A	OUTCOME	4G will be an open indicator, in that it will update monthly based on the number of open fly-tipping incidents investigations in the system - this is because investigations can take longer than one month and action maybe ongoing. To allow for comparison of data with previous and future years it is proposed this indicator is given a set time period of the financial year - i.e. the number of open cases in the system which were commenced between April and March.
	PPE 18	4H	% of closed cases where action has been taken (those where evidence was available) (%)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI 20/21	New KPI will be reported from November 2020 onwards	New KPI will be reported from November 2020 onwards	New KPI will be reported from November 2020 onwards	New KPI will be reported from November 2020 onwards	New KPI will be reported from November 2020 onwards	New KPI will be reported from November 2020 onwards	N/A	HIGH	75%		4H will be a monthly update of the % of cases closed from the same set time period of 4G where evidence was available and action has been taken.  Compared to 2018/19, the number of reported fly tips in 2019 /20 decreased slightly by 49 incidents which is a decrease of 1.5%. The enforcement action taken in response to this activity also fell. Reduction in enforcement action was due to a number of complex cases taking lengthy periods of investigation. This was compounded by delays due to uncooperative suspects not providing explanations nor evidence to verify their actions. In addition, there were several cases investigated which did not result in actions being taken. This is as a result of members of the public being naive about the legal requirements of disposing of their waste. In these circumstances, an advisory letter was issued.
	PPE 19	4I	Parking appeals heard by the Environment and Traffic Adjudicators (ETA) against PCNs issued by LBB (No.)	459	331	N/A	274	300	213	300	185	300	112	0	4	0	28	64	17	226	LOW	250	GREEN		
PPE 20	4J	Parking ETA cases won by LBB (% of cases heard)	74.0%	1	N/A	81.0%	80.0%	80.0%	80.0%	81.6%	80%	74%	0%	75%	0%	89%	75%	76%	79%	HIGH	75%	GREEN	Due to Environment and Traffic Adjudicators (ETA) closing down due to COVID-19 lockdown, decisions to refer cases were sent to LBB when the team had started online hearings. Before this decision all cases were referred to May (hence why it is 75% in May because hearings took place). Then in June the ETA referred all cases to July and August to clear the backlog of cases received during the lockdown period. This is why the number for April and June is 0 because no cases were heard by ETA in the month of June (no cases were passed to ETA from the end of March to the end of May 2020).		

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Report  
No.ES18046

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** PUBLIC PROTECTION AND ENFORCEMENT POLICY  
DEVELOPMENT & SCRUTINY COMMITTEE

**Date:** 8<sup>th</sup> December 2020

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

**Title:** ENFORCEMENT ACTIVITY UPDATE 2019-2020

**Contact Officer:** Joanne Stowell Assistant Director of Public Protection  
E-mail:joanne.stowell@bromley.gov.uk

**Chief Officer:** Colin Brand, Director of Environment and Public Protection

**Ward:** (All Wards);

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1. Reason for report

- 1.1 To advise Members on the enforcement activity under delegated powers undertaken by the Public Protection Division, Neighbourhood Management (Environmental Enforcement) and Parking Enforcement during the period 1 April 2019 to 31 March 2020,

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2. **RECOMMENDATION(S)**

**Members are asked to:**

- 2.1 **Note the contents of this report;**
- 2.2 **Agree to receive an annual report on the service areas identified within the report.**



## Impact on Vulnerable Adults and Children

1. Summary of Impact: Vulnerable adults and children are at increased risk from the adverse impacts of issues such as: unfit food, poor housing conditions and being targeted by rogue traders. The enforcement work of teams within Public Protection seeks to safeguard the health, safety and wellbeing of vulnerable groups. In addition, the work undertaken by Parking Services on Blue Badge enforcement seeks to ensure that vulnerable road users have the access they require to appropriate parking spaces and that the scheme is not abused.
  - 1.2 The service activities within Planning Enforcement and Neighbourhood Management Enforcement are used by all residents, including vulnerable adults and children. They are generally universal in nature. Adjustments are made as required, to ensure services are as accessible as possible and all users are safe. Where vulnerable adults or children may potentially be affected by a proposal or contract, the issues would be covered in that particular report, plan or contract, rather than in this report.
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## Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Safe Bromley Vibrant, Thriving Town Centres Healthy Bromley Quality Environment:
- 

## Financial

### **Public Protection & Enforcement**

1. Cost of proposal: Not Applicable:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Environment & Community Services Department Budget
  4. Total current budget for this head: £
  5. Source of funding: Existing controllable revenue budget for 2020/21
- 

## Personnel

### **Public Protection and Enforcement**

1. Number of staff (current and additional):
  2. If from existing staff resources, number of staff hours: Not Applicable
- 

## Legal

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

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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All of the Council's customers (including Council tax payers) and users of the service.

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### 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 At the meeting of the Public Protection and Safety, Policy Development and Scrutiny Committee on 15 November 2007, Members agreed they should receive reports of the enforcement activity undertaken by the Public Protection division.

3.2 Previously this report highlighted the enforcement activities of teams within Public Protection. However, in 2018 Members requested that all enforcement related services within the Environment and Community Services (ECS) Directorate be included into the Public Protection and Enforcement Portfolio. The rationale being that it gave a more pronounced regulatory focus.

3.1 As the enforcement activity for the additional service areas is data intensive, a brief summary of the key points for each area is highlighted below, and the detail for each service area is included in the appendices detailed in paragraph 3.9.

3.4 Key points to note:

#### **Public Protection**

3.5 In the period April 2019 to March 2020 the teams within Public Protection saw a relative percentage decrease of -3.34% (13580- 13140) in overall service requests received when compared to the previous year; and an associated -11 % decrease in the enforcement and regulatory activities. Within the category of statutory nuisance, where most enforcement activity takes place, the number of Notices decreased by 49% (63 to 32). Having said that, the numbers for the previous year were high as a result of an unusual number of in-year car alarm nuisances, and the introduction of the Noise App. The Noise App is a phone-based App, used by customers to report noise nuisance directly to the Council. It is designed to be a triage tool to make it easier for the Officer to manage reports of noise nuisance and to monitor noise remotely. It captures audio, GPS data, timestamps, and source information about each report, allowing Officers to focus cases that need enforcement actions. The App also assists with case management, and allows Officers to prioritise, set report statuses such as 'under investigation', 'notice served' and 'closed'. As expected, when the App was first launched the number of Notices increased as Officers could assess the severity of a case from the recording submitted. However, as the use of the App became more widely known, Officers have been told anecdotally that its use has acted as a deterrent. Perpetrators of noise are now aware that witnessing their activities is no longer dependant on an Officer being present within a premises, and that their behaviour can be recorded, submitted and assessed remotely. Following the FSA audit and the subsequent action plan being delivered in 2019, the backlog of unrated and overdue food premises was addressed; as a result, compliance increased in this sector, and the number of Food Hygiene Improvement Notices also fell by 53% when compared to the previous year. Enforcement activity in the Community Safety arena rose, with exponential increases noted in the service of Acceptable Behaviour Contracts (ABCs 11 to 38) and Early Intervention Warnings (1 to 23). These increases cannot be viewed in isolation, as the previous year's figures were very low due to a drop in referrals following the removal of the dedicated police officers at Bromley Police Station. Fortunately, an ASB Police Officer was reinstated and posted to Bromley. Additionally, the ASB and Nuisance Team Officers have combined roles, and have developed new and improved ways of working with the police; as a result, the enforcement in this area has increased.

#### **Covid Activity**

3.6 Whilst this report is primarily to report on the enforcement activities of the fiscal year 2019-20, COVID enforcement activity has also been requested. The services within Public

Protection have played a vital role throughout the COVID-19 pandemic, from business closure enforcement during the first stage of lockdown, supporting contact tracing efforts, assisting the shielding team, and with helping to safeguard local businesses from scams and fraud. Full details are provided within Appendix 1. Enforcement Outputs for Public Protection

### **Neighbourhood Management**

- 3.7 In the period April 2019 to March 2020 the number of reported fly-tips saw a relative percentage decrease of 1.5% (3172-3123), however the associated enforcement action taken in response to this activity decreased by 9% when compared to the previous year. The reduction in enforcement action was due to a number of complex cases taking lengthy periods of investigation. This was compounded by delays due to non-production of evidence or explanations from uncooperative suspects, together with cases where warning letters were viewed as being more appropriate.

### **Parking**

- 3.8 Parking Services closely monitor the parking contractor 'APCOA Parking' and there are 10 enforcement KPIs that are applied. KPIs and enforcement performance are discussed monthly in the contract meetings. In the period April 2019 to March 2020 the number of PCNs issued increased by 7% (73,348 – 78,433), when compared to the previous year.
- 3.9 Full details of the enforcement activities of the above services for 2019/20 have been provided in the following appendices:
- Appendix 1 Enforcement Outputs for Public Protection
  - Appendix 2 Enforcement Outputs for Neighbourhood Management Enforcement
  - Appendix 3 Enforcement Outputs for Parking Enforcement

## **4. POLICY IMPLICATIONS**

### **Public Protection**

- 4.1 Enforcement activity is undertaken in accordance with the Enforcement Policy adopted by the Council in March 2020, which was updated to incorporate the principles within the Regulator's Code (2014) by the Department for Business, Innovation and Skills. This guidance code emphasises the role of regulators in actively assisting and communicating with businesses and individuals who are affected by the regulations, before resorting to more formal enforcement measures (prosecutions, cautions etc.). Notwithstanding the need for the update, the Officers within the Division already applied this approach.
- 4.2 The Enforcement Policy provides guidance to Councillors, Officers, businesses and individuals on the range of options that are available to achieve compliance with legislation enforced by the Public Protection Division
- 4.3 The Public Protection Division undertakes its regulatory function in accordance with risk assessment criteria, ensuring the service resources are focused upon those activities or practices that: present the greatest risk to public health, pose an increased threat to vulnerable groups, pose a risk to safety, or have a potential economic loss to the customer.
- 4.4 The primary objective is to achieve regulatory compliance, recognising that prevention through education and advice is preferable. However, there will be instances where it becomes necessary to take formal action against a business or individual. In these cases, the Enforcement Policy applies the Regulators' Compliance Code, to ensure our regulatory

enforcement functions are carried out in a way that are: proportionate, consistent, and transparent.

### **Neighbourhood Management Enforcement**

- 4.5 Neighbourhood Management enforcement activities are undertaken in accordance with the policies set out in the Environment and Community Services Portfolio Plan 2018/21 and any other associated plans and strategies as detailed in the ECS 'Policy Register: Strategies and Service Plans 2019-20'.

### **Parking**

- 4.6 Parking enforcement activities are undertaken in accordance with the Bromley Parking Strategy (Adopted: January 2012) which sets out parking policy and provides local solutions for parking problems including identifying priorities for enforcement and future investment.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The enforcement activity detailed in this report has been undertaken within the existing revenue budget of the ECS Department and any external funding secured.

## **6. LEGAL IMPLICATIONS**

- 6.1 Legal Requirement: Statutory Requirement. The Council carries out enforcement activity under statutory powers. There are no direct legal implications arising from this update report

## **7. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

- 7.1 Vulnerable adults and children are at increased risk from the adverse impacts of issues such as: unfit food, poor housing conditions and being targeted by rogue traders. The enforcement work of all teams within the Public Protection plays a vital part in safeguarding the health, safety and wellbeing of vulnerable groups. In addition, the work undertaken by Parking on Blue Badge enforcement seeks to ensure that vulnerable road users have the access they require to appropriate parking spaces and that the scheme is not abused.
- 7.2 The service activities within Planning enforcement and Neighbourhood Management Enforcement are used by all residents, including vulnerable adults and children. They are generally universal in nature - rather than being directed at particular community groups. Adjustments are made, as required, to ensure services are as accessible as possible and all users are safe. Where vulnerable adults or children may potentially be affected by a proposal or contract, the issues would be covered in that particular report, plan or contract rather than this strategic document.

<b>Non-Applicable Sections:</b>	Personnel Procurement
<b>Background Documents</b>	Public Protection Enforcement Policy 2020



**PUBLIC PROTECTION ENFORCEMENT ACTIVITY - STATUTORY NOTICES**

Table 1

	<b>Legislation</b>	<b>Description</b>	<b>Notices 1/4/16– 31/3/17</b>	<b>Notices 1/4/2017– 31/3/2018</b>	<b>Notices 1/4/2018– 31/3/2019</b>	<b>Notices 1/4/2019– 31/4/2020</b>
<b>Environmental Protection &amp; Nuisance</b>						
1	Environmental Protection Act 1990 S.80	Noise from amplified music (domestic premises) EP90QS	7	8	20	14
2	Environmental Protection Act 1990 S.80	Noise from amplified music (commercial premises) EP90RS	3	3	6	4
3	Environmental Protection Act 1990 S.80	Noise from intruder/vehicle alarms EP90LS/EP90VS	5	4	10	1
4	Environmental Protection Act 1990 S.80	Other noise EP90JS	11	10	14	4
5	Environmental Protection Act 1990 S.80	Bonfires EP90ES	4	1	0	4
6	Environmental Protection Act 1990 S.80	Other nuisance EP90KS	2	4	0	1
7	Environmental Protection Act 1990 S.80	Nuisance from premises EP90CS	1	1	9	3
8	Environmental Protection Act 1990 S.80	Nuisance from light EP90NS	0	1	3	0
9	Environmental Protection Act S.80	Nuisance from accumulations EP90HS	3	4	0	1
10	Environmental Protection Act 1990 S.80	Nuisance from dog barking EP90MS	0	2	1	0
11	Prevention of Damage by Pests Act 1949 S.04	Removal of rubbish and treatment for pests PDP49B	37	13	8	26
12	Public Health Act 1936 S.287	Notice of intention to enter premises PHA36F	0	2	0	0
13	Public Health Act 1936 S.83	Filthy and verminous	0	0	2	2

		premises PHA36L				
14	Public Health Act 1936 S.78	Cleansing alleyways PHA36K	0	0	23	0
15	Control of Pollution Act 1960 S.60	Pollution from construction sites (noise/dust, etc.) COPA60	23	16	64	58
16	Local Government (Misc. Provisions) Act 1976 S.16	Requisition for information LGM76A	16	8	27	9
17	Building Act 1984 S.59	Provision to repair drainage no limitation on cost	2	1	2	0
18	Local Government (Misc. Provisions) Act 1976 S.29	Securing empty premises LGM76C	2	1	1	1
<b>Housing Enforcement</b>						
19	Housing Act 2004 Part 1	Improvement Notice HA0411	0	4	6	4
20	Housing Act 2004 Part 1	Prohibition Order HA0420	1	0	3	1
21	Housing Act 2004 Part 1	s23 Suspension of Prohibition Notice HA0423	1	2	2	0
22	Housing Act 2004 Part 1	Hazard Awareness Notice HA0428	0	1	0	1
23	Housing Act 2004 Part 2	Decision to grant a (HMO) Licence HANDGL	16	27	58	58
24	Housing Act 2004 Part 2	Proposal to grant a (HMO) Licence HAPGL	16	29	67	53
25	Housing Act 2004 Part 2	Temporary Exemption Notice HATEN	1	5	0	3
26	Housing Act 2004 Part 2	Proposal to Revoke a (HMO) Licence HAPRL	1	0	0	0
27	Housing Act 2004 Part 2	Decision to Revoke a (HMO) Licence HADRL	1	1	0	0

28	Housing Act 2004 Part 2	Proposal to Refuse a (HMO) Licence Application HAPRGL	0	0	0	0
	Housing Act 2004 Part 2	Decision to Refuse a (HMO) Licence Application HADRGL	0	0	0	0
29	Housing Act 2004 Part 2	Decision to Vary a (HMO) Licence HANDVL	1	4	3	4
30	Housing Act 2004 Part 2	Proposal to Vary a (HMO) Licence HAPVL	1	4	3	4
31	Housing Act 2004 Part 2	number of New HMOs with inadequate fire precautions subject to an Improvement Notice/Fire Safety Improvement Schedule and served with one	N/A	N/A	12	6
<b>Health &amp; Safety</b>						
32	Health & Safety at Work etc. Act 1974	Prohibition Notices HSW74B	12	7	10	7
33	Health & Safety at Work etc. Act 1974	Improvement Notices HSW74A	15	3	16	30
<b>Food Safety</b>						
34	Food Safety – Food Hygiene Regulations	Food Hygiene Improvement Notices FSA90C FSHR6	55	38	43	20
35	Food Safety	Emergency Hygiene Prohibition Notices and Orders FSA90D FSA90E	0	0	0	0
36	Food Safety	Seizure and destruction of food FSA90A	1	0	0	0

		FSA90B FSAVOL FSHR8				
37	Food Safety	Voluntary Closure of Food Businesses	N/A	N/A	4	1
38	Food Safety	Voluntary Surrender of Unfit Food	N/A	N/A	2	0
39	Food Safety	Voluntary Prohibitions of Unsafe Food Processes	N/A	N/A	2	0

**Table 2 Anti-Social Behaviour**

40	Anti-Social Behaviour Act 2003	Acceptable Behaviour Commitments (ABCs) served	25	30	11	38
41	Anti-Social Behaviour Act 2003	Early intervention warning Notices ABCWAR?	1	6	1	23
42	Anti-Social Behaviour and Policing and Crime Act 2014	CBO Notices	NA	5	0	3
43	Anti-Social Behaviour and Policing and Crime Act 2014	Final warning under Community Protection Remedy	0	0	0	0
44	Community Trigger	Number of complaints received under Community Trigger legislation	0	0	6	5
45	Community Trigger	Number of Community Trigger complaints upheld	0	0	0	0
46	Anti-Social Behaviour Act 2003 & Crime and Disorder Act 1998	ASB & Arson Reduction – Community Impact Days	NA	12	12	12

**Table 3 REGULATION OF INVESTIGATORY POWERS ACT 2000**

		Ap
	<b>Team</b>	<b>Operational ob</b>
45	Trading Standards	Test purchasing
47	Street Scene and Green Spaces	Fly-tipping inves

**Table 4 PROSECUTIONS & WRITTEN WARNINGS**

Legislation	Description	Penalty
Fraud Act 2006	Fraud by misrepresentation with regards to building works & money laundering	January 2020 1 x Guilty 2 x Fraud offences – sentencing adjourned due to ill health 1 x not guilty Proceeds of Crime Act 1 x hung jury Proceeds of Crime Act
Trade Marks Act 1994	Offer for sale of counterfeit goods.	1 x written warning
Toy Safety Regulations	Offer for supply unsafe toy	1 x written warning
Consumer Contracts (Information, Cancellation & Additional Charges) Regulations 2013	Failure to disclose cancellations rights	
Tobacco Advertising and Promotion Act 2002	Illegal advertising of tobacco	1 x written warning
Consumer Protection from Unfair Trading Regulations 2008 Consumer Right Act 2015	Failure to disclose information required to be given prior to a transactional decision	1 x Written Warning
General Product Safety Regulations 2005	Sale or supply of unsafe goods	2 x written warnings
Explosives Regulations 2014	Unsafe storage of fireworks	3 x written warnings
Electrical Equipment Safety Regulations	Sale or supply of unsafe electrical equipment	1 x written warning
Cosmetic Products Regulations 2013	Sale or supply of unsafe cosmetic products	2 x written warnings
Consumer Rights (Payment Surcharges) Regulations 2012 (amended by the Payment Services Regulations 2017)	Charging for use of credit card	6 x Written warnings
Consumer Protection from Unfair Trading Regulations 2008 -	price gouging during lockdown	17 x Written Warnings
Consumer Protection from Unfair Trading Regulations 2008	Misleading information	7 x written warnings
Consumer contracts (Information cancellation & Additional charges) Regs 2013	Failing to give statutory information	11 x written warnings

**Table 5 LICENSING HEARINGS**

Premises	Date
Windrush Festival CP Park	3 <sup>rd</sup> September 19
Serenity Ink Special Treatment Licence	30 October 19
Soul Town Festival Croydon Road Rec	10 December 19
White Hart Orpington Variation	14 <sup>th</sup> January 20
Kent County Cricket Club Variation	11 <sup>th</sup> March 20

**Table 6 Permitted Processes**

Installation type	Number of permits 2017/18
Dry cleaners	48
Crematorium	1
Cement batching plant	1
Vehicle refinisher	1
Mobile crusher	5
Vapour recovery (petrol stations)	32
<b>Total</b>	<b>88</b>

**Commentary on Enforcement Outputs 2019/20**

1. The enforcement remit of Public Protection remains diverse; it includes (amongst other things): protecting people from excessive noise or nuisance, advising businesses on food safety, reacting to outbreaks of food poisoning, acting as an environmental custodian, protecting vulnerable groups from doorstep crime, issuing licences for the selling of alcohol, and improving housing standards through inspecting houses in multiple occupation.
2. The Teams that sit within Public Protection that have an enforcement function are:
  - Environmental Protection & Nuisance
  - Private Rented Sector Housing Enforcement
  - Health & Safety
  - Food Safety
  - Anti-social Behaviour
  - Trading Standards &
  - Licencing
3. The work of the above teams is set within a regulatory framework, and is statutory, with requirements imposed through various pieces of legislation, and with standards being set by

national regulators such as the Food Standards Agency, Department of Food and Rural Affairs (DEFRA), the Health & Safety Executive and the Health Protection Agency.

4. Table 1 rows 1- 10 highlight statutory nuisance Notices served by the Environmental Protection and Nuisance Team. This Team provides a statutory service as the Environmental Protection Act 1990 places a duty of Local Authorities to investigate complaints of a statutory nuisance and serve abatement Notices when an Officer is satisfied a nuisance exists (or is likely to recur etc.). The nuisances that can be dealt with are listed within the Act, and include noise, light, smoke and smell from commercial premises. Overall, the number of Notices served for statutory nuisances decreased by 49% (63 to 32) on the previous year. Having said that, the numbers for the previous year were high as a result of multiple car alarm nuisances, and the introduction of the Noise App. The Noise App is a phone-based App, used by customers to report noise nuisance directly to the Council. It is designed to be a triage tool to make it easier for the Officer to manage reports of noise nuisance and to monitor noise remotely. It captures audio, GPS data, timestamps, and source information about each report, allowing Officers to focus cases that need enforcement actions. The App also assists with case management, and allows Officers to prioritise, set report statuses such as 'under investigation', 'notice served' and 'closed'. As expected, when the App was first launched the number of Notices increased as Officers could assess the severity of a case from the recording submitted. However, as the use of the App became more widely known, Officers have been told anecdotally that its use has acted as a deterrent. Perpetrators of noise are now aware that witnessing their activities is no longer dependant on an Officer being present within a premises, and that their behaviour can be recorded, submitted and assessed remotely.
5. The Council has specific duties under the Prevention of Damage by Pests Act 1949 to take steps to ensure that the Borough is reasonably free from rats and mice. Again, in order for a Notice to be served, the Officer must witness physical evidence demonstrating an infestation to support this action. The figures in Table 1 row 11 continue to show an increase in the service of Notices with a 225% increase noted for this issue under the Act (from 8 last year to 26). This increase can be explained in part by an increase in problems associated with commercial premises resultant of a lack of sufficient waste storage facilities, and partnership work is underway with Neighbourhood Management to address the issue.
6. No Notices were served under the Public Health Act 1936 S.78 for issues pertaining to accumulations in alleyways, compared to 23 being served for the previous year (Table 1 Row 14). As explained in last year's report, ordinarily this type of enforcement falls to the Neighbourhood Management Team, however, as a result of resourcing issues Public Protection assisted that team, and the higher figures for last year were as a result of that additional support. As the resourcing issues have now been resolved, this enforcement element has been passed back to Neighbourhood Management.
7. Noise from construction sites is enforced under the Control of Pollution Act 1974. This type of Notice does not require a nuisance to be witnessed and may be served proactively to ensure that work times and methods are formalised. The 2017-18 enforcement report contained a commitment to proactively serve Notices on all construction sites (where appropriate) to ensure that developers were aware of the approved hours of working, and that best practicable means must be employed. Table 1 row 15 shows the ongoing result of this commitment with only a small decrease of Notices being served on the previous year (down 9% from 64 to 58). This proactive enforcement stance was taken to protect residents from unreasonable noise and dust, and further resulted in a -25% decrease in associated service requests in this area.
8. The Housing Act 2004 currently requires local housing authorities to license houses in multiple occupation (HMOs) if they accommodate more than five tenants; this is called mandatory licensing, and is already in place. This scheme used to only apply to those HMOs that were occupied by five or more unrelated persons, and that were three stories high. In October 2018 the government removed the 'three or more storeys' criteria throughout England. In doing so

they extended the mandatory scheme to include most houses and flats occupied by five or more people in two or more households who share a kitchen, bathroom and/or toilet facilities, regardless of the number of storeys. The impact from this extension to the licensing scheme was of particular note last year, where the figures compared to the previous year highlighted a significant increase. However, now the scheme is established the levels of licences applied for and proposed have remained static, with the numbers for granted licences remaining the same (58), and those for proposed grant falling by 20% (67 to 53). Work will be undertaken to identify all HMOs that now require licensing under the new regime, and it is anticipated that reports moving forwards will show an upward trend in these areas.

9. Post Grenfell, it is important that LB Bromley can demonstrate that fire safety improvement schedules have been created and sent to the managing agent/owner, and, that an Improvement Notice is served simultaneously, as such a new KPI was suggested for new HMOs that ensured that all those identified as not having adequate fire precautions, be served with an improvement Notice and a Fire Safety Improvement Schedule. This KPI was agreed by the PP&E PDS on 27<sup>th</sup> September 2018 (report ES18069) and introduced in October 2018. The outturn is provided in Table 1 row 31, and it can be seen that 6 such HMOs were identified and of these all were served with an Improvement Notice or Fire Safety Improvement Schedule, so meeting the 100% KPI.
10. The aim of the Health & Safety Team is to support businesses in compliance to ensure the health, safety and welfare of their workplace and employees are protected. Table 1 row 32 shows a 30% (10 to 7) decrease on the number of prohibition Notices served, however, row 33 shows an 87.5% increase (16 to 30) in the number of improvement Notices served. The increase generally reflects a change in ownership of a given business with new proprietors requiring formal action to secure compliance.
11. 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 (FSA) against the Food Law Code of Practice.
12. The Food Safety Act 1990 is wide-ranging legislation on food safety and consumer protection in relation to food, and Table 1 row 34 shows a 53% (43 to 20) decrease in the number of Notices served compared to the previous year. Following the FSA audit and the subsequent action plan being delivered in 2019, the backlog of unrated and overdue food premises was addressed. This decline in enforcement is as a direct result of the focus on reducing the backlog, and of the increased compliance in this sector as a result. In addition, Table 1 rows 37-39 and Table 4 show additional enforcement work that did not feature historically. This is a result of the new inspection regime that resulted in premises overdue for an inspection being inspected. The enforcement work included :businesses who were encouraged to close voluntarily as they presented an imminent risk to public health due to their poor food safety standards, businesses who surrendered unfit foods and businesses who had to stop unsafe practices which posed an imminent risk to public health. Despite additional resources being provided, staffing levels within the Team remain an issue due to the national shortage of food safety Officers. The team currently carries a vacancy for 1 full time permanent food safety Officer and this post has been advertised.
13. The Antisocial Behaviour Team enforces the Anti-social Behaviour Act 2003 and the Anti-Social Behaviour and Crime and Policing Act 2014. Table 2 rows 40 shows a 245% (11 to 38) increase in the number of Acceptable Behaviour Contracts (ABC) and an 2200% (1 to 23) increase in the number of early intervention warnings served on the previous year. The exponential increase cannot be viewed in isolation, as in 2018-19 there was a drop in referrals to the Team. This decline followed the removal of the dedicated police Officers at Bromley Police Station who worked directly with the ASB Unit. In response ASB Officers trained ward Officers and PCSOs across the borough to make referrals, however, this initiative did not yield the expected results. Fortunately, an ASB Police Officer was reinstated and posted to Bromley, additionally, ASB and



Nuisance Team Officers have combined roles, and have developed new and improved ways of working with the police. As a result of these measures the enforcement in this area has increased.

14. Community Impact days (Table 1 row 46) aim to reduce or stop crime and the negative impact it has on the community in areas where the highest levels of ASB and arson are recorded such as Cray Valley, Mottingham and Penge. The operation is funded from the Mayor's Office for Policing and Crime (MOPAC), with the Council and other Safer Bromley Partners such as the Metropolitan Police, the London Fire Brigade and Clarion Housing working with other organisations, including voluntary groups all working together in a carefully co-ordinated approach, and the main tasking is to reduce recorded ASB and Arson within the targeted areas. According to London Fire Brigade and the Police, incidents of arson within the 4 areas has decreased by 4% overall (95-91), but with a 100% decrease (20-10) for Penge and Cator.
15. Table 4 highlights the prosecutions and written warnings given by Trading Standards, and Table 5 presents the outcomes from Licensing Hearings. Of particular note, in Table 4 is a prosecution for 'fraud by misrepresentation' with regards to building works & money laundering. This case related to a builder who had cold called two residents in Bromley, both of whom were elderly, and grossly overcharged for repairs to their roofs. Trading standards were tipped off by a local bank who were concerned about an elderly female customer withdrawing large sums of cash for roof repairs. The investigation into this incident identified a further victim who had also been cold called and over charged by the builder. One victim paid £30,000 for repairs later valued by a surveyor to be worth £600, and the other victim (discovered during the financial investigation) was charged £18,000 for repairs. Both victims were video interviewed by trading standards investigators such was their vulnerability. The defendant pleaded guilty to two counts of fraud and is yet to be sentenced due to the COVID situation and his poor health. Further charges of money laundering were brought against two men who had received the cheque payments from the victims. Following a week-long trial, one was acquitted and the other the jury failed to reach a decision.

### **Covid Enforcement**

16. Whilst this appendix is primarily to report on the enforcement activities of the fiscal year 2019-20, COVID enforcement activity has also been requested.

The services within Public Protection have played a vital role throughout the COVID-19 pandemic, from business closure enforcement during the first stage of lockdown, supporting contact tracing efforts, assisting the shielding team, and with helping to safeguard local businesses from scams and fraud.

Following the gradual reopening of businesses over the course of the summer, Public Protection services have also been at the forefront of inspecting establishments to ensure that they are COVID-secure and complying with government guidelines.

When comes to enforcement, in general terms the Police have the powers for breaches concerning people, and local authorities have the power for breaches concerning businesses. Not surprisingly when it comes to enforcement, Public Protection work closely with our Met Police colleagues in the South BCU, and with that in mind, back in April 2020, Bromley together with the South BCU leadership led on developing the Community Safety Joint Enforcement Approach, which incorporated the stepped 4 E's . These being:

- Engage – Be visible in public spaces and talk to people
- Explain – Discuss behaviour and reasons why the legislation is in place
- Encourage – Request and negotiate a change in behaviour to ensure compliance with the law

- Enforce – If these measures fail then Officers would consider enforcement measures

This is now being recommended as a pan-London approach.

Following the concept of social distancing being introduced in March 20, all services and business continuity plans within Public Protection were reviewed and delivery plans were agreed whereby all services would remain operational, albeit on an amended basis.

Since 21st March 2020 there have been in excess of 81 amendments and additions to the original set of regulations introduced by the Government during the nations journey to recovering from the pandemic. Specifically, and briefly when it comes to enforcement issues, the main areas of concern noted have been in relation to close contact services such as hairdressing and beauty, as well as in the hospitality and leisure sector. The issues there being lack of appropriate PPE, failure to adhere to contact tracing requirements and social distancing.

In response to the various regulations, Public Protection undertake weekly proactive inspections to determine compliance, and intelligence led reactive inspections in response to data from Public Health, Police and the public.

All non-compliant premises are warned, and revisits are programmed in to ascertain whether stepped enforcement is required to achieve compliance.

Covid 19 compliance is now a core element of our business offer; as previously mentioned, we take an intelligence led approach to inspecting areas, we work with Public Health and analyse complaints data from the public and the police to ascertain whether there are clusters or outbreak hotspots, or business areas of concern. We also undertake proactive inspections of the main shopping thoroughfares to provide business and community reassurance.

In anticipation of the expected additional corona virus restriction regulations that were announced on the 14th October 2020, Public Protection now reports enforcement actions and outcomes to COE Covid every Friday morning. Table 7 below provides details of the activities taken between 27th March 2020 to 31st August 2020, and Table 8 provides details of the activities between 1st September to 30th October 2020.

Finally, in addition to the enforcement undertakings I have already outlined, Public Protection also:

- Attend weekly meetings with the South BCU leadership team to discuss enforcement and community safety issues,
- Work in partnership with the Met on COVID 19 weekend compliance patrols, and also support the Met licensing team to undertake compliance visits for licenced premises,
- Worked to develop the MPS UME protocol which was also in response to COVID tensions in parks,
- Work closely with Public Health COVID scenario planning,
- Work with the BIDs and produced communications materials to assist businesses operate within guidelines; and
- Interpret changing government advice and legislation in order to manage applications for events over the coming weeks and months

During LOCKDOWN and the re-opening of businesses phase Public Protection submitted weekly returns to the Government which measured outputs such as the number of contacts with businesses, the number of enquiries from businesses and residents. The tables below set out our total returns and outputs to 30<sup>th</sup> October 2020.

Table 7 Activity 27<sup>th</sup> March 2020 to 31<sup>st</sup> August 2020

interaction required with business to check compliance/respond to non-compliance closure requirements	Businesses checked by drive by surveys to monitor closures	No. of warnings (verbal & written)	No. of CPNWs & CPNS
1,436	20,237	50	57
Enquiry from business	Enquiry from resident	Enquiry from police/other	Total number of service requests
62	167	40	509

Table 8 – Table of activity 1<sup>st</sup> September to 30<sup>th</sup> October 2020

COVID related Visit to a business premises	Other COVID related interaction with (phone calls, admin)
507	797

The weeks and months ahead will be challenging, and many lessons have been learned during the early stages of this pandemic, and Public Protection will continue to assist with Bromley's endeavours to protect public health.

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**NEIGHBOURHOOD MANAGEMENT (ENVIRONMENTAL) ENFORCEMENT ACTIVITY 2019 / 20**

1. The Council aims to reduce fly-tipping and improve the street scene through prevention measures, communication and enforcement activity, in line with Building a Better Bromley's '*A Quality Environment*' & '*Safe Bromley*', outcomes, as well as achieving the aims set out within the Environment Portfolio Plan 2019 / 20 and Public Protection and Enforcement Portfolio Plan.

2. Outcome 4 of the Public Protection and Enforcement Plan is: '**We will protect and improve the environment**' and the supporting aim (with respect to street scene enforcement) is as follows:

- **Aim 4.6: Keep the borough's streets clean and green and reduce litter, dog fouling and fly-tipping through a programme of contracted works, education and enforcement activity.**

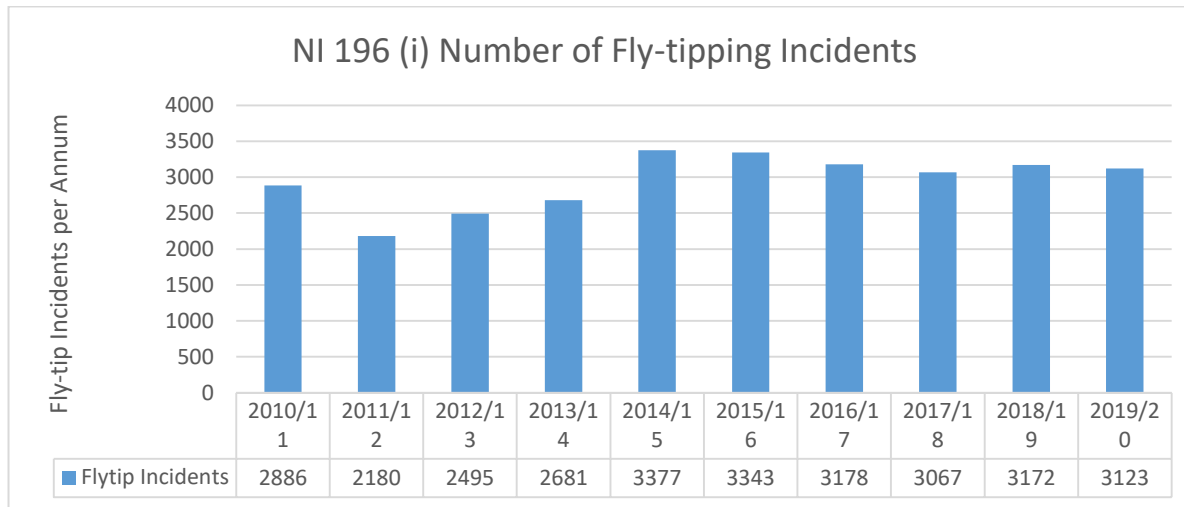
3. There is 1 FTE fly tipping Enforcement officer's post who is responsible for investigating the reported fly tipping incidents where evidence has been collected by the contractor .

**Fly Tipping**

4. Despite action taken by the Council over a period of years to tackle enviro-crime and fly-tipping, it continues to blight the street scene. Fly-tipping has a huge impact on residents, and there are high costs associated with Council clean-up operations, in addition to the associated health, safety and environmental risks.

5. There were 3,123 fly-tipping incidents in 2019 / 20, a decrease of 49 incidents on the previous year (see Table 1 below). Household waste accounted for 63% of fly-tipping incidents in Bromley in 2019 / 20. All incidents of fly tipping are checked by the contractor for any possible evidence that may lead to enforcement action.

Table 1



### Number of fly-tipping incidents 2019/20

6. The Council’s aim is to investigate and take appropriate enforcement action in respect of 10% of fly-tipping incidents. Enforcement action cannot be taken for each incident, due to lack of evidence. There are regular operations with the Metropolitan Police to target vehicles involved in fly-tipping, including seizing vehicles, and the use of enforcement powers and surveillance for evidence gathering as appropriate.

7. Community Impact Days are planned and held monthly in the Borough. Client Street Enforcement officers work alongside other agencies such as the Public Protection team, the Metropolitan Police Service and the DVLA to target areas of the Borough where there are crime hotspots (including fly-tipping). Clean-up events are encouraged which involve volunteers from the local community. This multi-agency approach is beneficial in terms of tackling many issues in an effective and resource efficient way. The events are funded by the London Mayor’s Office for Policing and Crime (MOPAC).

### Fly Tipping Communication

8. Fly-tipping hotspots are monitored by the Fly tipping action group and Street Enforcement officers, managed by the Neighbourhood Management Street Enforcement Manager. To raise awareness, large billboard sized posters on portable structures are used to highlight the issue of fly tipping, residents’ responsibilities and the penalties for offending. These posters are temporary and can be moved around the Borough as required. Neighbourhood Officers distribute postcards to houses undergoing renovation works (e.g. Property development, front-driveways and tree-works etc.) to ensure householders have asked privately employed contractors for evidence they have a “waste carriers” licence. Postcards are also handed out on stop and search operations facilitated by the Police and at Community Impact Days. Articles on fly-tipping have appeared in ‘Safer Bromley’ and the ‘Environment Matters’ newsletters which are sent to all residents bi-annually.

9. Neighbourhood Officers engage with ‘friend’s groups’ within their allocated wards on the issue of fly-tipping and responds directly to any concerns they may have. Residents groups can be supplied with purple sacks for local clean up events which are provided by our Service Provider, Veolia. Sacks are left in the area and a collection requested from the street cleaning teams. The use of the purple sacks makes the waste identifiable to Veolia as being separate from fly-tipped black bags.

## Fly Tipping Reporting

10. Fly-tipping is reported to the Council via Fix My Street (FMS) which is used by the public, contractors and monitored by officers. Rectification times are recorded on the system and the status of any outstanding incidents monitored by Performance Management & Business Support Team. Performance reports are generated three times per week for monitoring purposes.

11. Table 2 below shows the number of reports of fly tipping alongside the number of actual fly-tipping incidents (where the same incidents have been reported by multiple residents) and the subsequent number of incidents investigated.

Table 2

Month	2016/17		2017/18		2018 / 2019			2019 / 2020		
	Reports	Incidents	Reports	Incidents	Reports	Incidents	Incidents investigated	Reports	Incidents	Incidents investigated
April	455	286	479	261	462	290	15	349	231	31
May	445	258	362	236	465	308	21	425	258	8
June	510	323	424	240	468	292	23	410	276	24
July	483	320	487	264	456	247	22	475	274	11
August	600	344	468	286	466	274	12	423	264	4
September	530	265	412	251	381	240	25	412	259	33
October	410	230	412	230	337	251	29	410	254	29
November	380	183	351	234	370	277	26	420	292	31
December	390	250	366	240	411	291	31	430	287	21
January	399	259	494	346	395	277	20	452	312	20
February	353	214	354	261	292	197	15	325	212	16
March	407	246	416	218	356	228	28	355	204	14
<b>Total</b>	<b>5362</b>	<b>3178</b>	<b>5025</b>	<b>3067</b>	<b>4859</b>	<b>3172</b>	<b>267</b>	<b>4886</b>	<b>3123</b>	<b>242</b>

12. Compared to 2018/19, the numbers in 2019 /20 decreased slightly by 49 incidents which is a decrease of 1.5 %, and the investigation action taken in response to this activity also fell by 25 incidents.

During the period of 2019 – 2020 the following enforcement action was taken, 8 Written warnings, 5 x £400 FPN's issued, 2 Court prosecutions ,18 x £80 FPN's issued for littering.

From the number of incidents reported the Environmental Enforcement Officer aims to investigate 10% of the incidents reported and take the appropriate enforcement action. The reason for this drop in investigations is twofold in that the despite all fly tips are checked by the contractor responsible for removing the waste for credible evidence of the offender /origin of the waste the fly tippers are very much aware that if they remove evidence such as names , addresses , delivery labels it will be very unlikely that the Council will be able to pursue an investigation.

### A Targeted Response to Fly-tipping incidents.

13. Fly -tipping evidence gathered by the Street Enforcement officers in conjunction the Council's Geographical Information Systems generates heat maps of local fly-tipping hotspots that enables a targeted approach for education and enforcement activities and campaigns. Such examples include the "We're Watching you "fly-tipping campaign which involved advertising in the local press, Bus Shelters, Council website, distribution of postcards and other media material.



**PARKING ENFORCEMENT ACTIVITY - STATUTORY NOTICES**

The Council aims to deliver its parking enforcement activities in order to support Building a Better Bromley's 'A Quality Environment' & 'Safe Bromley',

Parking Services continues to enforce the Blue Badge misuse project, (introduced across the two boroughs in 2017/18 as part of the shared service), in partnership with APCOA. In 2019/20 there were 1448 checks of disabled badges around the Borough. Out of these checks, 128 were confiscated as the badge had expired or the CEO (Civil Enforcement Officer) had reason to believe that the badge was being misused.

There were 66 cases of Blue Badge misused being taken to court for prosecution, all of these either pleaded guilty or were found guilty in their absence at court.

The main role of a CEO is to keep the traffic flowing and when the local restrictions are not being adhered to, a PCN will be issued. The table below highlights the enforcement activity in terms of PCNs served over the last 4 years.

Legislation	Description	16-17	17-18	18-19	19-20
<b><u>Traffic management Act 2004</u></b>	<b>PCN issued, including bus lanes.</b>	<b>89,185</b>	<b>80,495</b>	<b>73,348</b>	<b>78,435</b>

The number of PCNs year on year can fluctuate depending on policy and introduction of new technologies and on street activity. In 17/18 a new contract was awarded to APCOA which resulted in a reduction in the number of PCNs being issued. Management action and application of KPI penalties in the contract have mitigated the loss to the council. The service is continuing to work with APCOA to ensure improvements in deployment practices and performance is delivered, last year there was an increase in APCOAs performance.

There are 10 KPIs within the contract around the enforcement activity, this includes monitoring the CEOs hours on street, PCNs issued, Enforcement Request visits and checks they are using their Body Warn Video currently.

KPI	Description	Number of Defaults served in 2019/20
Enf 1	Processing of all Regulation 9 CEO issued PCNs and Warning Notices. To be processed and uploaded onto the ICT system with associated photographs, BWV within 24 hours of issue.	2

Enf 2	<p>CCTV notice Processing (PCN and Warning Notices included).</p> <p>100% of CCTV footage must be reviewed and PCN's entered and processed onto the notice processing system within three working days of the contravention being recorded, including uploading of evidence onto the public facing module of the IT system. This will be measured using the daily log sheet recorded by the CCTV Operatives.</p>	10
Enf 3	<p>Civil Enforcement Error. For the purposes of assessing performance, CEOs error which have been cancelled as part of a client processing procedures. Voids &amp; Spoilt are not included in this KPI</p> <ul style="list-style-type: none"> <li>• Insufficient or poor quality evidence, notes, photographs etc</li> <li>• Incorrect information on PCN e.g. Incorrect contravention code, incorrect street etc,</li> <li>• PCNs issued in error i.e. driver complied with rules and regulations</li> <li>• Failure to follow Enforcement Guidelines e.g. observation times,</li> <li>• Other errors originating with the CEO that results in a cancelled PCN, which should have been rectified by Service providers not including Performance Related Reductions</li> </ul>	986
Enf 4	<p>Minimum Deployment level on a given day Measured against the method statement provided or agreement throughout the contract.</p>	0
Enf 5	<p>Deployed Hours (CEOs on Street only) - (not linked to actual CEOs) Measured against the method statement provided or agreement throughout the contract.</p> <p>Permitted variation to planned hours, hours Met/Not Met. (up to - 5% and +10% each month. Up to end of March per annum 100% must be achieved).</p>	0
Enf 6	<p>Number of CEOs deployed per day</p> <p>Measured against the method statement provided or agreement throughout the contract.</p>	0

Enf 7	Compliance rate The compliance rate will be monitored by client Officers observing vehicles in the defined areas to assess if adequate enforcement coverage is being achieved. Failure to address non-compliance of parking regulations will result in a failure to meet this KPI.	0
Enf 8	Urgent enforcement requests. Service providers must attend requests within times set in the table set out in 4.7.10.	15
Enf 9	BWV quantity. 95% of PCNs must have body worn video unless the Service provider has highlighted a problem in advance. i.e. 100 PCNs issued and 10 of those do not have any BWV Video. This would result in 5 individual failures.	53
Enf 10	Quality BWV Video. This KPI will be measured by random sampling up to 100 body worn video checks in any monthly period, and the percentage of checks where the standard of body worn video has fallen below the satisfactory level cannot be lower than 95% at any time throughout the contract term. The Authorised Officer will have the final decision on what constitutes a pass or fail.	94

The KPIs are discussed monthly with the Managing Director of APCOA as well as the contract meetings and APCOA have paid a default charge as detailed in the specification for each one of the 1060 events in 19/20. KPIs were held in March 2020 due to the Covid-19 pandemic and it was agreed with Senior Management and APCOA that the average default amount from the past year would be issued.

Parking Services continue to work with APCOA to improve their performance around the Borough and this has resulted in an increase in the level of PCNs from the last couple of years. Transportation around the Borough remains a concern, APCOA have confirmed that the most productive CEOs are those on mopeds, however they have difficulty in recruiting staff with a relevant licence or those who are willing to take that licence.

Parking Services and APCOA are working together to investigate further opportunities which may help to improve enforcement, such as increasing the number of CEOs on street and virtual briefings.

#### Appeals Service

Bromley aims to provide accessible, affordable, fair and effective parking services and this involves enforcement activity. If Penalty Charge Notices (PCNs) are fairly issued, then the number of appeals should be low and the data in figure 1 below shows the number of appeals to have been heard by Environment & Traffic

Adjudicators (the independent appeals body) has fallen steadily from 274 in 2016/17 to only 113 in 2019/20 (a significant reduction).

Clearly Bromley wishes to win any appeals which do go to the Environment & Traffic Adjudicators. The data in figure 2 shows that LB Bromley won 83% of appeals which were heard by the adjudicator, which is in line with is slightly less than previous years, however officers have seen an increase in evidence being provided at this late stage and therefore officers have had to cancel more cases at this late stage of the appeals process.

Legislation	Description	16-17	17-18	18-19	19-20
<b><u>Traffic management Act 2004</u></b>	<b>Appeals heard by the Environment and Traffic Adjudicators (ETA) against PCNs issued by LBB (ES8)</b>	<b>274</b>	<b>300</b>	<b>192</b>	<b>113</b>
<b><u>Traffic management Act 2004</u></b>	<b>ETA cases won by LBB (ES9) (% of cases heard)</b>	<b>81</b>	<b>80</b>	<b>90</b>	<b>73</b>

Report No.  
CSD20116

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** Public Protection and Enforcement Policy Development and Scrutiny Committee

**Date:** Tuesday 8<sup>th</sup> December 2020

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

**Title:** **COVER REPORT FOR REVIEW OF PUBLIC SPACE PROTECTION ORDERS CONCERNING ALCOLHOL CONTROL ZONES 2020**

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

**Chief Officer:** Director of Corporate Services

**Ward:** (All Wards);

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1. Reason for report

On 30<sup>th</sup> September 2020, a report concerning the Review of Public Space Protection Orders concerning alcohol control zones for 2020 was brought before the General Purposes and Licensing Committee. The report was submitted to GP&L to consider if the current provisions were still required, and if so, did they need amending in any way? The current provisions could be extended if necessary. The Committee accepted the recommendations of the report, and it was agreed that the report should be presented to the PP&E PDS Committee on 8th December for the Committee's information and noting.

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2. **RECOMMENDATION:**

2.1 **That the Committee notes the report.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The services delivered by the Environment and Community Services Portfolio are used by all residents, including vulnerable adults and children. Protection is not their primary purpose but adjustments are made, as required, to ensure services are as accessible as possible and all users are safe.
- 

### Corporate Policy

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

### Financial

1. Cost of proposal: Not Applicable:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £359,420
  5. Source of funding: 2020/21 revenue budget
- 

### Personnel

1. Number of staff (current and additional): 7 (6.67fte)
  2. If from existing staff resources, number of staff hours: Not Applicable
- 

### Legal

1. Legal Requirement: N/A
  2. Call-in: Not Applicable: This report does not involve an executive decision.
- 

### Procurement

1. Summary of Procurement Implications: Not applicable
- 

### Customer Impact

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

### Ward Councillor Views

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

### 3. COMMENTARY

The documents to follow on the agenda are comprised thus:

- I. Report ES20033 which is the substantive report written by Anthony Baldock—Head of Service for Community Safety
- II. Suggested questions for the consultation exercise
- III. Outline of Bromley’s intended provisions under the order
- IV. Map of current exclusion zones
- V. Letter of support from the police.

<b>Non-Applicable Sections:</b>	Financial, Personnel, Legal, Procurement
Background Documents: (Access via Contact Officer)	The documents following this report on the agenda as outlined in the commentary.  <u><a href="#">Building a Better Bromley (2016-18)</a></u>

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**Decision Maker:** GENERAL PURPOSES AND LICENSING COMMITTEE

**Date:** 30/09/2020

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

**Title:** REVIEW OF PUBLIC SPACE PROTECTION ORDERS  
CONCERNING ALCOHOL CONTROL ZONES 2020

**Contact Officer:** Tony Baldock, Head of Service - Community Safety  
Tel: 020 8313 4241 E-mail tony.baldock@bromley.gov.uk

**Chief Officer:** Colin Brand, Director of Environment & Public Protection

**Ward:** All

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1. Reason for report

To fulfil the Council's obligations to review the existing Public Space Protection Orders (PSPO) regarding drinking in a public place, to see if they are still necessary or effective. A PSPO can last for up to three years, after which it must be reviewed. If the review supports an extension and other requirements are satisfied, it may be extended for up to a further three years. There is no limit on the number of times an Order may be reviewed and renewed.

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2. **RECOMMENDATIONS**

The General Purposes and Licensing Committee is requested to:

- 2.1 Agree that the proposed statutory consultation exercise (Appendix A) be approved to go out for public consultation in line with the Government's Guide to Good Practice, to review the current PSPO controls in concerning the consumption of alcohol in a public place in the Borough.
- 2.2 Agree that if no significant objection emerges as part of the consultation and no issues arise as a consequence of legal compliance checks, the Director of Environment and Public Protection be given delegated authority to create the Public Space Protection Order, in consultation with the Committee, as soon as possible following the end of the statutory consultation. If significant objection does occur then the matter will be referred back to this Committee on the 26<sup>th</sup> January 2021 for a final decision on how to proceed. The Exact wording of the PSPO proposals can be seen at (Appendix B).

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### Impact on Vulnerable Adults and Children

1. Preventing anti-social behaviour arising from people consuming alcohol in a public places is desirable for all residents including vulnerable adults and children. Consideration of any additional impacts on groups of residents is considered when exercising the use of Public Space Protection Orders. The proposals contained within this report will make parks and open spaces safer for those who are vulnerable living in the borough.
- 

### Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Quality Environment Safer Bromley
- 

### Financial

1. Cost of proposal: The cost of any new signage required if the PSPO is amended or extended Borough-wide
  2. Ongoing costs: None
  3. Budget head/performance centre: Public Protection
  4. Total current budget for this head: £2.300m
  5. Source of funding: Existing controllable revenue budget for 2020/21
- 

### Personnel

1. Number of staff (current and additional): Not applicable
  2. If from existing staff resources, number of staff hours: Not applicable
- 

### Legal

1. Legal Requirement: Non-Statutory - Government Guidance Anti-Social Behaviour, Crime and Policing Act 2014 (Prescribed Offences and Penalties etc.) Regulations 2006
  2. Call-in: Applicable
- 

### Procurement

1. Summary of Procurement Implications: Not Applicable
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Borough wide impact on residents, children, families and tourists visiting Bromley run parks and public spaces.
-

## Ward Councillor Views

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

### **3. COMMENTARY**

#### **Background**

- 3.1 The Anti-Social Behaviour, Crime and Policing Act 2014 provides local authorities with powers to create a Public Spaces Protection Order (PSPO) where they are satisfied that activities carried out in a public place have had a detrimental effect on the quality of life of those in the locality.
- 3.2 The Council currently has 3 alcohol exclusion zones (AEZ's). These AEZ's were originally introduced through a Designated Public Place Orders and have subsequently become PSPO's as a result of the Anti-Social Behaviour, Crime and Policing Act 2014 through transitional arrangements within the Act as of 20<sup>th</sup> October 2017.
- 3.3 Although the vast majority of people drink and behave responsibly there was historically a problem of alcohol related crime and disorder in some areas of Bromley. The Police therefore approached the Council at that time for support in dealing with this problem and the AEZ's were put in place to allow this behaviour to be controlled

#### **Review of Existing Arrangements**

- 3.4 The existing areas subject to AEZ's are as follows:
  - Beckenham Town Centre
  - Bromley Town Centre
  - Penge Town Centre
- 3.5 Orpington was also formerly covered by an AEZ but this was not reviewed or renewed. Some amendment has also made to the areas covered by the remaining AEZ's, such the removal of Queensmead. Maps of the extant AEZ's are included at Appendix C.
- 3.6 Alcohol Exclusion Zones are now more commonly referred to as controlled drinking zones (CDZ's). This is because the drinking of alcohol in a controlled zone is not usually prohibited. The reason for the introduction of such controls is only designed to deal anti-social behaviour from members of the public consuming alcohol which has a detrimental effect on others enjoying a public place.
- 3.7 The land subject to PSPO can apply to any land which is open to the air and to which the public have access A number of London Councils have introduced PSPO's to control behaviour in relation to the consumption of alcohol in a public places. Most of these PSPO's have resulted from conversions from Designated Public Place Orders. A number of Boroughs in Central London and District and Boroughs outside of the capital have designated their entire areas CDZ's. This approach does have the benefit of allowing controls around anti-social behaviour to be applied in a consistent and effect manner in all public spaces and is recommended for LBB also.
- 3.8 Serious problems were recently encountered with regards to Queensmead during the

lockdown period and the absence of this area being included in the current AEZ resulted in the need for a sec.35 Dispersal Order to be put in place.

3.9 As the number of Boroughs and District Councils who choose to designate entire areas increases problems of displacement of alcohol related anti-social behaviour may be displaced. Most London Boroughs directly bordering Bromley to the North now have such controls in place.

3.10 Preliminary discussions ahead of any formal consultation exercise have indicated that anti-social behaviour related to the consumption of alcohol is still an issue on Council run parks and open spaces. The following data has been provided by Ward Security the Council's contractor concerning alcohol related ASB within Council owned parks.

#### **April 2020**

- ASB -9
- Alcohol Abuse-1

ASB was at: Havelock Rec, Crystal Palace Park, Civic Centre, Queens Gardens, Church House Gardens, and Alcohol Abuse was at Queens Gardens

#### **3.11 May 2020**

- ASB -13
- Alcohol Abuse-2
- Drug Abuse-1

ASB was at: Crystal Palace Park, Norman Park, Church House Gardens, Priory Gardens, Kelsey Park. Alcohol Abuse was at Priory Gardens and Drug Abuse was at Church House Gardens.

#### **3.12 June 2020**

- ASB -11
- Alcohol Abuse-4

ASB was at: Crystal Palace Park, Poverest Park, Church House Gardens, Biggin Hill Rec, Hayes Common, Kings Road, Priory Gardens. Alcohol Abuse was at Hayes Common, Norman Park, Queensmead Rec, Church House Gardens.

3.13 The Metropolitan Police have also reported the following incidents in general relating to alcohol and ASB for the entire borough. (The codes relate to incidents concerning the use of alcohol).

Count of alcohol related CADs with opening code 209 for the borough of Bromley for the period of 01/07/2019 to 30/06/2020

Year	Total
July to Dec 2019	4
Jan to Jun 2020	10
<b>Grand Total</b>	<b>14</b>

Year	Month	Total
2019	Jul	72
	Aug	63
	Sep	80
	Oct	60
	Nov	57
	Dec	76
2020	Jan	64
	Feb	38
	Mar	51
	Apr	49
	May	69
	Jun	68
<b>Grand Total</b>		<b>747</b>

## PSPO Proposal

- 3.14 The spread of alcohol-related ASB reports over the period would suggest there is a need to retain the existing powers held by Police under the current AEZ; with this in mind a continuation of existing powers on a borough-wide basis authorising Police to require a person to stop drinking and surrender alcohol where ASB is occurring or is likely to occur will be sought.
- 3.15 As a part of the consultation it is considered sensible to expand the process beyond just keeping the current controls in place to cover other psycho active substances as well as alcohol and also to consider the areas covered by the current designated spaces to see if they should be enlarged to be borough wide.

## Consultation Timeline and Next Steps

- 3.11 To comply with the Council's obligation to review PSPO's it is proposed that a 6 week consultation exercise is undertaken with all key stakeholders and the public. This will be undertaken via direct contact with statutory partners who make up the Community Safety Partnership and through the Council's social media pages using online survey including the questions as set out at Appendix A.
- 3.11 As a part of the consultation it is considered sensible to expand the process beyond just keeping the current controls in place to cover other psycho active substances as well as alcohol and also to consider the areas covered by the current designated spaces to see if they should be enlarged.
- 3.12 Timetable

<b>Consultation with Statutory Consultees and key stakeholders to include the public - 6 weeks</b>	<b>1<sup>st</sup> October 2020 – 5<sup>th</sup> November 2020</b>
<b>Collate responses and Amend Extant PSPO as Appropriate</b>	<b>5<sup>th</sup> November 2020 – 3<sup>rd</sup> December 2020</b>
<b>Collate responses and Refresh PSPO regarding Alcohol in Public Places</b>	<b>10<sup>th</sup> December 2020 – 17<sup>th</sup> December 2020</b>

<b>Report with Findings and Suggested PSPO if Considered Desirable to Retain and or Enlarge</b>	<b>26<sup>th</sup> January 2021</b>
<b>Report to Executive</b>	<b>27<sup>th</sup> January 2021</b>

## Implementation

### 4. POLICY IMPLICATIONS

4.2 Increased enforcement action is a key aim in “Building a Better Bromley” in improving a safe and quality environment for the public.

### 4. FINANCIAL IMPLICATIONS

4.1 . Should the PSPO be amended, new signage highlighting the changes would be required and the changes advertised in the local press, in libraries and at Bromley Civic Centre. Signage would also be needed on entrance points to the Borough if the area is extended to be Borough-wide. The cost of any additional signage required and of the consultation process will be met from the existing Public Protection revenue budget.

4.2 Ongoing enforcement of this legislation resides with the Police and, as such, there are no further financial considerations for the Authority.

### 5. PERSONNEL IMPLICATIONS

5.1 The enforcement of the legislation designated on the highway would be carried out by enforcement officers within Environment and Public Protection and Ward Security enforcement officers as part of their business as usual. If the PSPO extends beyond Council land the Metropolitan Police would enforce. The Metropolitan Police have confirmed they would be in support of amending the current controlled areas. A copy of their response is included at Appendix D.

5.2 The Police are also authorised to issue FPN’s concerning PSPO’s.

### 6. LEGAL IMPLICATIONS

6.1 A legal concurrent must be sought and inserted.

### 7. PROCUREMENT IMPLICATIONS

7.1 There are no implications.

<b>Non-Applicable Sections:</b>	Procurement
Background Documents: (Access via Contact Officer)	1. The Anti-social Behaviour, Crime and Policing Act 2014 <a href="http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted">http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted</a>
Report Number: ACS07020	Bromley Alcohol Controls Review (21/09/2005)  Alcohol Consumption in Public Places in Bromley (21/02/2007)

## Appendix A

### Suggested Questions for Consultation Exercise

#### Part A

1. Are you aware that there are controls regarding anti-social behaviour and alcohol in three public parks in the London Borough of Bromley? Y/N
2. If you are aware of the current controls concerning alcohol in some public spaces would you be in favour of continuing with controls concerning alcohol and the prevention of anti-social behaviour in the London Borough of Bromley? Y/N
3. If controls regarding alcohol and anti-social behaviour are retained do you think they should apply to all public spaces or just areas directly under the control of Bromley Council?  
Borough wide Y/N Bromley Council only Y/N
4. Have you ever witnessed anti-social behaviour due to alcohol in a public place in the London Borough of Bromley? Y/N
5. Do you think the current controls concerning alcohol should be extended to cover the use of other psycho reactive substances such a nitrous oxide? Y/N
6. Do you have any further comments or suggestions you would like to make concerning anti-social behaviour and alcohol that you feel the Council should be aware of whilst reviewing the current alcohol exclusion zones?

#### Part B

We are asking these questions to allow us to monitor responses for further analysis . You do not have to answer these questions if you do not want to.

1. What is your sex? Female Male Prefer not to say
2. When were you born? Age Groups

Thank you for completing these monitoring questions.

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## **LONDON BOROUGH OF BROMLEY**

### **THE BROMLEY COUNCIL PUBLIC SPACES PROTECTION ORDER 2020**

#### **THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (PART 4 CHAPTER 2 SECTIONS 59-75)**

The London Borough of Bromley ('the Council') in exercise of its powers under the Anti-social Behaviour, Crime and Policing Act 2014 ('the Act') hereby makes the following Public Spaces Protection Order ('the Order').

#### **PART 1 – GENERAL**

- 1.1 This Order comes into force on xxxx for a period of 3 years.
- 1.2 This Order applies to all Land-
  - (a) which is open to the air (including land which is covered but open to the air on at least one side);
  - (b) to which the public are entitled or permitted to have access (with or without payment); and
  - (c) which is outlined in red on the plan attached as the Schedule to this Order.
- 1.3 Before expiry of this Order the Council may extend, vary or discharge it in accordance with the provisions of the Act.
- 1.4 In making this Order the Council is satisfied on reasonable grounds that-
  - (a) the activities covered by this Order have been carried on in a public place within the Council's area and have had a detrimental effect on the quality of life of those in the locality; and
  - (b) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature; is, or is likely to be, such as to make the activities unreasonable; and justifies the restrictions imposed.
- 1.5 The Council is also satisfied that the prohibitions and requirements set out within this Order are reasonable-
  - (a) to prevent the detrimental effect on the quality of life of those in the locality continuing, occurring or recurring; or

(b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

1.6 In making this Order the Council has had particular regard to the rights and freedoms of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights.

1.7 An “authorised person” means a person authorised in writing by the Council to enforce, and issue fixed penalty notices under, this Order.

## **Penalty**

1.8 A person who is guilty of an offence under Part 2 of this Order shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

1.9 A person who is guilty of an offence under Part 3 or Part 4 of this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

1.10 A constable or authorised person may issue a fixed penalty notice to any person they have reason to believe has committed an offence under this Order.

1.11 Where a person is issued with a fixed penalty notice for an offence under this Order, the amount of the fixed penalty is £100.

1.12 A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of the fixed penalty to the Council.

1.13 Where a person is issued with a fixed penalty notice under this Order-

(a) no proceedings may be taken for the offence before the end of the period of 14 days following the date of the notice;

(b) the person may not be convicted of the offence if the person pays the fixed penalty in full before the end of that period.

## **PART 2 – ALCOHOL**

### **Preliminary**

2.1 This Part of the Order does not apply to the consumption of alcohol on or in the following places-

- (a) Premises (other than Council operated licensed premises) authorised by a premises licence to be used for the supply of alcohol;
- (b) Premises authorised by a club premises certificate to be used by the club for the supply of alcohol;
- (c) A place within the curtilage of premises within Article 2.1 (a) or (b);
- (d) Premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within 30 minutes before that time;
- (e) A place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses);
- (f) Council operated licensed premises-
  - (i) when the premises are being used for the supply of alcohol; or
  - (ii) within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.

2.2 A requirement imposed by an authorised person under Part 2 Article 2.4 below is not valid if the authorised person is asked by the person to show evidence of their authorisation and fails to do so.

2.3 A constable or authorised person may dispose of anything surrendered under Part 2 Article 2.4 in whatever way they think appropriate.

### **Offence**

2.4 A person who fails to comply without reasonable excuse with any requirements of a constable or authorised person-

- (a) to cease consumption of alcohol or anything which the constable or authorised person reasonably believes to be alcohol; or

(b) to surrender anything in their possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol;

on Land to which this Order applies commits an offence.

## **PART 3 – PSYCHOACTIVE SUBSTANCES**

### **Preliminary**

- 3.1 In this Part of this Order “psychoactive substance” means any substance which-
- (a) is capable of producing a psychoactive effect in a person who consumes it; and
  - (b) is not an exempted substance under section 3 of the Psychoactive Substances Act 2016.
- 3.2 For the purposes of this Part of this Order-
- (a) a substance produces a psychoactive effect in a person if, by stimulating or depressing the person’s central nervous system, it affects the person’s mental functioning or emotional state; and references to a substance’s psychoactive effects are to be read accordingly;
  - (b) a person consumes a substance if the person causes or allows the substance, or fumes given off by the substance, to enter the person’s body in any way.
- 3.3 A constable or authorised person may dispose of anything surrendered under Part 3 Article 3.4 in whatever way they think appropriate.

### **Offence**

- 3.4 A person who fails to comply without reasonable excuse with any requirement of a constable or authorised person-
- (a) to cease consumption of a psychoactive substance or anything which the constable or authorised person reasonably believes to be a psychoactive substance; or
  - (b) to surrender anything in their possession which is, or which the constable or authorised person reasonably believes to be, a psychoactive substance or a container for a psychoactive substance;
- on Land to which this Order applies commits an offence.

## **PART 4-URINATION AND DEFECATION**

### **Offence**

- 4.1 A person commits an offence if at any time they urinate and/or defecate without reasonable excuse for doing so on or within Land to which this Order applies.

Date: xxxx

The **COMMON SEAL** of the

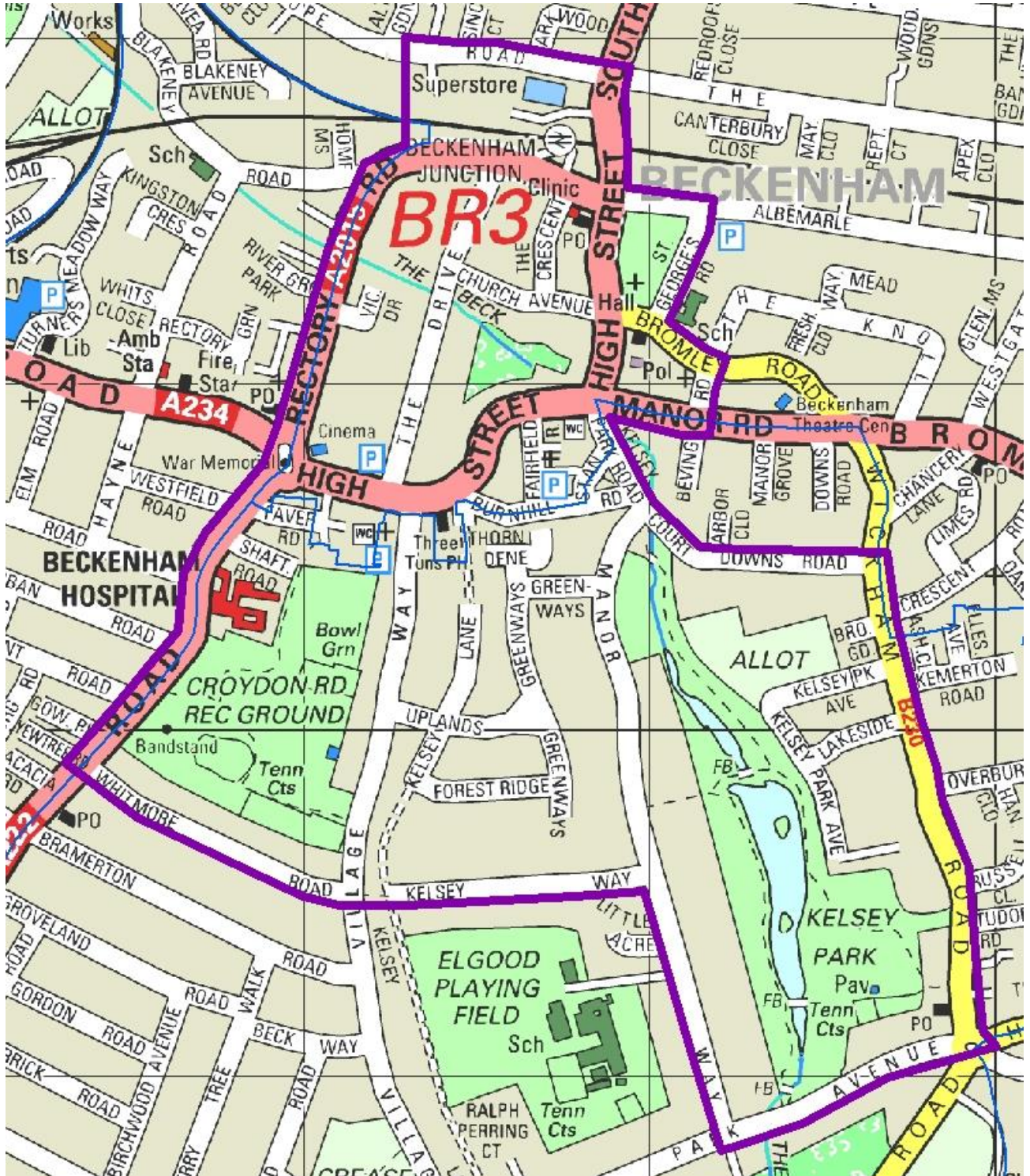
**LONDON BOROUGH OF BROMLEY**

was hereunto affixed on the

Authorised Signatory

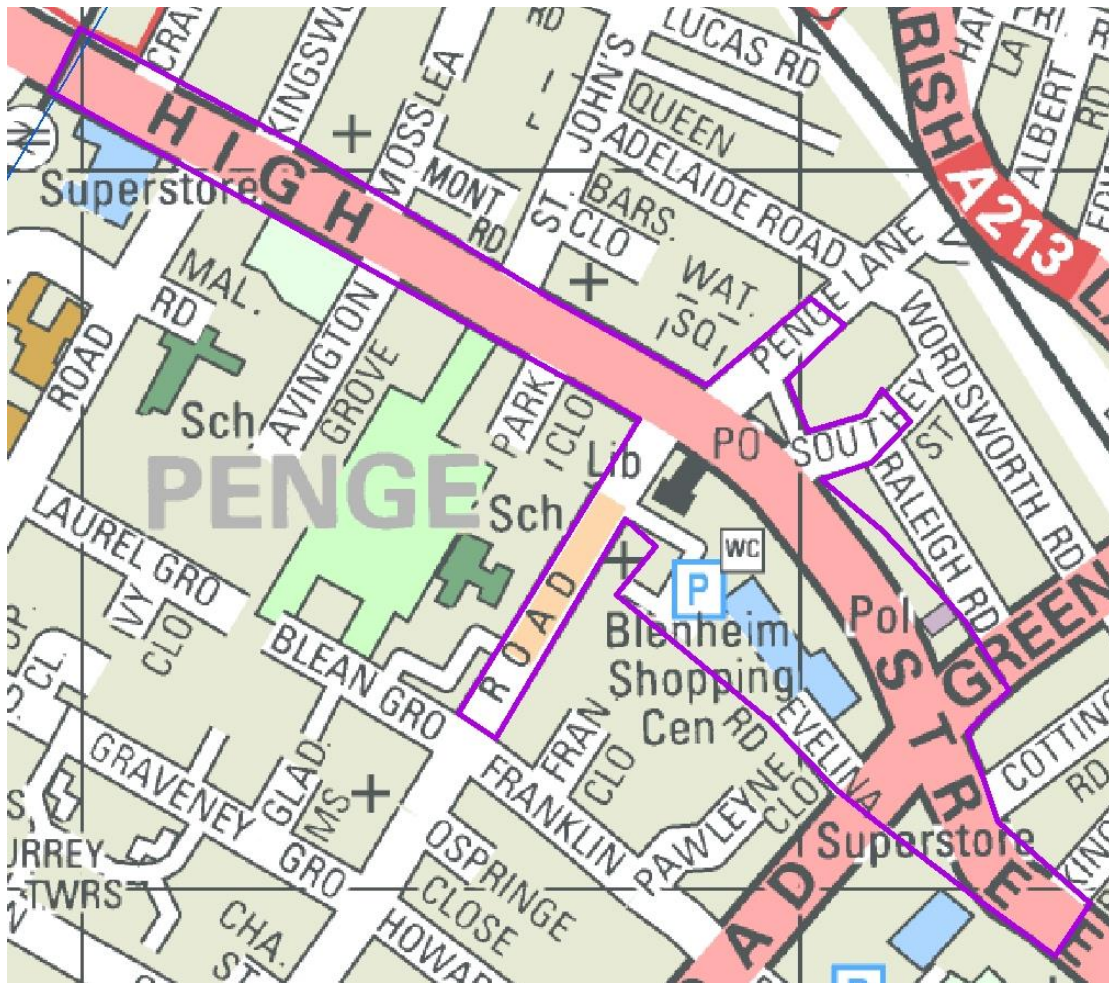
Appendix C  
Current Alcohol Exclusion Zones

Beckenham AEZ



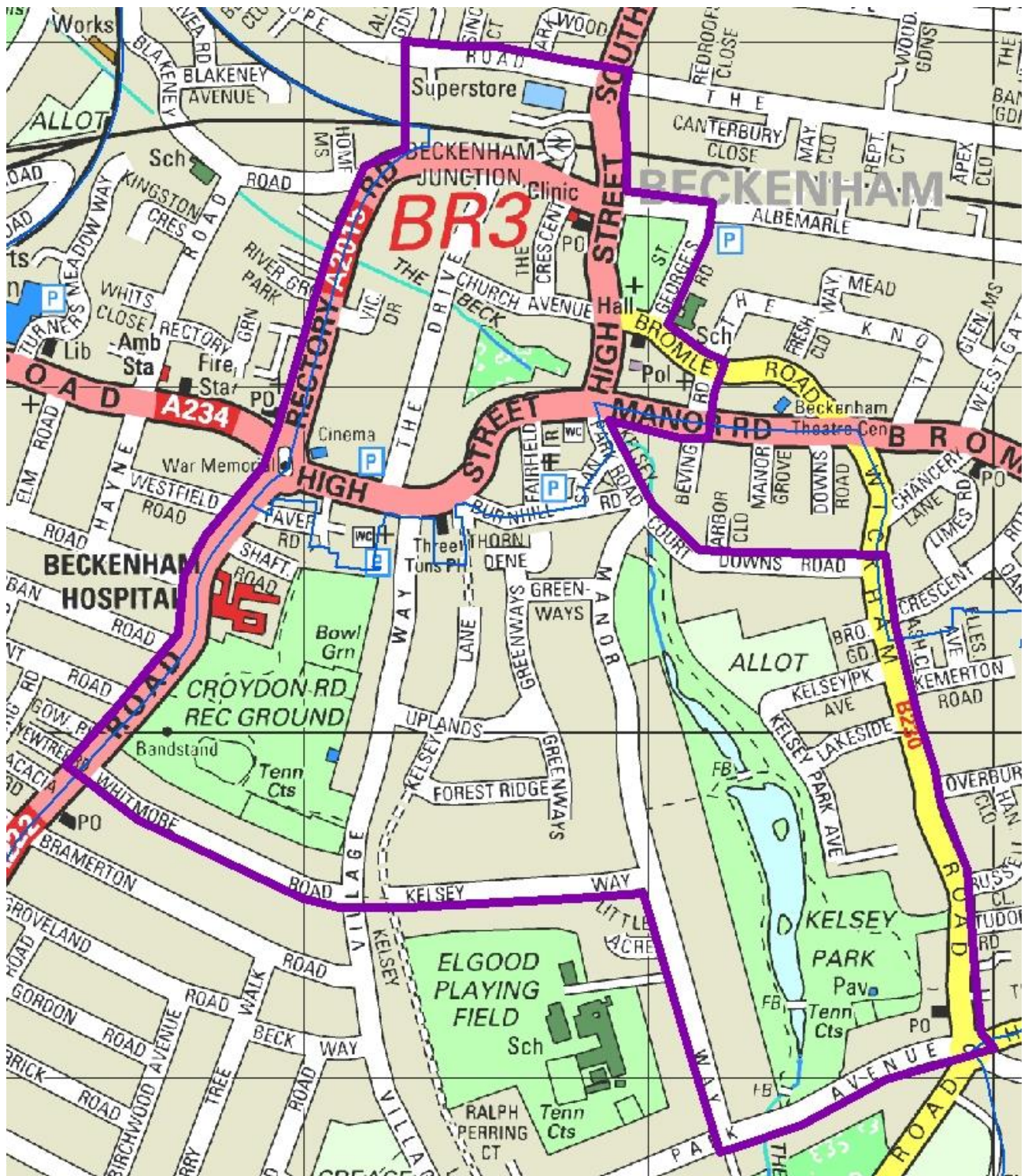


Penge AEZ





Bromley AEZ





## APPENDIX C



Bromley  
1-9 High Street  
Bromley  
BR1 1ER

09/07/2020

Dear Antony Baldock,

I am the Dedicated Ward Sergeant for Chislehurst, Bickley and Mottingham wards within the Bromley borough. I have recently been covering the Inspector role for Safer Neighbourhoods for the Bromley Borough within the South Area BCU. In this time I have supported a number projects locally to improve and increase the effectiveness of the police locally.

I have reviewed the two requests to support a Public Spaces Protection Order for –

- 1) Borough wide controlled drinking zone
- 2) Controlled zone around Star Lane to reduce ASB from off road bikes / motorbikes.

I am in full support for these applications from a policing stand point, this will assist police in reducing the amount of ASB through alcohol related ASB / crime and the ASB caused by the off road bikes. It will allow officers to enforce and prevent offences taking place.

The majority of the Alcohol related calls are low level in nature which the police would have responded to, the policing style will be to engage and address this issue by way of asking people to leave the area or where offences have taken place seek to issue a fine or arrest the person. Having a dispersal zone for the borough will allow officers to take another approach to disperse those who commit low level alcohol related ASB. This will assist us in preventing re-offending and reducing the issues.

Yours sincerely,

Police Sergeant Jamie Keen 124SN.

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Report No.  
ES20052

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** Environment and Community Services PDS Committee and Public Protection and Enforcement PDS Committee

**Date:** 17 November 2020 and 8 December 2020

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

**Title:** Risk Register

**Contact Officer:** Sarah Foster,  
Assistant Director, Performance Management & Business Support  
Tel: 020 8313 4023 Email: [Sarah.Foster@Bromley.gov.uk](mailto:Sarah.Foster@Bromley.gov.uk)  
Lucy West, Senior Performance Officer, Tel: 020 8461 7726 Email:  
[Lucy.West@bromley.gov.uk](mailto:Lucy.West@bromley.gov.uk)

**Chief Officer:** Colin Brand, Director of Environment & Public Protection

**Ward:** All Wards

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1. Reason for report

- 1.1 This report presents the latest Environment & Public Protection Risk Register for detailed scrutiny by both PDS Committees.
- 1.2 This appended Risk Register also forms part of the Annual Governance Statement evidence-base and has been reviewed by: E&PP DMT and Corporate Risk Management Group.

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2. **RECOMMENDATIONS**

**That the Environment and Community Services PDS Committee and Public Protection and Enforcement PDS Committee reviews and comments on the appended E&PP Risk Register. It should be noted that each risk has been highlighted as being relevant to one committee only (and therefore should be discussed at the relevant meeting).**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The appended Risk Register covers services provided by the E&PP Department and some borough-wide risks. Addressing the impact of service provision on vulnerable adults and children is a matter for the relevant procurement strategies, contracts and service delivery rather than this high-level Risk Register 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: E&CS and PP&E Portfolios
  4. Total current budget for this head: £31.4m and £2.4m
  5. Source of funding: Existing revenue budget 2020/21
- 

### Personnel

1. Number of staff (current and additional): - 144.5 FTEs and 46.3 FTEs
  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: Risk management contributes to contract management and good governance.
- 

### 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

#### Risk Register Background

- 3.1 The Council's aims are set out in [Building a Better Bromley](#) and the Portfolio Plans, and a risk can be defined as anything which could negatively affect the associated outcomes. Some level of risk will be associated with any service provision: the question is how best to manage that risk down to an acceptable level? (this is known as our 'risk appetite')
- 3.2 It follows that the Council should be able to clearly and regularly detail the main departmental risks and related mitigation measures to ensure a) that desired outcomes are achieved and b) to allow for Member scrutiny – the purpose of this report.
- 3.3 Although the appended E&PP Risk Register is comprehensive, departmental risk management activity is certainly not exclusive to this report. For instance:
- major programmes and services (e.g. Tree Management Strategy) will have associated Risk Registers (such registers are reviewed by the relevant Programme / Service Boards);
  - financial risk is addressed in each Portfolio's Budget Monitoring Reports and, more generally, in the Council's Annual Financial Strategy Report;
  - audit risk is captured through the Audit Programme's planned and investigative activity and associated reports and management action requirements;
  - contract risk forms part of the Contracts Database (all contracts are quantified and ranked according to the risk presented to the Council).
- 3.4 In 2016/17 Zurich Municipal (the Council's insurer) undertook a 'check and challenge' review (involving all management teams) of the Council's general approach and the individual risks. This resulted a new-style of register and a greater consistency of approach across the Council. Zurich attended during 2018/19 to repeat this exercise with all E&PP risk owners.
- 3.5 It was agreed that Risk Registers should be presented to each Departmental Management Team, the relevant PDS committee and Audit Sub-Committee twice a year (minimum) to allow activity to be scrutinised in a regular and systematic manner. Individual risks should naturally be reviewed (by Risk Owners) at a frequency proportionate to the risk presented (see appendix).
- 3.6 In addition to its use for management and reporting purposes, the Risk Register also forms part of E&PP's evidence-base for contributing to the Council's Annual Governance Statement (which, itself, forms part of the Council's end-of-year management procedures).
- 3.7 Risks from all three departments are considered at the (officer) Corporate Risk Management Group (CRMG), which reviewed all the Risk Registers when it last met on 25<sup>th</sup> September 2020 and at Audit Sub-Committee, which last met on 3<sup>rd</sup> November 2020.
- 3.8 At the time of writing, the Council has 116 individual risks (105 departmental plus 11, high-level, Corporate Risks (covering key risks which apply to the Council as a whole).
- 3.9 E&PP Department currently has 26 risks (~22% of the Council's total).
- 3.10 The appended E&PP Risk Register is summarised below. Each risk is scored using a combination of the 'likelihood' (definite to remote) and 'impact' (insignificant to catastrophic) to produce a 'gross rating' (prior to controls) and 'net rating' (post management controls) – see Appendix. There are no E&PP risks currently ragged 'red' following the implementation of management control measures.

Ref	Risk & Description	Gross Risk Rating	Net Risk Rating
1	<b>Emergency Response:</b> Failure to respond effectively to a major emergency / incident internally or externally	8	6
2	<b>Central Depot Access:</b> Major incident resulting in loss of / reduced Depot access affecting service provision (LBB's main vehicle depot)	12	9
3	<b>Fuel Availability:</b> Fuel shortage impacting on transport fleet / service delivery	5	4
4	<b>Business Continuity Arrangements:</b> Lack of up-to-date, tried and tested, BCP for all Council services	8	8
5	<b>Industrial Action:</b> Contractors' staff work-to-rule / take strike action impacting on service delivery	12	8
6	<b>Health &amp; Safety (E&amp;PP):</b> Ineffective management, processes and systems within E&PP departmentally	12	8
7	<b>Highways Management:</b> Deterioration of the Highway Network due to under-investment	8	6
8	<b>Arboricultural Management:</b> Failure to inspect and maintain Bromley's tree stock leading to insurance claims etc	12	9
9	<b>Income Variation (Highways and Parking) (Non-Covid):</b> Loss of income at a time when the Council is looking to grow income to off-set reduced funding	9	6
10	<b>Waste Budget:</b> Increasing waste tonnages resulting in increased waste management costs	20	12
11	<b>Town Centre Businesses and Markets:</b> Loss of town centre businesses to competition	15	6
12	<b>Staff Resourcing and Capability:</b> Loss of corporate memory and ability to deliver as key staff leave (good new staff are at a premium)	12	9
13	<b>Climate Change:</b> Failure to adapt the borough and Council services to our changing climate	12	8
14	<b>Income Reconciliation (Public Protection Licensing):</b> Uncertainty around income reconciliation when the Council is looking to grow income to offset reduced funding	6	6
15	<b>Income Reconciliation (Waste Management):</b> Uncertainty around income reconciliation linked to the mobilisation of new waste contracts	2	2
16	<b>Dogs and Pests Contract:</b> Failure to deliver the contract to the required service levels	6	4
17	<b>Out of Hours Noise Service:</b> Failure to deliver statutory services	12	12
18	<b>Integrated Offender Management:</b> Failure to contribute to IOM in Bromley	12	12
19	<b>Anti-Social Behavior Co-Ordinator post:</b> Failure to deliver ASB problem solving and partnership activity	12	12
20	<b>Gangs and Serious Youth Violence Officer:</b> Inability to deliver strategic coordinated gang disruption work with partners across the borough*	16	16
21	<b>The provision of 24/7 CCTV Monitoring:</b> Inability to provide 24-7 CCTV monitoring	12	6
22	<b>Loss of Income from Licensing:</b> Lost income from alcohol and gambling licenses	12	9
23	<b>Risk to Health:</b> Officers exposed to COVID-19 through enforcement visits	12	9
24	<b>Staff Resourcing - Public Protection Enforcement:</b> Inability to deliver to existing statutory responsibilities	9	6
25	<b>Increased Costs for Coroners Service:</b> Additional estimated costs due to high risk post mortems	12	9
26	<b>COVID-19 related loss of income (Traffic &amp; Parking):</b> Greatly reduced income from parking charges. Failure to deliver transport improvements.*	20	12

\*Note that since the September review of the risk register, funding has been extended for both of these risks (LIP to end of March 2021 and Gangs Officer for a further year). These risk scores will reduce in the next version of the register.



- 3.11 The risks (including causes and effects) are described in more detail in the appended Risk Register. Each risk is assigned a category (i.e. Compliance & Regulation, Finance, Service Delivery, Reputation and Health & Safety) and scored – using a combination of the ‘likelihood’ and ‘impact’ both being assessed on a scale of 1-5 – to produce a gross risk score.
- 3.12 Current controls designed to mitigate the risk are also listed and these, in turn, generally result in a (lower) net risk score. Finally, additional actions are listed for the Risk Owner to consider to further reduce the level of risk (commensurate with their risk appetite). Risk Ownership will be regularly reviewed and adjusted in light of any changes to the LBB Corporate Leadership Team structure.

#### **4. IMPACT ON VULNERABLE ADULTS & CHILDREN**

- 4.1 The appended Risk Register covers environmental services, which tend to be universal in nature, rather than being specifically directed towards vulnerable adults and children. It also covers Public Protection activities which do impact on vulnerable people – for example the Trading Standards team are responsible for safeguarding vulnerable adults who may be targeted by rogue traders and the Anti-Social behaviour and Gangs and Serious Youth Violence teams are actively targeting and supporting those young people that are at risk of crime.

#### **5. POLICY IMPLICATIONS**

- 5.1 The Council’s renewed policy ambition for the borough is set out in [Building a Better Bromley](#) and the various Portfolio Plans. Risk Registers help to deliver these policy aims by identifying issues which could impact on ‘ensuring good contract management to ensure value-for-money and quality services’ and putting in place mitigation measures to reduce risk and help deliver the policy aims and objectives.

#### **6. PROCUREMENT IMPLICATIONS**

- 6.1 Contract and hence procurement risk is mainly captured in the Contracts Database and Contracts Register Report rather than this Risk Register Report. That said, progress with mobilising some contracts is captured in the appended register due to their strategic importance.

#### **7. FINANCIAL IMPLICATIONS**

- 7.1 There are no direct financial implications arising from this report, however the Risk Register does identify areas that could have financial risks.

#### **8. PERSONNEL IMPLICATIONS**

- 8.1 There are no direct personnel implications but the Risk Register does identify service areas where recruitment and capacity present challenges (e.g. 12: Staff Resourcing and Capability).

#### **9. LEGAL IMPLICATIONS**

- 9.1 There are no direct legal implications but the Risk Register does identify some regulatory and legal issues: e.g. compliance with Health & Safety law and Industrial Action.

<b>Non-Applicable Sections:</b>	None
Background Documents: (Access via Contact Officer)	None

## RISK REGISTER REPORT (ES18037): RISK ASSESSMENT GUIDANCE SUMMARY

<b>LIKELIHOOD</b>	Almost Certain (5)	5	10	15	20	25	15+	<b>High Risk:</b> review controls/actions every month	
	Highly Likely (4)	4	8	12	16	20	10 - 12	<b>Significant Risk:</b> review controls/actions every 3 mths	
	Likely (3)	3	6	9	12	15	5 - 9	<b>Medium Risk:</b> review controls/actions every 6 months	
	Unlikely (2)	2	4	6	8	10	1 - 4	<b>Low Risk:</b> review controls/actions at least annually	
	Remote (1)	1	2	3	4	5			
	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)				
	<b>IMPACT</b>								

LIKELIHOOD KEY					
Expected frequency	Remote (1)	Unlikely (2)	Possible (3)	Likely (4)	Definite (5)
Expected frequency	10-yearly	3-yearly	Annually	Quarterly	Monthly

IMPACT KEY					
Risk Impact	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
<b>Compliance &amp; Regulation</b>	<ul style="list-style-type: none"> <li>Minor breach of internal regulations (not reportable)</li> </ul>	<ul style="list-style-type: none"> <li>Minor breach of external regulation (not reportable)</li> </ul>	<ul style="list-style-type: none"> <li>Breach of internal regulations leading to disciplinary action</li> <li>Breach of external regulations, reportable</li> </ul>	<ul style="list-style-type: none"> <li>Significant breach of external regulations leading to intervention or sanctions</li> </ul>	<ul style="list-style-type: none"> <li>Major breach leading to suspension or discontinuation of business and services</li> </ul>
<b>Financial</b>	<ul style="list-style-type: none"> <li>&lt;£50,000</li> </ul>	<ul style="list-style-type: none"> <li>&gt; £50,000 &lt;£100,000</li> </ul>	<ul style="list-style-type: none"> <li>&gt;£100,000 &lt;£1,000,000</li> </ul>	<ul style="list-style-type: none"> <li>&gt;£1,000,000 &lt;£5,000,000</li> </ul>	<ul style="list-style-type: none"> <li>&gt;£5,000,000</li> </ul>
<b>Service Delivery</b>	<ul style="list-style-type: none"> <li>Disruption to one service for a period &lt;1 week</li> </ul>	<ul style="list-style-type: none"> <li>Disruption to one service for a period of 2 weeks</li> </ul>	<ul style="list-style-type: none"> <li>Loss of one service for between 2-4 weeks</li> </ul>	<ul style="list-style-type: none"> <li>Loss of one or more services for a period of 1 month or more</li> </ul>	<ul style="list-style-type: none"> <li>Permanent cessation of service(s)</li> </ul>
<b>Reputation</b>	<ul style="list-style-type: none"> <li>Complaints from individuals / small groups of residents</li> <li>Low local coverage</li> </ul>	<ul style="list-style-type: none"> <li>Complaints from local stakeholders</li> <li>Adverse local media coverage</li> </ul>	<ul style="list-style-type: none"> <li>Broader based general dissatisfaction with the running of the Council</li> <li>Adverse national media coverage</li> </ul>	<ul style="list-style-type: none"> <li>Significant adverse national media coverage</li> <li>Resignation of Director(s)</li> </ul>	<ul style="list-style-type: none"> <li>Persistent adverse national media coverage</li> <li>Resignation / removal of CEX / elected Member</li> </ul>
<b>Health &amp; Safety</b>	<ul style="list-style-type: none"> <li>Minor incident resulting in little harm</li> </ul>	<ul style="list-style-type: none"> <li>Minor injury to Council employee or someone in the Council's care</li> </ul>	<ul style="list-style-type: none"> <li>Serious injury to Council employee or someone in the Council's care</li> </ul>	<ul style="list-style-type: none"> <li>Fatality to Council employee or someone in the Council's care</li> </ul>	<ul style="list-style-type: none"> <li>Multiple fatalities to Council employees or individuals in the Council's care</li> </ul>

## Environment & Public Protection (E&PP) Risk Register



No.	E&PP RISK REF	Relevant PDS Committee	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			DATE LAST REVIEWED:	RISK OWNER
							LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING	FURTHER ACTION REQUIRED	
1	1	Both	All E&PP	<b>Emergency Response</b> Failure to respond effectively to a major emergency / incident internally or externally	<b>Cause(s):</b> -Emergency may be triggered by storms, floods, snow, extreme heat or other emergency. Ineffective response could be caused by capacity and/or organisational issues  <b>Effect(s):</b> - Failure to fulfil statutory duties in timely manner - Disruption to infrastructure and service provision in general	Service Delivery	2	4	8	1. Corporate Major Emergency Response Plan 2. Adoption of Standardisation Process in terms of Emergency Response 3. Business Continuity Policy & Strategy and associated Service Business Continuity Plans 4. Out-of-Hours Emergency Service 5. Winter Service Policy and Plan (reviewed annually) 6. Ongoing training, Testing and Exercising programme 7. Multi-agency assessment of emergency risks 8. Training Programme delivered for volunteers in respect of Standardisation Process 9. Implementation of 'on-call rota' for Emergency Response Manager and at Director level 10. Multi-agency forum for emergency preparedness, response and recovery planning within the Borough	2	3	6	1. Delivery of the Business Continuity Management process by CLT 2. Development of risk-specific arrangements based upon London Resilience frameworks, informed by the Borough Community Risk Assessment 3. Recruit and train more Emergency Response Volunteers 4. Implementation of the Resilience Standards For London	David Tait
2	2	Both	All E&PP	<b>Central Depot Access</b> Major incident resulting in loss of / reduced Depot access affecting service provision (LBB's main vehicle depot)	<b>Cause(s):</b> -Fire, explosion, train derailment, strike etc.  <b>Effect (s):</b> -Significant service disruption (Waste, Street Cleaning, Gritting, Fleet Management, Streetscene & Greenspace service management etc.)	Service Delivery	4	3	12	1. Contingency plans for: - Alternative vehicle parking - Temporary relocation of staff - Storage of bulky materials 2. Implement Business Continuity Plans 3. Close liaison with other Depot users (e.g. Waste Contract, Street Cleansing) and Highways Winter Service Team 4. 'Central Depot Users Group' (Health & Safety forum for all site users) 5. Work Place Risk Assessments in place 6. Depot Insurance reviewed September 2019 to ensure full reinstatement cover is in place 8. Waste Service Change has incorporated separate battery collection which will reduce likelihood of fires from batteries in residual waste	3	3	9	1. Site re-development plans to include recommendations from fire safety audit. To include consideration of fire suppression systems	Paul Chilton
3	3	Both	All E&PP	<b>Fuel Availability</b> Fuel shortage impacting on both LBB and service provider transport fleet	<b>Cause(s):</b> -National or local fuel shortage caused by picketing or other external factors  <b>Effect (s):</b> -Failure to provide services impacting on residents and other customers	Service Delivery	1	5	5	1. Identified alternative fuel supplies at contractors and neighbouring boroughs (corporate Fuel Disruption Plans based on National Plan are held by the Emergency Planning Team) 2. Designated Filling Station identified under National Emergency Plan by London Resilience Team as designated fuel supply for LBB logoed vehicles 3. Fuel store at Central Depot 4. Ongoing liaison with other London Boroughs concerning collaboration and assistance	1	4	4	1. Continue to monitor service provider arrangements for ensuring adequate fuel supply	Peter McCready
4	4	Both	All E&PP	<b>Business Continuity Arrangements</b> Lack of up-to-date, tried and tested, BCP for all Council services	<b>Cause(s):</b> -Failure to implement and keep up-to-date effective service and corporate Business Continuity Plans  <b>Effect(s):</b> -Non-provision of critical services following an incident (internal or external)	Service Delivery	2	4	8	1. Corporate Risk Management Group now encompasses Business Continuity 2. Full suite of BC plans in place across all Directorates, including E&PP 3. Overarching corporate BC plan developed identifying prioritisation of all services 4. All E&PP BC plans now transposed on to new corporate BCP template 5. Corporate BC management policy & strategy document signed off by leader and chief exec 6. Ensure all service providers have up to date Business Continuity Plans	2	4	8	1. CLT adoption of BCM which will monitor delivery on behalf of COE going forwards. Current COVID-19 disruption to ways of working has tested BCPs during the largest disruption encountered in decades. ICT system failure has been identified as the largest risk and is outside the control of E&PP	David Tait
5	6	Both	All E&PP	<b>Industrial Action</b> Contractors' staff work-to-rule / take strike action impacting on service delivery	<b>Cause(s):</b> -Union dissatisfaction over pay and conditions (particularly in Waste, Libraries)  <b>Effect (s):</b> -Temporary disruption to service / reduced customer satisfaction	Service Delivery	3	4	12	1. Ongoing monitoring / meetings regarding workforce issues 2. Joint development of Business Contingency Plans with Service Providers 3. Staff training and engagement built into the Environmental Services contracts	2	4	8	1. Review public communications to be used in the event of a strike 2. Staff training and engagement incorporated into communications with Library staff	Colin Brand
6	8	Both	All E&PP	<b>Health &amp; Safety (E&amp;PP)</b> Ineffective management, processes and systems within E&CS departmentally	<b>Cause(s):</b> -Failure to take departmental action to reduce likelihood of accidents, incidents and other H&S issues  <b>Effect (s):</b> -HSE investigation / prosecution leading to fines, increased insurance claims, and reputational damage	Health & Safety	3	4	12	1. Workplace Risk Assessments (including lone and home working) 2. Accident & Incident Reporting system (AR3 & Riddor) 3. Contractor Inspection electronic Reporting system 4. Interface with Corporate Risk Management Group 5. Annual audits and annual paths surveys (Parks) 6. Cyclical 5-year survey of park trees and highway trees 7. Regular Footway inspections 8. Fire responsible persons list in place for all sites under the control of E&PP 9. EPP Health and Safety Committee meets regularly to review departmental Health and Safety arrangements 10. All corporate policies followed for COVID-19 risk assessments. Staff home working unless unable to do so.	2	4	8	1. Ensure Workplace Risk Assessments (inc. Homeworking) updated annually and biennial reviews conducted 2. Encourage reporting of all significant accidents and incidents using AR3 form (and reporting of RIDDOR incidents) 3. and ensure the necessary communication and training is provided. 4. Ensure resource exists to discharge statutory functions 5. Ensure any staff wishing to return to the office during COVID-19 have done so in accordance with all corporate processes and procedures.	Sarah Foster (Paul Chilton leading during COVID 19 whilst SF is seconded to Shielding, Volunteering and Assistance programme)
7	12	ECS	Highways	<b>Highways Management</b> Deterioration of the Highway Network due to under-investment	<b>Cause(s):</b> -Failure to manage Highways in respect of traffic volumes, winter weather, financial resources leading to deteriorating condition  <b>Effect (s):</b> -Leading to increased maintenance costs, insurance claims (trips, falls and RTAs) and reputational damage	Financial	2	4	8	1. Strategy to mitigate insurance claims 2. Inspection regime and defined intervention levels for maintenance repairs and monitoring 10% of works for compliance 3. Winter Maintenance procedures (gritting / salting) 4. Increased salt storage capacity 5. Improved customer expectation management 6. Asset management technique (e.g. Highway Asset Management Plan) 7. New capital programme to reduce reactive works 8. Performance Management measures incorporated into Highways contract 9. Modernisation of contractor's programming and completion of maintenance repairs involving remote working ICT technology	3	2	6	2. Additional inspections carried out and repairs undertaken as necessary	Garry Warner

## Environment & Public Protection (E&PP) Risk Register



No.	E&PP RISK REF	Relevant PDS Committee	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			DATE LAST REVIEWED:	21.09.20
							LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
8	13	ECS	SSGS	<b>Arboricultural Management</b> Failure to inspect and maintain Bromley's tree stock leading to insurance claims etc.	<b>Cause(s):</b> -Failure to ensure that trees are managed as safely as reasonably practicable <b>Effect (s):</b> -Leading to blocked highways, reputational damage and financial liabilities	Financial	4	3	12	1. Tree care and safety contract in place (new contract commenced April 2019) 2. Full asset Survey of ~30% of street and park trees (and 50% of school trees) 3. Risk trees identified and registered increased inspection frequency using asset management database (Confirm) 4. Implement remedial works to address risk associated defects 5. Review Tree Risk Management Strategy (annually) 6. Review the 'Storm Strategy' annually to be able to respond quickly and call in additional staff, equipment and contractors 7. Provide a cyclical safety survey and remedial works schedule commensurate to budget availability and potential prioritisation 8. Work with FixMyStreet Officer (Secondment) to ensure enquiries are responded to as quickly as possible	2	3	6	1. Recruitment of 1 FTE to ensure that the Arboriculture Team are up to full capacity and enabling tree surveying to be up to date.	Peter McCready
9	14	ECS	All E&PP	<b>Income Variation (Highways and Parking*)</b> Loss of income when the Council is looking to grow income to offset reduced funding  *Note new COVID-19 specific parking risk addition at the end of this register	<b>Cause(s):</b> - Improved Street Works performance by utility companies (reduced fines) - Under-achievement of expected car parking income and parking enforcement, due to resistance to price increases and reduced incidents - Loss of income from Penalty Charge Notices for Bus Lane Enforcement activity - Reduction in Street Enforcement activity (Fixed Penalty Notices) - Failure of APCOA (new Parking contractor) to provide contracted services (e.g. strikes) <b>Effect (s):</b> -Loss of income with potential to reduce service delivery funds	Financial	3	3	9	1. Regular income monitoring and review of parking tariff structures, including benchmarking Parking charges against other authorities and local private sector competitors 2. Monitoring contractor performance (e.g. only issue good quality PCNs) 3. Good debt recovery systems 4. Monitoring parking use and avoid excessive charge increases 5. Provide attractive, safe clean car parks 6. Regular contractor meetings 7. Monitoring of parking enforcement activity through Performance Indicators reported to PDS Committees (E&CS, PP&E) 8. Scrutiny of APCOA at PDS meetings	3	2	6	1. Refine procedure for resolving disputes with utilities 2. Review of parking tariff structures 3. Monitor income trends 4. Continue to monitor success in achieving enforcement objectives 5. Intelligence-led targeting of hotspot sites for enforcement 6. Review of further income opportunities as part of Council's Transformation agenda	Colin Brand
10	15	ECS	SSGS	<b>Waste Budget</b> Increasing waste tonnages resulting in increased waste management costs	<b>Cause(s):</b> - COVID-19 pandemic has and will continue to impact the amount of waste generated by Bromley Households and Businesses. Increased home working and a move towards single use could increase waste tonnages and associated costs. - Failure to anticipate/manage waste management financial / cost pressures due to increasing landfill tax, increasing property numbers, declining recycling income (lower paper tonnages or rejected wet paper loads) and limited alternate treatment capacity. - Waste tonnage growing faster than budgeted or operational factors (i.e. adverse weather conditions, additional home working during COVID-19 etc.) <b>Effect (s):</b> - Budgets being exceeded and potential knock-on impact on other Council services	Financial	5	4	20	1. Cost pressures recognised in Council's Financial Strategy 2. Send virtually zero to landfill from April 2020, minimising any tax increase 3. Continued focus on promoting waste minimisation and recycling (e.g. in Environment Matters and through targeted campaigns and initiatives e.g. the flats above shops pilot launched in September 2020) - Monthly monitoring of recycled tonnages and projection to yearly figures - Regular and sustained recycling awareness campaign - Consolidation of Compositing for All campaign - Continuing investigation of waste minimisation and recycling initiatives - Monthly monitoring of all waste tonnages and projection to yearly figures - Monthly monitoring of all collection costs and figures - Ongoing analysis of collection and disposal methodology 4. Reviewing and benchmarking operational costs to identify options 5. Monitoring procedure in place (from December 2019) for the testing of paper loads to determine moisture content.	3	4	12	1. Continue to work with Veolia to ensure that recycling services are offered to residents throughout the COVID-19 pandemic.	Peter McCready
11	18	ECS	All E&PP	<b>Town Centre Businesses and Markets</b> Loss of town centre businesses to competition and as a result of the COVID-19 pandemic	<b>Cause(s):</b> -COVID-19 Pandemic causing businesses and market traders to cease trading (temporarily or permanently) - Town centre social distancing measures resulting in a reduced amount of market stalls <b>Effect(s):</b> -Reduction in high street business and market stall occupancy -Loss of income (Business rates and market stalls) -Poor public perception and negative publicity	Financial	5	3	15	1. BID Teams organise town centres events 2. Investment in Orpington High Street and Bromley North (done) 3. Regular advertising / promotion of markets and availability of stalls 4. Review of Market operational costs to reduce costs where possible (a new Market Strategy is under development and will be delivered from 2020/21) 5. Regular maintenance and renewal of market infrastructure - recent market relocation project has been completed and feedback from traders is positive 6. Markets Manager attends regular strategy meetings with BIDs and has provided guidance for a new town centre (BID) framework agreement	2	3	6	1. Ongoing review of market provision linked to outsourcing service provision 2. Detailed annual action plan to be drawn up for each town centre	Colin Brand

## Environment & Public Protection (E&PP) Risk Register



No.	E&PP RISK REF	Relevant PDS Committee	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			DATE LAST REVIEWED:	RISK OWNER	
							LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING	FURTHER ACTION REQUIRED		21.09.20
12	39	Both	All E&PP	<b>Staff Resourcing and Capability</b> Loss of corporate memory and ability to deliver as key staff leave (good new staff are at a premium)	<b>Cause(s):</b> -Availability of suitably qualified / experienced staff to replace retirees and leavers. Particular problem within Planning, Environmental Health and Traffic professionals (TfL offers better remuneration and career progression). Lack of incentive for good staff to remain at LBB. <b>Effect (s):</b> -Loss of organisational memory, greater reliance on contracted staff, delays in delivering services / plans (e.g. Transport Local Implementation Plan). Inability to effectively manage contracts as Contract Managers may have started out in a different role (i.e. as Service Managers) and do not have the necessary expertise to do so (i.e. auditing).	Service Delivery	3	4	12	1. Ongoing programme to find and retain quality staff through internal schemes such as career grades and ongoing CPD	3	3	9	1. Consider potential for contractors to supply necessary skills 2. Review options with HR for incentivisation schemes to ensure staff recruitment and retention is high 3. Existing controls are not currently sufficient to maintain the staff quota within the Arboriculture team. Explore apprenticeship scheme as a possibility to ensure this team can maintain deliverables of the service in terms of client inspections and reporting. Enlist contractor to assist with tree survey backlog.	Colin Brand	
13	41	Both	All E&PP	<b>Climate Change</b> Failure to adapt the borough and Council services to our changing climate	<b>Cause(s):</b> -Severe weather events including extreme heat, storms, floods etc. <b>Effect (s):</b> -Resulting in threats to service provision, environmental quality and residents' health in addition to reputational damage caused by perceived lack of action to tackle climate change	Service Delivery	3	4	12	1. Adopt best adaptation practice as identified through London Climate Change Partnership, UK Climate Impacts Programme, and the Local Adaptation Advisory Panel 2. Implementation of LBB's Carbon Management Programme 3. LBB Surface Water Management Plan and Draft Local Flood Risk Strategy 4. Establish net zero (direct) carbon emissions target for 2029 as part of 10 year climate plan	2	4	8	1. Emergency Planning to liaise with Public Health on cross-cutting issues e.g. excess summer deaths and vector-borne disease etc. 2. Detailed climate action plan to be developed as part of ongoing Carbon Management Programme, in order to achieve net zero carbon emissions by 2029	Sarah Foster (Colin Brand leading during COVID-19 whilst SF is seconded to Shielding, Volunteering and Assistance programme)	
14	25	PPE	Public Protection	<b>Income Reconciliation (Public Protection Licensing)</b> Uncertainty around income reconciliation when the Council is looking to grow income to offset reduced funding	<b>Cause(s):</b> - Lack of processes to reconcile actual licence fee income against expected income held on service specific IT systems. <b>Effect (s):</b> - Loss of income with potential to reduce service delivery funds - Reputational damage	Financial	3	2	6	1. Regular income monitoring 2. Good debt recovery systems 3. Monitoring of activity through Performance Indicators 4. Continual Benchmarking of licensing charges against other authorities	3	2	6	1. Refine procedure for reconciliation of expected income against actual and provide suitable training for staff to deliver this	Joanne Stowell	
15	26	ECS	SSGS	<b>Income Reconciliation (Waste Management)</b> Uncertainty around income reconciliation linked to the mobilisation of new waste contracts	<b>Cause(s):</b> -Lack of integration between client and service provider IT systems so that data is not linked - Loss of income due to the closure of some businesses during the COVID-19 pandemic <b>Effect (s):</b> - Loss of income from Commercial Waste and Green Garden Waste services with potential to reduce service delivery funds - Costs incurred as a result of additional last minute resources required to deliver services - Reputational damage	Financial	3	2	6	1. Regular income monitoring 2. Good debt recovery systems 3. Monitoring of activity through Performance Indicators 4. Suspend commercial accounts allowing the businesses to return once open following the COVID-19 pandemic.	1	2	2	1. Refine procedure for reconciliation of expected income against actual and provide suitable training for staff to deliver this. 2. Project in 2020/21 to review the platform under which the garden waste and commercial waste service are hosted on. 3. Work with Veolia to review the commercial waste service offer to businesses with a view to provide a recycling offer and grow the commercial waste customer base.	Peter McCreedy	
16	28	PPE	Public Protection	<b>Dogs and Pests Contract</b> Failure to deliver the contract to the required service levels	<b>Cause(s):</b> -Lack of robustness within contract specification in terms of contract deliverables and Key Performance measures <b>Effect (s):</b> -Inability to deliver statutory functions -Reputational damage	Service Delivery	3	2	6	1. Identification of named Contract Manager 2. Regular contract management meetings with service provider 3. Review of contract specification to identify change control requirements (a contract change notice regarding a change to invoicing was signed in August 19).	2	2	4	This contract is now running well, the contract is due to be extended for 1 year and no action is required at this time.	Joanne Stowell	
29		PPE	Public Protection	<b>Out of Hours Noise Service</b> Failure to deliver statutory services	<b>Cause(s):</b> The out of hours noise service is dependant on grant funding from the Mayors Office for Policing & Crime (MOPAC) by way of the Local Crime Prevention Fund. This grant is released on a 2 year cycle, current cycle ends March 2021. The grant was reduced in 2017 and there is no guarantee it will be sustained post April 2021. The service is staffed on a voluntary basis. <b>Effect:</b> Inability to deliver Out of Hours Noise Service.	Service Delivery	3	4	12	1. Annual review with MOPAC on service outcomes	3	4	12	1. Meetings with MOPAC to ensure early warnings of any change to funding levels. MOPAC funding is outside of the control of LBB. 2. Review the Service offer	Tony Baldock	



## Environment & Public Protection (E&PP) Risk Register



No.	E&PP RISK REF	Relevant PDS Committee	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			DATE LAST REVIEWED:	RISK OWNER
							LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING	FURTHER ACTION REQUIRED	
18	30	PPE	Public Protection	<b>Integrated Offender Management</b> Failure to contribute to IOM in Bromley	<b>Causes:</b> -IOM functions are reliant on grant funding from MOPAC via the LCPF, equates to one day per week. Reduction or cessation of grant after April 2020. <b>Effect:</b> -Inability to contribute to IOM in Bromley.	Service Delivery	3	4	12	1. Annual review with MOPAC on service outcomes	3	4	12	1. Meetings with MOPAC to ensure early warnings of any change to funding levels. MOPAC funding is outside of the control of LBB.	Tony Baldock
19	31	PPE	Public Protection	<b>Anti-Social Behaviour Co-Ordinator post:</b> Failure to deliver ASB problem solving and partnership activity	<b>Cause(s):</b> -Grant from MOPAC via the LCPF is used to fund the ASB Co-ordinator post which is responsible for delivering targeted ASB project work across the borough with partner agencies. Reduction or cessation of grant after April 2021. <b>Effect:</b> -Inability to fund this post would result in the cessation of targeted ASB work with partners across the borough. Funding for this post was reduced in 2018 and the shortfall was met by LBB. LBB continue to meet the slight shortfall in 2019.	Service Delivery	3	4	12	1. Review of project outcomes to determine whether they can be delivered on a reduced budget with LBB contributions in kind	3	4	12	1. Review of Community Safety functions to allow for MOPAC project delivery on reduced days per week. MOPAC funding is outside of the control of LBB.	Tony Baldock
20	32	PPE	Public Protection	<b>Gangs and Serious Youth Violence Officer</b> Failure to deliver Gang problem solving and partnership activity	<b>Cause(s):</b> -this has funding from MOPAC for 1 year only and the post which is responsible for the strategic coordination of gang interventions and reductions in serious youth violence. <b>Effect:</b> -Inability to fund this post would result in the cessation of strategic coordinated gang disruption work with partners across the borough.	Service Delivery	3	4	16	1. Annual review with MOPAC on service outcomes	4	4	16	1. This post is now vacant and a business case is being developed to support growth and fund the post from revenue.	Tony Baldock
21	33	PPE	Public Protection	<b>The provision of 24/7 CCTV Monitoring</b>	<b>Cause:</b> -COVID 19 Pandemic <b>Effect:</b> -Potential Loss of officers through sickness arising from a potential second wave leading to an inability to provide 24-7 CCTV monitoring .	Service Delivery	3	4	12	1. The contract is currently running back at full strength, however, should a second wave occur, there would again be a move to running a single operator crew, as this would still since provides continued 24 hour monitoring). should a second wave occur, shift hand overs would not be in person, so the operator signing off would not see the next shift operator and handover notes would be left. Engineers who visit the room for maintenance would keep main room closed if accessing the server room, and if they do have to enter the control room they will maintain 2m social distancing at all times. This is achievable when there is only a single operator in the room. The supervisor will mostly work from home.	2	3	6	1. Monitor and review monthly with Contractors	Rob Vale
22	34	PPE	Public Protection	<b>Loss of Income from Licensing</b>	<b>Cause:</b> -COVID 19 pandemic and the potential impact on achieving income from licensing. <b>Effect:</b> -The majority of income relates to alcohol and gambling licences which are renewed between October and November each year. The Team has already received the income for the first 7 months of this financial year and have not had any requests to refund existing licences. However, there is a risk that the expected income target will not be met.	Financial	3	4	12	1. The Council's Covid business support schemes offer business rate deferral as well as discretionary grants to cover non staffing overheads, the government have not specifically provided assistance with the costs of licences and premiums and there is an assumption that the loss of use of the licence would be covered under the distortionary grants. For most businesses the licence would be a minor cost and they would be more concerned with significant overheads such as staffing, rents and rates. Should expected income targets not be met, the Division would look to mitigate the shortfall by reducing expenditure in the first instance to maintain a balanced budget.	3	3	9	1. Monitor and review income and government guidance.	Rob Vale
23	35	Both	All E&PP	<b>Risk to Health</b> - Ill health resulting from enforcing Health Protection COVID 19 Restrictions Regulations 2020 or from operating public sites	<b>Cause:</b> -COVID 19 pandemic and the National requirement that Environmental Health and Trading Standards Officers enforce the COVID 19 Health Regulations. - Operational activities requiring staff to undertake site visits or to operate public facilities. <b>Effect:</b> -The potential for Officers, Contractors and Visitors to be exposed to and infected by, COVID 19	Service Delivery	3	4	12	1.Risk assessments have been undertaken. No face to face inspections to take place, all investigations to be undertaken at arms length via email or telephone, drive by etc., unless there is a life and limb enforcement issue. Should face to face contact be necessary, PPE (gloves/masks/sanitiser) is available and must be used. 2. Assessments for bulky waste collections undertaken via telephone.	3	3	9	1.To regularly review the risk assessments	Colin Brand
36		PPE	Public Protection	<b>Staff Resourcing - Public Protection Enforcement</b> The requirement of Public Protection to enforce the social distancing measures	<b>Cause:</b> -The impact of the Covid 19 pandemic and relaxation of the lockdown places an additional enforcement responsibility on Public Protection to enforce social distancing measures in business premises. <b>Effect:</b> -This additional responsibility may interfere with the ability to deliver to existing statutory responsibilities.	Service Delivery	3	3	9	1. A joint BCU Enforcement approach was developed and agreed in April 2020, whereby The South BCU will work collegially with the Council to undertake joint enforcement activity where appropriate. Investigations, regulatory and enforcement activities will have regard to local context, be risk based and targeted to where they will have the greatest effect. Enforcement will be a last resort, and overall a process of escalation will be used until compliance is reached. Exceptions may occur where there is a serious risk to public safety. The Met Police have now issued another London wide enforcement protocol that covers the latest changes to legislation, however, the one that is already in place covers the approach, and is being updated.	2	3	6	1. Ongoing weekly meetings with the BCU leadership team to discuss capacity and response.	Joanne Stowell

## Environment & Public Protection (E&PP) Risk Register



No.	E&PP RISK REF	Relevant PDS Committee	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			DATE LAST REVIEWED:	21.09.20
							LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING	FURTHER ACTION REQUIRED	RISK OWNER
25	37	PPE	Public Protection	<b>Increased Costs for Coroners Service</b>	<b>Cause:</b> -COVID 19 Pandemic and the resultant excess deaths and impact on the Coroners services. <b>Effect:</b> -Additional estimated costs (£57k) over the BAU contract costs due to high risk post mortems.	Financial	3	4	12	1. Ongoing communication with the South London Coroners Consortium to ensure that additional costs are scrutinised. The Consortium is looking to mitigate the additional costs by reducing expenditure in the first instance to maintain a balanced budget.	3	3	9	1. If the costs cannot be absorbed by the consortium, the Division would look to mitigate the additional spend by reducing expenditure within the division/department in the first instance to maintain a balanced budget.	Joanne Stowell
26	38	Both	Traffic and Parking	<b>COVID-19 related loss of income</b> Greatly reduced income from parking charges. Current cessation of TfL grant funding for transport improvements.	<b>Cause(s):</b> -Fewer people were using paid-for parking during lockdown and this continues post-lockdown -TfL LIP funding has not been restored, so 20+ staff in Traffic and Road Safety are likely to be put at risk <b>Effect (s):</b> - April to June saw a 95% reduction in parking income; this is still down by about 80% - Failure to deliver new traffic and highway improvement schemes.	Service Delivery / Financial	5	4	20	1. Encourage residents to have confidence to visit town centres 2. Seek replacement grant funding.	4	3	12	This risk will remain high until such time as car use returns to pre-COVID levels. Council should use the limited funding available to support economic recovery for town centres, returning school pupils and those travelling to work.  Council to consider making redundancies if funding no longer available to implement Local Implementation Plan (LIP).	Angus Culverwell

ENDS

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## London Borough of Bromley

Report No.  
ES20053

### PART ONE - PUBLIC

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**Decision Maker:** **Public Protection and Enforcement Policy Development and Scrutiny Committee**

**Date:** **8 December 2020**

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

**Title:** **Contract Register**

**Contact Officer:** Lucy West, Senior Performance Officer  
Tel: 020 8461 7726 Email: Lucy.West@bromley.gov.uk

**Chief Officer:** Colin Brand, Director of Environment & Public Protection

**Ward:** All Wards

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1. Reason for report

1.1 This report presents an extract from November 2020's Contracts Register for detailed scrutiny by PDS Committee – all PDS committees will receive a similar report each contract reporting cycle, based on data as at 28 October 2020 and presented to E & RC PDS on 18 November 2020

1.2 There is no accompanying 'Part 2' of this agenda, as any relevant commentary has been included in the Part 1 report.

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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).**

### 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: Public Protection & Enforcement Portfolio
  4. Total current budget for this head: - £2.4321m
  5. Source of funding: - Existing controllable revenue budget for 2020/21
- 

### 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 Contracts Database (CDB) is fully utilised by all Contract Managers across the Council as part of their Contract Management responsibilities, which includes the updating the information recorded on the database. The Register is generated from the Contracts Database which is administered by Commissioning & Procurement Directorate and populated by the relevant service managers (Contract Owners) and approved by their managers (Contract Approvers).
- 3.2 As a Commissioning Council, this information is vital to facilitate a full understanding of the Council's procurement activity and the Contracts Register is a key tool used by Contract Managers as part of their daily contract responsibilities. The Contract Registers are reviewed by the Procurement Board, Chief Officers, Corporate Leadership Team, and Contracts Sub-Committee as appropriate
- 3.3 The Contracts Register is produced four times a year for members– though the CDB itself is always 'live'.
- 3.4 Each PDS committee is expected to 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

- 3.5 The Council has 222 active contracts covering all portfolios as of 17<sup>th</sup> October 2020 for the November reporting cycle as set out in Appendix 1.

#### Public Protection and Enforcement

Item	Category	May 2020	September 2020	November 2020
<b>Total Contracts</b>	<b>£50k+</b>	<b>6</b>	<b>6</b>	<b>6</b>
<b>Concern Flag</b>	<b>Concern Flag</b>	<b>0</b>	<b>0</b>	<b>0</b>
Risk Index	Red	0	0	0
	Amber	1	1	1
	Yellow	3	3	4
	Green	2	2	1
<b>Total</b>		<b>6</b>	<b>6</b>	<b>6</b>
Procurement Status	Red	1	2	0
	Amber	1	0	2
	Yellow	1	1	1
	Green	3	3	3
<b>Total</b>		<b>6</b>	<b>6</b>	<b>6</b>

- 3.6 Contracts may be flagged for attention due to the tight timescales for tender (rather than any performance issues associated with the delivery of the contract). During this contract cycle, there are no contracts flagged for attention.

#### 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 is set out in the 2016-18 [Building a Better Bromley](#) document and the Contracts Database (and Contract Registers) help in delivering the aims (especially in delivering the 'Excellent Council' aim). 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 the Budget Monitoring reports. 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 the Council's active contracts may be found on [Bromley.gov.uk](http://Bromley.gov.uk) to aid transparency (this data is updated after each Contracts Sub-Committee meeting).

<b>Non-Applicable Sections:</b>	None
Background Documents: (Access via Contact Officer)	<ul style="list-style-type: none"><li>• Appendix 1 – Key Data (All Portfolios)</li><li>• Appendix 2 - Contracts Database Background information</li><li>• Appendix 3 – Contracts Database Extract PART 1</li></ul>


## Appendix 1: Key Data (All Portfolios)

Item	Category	May 2020	September 2020	November 2020
<b>Contracts (&gt;£50k TCV)</b>	<b>All Portfolios</b>	<b>212</b>	<b>213</b>	<b>220</b>
<b>Flagged as a concern</b>	<b>All Portfolios</b>	<b>0</b>	<b>2</b>	<b>0</b>
<b>Capital Contracts</b>	<b>All Portfolios</b>	<b>1</b>	<b>4</b>	<b>3</b>
Portfolio	Executive, Resources and Contracts	57	57	56
	Adult Care and Health	72	73	73
	Environment and Community Services	16	14	16
	Children, Education and Families	36	36	39
	Renewal and Recreation and Housing	25	27	30
	Public Protection and Enforcement	6	6	6
<b>Total</b>		<b>212</b>	<b>213</b>	<b>220</b>
Risk Index	Red	12	14	17
	Amber	69	70	75
	Yellow	84	84	83
	Green	47	45	45
<b>Total</b>		<b>212</b>	<b>213</b>	<b>220</b>
Procurement Status	Red	78	84	77
	Amber	17	22	21
	Yellow	24	20	20
	Green	93	87	102
	Imminent	1	3	2
<b>Total</b>		<b>213</b>	<b>216</b>	<b>222</b>

## Appendix 2 - Contracts Register Key and Background Information

### Contract Register Key

1.1 A key to understanding the Corporate Contracts Register is set out in the table below.

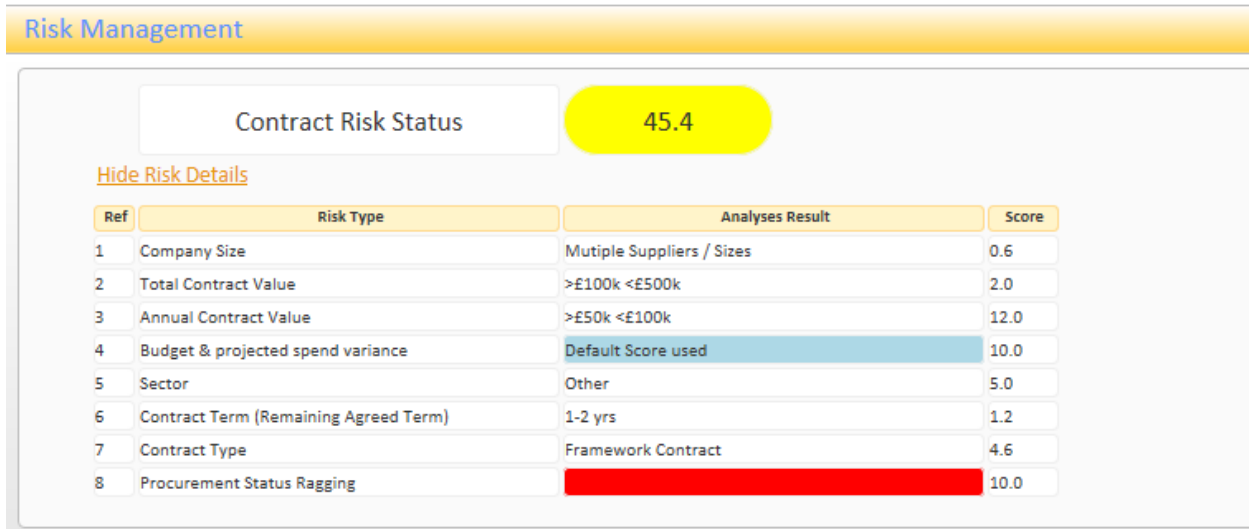
Register Category	Explanation
<b>Risk Index</b>	Colour-ranking system reflecting eight automatically scored and weighted criteria providing a score (out of 100) / colour reflecting the contract's intrinsic risk
<b>Contract ID</b>	Unique reference used in contract authorisations
<b>Owner</b>	Manager/commissioner with day-to-day budgetary / service provision responsibility
<b>Approver</b>	Contract Owner's manager, responsible for approving data quality
<b>Contract Title</b>	Commonly used or formal title of service / contract
<b>Supplier</b>	Main contractor or supplier responsible for service provision
<b>Portfolio</b>	Relevant Portfolio for receiving procurement strategy, contract award, contract monitoring and budget monitoring reports
<b>Total Contract Value</b>	The contract's value from commencement to expiry of formally approved period (excludes any extensions yet to be formally approved)
<b>Original Annual Value</b>	Value of the contract its first year (which may be difference from the annual value in subsequent years, due to start-up costs etc.)
<b>Budget</b>	Approved budget for the current financial year. May be blank due to: finances being reported against another contract; costs being grant-funded, complexity in the finance records e.g. capital (also applies to Projection)
<b>Projection</b>	Expected contract spend by the end of the current financial year
<b>Procurement Status</b>	Automatic ranking system based on contract value and proximity to expiry. This is designed to alert Contract Owners to take procurement action in a timely manner. Red ragging simply means the contract is nearing expiry and is not an implied criticism (indeed, all contracts will ultimately be ragged 'red').
<b>Start &amp; End Dates</b>	Approved contract start date and end date (excluding any extension which has yet to be authorised)
<b>Months duration</b>	Contract term in months
<b>Attention </b>	Red flag indicates that there are potential issues, or that the timescales are tight and it requires close monitoring. (also see C&P Commentary in Part 2)
<b>Commentary</b>	Contract Owners provide a comment – especially where the Risk Index or Procurement Status is ragged red or amber. Commissioning & Procurement Directorate may add an additional comment for Members' consideration <i>The Commentary only appears in the 'Part 2' Contracts Register</i>
<b>Capital</b>	Most of the Council's contracts are revenue-funded. Capital-funded contracts are separately identified (and listed at the foot of the Contracts Register) because different reporting / accounting rules apply

### Contract Register Order

1.2 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

- 1.3 The Risk Index is designed to focus attention on contracts presenting the most significant risks to the Council. 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

- 1.4 A contract's Procurement Status is a combination of the Total Contract Value (X axis) and number of months to expiry (Y axis). 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. Red ragging simply means the contract is nearing expiry and it is not an implied criticism (indeed, all contracts will ultimately be ragged 'red').

		Procurement / Commissioning Status					
Period	3 months						<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; background-color: red; margin-right: 5px;"></div> Requires an agreed plan  <div style="width: 20px; height: 20px; background-color: yellow; margin-right: 5px;"></div> Develop / test options  <div style="width: 20px; height: 20px; background-color: orange; margin-right: 5px;"></div> Consider options  <div style="width: 20px; height: 20px; background-color: green; margin-right: 5px;"></div> No action required                 </div>
	6 months						
	9 months						
	12 months						
	18 months						
		£5k - £50k	£50k - £100k	£100k - £173k	£173k - £500k	>£500k	
		Total Contract Value					

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**Contract Register Report - £50k Portfolio Filtered - Public Protection and Enforcement**

November 2020

Risk Index		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	Capital
●	<b>A</b>	4941	Joanne Stowell	Colin Brand	<a href="#">Mortuary Contract</a>	Princess Royal University Hospital Mortuary via Kings College Hospital NHS Foundation Trust (with LB Bexley)	Public Protection and Enforcement	540,000	180,000			■	01/10/2019	30/09/2022	36		
●	<b>A</b>	3763	Mark Atkinson	Joanne Stowell	<a href="#">Dogs &amp; Pest Control Services</a>	SDK Environmental Ltd	Public Protection and Enforcement	276,000	60,500			■	01/02/2018	31/01/2022	48		
●	<b>Y</b>	4955	Jonathan Richards	Colin Brand	<a href="#">Bromley Market Assembly</a>	MarketForce Services Limited	Public Protection and Enforcement	154,000	77,000			■	01/01/2020	31/12/2021	24		
●	<b>G</b>	4859	Robert Vale	Joanne Stowell	<a href="#">CCTV Monitoring</a>	Enigma CCTV Ltd	Public Protection and Enforcement	1,441,000	288,200			■	01/04/2019	31/03/2024	60		
●	<b>G</b>	4858	Robert Vale	Joanne Stowell	<a href="#">CCTV Repair and Maintenance Contract</a>	Tyco Fire & Intergrated Soutlion (UK) Ltd	Public Protection and Enforcement	691,081	135,573			■	01/04/2019	31/03/2024	60		
●	<b>G</b>	3799	Joanne Stowell	Colin Brand	<a href="#">Coroners Service</a>	London Borough of Croydon	Public Protection and Enforcement	448,640	224,320			■	01/04/1966	31/08/2029	762		

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Report No.  
CSD20111

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** ENVIRONMENT AND COMMUNITY SERVICES POLICY  
DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** Tuesday 3<sup>rd</sup> November 2020

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

**Title:** Expenditure on Consultants 2019/20 AND 2020/21

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

**Chief Officer:** Director of Corporate Services

**Ward:** (All Wards);

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1. Reason for report

At its meeting on 8<sup>th</sup> October 2020, the Executive, Resources and Contracts 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)**

**That the Committee considers the information about expenditure on consultants relating to the Environment and Community Services Portfolio contained in the attached report, and considers whether any further scrutiny is required.**

Impact on Vulnerable Adults and Children

1. Summary of Impact:
- 

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:
  2. Call-in: Not Applicable:
- 

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 Environment and Community Services Portfolio is set out in Appendix 2 and is focussed on (i) one-off specialist advice, no-one with specialist skills and (ii) insufficient in-house skills/resources. Expenditure amounted to £23,258 in 2019/20 and £6,000 in 2020/21 to September 2020.
- 3.2 Capital expenditure on consultants in the Environment and Community Services Portfolio is set out in Appendix 3. There was no capital expenditure in 2019/20 and in the first quarter of 2020/21 capital expenditure amounted to £7,903.

<b>Non-Applicable Sections:</b>	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, RESOURCES AND CONTRACTS POLICY  
DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** 8th October 2020

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

**Title:** Expenditure on Consultants 2019/20 and 2020/21

**Contact Officer:** David Bradshaw, Head of Finance  
Tel: 020 8313 4807 E-mail: [david.bradshaw@bromley.gov.uk](mailto:david.bradshaw@bromley.gov.uk)  
James Mullender, Head of Finance  
Tel: 020 8313 4196 E-mail: [james.mullender@bromley.gov.uk](mailto:james.mullender@bromley.gov.uk)  
Keith Lazarus, Head of Finance  
Tel: 020 8313 3163 E-mail: [keith.lazarus@bromley.gov.uk](mailto:keith.lazarus@bromley.gov.uk)  
David Dobbs, Chief Accountant  
Tel: 020 8313 4145 E-mail: [david.dobbs@bromley.gov.uk](mailto:david.dobbs@bromley.gov.uk)

**Chief Officer:** Peter Turner, Director of Finance

**Ward:** N/A

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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 2019/20 and expenditure to June 2020 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 2019/20 and also the expenditure for this financial year as at the end of June 2020. 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 The financial implications are included in the body of the report and the appendices.
- 5.2 A summary of the expenditure is detailed in the table below

<b>Expenditure on consultants</b>		
	<b>2019/20</b>	<b>2020/21</b>
	<b>£'000</b>	<b>£'000</b>
		<b>Part Year</b>
Revenue	588	140
Capital	419	71
	<b>1,007</b>	<b>211</b>

#### 6. LEGAL IMPLICATIONS

- 6.1 Legislation affords employees employment rights e.g. paid holiday, maternity leave and pay, entitlement to redundancy payments, minimum notice periods and protection from unfair dismissal. In general terms self-employed individuals and consultants are not entitled to these enhanced statutory rights or protections, because, arguably, they are not employees in the strict legal sense. However, the law around who is an employee/not an employee is constantly evolving and has resulted in a number of high profile cases e.g. Uber, Pimlico Plumbers and Deliveroo.
- 6.2 In addition HMRC also uses criteria e.g. IR35 when determining an individual's employment status. This means that an individual could be considered an employee for tax purposes and yet remains a consultant from an employment perspective. Ultimately, who is an employee or a worker, or self-employed individual for employment law purposes is a matter for the employment tribunal to decide.
- 6.3 To manage and minimise the risk to the Council, the Council procedures should be followed as referred to in para 3.3 and 7.1, which also reference IR35 together with using the Councils consultant contract documentation or other suitable contracts e.g. Jct. In addition the Councils HR and legal departments can be consulted.

#### 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, and in line with guidance from the Corporate Procurement Team. 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.

<b>Non-Applicable Sections:</b>	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.

<b>Estimated Cost (or Value)</b>	<b>Tender procedure</b>	<b>Shortlisting</b>
Up to £5,000 <b>(£25,000 for Consultancy Services)</b>	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 <b>£500,000</b> 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	19-20	20-21 Q1	Description	Procurement procedure followed	No. of quotes obtained	Date Reported to Members
<b>£</b>							
<b>One-off specialist advice, no one with relevant specialist skills</b>							
Gartner UK Ltd	ISD	52,800	0	Provision of independent System Reviews, Consultancy, and Design	Waiver under Contract Procedure Rule 13.1 - Negotiated Tender.	1	Jul-19
GQP Consulting Ltd	Chief Execs	2,600	1,300	Longlisting and interviews for Director of Children's Services	Single quote under CPR 8.2.1	1	N/A
JF Ltd	HR	1,875	0	The provision of consultancy service in connection to member panel grievance appeal hearing.	Single quote under CPR 8.2.1	1	N/A
JC (Maitland Chambers)	Finance	480	0	Matter of London LGPS CIV - advising on the telephone and amending draft opinion	Single quote under CPR 8.2.1	1	N/A
<b>One-off specialist work total</b>		<b>57,755</b>	<b>1,300</b>				
<b>Insufficient in-house skills / resources</b>							
Bell Phillips Architects Ltd	TFM (Strategic Property)	14,880	0	Car Park Capacity Study	Single quote under CPR 8.2.1	1	N/A
Hays Specialist Recruitment	TFM (Strategic Property)	26,475	27,600	Work into Stat Asset Valuations	Emergency Exemption	1	N/A
Knight Frank LLP	TFM (Strategic Property)	17,500	0	Professional services in providing valuation and report as at 1 April 2019 of The Glades Shopping Centre, Bromley	Emergency Exemption	1	N/A
Michael Page International	TFM (Strategic Property)	6,056	0	Specialist (V.L) for Asset Valuation Work	Emergency Exemption	1	N/A
Montagu Evans LLP	TFM (Strategic Property)	85,750	0	Asset Valuation 2019/20	Waiver Approved	1	N/A
Number10 Interim Ltd	Strategy	3,000	3,600	Provided expert skills in Business Objects and SQL language to extract data and performance information from CareFirst to meet Ofsted expectations	Single quote under CPR 8.2.1.	1	N/A
<b>Insufficient in-house skills total</b>		<b>153,661</b>	<b>31,200</b>				
<b>Training</b>							
Daisy Boqq Consultancy Ltd	Strategy	21,000	7,400	Training for Social Workers	Single quote under CPR 8.2.1	1	N/A
DPR Consulting Services Ltd	Strategy	24,100	6,800	Package of External Training	Request for Quotes through Due North tender process. Further Extension authorised.	At least 3	N/A
<b>Training total</b>		<b>45,100</b>	<b>14,200</b>				
<b>GRAND TOTAL</b>		<b>256,516</b>	<b>46,700</b>				

Category / Supplier Name	Division/Serv. Area	19-20 £	20-21 Q1 £	Description	Procurement procedure followed	No. of quotes obtained	Date Reported to Members
<b>One-off specialist advice, no one with relevant specialist skills</b>							
Mr CS	Adult Social Care	0	8,225	Safeguarding Adults Review. Costs are shared across all statutory agencies involved in the SAB	3 expression of interest were considered, business case put forward for the appointment of the reviewer.	3	BSAB Executive Committee notified May 2019
<b>One-off specialist work total</b>		<b>0</b>	<b>8,225</b>				
<b>Training</b>							
LS Consulting	Adult Social Care	0	3,600	Bromley Safeguarding Adults Board - Various Training Courses	Single quote under CPR 8.2.1	1	N/A
Miss SBD	Adult Social Care	0	1,304	Speaker for BSAB 2019 Conference	Single quote under CPR 8.2.1	1	N/A
Safeguarding Training & Consultancy Services Ltd	Adult Social Care	4,200	0	Bromley Safeguarding Adults Board - Various Training Courses	Single quote under CPR 8.2.1	1	N/A
<b>Training total</b>		<b>4,200</b>	<b>4,904</b>				
<b>GRAND TOTAL</b>		<b>4,200</b>	<b>13,129</b>				

Category / Supplier Name	Division /Serv. Area	19-20	20-21 Q1	Description	Procurement procedure followed	No. of quotes obtained	Date Reported to Members
		£	£				
<b>One-off specialist advice, no one with relevant specialist skills</b>							
Aidhour Ltd	CSC	5,291	0	Pre Ofsted review of CLA case files	Contract Exemption form completed May 2015	N/A	N/A
AV Outcomes LTD	CSC	27,700	4,007	Consultancy work - Quality Improvement Service	Single quote under CPR 8.2.1	1	N/A
Bromley Parent Voice	Edu	10,000	8,334	SEND Reform project management. Procured for the lifetime of the Pathfinder (one year in first instance) then waivers obtained over the last two years as the grant funding has continued.	Single quote under CPR 8.2.1 - Waiver obtained	1	N/A
C&F Social Work Consultancy Ltd	CSC	13,950	20,700	Ofsted PAS work	Single quote under CPR 8.2.1	1	N/A
CJA	CSC	863	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
CASPA	Edu	1,000	0	One off payment to voluntary sector provider for work contributing to the ASD Partnership 100 day challenge	Authorisation from HoS / Director	N/A	N/A
CB Ltd	CSC	1,950	0	Review of Bromley Leaving Care Service	Single quote under CPR 8.2.1	1	N/A
College Valley Consultancy Limited	CSC	2,400	1,750	Practice Assurance Stocktake Adoption & Fostering	Single quote under CPR 8.2.1	1	N/A
Coram Voice	CSC	373	395	commissioned advocacy service for children with cp plans and looked after children	Single quote under CPR 8.2.1	1	N/A
Croydon Council	Edu	8,750	6,250	Joint SEN Commissioning Programme with Croydon Council who are responsible. Programme involves Consultancy which has been brought in by Croydon and Bromley is sharing the cost.	See Description	N/A	N/A
The Change Agency	CSC	4,800	0	Work for CSC practice model - Bromley relationship model (BRM)	Exemption from tendering under CPR 13.1	1	N/A
Dr CM	CSC	1,221	4,401	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Dr JS	CSC	724	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Dr ML	CSC	875	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Dr RDC	CSC	545	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Dr RK	CSC	2,108	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Duko Consulting Ltd	CSC	635	540	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Edusolve Ltd	Edu	7,975	2,750	SIP supporting maintained schools including St. Olave's - Reported to CEF PDS	1 Written Quote	1	N/A
Emeritus Consultancy	Edu	3,060	0	Consultancy - inspection preparation	Authorisation from Directors	N/A	N/A
Emeritus Consultancy	CSC	10,406	1,200	Childrens Service Improvement Team	Exemption from tendering under CPR 13.1	N/A	N/A
Expert in Mind	CSC	35,107	6,637	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
GT Associates Ltd	CSC	576	252	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
IMA	CSC	2,314	247	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
JD	CSC	2,916	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
JF	CSC	3,330	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Kesar & Co Ltd	CSC	180	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
KM Management and Consultancy Ltd	CSC	17,025	5,050	Health Check of MASH Service	Exemption from tendering under CPR 13.1	N/A	N/A
KM Management and Consultancy Ltd	CSC	15,350	2,750	Improvement work in the YOS for inspection using ex inspector	Exemption from tendering under CPR 13.1	N/A	N/A
LA Westlake Consulting	CSC	4,550	0	Review of service	Exemption from tendering under CPR 13.1	N/A	N/A
LB	CSC	2,414	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
MC Medical Consulting Ltd	CSC	3,599	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Morrison Spowart Ltd	CSC	1,649	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Mr DM	CSC	514	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Mrs BT	CSC	400	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
PJG	Edu	16,250	0	Specialist consultant undertook the review of Alternative Provision and SEMH	1 Written Quote	1	N/A
Parsons Marshall Psychology	CSC	2,083	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Psychological Consultancy Services Ltd	CSC	2,893	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Psychology Expert (UK) Ltd	CSC	445	2,033	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Rodante Ltd	CSC	0	1,729	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Sumi Ratnam & Co Ltd	CSC	405	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
Symbol Family Support Services Ltd	CSC	65,504	5,436	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A
TG	CSC	1,475	0	Pre Ofsted review by regulator	Single quote under CPR 8.2.1	1	N/A
Willemssen Consulting	CSC	248	0	Professionals engaged by the council (normally on request of the courts) to write a report on a child	Appointment normally has to be agreed with the court	N/A	N/A

Category / Supplier Name	Division /Serv. Area	19-20	20-21 Q1	Description	Procurement procedure followed	No. of quotes obtained	Date Reported to Members
		£	£				
<b>One-off specialist work total</b>		<b>283,854</b>	<b>74,460</b>				
<b>Training</b>							
Clive Atkins Consultancy Ltd	CSC	5,600	0	The Consultancy offers bespoke support to Bromley schools for the management of Educational Visits and use of EVOLVE database	An exemption from competitive tendering was undertaken.	1	N/A
<b>Training total</b>		<b>5,600</b>	<b>0</b>				
<b>GRAND TOTAL</b>		<b>289,454</b>	<b>74,460</b>				

Category / Supplier Name	Division/Serv. Area	19-20 £	20-21 Q1 £	Description	Procurement procedure followed	No. of quotes obtained	Date Reported to Members
<b>One-off specialist advice, no one with relevant specialist skills</b>							
SUSTAINABLE PROCUREMENT LIMITED	Management & Contract Support	3,500	0	Provision/development of a circular economy sustainability toolkit	Direct supplier quotation/procurement	1	N/A
CARBON TRUST ADVISORY LTD	Management & Contract Support	0	6,000	Calculation, analysis, and report of LBB's Procurement carbon emissions	Direct supplier quotation/procurement	1	N/A
<b>One-off specialist work total</b>		<b>3,500</b>	<b>6,000</b>				
<b>Insufficient in-house skills / resources</b>							
WATERMAN ASPEN	Transport Strategy	1,186	0	Parking Design specialist for P&D project	Single tender waiver obtained	1	N/A
AECOM LTD	Highways	18,572	0	Highway Maintenance (Engineering Consultancy)	Term Consultant (TfL Framework)	TfL Framework	N/A
<b>Insufficient in-house skills total</b>		<b>19,758</b>	<b>0</b>				
<b>GRAND TOTAL</b>							
		<b>23,258</b>	<b>6,000</b>				

Category / Supplier Name	Division /Serv. Area	19-20 £	20-21 Q1 £	Description	Procurement procedure followed	No. of quotes obtained	Date Reported to Members
<b>One-off specialist advice, no one with relevant specialist skills</b>							
Lambert Smith and Hampton	Housing delivery vehicles	14,320	0	Professional charges: 80% of fee in relation to Stage 1 of the Housing Programme - evaluation of delivery options.	Request for quotes	3	N/A
<b>One-off specialist work total</b>		<b>14,320</b>	<b>0</b>				
<b>GRAND TOTAL</b>		<b>14,320</b>	<b>0</b>				

Supplier Name	Portfolio					Grand Total	Scheme	No. of quotes obtained	Procurement procedure followed	Date reported to Members
	Adult Care & Health	Children, Education & Families	Environment & Community Services	Renewal, Recreation & Housing	Executive, Resources & Contracts					
<b>Multi disciplinary consultant / Other Consultants</b>										
<b>BAILEY PARTNERSHIP</b>	0.00	192,148	0.00	0.00	0.00	192,148				
		71,795					Basic Needs -school expansion	Tender via LB Lewisham Framework	All suppliers within relevant Lot were invited to quote	N/A
		120,353					Basic Needs -school expansion	Tender via LB Lewisham Framework	All suppliers within relevant Lot were invited to quote	N/A
<b>KEEGANS LTD</b>	0	8,061	0	0	0	8,061				
		1,061					Basic Needs -school expansion	Construction Related Consultancy Services 2012 Framework	All suppliers within relevant Lot were invited to quote	N/A
		7,000					Basic Needs -school expansion	Construction Related Consultancy Services 2012 Framework	All suppliers within relevant Lot were invited to quote	N/A
<b>PELLINGS LLP</b>	0	91,768	0	0	50,808	142,576				
		6,924					Basic Needs -school expansion	Tender via LB Lewisham Framework	All suppliers within relevant Lot were invited to quote	N/A
		84,844					Basic Needs -school expansion	Tender via LB Lewisham Framework	All suppliers within relevant Lot were invited to quote	N/A
					50,808		The provision of consultancy services in connection with the Civic Centre Construction and Refurbishment Programme	5	Mini Competition through ESPO Property, Building and Infrastructure Advice and Management Services Framework	03/07/2019
<b>ECD ARCHITECTS LTD</b>	0	0	0	12,539	0	12,539				
				12,539			Multi dis. construction consultancy to provide kiosks shop units and canopy on high street	2	KCC framework	03/17, 11/17, 02/18, 10/18
<b>FRANKHAM CONSULTANCY GROUP LTD</b>	0	0	0	6,036	0	6,036				
				6,036			Multi dis construction consultancy to replace district heating system	2	ESPO framework	10/07/19 award approval chief officer October 19
<b>PERFECT CIRCLE JV LTD</b>	0	0	0	57,726	0	57,726				
				57,726						
<b>Sub Total - Multi disciplinary consultant / Other Consultants</b>	0	291,977	0	76,301	50,808	419,086				
<b>Grand Total</b>	<b>0</b>	<b>291,977</b>	<b>0</b>	<b>76,301</b>	<b>50,808</b>	<b>419,086</b>				

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Supplier Name	Portfolio					Grand Total	Scheme	No. of quotes obtained	Procurement procedure followed	Date reported to Members
	Adult Care & Health	Children, Education & Families	Environment & Community Services	Renewal, Recreation & Housing	Executive, Resources & Contracts					
<b>Multi disciplinary consultant / Other Consultants</b>										
PICK EVERARD	0	0	7,903	0	0	7,903				
			7,903							
AECOM INFRASTRUCTURE & ENVIRONMENT UK LTD	0.00	0.00	0.00	36,383	0.00	36,383				
				8,726			Multi-disciplinary team developing Regeneration Plan for Crystal Palace Park	3	Framework	13th January 2016
				27,657			Multi-disciplinary team developing Regeneration Plan for Crystal Palace Park	3	Framework	13th January 2016
AECOM LTD	0.00	0.00	0.00	10,750	0.00	10,750				
				10,750			Multi-disciplinary team developing Regeneration Plan for Crystal Palace Park	3	Framework	13th January 2016
FRANKHAM CONSULTANCY GROUP LTD	0.00	0.00	0.00	13,765	0.00	13,765				
				13,765			The provision of consultancy services in connection with the delivery of the replacement of the District Heating System Boilers	2	Mini Competition through ESPO Property, Building and Infrastructure Advice and Management Services Framework	N/A
REDMAN PARTNERSHIP LLP				1,799		1,799				



Supplier Name	Portfolio					Grand Total	Scheme	No. of quotes obtained	Procurement procedure followed	Date reported to Members
	Adult Care & Health	Children, Education & Families	Environment & Community Services	Renewal, Recreation & Housing	Executive, Resources & Contracts					
				1,799			Exhibition design for Biggin Hill Memorial Museum	3	Competitive tender	21st May 2018
<b>Sub total - Multi disciplinary consultant / Other Consultants</b>	<b>0.00</b>	<b>0.00</b>	<b>7,903</b>	<b>62,696</b>	<b>0.00</b>	<b>70,599</b>				

<b>Grand Total</b>	<b>0</b>	<b>0</b>	<b>7,903</b>	<b>62,696</b>	<b>0</b>	<b>70,599</b>
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Report No.  
CSD 20069

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** PUBLIC PROTECTION AND ENFORCEMENT POLICY  
DEVELOPMENT & SCRUTINY COMMITTEE

**Date:** 8<sup>th</sup> December 2020

**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:** Director of Corporate Services

**Ward:** (All Wards)

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1. Reason for report

- 1.1 Members of the Committee are asked to review the Work Programme and make suggestions for any modifications to the Work Programme as may be considered appropriate.
- 1.2 The Committee should note that the Work Programme is fluid and subject to change

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2. **RECOMMENDATION(S)**

**(1) That the Committee notes the Work Programme**

**(2) That Committee members and officers comment on any matters that they think should be considered on the Work Programme going forward**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: Some of the matters considered by the PP&E PDS Committee may have an impact on vulnerable adults and children
- 

### Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Excellent Council Safe 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: £359,420
  5. Source of funding: 2020/2021 revenue budget
- 

### Personnel

1. Number of staff (current and additional): 7 posts (6.66fte)
  2. If from existing staff resources, number of staff hours: About an hour 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 primarily for the benefit of the PP&E PDS Committee Members and Co-opted Members and relevant officers.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
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 Enforcement PDS Committee 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.
- 3.3 Consideration may need to be applied to the convening of a meeting to discuss the future development of the Work Programme for 2020.

Background Documents: (Access via Contact Officer)	Minutes of the previous meeting. Previous Work Programme Report The Public Protection and Enforcement Portfolio Plan
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<b>PUBLIC PROTECTION AND ENFORCEMENT PDS---Tuesday, 8<sup>th</sup> Dec 2020</b>
Matters Outstanding
Co-opted Members Report
Year to Date Update from the MET Police
Portfolio Holder Update and Public Protection Performance Against the Portfolio Plan
Enforcement Activity Update
Budget Monitoring Report
Contracts Register Report and Contract Database Extract
Public Protection Risk Register Update
Presentation from Bromley Youth Council
Report for Noting--Review of Public Space Protection Orders Concerning Alcohol Control Zones 2020
Expenditure on Consultants—Report for Noting
MOPAC Verbal Update
Work Programme
<b>PUBLIC PROTECTION AND ENFORCEMENT PDS---Tuesday 19<sup>th</sup> January 2021</b>
Matters Outstanding
Police Update
Presentation from SLAM
Portfolio Holder Update
MOPAC Update Report
Public Protection Performance Against Portfolio Plan Indicators
Safer Bromley Partnership Update
Public Protection and Enforcement Portfolio Draft Budget 2021/22
Contracts Register report and Contract Database Extract
Environment and Public Protection Risk Register Update
Work Programme
<b>PUBLIC PROTECTION AND ENFORCEMENT PDS---Tuesday, 16<sup>th</sup> March 2021</b>
Matters Outstanding
Police Update
Portfolio Holder Update
Public Protection Performance Against Portfolio Plan Indicators
Minutes of the Previous Meeting of the Safer Bromley Partnership
Presentation from Bromley Youth Council (Update following December presentation)
Budget Monitoring report
Contracts Register report and Contract Database Extract
Environment and Public Protection Risk Register Update
Work Programme
<b>POSSIBLE FUTURE PRESENTATIONS and AGENDA ITEMS</b>
Knife and Serious Violence Action Plan
Report on LBB's contract with the Coroner.

Report on the link between crime and mental health issues
Update report on the Mortuary Contract
Emergency Planning and Corporate Resilience Business Continuity Service— Annual Update
Prevent Update
<b>POSSIBLE FUTURE VISITS</b>
Coroners' Court.
Bethlem Hospital

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