

PUBLIC PROTECTION AND ENFORCEMENT POLICY DEVELOPMENT & SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 22 June 2021

Present:

Councillor David Cartwright QFSM (Chairman)

Councillors Kathy Bance MBE, Julian Benington,
Kim Botting FRSA, Mike Botting, Alexa Michael and
Keith Onslow

Jacob Eysers and Alf Kennedy

Also Present

Councillor Angela Page
Chief Inspector Craig Knight

STANDARD ITEMS

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Chris Pierce, and Cllr Keith Onslow attended as substitute. Apologies were also received from Cllr Hannah Gray, Cllr Colin Hitchins, Dr Robert Hadley and Oscar Searle.

The Chairman thanked Councillor Kate Lymer for her hard work and service as the previous Portfolio Holder for Public Protection and Enforcement and welcomed Councillor Angela Page as the new Portfolio Holder .

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES OF THE PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE HELD ON 16th MARCH 2021

The Committee considered the minutes of the Public Protection and Enforcement PDS Committee held on 16th March 2021.

RESOLVED that the minutes of the meeting held on 16th March 2021 be agreed as a correct record.

4 QUESTIONS FOR THE PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER

No questions had been received.

5 MATTERS OUTSTANDING

Chief Inspector Craig Knight provided an update concerning the matters arising that were related to the police.

The police and fire service were monitoring any possible delays in responses as a result of low traffic zones. The police reported that to date they were not aware of any significant delays. The LAS had written to the Chairman to inform him that last year, the low traffic zones had caused delays on 188 occasions.

In the rolling 12 months there had been 3403 recorded harassment cases. Chief Inspector Knight provided the Committee with the official definition of what constituted harassment. It was quite a broad area, covering a variety of offences. It was noted that with respect to the offence of harassment, Bromley had been ranked as the 9th safest borough in London. The areas for the most recorded number of harassment cases were Bromley Town, Penge/Cator and the Crays.

The Committee discussed the differences between Hate Crime and Harassment. Councillor Bance had previously requested a breakdown of the harassment data and she stated that she was happy with the information that had been provided from the police. The Chairman said that he would ensure that the harassment data provided by the police would be disseminated.

The Chairman had asked that the police provide data to show the recruitment and subsequent retention of officers from ethnic minority backgrounds. Chief Inspector Knight provided extensive data in this regard concerning recruitment. This also included a breakdown relating to male and female recruits.

The Chairman thanked the Chief Inspector for the data, but he pointed out that recruitment was different to retention and he was very much interested in how many of these recruits from ethnic minorities were retained in service after completing the relevant training.

The Chief Inspector replied that losses were very small, somewhere in the region of 10 to 20 officers in the first two years. Overall, the retention of officers had improved in the last 12 months--this was something that the Met Police and MOPAC monitored closely.

A Member asked about security checks when new recruits applied to join the police. (This was in the light of the tragic circumstances surrounding the murder of Sarah Everard). The Chief Inspector replied that the police vetting checks were stringent, but no amount of vetting could always identify a

propensity to commit murder. With respect to the Sarah Everard case, the officer concerned had been transferred in from another police force that required a higher form of vetting and he was vetted again when he joined the Met. It was noted that DNA samples and finger print samples were taken from new recruits.

A further discussion took place looking at the difference in retention rates from those who had entered the police force via 'direct entry' and those who had entered by more usual routes.

An update was provided concerning the bones that had been dug up in the Biggin Hill area. The Chief Inspector assured the Committee that this incident was not regarded as suspicious. The original analysis of the bone was inconclusive, so a second bone was now being analysed. The current line of thinking was that this was a bone belonging to an elderly male, possibly of Asian or North African origin.

It was noted that with respect to crime hotspots, this was a matter that had already been discussed outside of the meeting.

The matter relating to footpath 136 was also raised. The Chairman asked the relevant Member if she could take this away as a local issue. The Director for Environmental Services and Public Protection said that he would pick up this matter with the relevant team the next day and that he would update the Member who had made the original query.

RESOLVED that:

1) The Director for Environment and Community Services would look into the issues that had been raised concerning footpath 136. He would raise this the following day with the relevant team and report back to the Member who had raised the matter.

6 POLICE UPDATE

Members were briefed that the Metropolitan Police and MOPAC agreed to base crime data figures on 2019 as opposed to 2020, as the 2020 figures would have been affected by the Covid pandemic. MOPAC would be holding the police to account with respect to the 2019 data.

The trend currently was that crime was beginning to rise as the country started to move out of lockdown. It was clear that a disproportionately high volume of crimes took place in certain problem Wards. Crime was being classified by volume as well as by the amount of harm caused by that crime. Resultingly, the police were targeting their actions in a different way and were developing a new patrol strategy. They would be focusing on 'high harm' areas.

It was noted that burglary had fallen as a result of the Covid pandemic because more people were at home. The police now had to consider how

they could better target residential burglary when the country moved out of lockdown. It was also the case that criminal damage and theft from motor vehicles was also starting to increase. Theft of motor vehicles was subject to seasonal variations.

The police had been very successful in targeting catalytic converter crimes and significant reduction in volume had been seen in this area. Chief Inspector Knight informed the Committee that many of these criminal gangs had been taken out of the system and many had fled; European arrest warrants would be used as required. It was also the case that during the Covid lockdown the number of robberies fell because streets were quieter as footfall was lower. At the time of the meeting, knife crime figures were also down.

A Member asked if there had been an increase in domestic violence because of lockdown. Chief Inspector Knight reported that there had been a 6% rise in domestic violence cases across London, so the increase was not dramatic.

A Member expressed his thanks for the work undertaken by the Police in the Petts Wood and Knoll areas. He asked why there had been police dogs in the Glades; the Chief Inspector was not aware of the reason for this and promised to find out and report back to the Member.

A Member referred to a report which indicated that in the period 2019 to 2020, 141 police officers and staff had breached professional standards; 55% of these had been proven and 37% had resulted in charges of gross misconduct. She asked if the Committee could have a tri-borough figure with respect to this provided at the next meeting.

The matter of motorised scooters was raised. Chief Inspector Craig Knight confirmed that the legislation on this was straight forward. In cases where an individual was utilising a motorised propelled vehicle, such a vehicle would fall within the remit of the Road Traffic Act and would need to be registered and insured.

The police in the first instance generally issued warnings to the individuals concerned and to the shops selling the scooters. If it was the case that a motorised scooter was being used for the pursuance of crime or ASB, then it was likely that the scooter would be seized in the first instance.

An option for the Government to consider was possibly to insist on registration. The police had to date seized 650 scooters, primarily focusing on those that were regarded as nuisance users. In most cases, warnings would be issued initially; if these warnings were not taken notice of, then the police would consider seizing the scooter--they were trying to undertake a proportionate response.

Concern was expressed at those parents who took their children to school on them. It was clarified that it was not an offence to use the scooters on private property.

The Chairman raised the issue of 'sanctioned detections', commenting that they were still below 10% and he asked if a strategy existed to improve this. Chief Inspector Knight answered that the police did have a strategy and that sanctioned detection rates were top of their agenda. One of the things that the police were doing was improving the way various technologies like facial recognition technology was being used.

Chief Inspector Knight was asked if the Met could bring back more traffic police into Bromley, and the Chief Inspector responded that this was ultimately down to MOPAC. It was resolved that the Portfolio Holder should raise this issue at MOPAC meetings going forward.

A discussion took place regarding 'anti-spike' bottle tops, this was an ongoing initiative and the bottle tops were very cheap to procure. The BYC representative informed the Committee that these were also being given out in schools.

The Chairman requested an update on the 'hotspot strategy', he said that he would be grateful to receive annual comparisons on the data charts provided by the police.

A Member asked if the Met was ready for boundary changes and the answer to this was in the affirmative.

RESOLVED that:

- 1) At the next meeting, Chief Inspector Craig Knight would provide some data with respect to the number of police officers within the tri-borough command, that had breached professional standards of conduct.**
- 2) At the next meeting with MOPAC, the Portfolio Holder should pursue the case for the return of traffic policing in Bromley.**
- 3) An update should be provided to the Committee regarding the police 'hotspot strategy'. Data charts with respect to this should detail annual comparisons.**

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

**7 PUBLIC PROTECTION AND ENFORCEMENT PERFORMANCE
OVERVIEW AND PORTFOLIO HOLDER UPDATE**

The new Portfolio Holder for Public Protection and Enforcement (Cllr Angela Page) stated that she was looking forward to her new role.

Apologies were given because it was hard to read the high volume of data contained in the public performance overview document; this was despite the fact that it had been printed off in A3 for convenience. This was an issue that was noted across committees and was being addressed.

Three areas had been flagged as red:

1. It was noted that the Council's efforts to promote awareness of activities had been negatively affected by the Covid pandemic.
2. Similarly the amount of test purchasing had also been negatively affected by the Covid pandemic.
3. The third area was the matter of the provision of business advice which had also been flagged as red. However, the Director for Environment & Public Protection stated that this in fact was not correct and the relevant data had not been harnessed together properly into one set of data. This being the case, this indicator should be green and would be changed for the next meeting.

RESOLVED that the update regarding the public protection and enforcement performance overview be noted.

8 EXTENSION OF THE STRAY DOG SERVICE AND PEST CONTROL SERVICE

ES20094

The Assistant Director for Public Protection and Enforcement informed Members that the current stray dog service and pest control service was working well and so the resultant report being presented was straight forward. The Council had utilised the last year of the contract extension option and would be looking to re-tender in early 2022. It was likely that another three year contract would be agreed with extension options included.

A Member asked why LBB were charging because another local borough appeared not to be doing so. The Assistant Director responded that there was a statutory fee that had to be charged so the other borough would have to charge.

The Chairman referenced the possibility of a joint arrangement. The Assistant Director responded that the Council benefited from excellent rates in the existing contract and so a joint arrangement was not required.

RESOLVED that:

The Portfolio Holder noted the history and annual contract value of the contract with SDK Ltd and agreed to the extension of both the Stray Dog Service (Lot 1) and the Pest Control Service (Lot 2) as supported by the business case outlined at 5.1 (Lot 1) and 9.1 (Lot 2), and in accordance with Contract Procurement Rule (CPR) 23.7.3 as outlined in paragraph 17.2 to 31st January 2023.

9 PRIVATE RENTED SECTOR HOUSING ENFORCEMENT POLICY 2021

A draft report on this matter had previously been presented to Members and then the proposals had gone out for public consultation. The aim of the proposals were to enable the Council to clamp down on rogue landlords. The report outlined proposals for a civil penalties policy. There had been no changes made to the original report.

RESOLVED that:

- 1) The Portfolio Holder noted the summary of responses received from the consultation.**
- 2) The Portfolio Holder recommended the adoption of the finalised enforcement policy.**
- 3) The Portfolio Holder agreed that delegated authority be given to the Director of Environment and Public Protection, in consultation with the Portfolio Holder for Public Protection and Enforcement to make minor amendments to the Policy post adoption, should it be required.**

10 DELEGATION OF FUNCTION

ES20097

Members were briefed that the report related to two current Trading Standards investigations that were proceeding to prosecution and which required cross boundary authorisations from other local authorities; acceptance of the recommendations would also have a bearing on ongoing and future cases.

Delegation of Function needed to be agreed by the Portfolio Holder in the first instance and then by the Executive.

RESOLVED that:

The Portfolio Holder for Public Protection and Enforcement recommended that the delegation of function from other local authorities (listed in Appendix 1) for adoption, be accepted by the Executive on the 30th June 2021.

11 MINUTES OF THE PREVIOUS MEETING OF THE SAFER BROMLEY PARTNERSHIP STRATEGIC GROUP

Members noted the minutes of the meeting of the Safer Bromley Partnership that met on the 25th of March 2021.

The actions arising from the March meeting of the SBP had been covered in the meeting of the SBP on the 17th of June.

It was confirmed that the Crime Needs Assessment was produced for the partnership meeting on the 17th of June. The CNA had also been added as an appendix to the main agenda item for the PDS meeting, covering the Safer Bromley Partnership Annual Update.

RESOLVED that the minutes of the SBP meeting that was held on 25th March 2021 be noted.

12 ANNUAL UPDATE ON THE SAFER BROMLEY PARTNERSHIP STRATEGY

Members were reminded that it was the responsibility of the PDS Committee to scrutinise the Safer Bromley Partnership at least on an annual basis. The update report provided Members with details concerning the progress made by the SBP with respect to their strategic priorities. It was a testimony to the hard work that had been put in by partners.

The Assistant Director explained that the Crime Needs Assessment had to be produced by the Community Safety Partnership as a statutory requirement and it would highlight the wards within the Borough where resource was needed to be allocated to deal with incidents of ASB and crime.

The assessment showed that the two priorities identified by MOPAC of non-domestic violence with injury and domestic burglary were accurate and appropriate. It was noted that the percentage figure for non-domestic violence with injury was not 64% but was actually 29% .

It was noted that the documents and appendices relating to the annual update on the Safer Bromley Partnership Strategy had been disseminated previously for Members' attention. At the same time, a request was made for Members to submit any questions that they deemed appropriate with respect to the strategy. One member submitted questions, which were answered in full and the questions and answers had been previously disseminated.

A discussion took place regarding Hate Crime and how the data was broken down.

A Member stated that the way in which the information had been presented with respect to the update on the Safer Bromley Partnership Strategy had made it difficult to get to grips with. The Chairman agreed with this. He suggested that some sort of covering report be drafted next time (with pointers to relevant details) so that scrutiny would be easier. The Assistant Director responded, saying that in future she would draft a covering report with additional sections and pointers to the relevant appendices. The Chairman suggested that he have a meeting with the Assistant Director and the Portfolio Holder to discuss this issue.

A Member requested that going forward could the issue of hate crime be broken down further and could a definition of hate crime be provided? Chief

Inspector Craig Knight stated that with respect to obtaining a definition of Hate Crime, the Police or Crown Prosecution Service websites would provide a good definition. Discussion took place between the matter of hate crime and free speech in a democratic society and how these could be balanced.

A Member noted that in the papers presented to the Committee there had been a reference to 513 Hate Crimes. He asked if there was a breakdown of how these were constituted. This was noted as a matter arising for Chief Inspector Craig Knight to take away and he promised that the Member would be provided with the answer to his question.

A Member raised the issue concerning the Chairmanship of the Safer Bromley Partnership, stating that it was the Portfolio Holder who had previously chaired these board meetings and expressed concern that there could be less influence for the Portfolio Holder if she was not the Chair. She also expressed the view that Trading Standards test purchases operations should be resumed at the earliest opportunity.

In response to the issue of the chairmanship of the Board, it was pointed out that the police had acted as Chair on previous occasions. In some organisations, the chairmanship was solely undertaken by the police. In other Boards there were various hybrid arrangements. The Portfolio Holder was happy with the current joint chairmanship between the Police and the Assistant Director for Public Protection and Enforcement.

The Head of Trading Standards and Commercial Regulation responded to the query with respect to Trading Standards' operations and said that he would report back to the Member with dates when these operations were likely to recommence.

The Chairman of the Public Protection and Enforcement PDS Committee had attended the meeting of the SBP on 17th June as a guest. He said that he was disappointed with the amount of partners that had not attended the meeting. The Assistant Director for Public Protection and Enforcement said that this matter was being taken forward.

RESOLVED that:

- 1) The Chairman would meet with the Assistant Director for Public Protection and Enforcement, and the Portfolio Holder to discuss how scrutiny of the Safer Bromley Partnership should be undertaken going forward and how the corresponding annual update should be presented to the PDS Committee.**
- 2) Chief Inspector Craig Knight would provide details of the breakdown of the 513 hate crimes noted in the update to the relevant Member.**
- 3) The Head of Trading Standards and Commercial Regulation would report back to the relevant Member concerning the likely date when Trading Standards operations would be resumed.**

13 ENVIRONMENT AND PUBLIC PROTECTION RISK REGISTER

Members were briefed concerning the red risk rating for the Out of Hours Noise Service. It was noted that this was run on a voluntary basis; it was funded by MOPAC. A review of the service was underway.

Members were referred to the proposed increased cost of the Coroner's Service. This was being challenged by the Director of Environment and Public Protection. The Director was seeking an explanation as to why these non-related COVID costs were increasing. A meeting was being arranged between the Council and the Coroner.

The risk with respect to the 'Uniform' system was noted and the system was referred to as being currently dysfunctional. This matter was in the process of being resolved and should no longer appear as a red risk.

RESOLVED that that the risk register update be noted.

14 CONTRACTS REGISTER REPORT

Members noted the update regarding the Contracts Register.

RESOLVED that the update regarding the Contracts Register be noted.

15 WORK PROGRAMME

CSD 21063

It was noted that a report would be presented to the September meeting concerning the Food Safety Plan.

A Member drew attention to what she perceived as the failure of the 101 service, with callers being put on hold for 30 minutes. She asked if this was a matter that could be brought before a future meeting of the Committee. The Chairman suggested this should be a question that could be directed to the police and that Members could be updated at the September meeting.

RESOLVED that:

1) A report on the Food Safety Plan would be brought to the September meeting.

2) A question would be submitted to the police concerning possible inadequacies in the 101 service and a response to this should be provided at the September meeting.

The meeting ended at 9.00 pm