



THE LONDON BOROUGH
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DATE: 23 August 2021

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

Councillor David Cartwright QFSM (Chairman)
Colin Hitchins (Vice-Chairman)
Councillors Kathy Bance MBE, Julian Benington, Kim Botting FRSA, Mike Botting, Hannah Gray, Alexa Michael and Chris Pierce

Non-Voting Co-opted Members –

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

A meeting of the Public Protection and Enforcement Policy Development & Scrutiny Committee will be held at Bromley Civic Centre on **TUESDAY 7 SEPTEMBER 2021 AT 7.00 PM**

Ade Adetosoye
Chief Executive

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

PLEASE NOTE: This meeting will be held in the Council Chamber at the Civic Centre, Stockwell Close, Bromley, BR1 3UH. Members of the public can attend the meeting: you can ask questions submitted in advance, or just observe the meeting. There will be limited space for members of the public to attend the meeting – if you wish to attend please contact us, before the day of the meeting if possible, using our web-form:

<https://www.bromley.gov.uk/CouncilMeetingNoticeOfAttendanceForm>

Please be prepared to follow the identified social distancing guidance at the meeting, including wearing a face covering

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 JUNE 22ND 2021 (Pages 1 - 12)

4 QUESTIONS FOR THE PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER OR CHAIRMAN

The Public Protection and Enforcement PDS Committee examines executive decisions and reviews policy on anti-social behaviour, drug action, youth offending, trading standards and partnership with the Metropolitan Police.

In accordance with the Council's Constitution, questions from the public that are not specific to reports on the agenda must have been received in writing by 5pm, 10 working days before the date of the meeting. For this meeting, questions not specific to the agenda should have been received by 5pm on 23rd August 2021.

Questions specifically regarding reports on the agenda should be received within two working days of the normal publication date of the agenda. The deadline is given on each agenda. For this meeting, any questions relating to reports on the agenda should be received by Democratic Services by 5pm on Wednesday 1st September.

The Council is now taking both oral and written questions.

When submitting questions, each question should be limited to 50 words, and please specify if you would like to attend the meeting and receive an oral response, or if you would like to receive a written response.

5 MATTERS OUTSTANDING (Pages 13 - 16)

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

6 POLICE UPDATE

This report is 'To Follow'

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

7 PUBLIC PROTECTION AND ENFORCEMENT PERFORMANCE OVERVIEW (Pages 17 - 18)

8 PRE-DECISION SCRUTINY OF PORTFOLIO HOLDER REPORTS

Portfolio Holder decisions for pre-decision scrutiny.

a OUTTURN 2020/21 (Pages 19 - 24)

b BUDGET MONITORING 2021/22 (Pages 25 - 30)

c FOOD SAFETY SERVICE PLAN 2020--2021 (Pages 31 - 58)

POLICY DEVELOPMENT AND OTHER ITEMS

9 ENVIRONMENT AND PUBLIC PROTECTION RISK REGISTER (Pages 59 - 72)

10 MINUTES OF THE PREVIOUS MEETING OF THE SAFER BROMLEY PARTNERSHIP BOARD (Pages 73 - 86)

11 TRANSFORMING BROMLEY 2019--2023: FIRST TWO YEARS (Pages 87 - 108)

12 PROPOSED CHANGES TO THE OUT OF HOURS NOISE SERVICE (Pages 109 - 122)

13 WORK PROGRAMME (Pages 123 - 128)

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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 Eyers 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

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Agenda Item 5

Report No.
CSD 21089

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Public Protection and Enforcement PDS Committee

Date: 7th September 2021

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

1. Reason for report

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

2. RECOMMENDATION

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

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

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: £366k
 5. Source of funding: 2021/2022 revenue budget
-

Staff

1. Number of staff : Currently 5 full time staff
 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.
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Ward Councillor Views

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

<u>Minute Number/Title</u>	<u>Matters Arising</u>	<u>Update</u>
Minute 5 22 nd June 2021 Matters Outstanding.	The Director for Environment and Community Services would look into the issues that had been raised by a Member concerning 'footpath 136'. He would raise this with the relevant team and report back to the Member who had raised the matter.	The Director is liaising with the relevant Member to resolve the matter.
Minute 6 22 nd June 2021 Police Update	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.	It is difficult to get a picture of discipline that is meaningful to Councillors without going back some time. It would be wrong to discuss present live cases and the incident changes as the evidence on each case is built. This may not be a feasible ask and MOPAC may be a better group to ask regarding data sets on complaints against police or IOPC.
Minute 6 22 nd June 2021 Police Update	At the next meeting with MOPAC, the Portfolio Holder should pursue the case for the return of traffic policing in Bromley.	The Portfolio Holder was unable to attend the next MOPAC meeting. Cllr Lymer was able to attend and raised the issue. MOPAC said it was not something that any other borough had mentioned to them yet. Therefore they were unlikely to make it an explicit priority in the new Police & Crime Plan, but they would make a note. There would be a Trust and Confidence section in the new plan and that would be about how residents felt the Police were dealing with local priorities – it could be encompassed in there on a borough level.
Minute 6 22 nd June 2021 Police Update	An update should be provided to the Committee regarding the police 'hotspot strategy'.	The Chief Inspector will provide an update on the police hotspot strategy at the meeting.
Minute 12 22 nd June 2021 Update on Annual SBP report	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.	The meeting is being arranged.
Minute 12 22 nd June 2021	The Head of Trading Standards and Commercial Regulation would report back to the relevant	A test purchasing action took place on Friday 2 nd July, using police

<p>Update on Annual SBP report</p>	<p>Member concerning the likely date when Trading Standards operations would be resumed.</p>	<p>cadets. This was a small campaign, focussing on complaints received about businesses allegedly selling alcohol to persons underage. No sales were recorded.</p> <p>A further campaign was planned to test compliance with the 'Challenge 25' policy, which will itself generate intelligence for a further underage test purchase event.</p>
<p>Minute 15 22nd June 2021 Work Programme</p>	<p>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.</p>	<p>Chief Inspector Craig Knight will provide a response at the meeting</p>

Report No: ECS20106		PP&EPORTFOLIO PERFORMANCE MONITORING (2021/22)														
Outcome	PORTFOLIO PLAN INDICATOR	DESCRIPTION	2019-20 TARGET	2019-20 ACTUAL	2020-21 TARGET	2020-21 ACTUAL	GOOD PERF.	Apr-21	May-21	Jun-21	Jul-21	2021-22 Year End Projection	2021-22 TARGET	2021-22 RAG STATUS	RAG Threshold	COMMENTARY (BY EXCEPTION)
1: We will keep Bromley safe	1A	Number of Community Impact Days	12	12	12	12	HIGH	1	1	1	1	12	12	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
	1B	Number of meetings attended (COVID-19 Board Meetings)	N/A	N/A	New KPI 21/22	New KPI 21/22	HIGH	100%	100%	100%	100%	100%	100%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	All COVID-19 meetings attended. As restrictions have lifted, this indicator will cease.
2: We will protect consumers	2A	Number of awareness raising events & training to groups & partners (No.)	70	72	70	5	HIGH	0	2	3	0	70	70	RED	Red: more than 10% Amber: Within 10% Green: At target or above	Over the past few weeks, LBB have been getting requests to attend face to face gatherings of community groups, so the team expect to see an increase in events throughout the remainder of this year. However, the team will not reach the annual target which is a direct result of the pandemic.
	2B	Rapid Response interventions responded to within 2 hours (%)	100%	100%	100%	100%	HIGH	1 (100%)	1 (100%)	4 (100%)	6 (100%)	100%	100%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	One test purchase campaign was completed in June resulting in no sales. Further Challenge 25 operations commenced in August and will run through September 2021.
	2C	Compliance with Challenge 25 test purchase operations to detect the sale of age restricted products (No.)	100	97	100	100	HIGH	0	0	1	0	100	100	RED	Red: more than 10% Amber: Within 10% Green: At target or above	
3: We will support and regulate businesses	3A	Inspections of high-risk food hygiene business undertaken (%) (Risk A and B food premises)	100% (A) 100% (B)	100% Risk A (3/3) 96% Risk B (107/111)	% to be determined by the FSA due to COVID-19	Annual	HIGH	N/A	N/A	N/A	N/A	100%	N/A	RED	Red: more than 10% Amber: Within 10% Green: At target or above	3A to 3C: As a result of FSA guidance, physical inspections stopped, and they required officers to lead on work relating to advice and education. This enabled the work area to focus on the Covid-19 response and meant that the usual statutory requirements in relation to food hygiene inspections were amended on an ongoing basis as the year progressed. As a result of the hiatus in inspections, there is now a backlog, and in response the FSA have produced a Recovery Plan (RP) which sets out the FSA's guidance and advice to local authorities for the period from 1 July 2021 to 2023/24, as they recognise that Councils may not be able to address the backlog and the inspections due within year. The Food Safety Plan (FSP) has been produced, and this provides the roadmap for how the due and overdue inspections will be delivered.
	3B	Due Food Hygiene Interventions Completed (%)	N/A	New KPI 20/21	% to be determined by the FSA due to COVID-19	Annual	HIGH	N/A	N/A	N/A	N/A	100%	% to be determined by the FSA due to COVID-19	RED	Red: more than 10% Amber: Within 10% Green: At target or above	3A: There are 0 Cat A premises outstanding for inspection, and 37 Cat B premises that are due to be inspected this year. In accordance with the FSP it is anticipated that the backlog of Cat B premises that require an inspection will be completed by March 2022. 3B: There are 612 due inspections (Cat C to E) due this year. In accordance with the FSP it is anticipated that 100% of the due hygiene inspections (Cat C-D) will be completed by March 2022.
	3C	Due Food Standards Interventions Completed (%)	N/A	New KPI 20/21	% to be determined by the FSA due to COVID-19	Annual	HIGH	N/A	N/A	N/A	N/A	100%	% to be determined by the FSA due to COVID-19	RED	Red: more than 10% Amber: Within 10% Green: At target or above	3C: Where possible, Food Standards Interventions will be carried out at the same time as Food Hygiene Interventions. In accordance with the FSP it is anticipated that 100% of the due Food Standards inspections will be completed by March 2022.
	3D	Respond to 70% of complaints/enquiries about food and food premises within 5 working days (%)	80%	86%	70.00%	90%	HIGH	89% (40 out of 45)	90% (40 out of 44)	85% (52 out of 61)	73% (29 out of 40)	84%	70%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
	3E	COVID-19 Educate – respond to business advice request within 7 working days	N/A	N/A	New KPI 21/22	New KPI 21/22	HIGH	76%	84%	85%	90%	90%	90%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
4	4A	Comply with 100% of CCTV Evidence Requests (%)	100%	100%	100%	100%	HIGH	100%	100%	100%	100%	100%	100%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
	4B	Serve statutory notices where appropriate (nuisance and pollution) (%) outcome based	100%	100%	N/A	100%	OUTCOME	100% (6)	100% (3)	100% (2)	100% (4)	100%	N/A	OUTCOME	Red: more than 10% Amber: Within 10% Green: At target or above	
	4C	Cases where investigations of breaches of planning control are completed (%)	100%	96%	N/A	100%	OUTCOME	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	N/A	N/A	OUTCOME	Awaiting Data	

Outcome	PORTFOLIO PLAN INDICATOR	DESCRIPTION	2019-20 TARGET	2019-20 ACTUAL	2020-21 TARGET	2020-21 ACTUAL	GOOD PERF.	Apr-21	May-21	Jun-21	Jul-21	2021-22 Year End Projection	2021-22 TARGET	2021-22 RAG STATUS	RAG Threshold	COMMENTARY (BY EXCEPTION)
4: We will protect and improve the environment	4D	Issue HMO licenses where valid applications are received (%)	75%	45%	100%	17.6% (3 out of 17)	HIGH	100% (12 out of 12)	100% (6 out of 6)	100% (6 out of 6)	100% (4 out of 4)	100%	100%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	Previously this showed as a Red status, as HMO licensing inspections were impacted due to Covid-19 restrictions, this in turn delayed licence applications being validated and limited the number of licences being issued. A recent change in procedure allows licence applications to be validated and licences to be issued without prior inspection (as permitted in law). This has reduced the delays and increased the number of licences being issued. Notwithstanding this, additional issues are occurring in real time, as the external contractors relied upon by landlords (e.g. gas compliance) have been unavailable. As such, some applications had been submitted incomplete. As this indicator relies on complete applications to be valid, the risk has reverted back to green.
	4E	Total Number of Fly-tipping incidents (No.)	3000	3123	N/A	3565	OUTCOME	303	286	324	321	3702	N/A	OUTCOME	Awaiting Data	
	4F	Total Number of open fly-tipping incident investigations (No.)	N/A	New KPI will be reported from November 2020 onwards	N/A	42 (open for period April to March)	OUTCOME	13 (open for period April only)	21 (open for period April to May)	40 (open for period April to June)	41 (open for period April to July)	N/A	N/A	OUTCOME	Awaiting Data	4F: This is an open indicator, in that it will monthly update on the number of open fly-tipping incidents investigations in the system - this is because investigations can take longer than one month and action may be 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.
	4G	% of closed cases where action has been taken (those where evidence was available) (%)	N/A	New KPI will be reported from November 2020 onwards	75%	16% (136 cases closed after investigation for April to March of 136 cases 22 have had action which is the 16%)	OUTCOME	91% (12 cases closed after investigation for April, of 12 cases 11 have had action taken)	92% (28 cases closed after investigation for April to May, of 28 cases 26 have had action taken)	60% (43 cases closed after investigation for April to June, of 43 cases 26 have had action taken)	58% (57 cases closed after investigation for April to July, of 57 cases 33 have had action taken)	50%	50%	OUTCOME	Awaiting Data	4G: This is a monthly update of the % of cases closed from the same set time period as for 4H where evidence was available and action has been taken. In April the data shows 11 cases where actions have taken and this includes 9 warning letters, 1 Fixed penalty notice (FPN) and 1 prosecution. The prosecution resulted in a fine. In May there was a total of 15 cases where actions had been taken (11 warning letters and 4 FPNs). The cumulative total is 26 cases (11 from April and 15 from May). In June the cumulative number remained at 26 cases where action had been taken. In July the number of cases where action had been taken was 7 (6 warning letters and 1 FPN). The cumulative total is therefore 33. This is 11 (April), 15 (May) and 7 (June).
	4H	Parking appeals heard by the Environment and Traffic Adjudicators (ETA) against PCNs issued by LBB (No.)	300	112	200	178	LOW	17	7	16	17	160	200	GREEN	Red: More than 250 Amber: More than 225 Green: Up to 225	This target will need to be revisited following the commencement of enforcement of Moving Traffic Contraventions in September 2021, as many more PCNs can be expected. This will take a couple of months for the MTC PCNs to get processed to this stage of appeal.
	4I	Parking ETA cases won by LBB (% of cases heard)	80%	74%	75%	68%	HIGH	76%	86%	94%	76%	85%	75%	GREEN	Red: Less than 65% Amber: Less than 70% Green: At target or above	Cases are reviewed monthly to ensure best practices are being followed. Any concerns are reported back to the CEOs or Council officers to resolve at the early stages on any future appeals of a similar nature.
	4J	COVID-19 Official Controls and Enforcement - serve statutory notices where appropriate with regard to 4 E's (Engage, Explain, Encourage, Enforce) model and LBB enforcement policy	N/A	N/A	100%	New KPI 21/22	OUTCOME	100% (16 out of 16)	100% (10 out of 10)	100% (9 out of 9)	N/A (0 out of 0)	100%	100%	OUTCOME	Red: More than 10% Amber: Within 10% Green: At target or above	Further visits identified non compliance with pavement licences. Those premises who were previously issued with warning for social distancing issues were all compliant. All of the businesses in Beckenham High Street are now compliant with regards to pavement licences.

Report No.
FSD 21026

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION & ENFORCEMENT PORTFOLIO
HOLDER

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

Date: 7th September 2021

Decision Type: Non-Urgent Executive Non-Key

Title: OUTTURN 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);

1. Reason for report

This report provides the outturn position for 2020/21 for the Public Protection & Enforcement Portfolio.

2. **RECOMMENDATIONS**

The Public Protection & Enforcement Portfolio Holder is requested to:

- 2.1 Endorse the 2020/21 outturn position 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: £2.54m
 5. Source of funding: Controllable revenue budgets 2020/21
-

Personnel

1. Number of staff (current and additional): 47.3fte
 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 2020/21 outturn for the Public Protection and Enforcement Portfolio which have previously been considered by the Executive at its meeting on 15th June. At that meeting, the financial impact of Covid-19 on the Council in 2020/21 was also reported.
- 3.2 The total variation for the Portfolio at the year-end was an overspend of £45k, including the cost of staff that were engaged in increased Covid-19 compliance and enforcement activity during the year, which was funded from allocated Covid-19 grants of £147k.
- 3.3 The outturn position is detailed in Appendix 1A, which shows the forecast spend for each division within the Portfolio compared to the final approved budget. The main variations for the year are summarised in the table below:

	£'000
Staffing	Cr 127
Running costs	Cr 19
HMO licencing income	Cr 45
CCTV camera upgrades	383
Covid-19 support staff costs funded by grant	Cr 147
Net Variation	45

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

4. CHIEF OFFICER COMMENTS

- 4.1 The Public Protection and Enforcement Portfolio has had to meet the significant unbudgeted costs of the Council's contribution to London-wide emergency mortuary provision. There has been a further impact on the Council's own services due to the impact of an increased number of Covid-19 deaths on the costs of the Coroner's and mortuary services, together with expected reduction in income from public protection services.
- 4.2 Ongoing, any high-profile inquests or significant increase in volume of cases could increase the cost of the Coroner's service. Also, the provision of a sustainable mortuary service at an affordable cost in the long term is problematic due to variables in demand and a very limited market with little competition.

5. POLICY IMPLICATIONS

- 5.1 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.
- 5.2 The "2021/22 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.

5.3 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.

6. FINANCIAL IMPLICATIONS

6.1 A detailed breakdown of the projected outturn by service area is shown in Appendix 1A with explanatory notes in Appendix 1B.

6.2 Overall, there was a total overspending of £45k in the 2020/21 financial year, including £147k related to staff costs that were funded by Covid-19 support grants.

6.3 The impact of Covid-19 had an impact on some of the Public Protection and Enforcement Portfolio's services, as set out in the Chief Officer's comments, and resulted in additional costs which were reported separately to the Executive at its meeting in June. These financial pressures were fully funded by Covid-19 grants as listed in Appendix 1A.

Non-Applicable Sections:	Legal, Personnel & Procurement Implications
Background Documents: (Access via Contact Officer)	2021/22 budget monitoring files within E&CS Finance section

Public Protection & Enforcement Budget Monitoring Summary

2019/20 Actuals £'000	Service Areas	2020/21 Original Budget £'000	2020/21 Final Approved £'000	2020/21 Provisional Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
253	Public Protection Community Safety	170	395	370	Cr 25	1	Cr 79	0
133	Emergency Planning	134	136	137	1	2	3	0
670	Mortuary & Coroners Service	574	574	574	0		0	0
1,676	Public Protection	1,556	1,388	1,457	69	3	76	0
2,732	TOTAL CONTROLLABLE	2,434	2,493	2,538	45		0	0
318	TOTAL NON CONTROLLABLE	7	379	379	0		0	0
941	TOTAL EXCLUDED RECHARGES	973	928	928	0		0	0
3,991	PORTFOLIO TOTAL	3,414	3,800	3,845	45		0	0

Reconciliation of Latest Approved Budget

£'000

Original Budget 2020/21

3,414

Carry Forward Requests approved from 2019/20

Asset Recovery Incentivisation Scheme		48
Asset Recovery Incentivisation Scheme	Cr	48

Other

Virement from Housing to create a cross service support post		31
Transfer of Electricity Budget to RCCM portfolio	Cr	2
Transfer of Highways budget to PPE for Post Funding		16
DCLG LA Compliance and Enforcement Grant Income	Cr	145
DCLG LA Compliance and Enforcement Grant Expenditure		145
Merit Awards 20/21 Budget Allocation		14

COVID-19 Grants

COVID-19 General Grant		
- expenditure		1,336
- income	Cr	1,336
COVID-19 Income Compensation		
- expenditure		3
- income	Cr	3
Compliance and Enforcement Grant		
- expenditure		145
- income	Cr	145

Memorandum Items

Capital Charges 5802	Cr	2
Insurance		25
IAS19 (FRS17) sub 0206		370
Excluded Recharges	Cr	45
IAS 19 Past Service Costs FRS17 0219 All	Cr	21

Latest Approved Budget for 2020/21

3,800

REASONS FOR VARIATIONS**1. Community Safety Cr £25k**

This service underspent by £25k this financial year with £9k due to in year staffing vacancies. There was a £15k underspend relating to the decreased current requirement of the dog warden service. At Q3 this was forecast to be £25k underspent but unforeseen vets bills late in the financial year reduced the underspend. A number of other minor variations across supplies and services, including some laptop purchases, cumulated in a small £1k overspend.

2. Emergency Planning Dr £1k

There were additional staffing costs of £11k this financial year relating to overtime and on call costs. There were a number of small variations across supplies and services budgets resulting in a £10k underspend.

3. Public Protection Dr £69k

There was an underlying staffing underspend of £129k due to a number of in year vacancies. All posts are currently being recruited to. Income generated from Houses in Multiple Occupation overachieved by £45k this financial year. The Scientific Investigations Programme underspent by £10k this year due to the minimal activity undertaken and the CCTV contract resulted in a small credit variation of £14k. Other transport and supplies and service budgets across the division overspent by £29k. CCTV camera upgrades were undertaken this financial year costing £383k. At Q3 these costs were forecast at £295k but the increased overall underspends have allowed more essential upgrades to be undertaken than envisaged in December.

The service undertook increased Covid compliance and enforcement activity during the year, and Covid grant funding of £145k was allocated in recognition.

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, no waivers over £50k have been actioned.

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.
FSD21053

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION & ENFORCEMENT PORTFOLIO
HOLDER

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

Date: 7th September 2021

Decision Type: Non-Urgent Executive Non-Key

Title: BUDGET MONITORING 2021/22

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);

1. Reason for report

This report provides the first revenue budget monitoring position for 2021/22 for the Public Protection & Enforcement Portfolio based on expenditure and activity levels for the first quarter of the financial year.

2. **RECOMMENDATION(S)**

The Public Protection & Enforcement Portfolio Holder is requested to:

- 2.1 Endorse the 2021/22 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: £32.4m
 5. Source of funding: Controllable revenue budgets 2021/22
-

Personnel

1. Number of staff (current and additional): 145.6fte
 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 first quarterly revenue budget monitoring exercise for the 2021/22 financial year for the Public Protection & Enforcement Portfolio. Due to the timetabling of this year's Committee meetings, this has already been considered by the Executive at its meeting on 15th July.
- 3.2 For the first quarter of the year, based on financial information available at the time, there was no overall variation projected for the Portfolio. It should be noted that monitoring this year now takes into account any ongoing impact of Covid-19 on the Portfolio's budgets, and anticipated application of available Covid-19 grant funding where relevant.
- 3.3 Further details are given in Appendix 1A, which shows the forecast spend for each service within the Portfolio compared to the latest approved budget.
- 3.4 As set out in Appendix 1B, the only variation relates to the Council's contribution to the pan London shared costs for emergency mortuary provision put in place for the Capital in 2020 as a response to Covid-19, which is to be funded by an allocation of Covid-19 grant.

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 "2021/22 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 Overall, no variation is projected to the year-end based on the information available for the first quarter of the year, taking into account allocation of Covid-19 grant funding of £469k.

6. COMMENTS FROM THE DIRECTOR OF ENVIRONMENT & PUBLIC PROTECTION

- 6.1 The Public Protection and Enforcement Portfolio has had to meet the significant unbudgeted costs of the Council's contribution to London-wide emergency mortuary provision, with a contribution this year of £469k. During 2020/21 there was also an impact on the Council's own services due to the impact of an increased number of Covid-19 deaths on the costs of the Coroner's and mortuary services, together with expected reduction in income from public protection services. Although no variations this year are currently projected, this situation could easily change if there were further increases in infections especially over the winter period.
- 6.2 Any high-profile inquests or significant increase in volume of cases could increase the cost of the Coroner's service. There is also still some uncertainty with regard to the Coroners core costs for 2021/22.

- 6.3 The provision of a sustainable mortuary service at an affordable cost in the long term is problematic due to variables in demand and a very limited market with little competition.
- 6.4 While all Covid restrictions have recently been lifted, uncertainty remains as to what the longer term wider economic impacts will be and how this will affect services later in the year and beyond.

Non-Applicable Sections:	Legal, Personnel & Procurement Implications
Background Documents: (Access via Contact Officer)	2021/22 budget monitoring files within E&CS Finance section

Public Protection & Enforcement Budget Monitoring Summary

2020/21 Actuals £'000	Service Areas	2021/22 Original Budget £'000	2021/22 Latest Approved £'000	2021/22 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	Public Protection							
370	Community Safety	401	401	401	0		0	0
137	Emergency Planning	141	141	141	0		0	0
574	Mortuary & Coroners Service	580	580	1,049	469	1	0	0
1,457	Public Protection	1,414	1,414	1,414	0		0	0
	COVID grants	0	0	Cr 469	Cr 469		0	0
2,538	TOTAL CONTROLLABLE	2,536	2,536	2,536	0		0	0
379	TOTAL NON CONTROLLABLE	6	6	6	0		0	0
928	TOTAL EXCLUDED RECHARGES	810	810	810	0		0	0
3,845	PORTFOLIO TOTAL	3,352	3,352	3,352	0		0	0

Reconciliation of Latest Approved Budget £'000

Original Budget 2021/22 3,352

Carry Forward Requests approved from 2020/21

Asset Recovery Incentivisation Scheme Expenditure		48
Asset Recovery Incentivisation Scheme Income	Cr	48
MOPAC Grant Expenditure		28
MOPAC Grant Income	Cr	28

Latest Approved Budget for 2021/22 3,352

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Report No.
ES19061

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION & ENFORCEMENT PORTFOLIO HOLDER

For pre-decision scrutiny by the Public Protection & Enforcement PDS Committee on

Date: Tuesday 7th September 2021

Decision Type: Non-Urgent Executive Non-Key

Title: FOOD SAFETY PLAN 2021-22

Contact Officer: Nigel Riley Acting Food Safety Manager
E-mail: nigel.riley@bromley.gov.uk
Joanne Stowell Assistant Director of Public Protection
E-mail: joanne.stowell@bromley.gov.uk

Chief Officer: Colin Brand Director of Environment & Public Protection

Ward: (All Wards);

1. Reason for report

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. The Food Standards Agency (FSA) requires the Council to publish an annual Food Safety Service Plan, and that such plans have senior management or Member approval.

This report sets out the ambitions within the Council's annual Food Safety Plan, the objective of the plan is to satisfy the FSA that the intended inspection regime, ensures that food, in the Borough, is produced and sold under hygienic conditions, is without risk to health and is of the quality expected by consumers.

2. **RECOMMENDATION(S)**

The Portfolio Holder is asked to:

2.1 Approve the Service Plan 2021-22 for the Food Safety Team (Appendix A).

2.2 Note that the ability to achieve targets is reliant on:

- The ability to maintain staffing levels
- The ability of recruit to vacant posts
- The availability of Officers to work overtime

- The cost of agency staff if Officers are unavailable on overtime (see 3.18)

Impact on Vulnerable Adults and Children

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

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres Healthy Bromley Regeneration:
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A
 3. Budget head/performance centre: Food Safety
 4. Total current budget for this head: £488k (gross expenditure)
 5. Source of funding: Existing revenue budget 2021/22
-

Personnel

1. Number of staff (current and additional): 8.29 FTE permanent
 2. If from existing staff resources, number of staff hours:
-

Legal

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

Procurement

1. Summary of Procurement Implications: The additional temporary Food Safety Officers ordinarily need to be recruited through the Council's preferred employment agency, however, if they cannot provide the appropriately qualified Officers, approval to use additional agencies has been agreed.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Estimated number of users/beneficiaries (current and projected): There are some 2600 registered food businesses in

the Borough that come under the remit of the team for inspection. The protection afforded though those businesses being inspected extends to everyone who buys or eats food in the Borough.

Ward Councillor Views

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

3. COMMENTARY

- 3.1 The Council is required to produce and approve a work plan (the Food Safety Plan), that is in line with the FSA Framework Agreement and the Statement of Commitment, which is agreed nationally between Local Authority Representatives and the Health and Safety Executive. The plan covers all planned work undertaken within the Housing and Environmental Enforcement work area relating to Food and Health and Safety, however, it does not cover any enforcement arising out of complaints and inspections.
- 3.2 This Food Safety Service Plan 2021-22 (Appendix A) covers the key areas of Food Safety, and the relevant management arrangements and objectives against which the Council will monitor service delivery; it has been compiled in accordance with the guidance issued by the Food Standards Agency (FSA), and includes the effects of the Covid 19 pandemic on the work of the food team in 2020-21 onwards.

COVID 19 (CV 19) - Impact

- 3.3 From the outset of the pandemic, this service was severely impacted in its ability to deliver the usual obligations in relation to Food Safety. The cohort of Officers allocated to this work were immediately identified and delegated by Government, to provide the frontline enforcement response within the majority of Local Authority Coronavirus Regulations.
- 3.4 Throughout the pandemic, the FSA has issued guidance advising Local Authorities as to what they could and could not inspect. On 16th March 2020, the Council made the decision to cease face to face contact with the public in an attempt to reduce the spread of CV19. This was followed by an instruction from the FSA to suspend our inspection programme. Naturally, this impacted the team's ability to inspect, and meant that the usual statutory requirements in relation to food hygiene and safety inspections were amended on an ongoing basis as the year progressed. As such, there were minimal food hygiene inspection requirements placed upon the Council in 2020/21, and a formal Service Plan was not produced. However, during this time period, the Council responded to any high-risk food hygiene complaints in the usual manner.
- 3.5 The food team followed the FSA advice to carry out remote inspections to high-risk premises (rated A-B for food hygiene/standards) and non-complaint premises (with a food hygiene rating of 0-2), to assess their compliance with Food Safety and coronavirus legislation. In addition to this, remote inspections to restaurants, takeaways, home caterers, food retailers and the charity sector were carried out. This was undertaken to assess their level of Food Safety and CV-19 compliance; the team also used Facebook to find premises which were trading within Bromley but unregistered with the team.
- 3.6 Onsite inspections initially resumed in mid July 2020, these included Food Safety and CV-19 enforcement within the food businesses permitted to trade. However, before Officers could return to face-to-face visits to food premises, a CV-19 risk assessment was undertaken to

protect both staff and businesses from the spread of infection. The risk assessment required Officers to carry out a remote assessment prior to conducting their inspection onsite, and this step lengthened the process. In response to the rise of CV-19 post July 20 onwards, onsite inspections of home-based premises were suspended in November 2020, and as the infection rates continued to increase, all inspections were suspended in December 2020. Notwithstanding this, Food Safety compliance continued to be assessed remotely where possible, and full onsite inspection resumed in March 2021, along with the previous CV-19 precautions.

The FSA Recovery Plan and Service Delivery/Demand

3.7 The FSA Recovery Plan (RP) sets out the FSA's guidance and advice to Local Authorities for the period from 1 July 2021 to 2023/24. This superseded the previous guidance and advice on the response to CV-19, which applied until 30 June 2021. The RP comprises of 2 phases, and provides a framework for re-starting the delivery system of the inspection programme in line with the Food Law Code of Practice (FLCoP) for new food establishments, and for high-risk and/or non-compliant establishments, while providing flexibility for lower risk establishments.

3.8 There are two phases to the Recovery Plan:

Phase 1 - 1 July to 30 September 2021

Prioritise new businesses for interventions based on risk, and develop intervention programme from September 2023 onwards.

Phase 2 – 1 October 2021 to 2023/24

Continuation of Phase 1, implementing the planned food premises inspection programmes for high-risk category and non-compliant establishments, implementing an intelligence-based approach for low-risk category establishments, and addressing the backlog of inspections (see Appendix A 5.3 - 5.4)

3.9 Phase 2 of the RP will continue until a new food standards delivery model and a revised food hygiene intervention rating scheme are implemented. The new delivery model for food standards is being piloted in England and Northern Ireland until the end of December 2021. Subject to the findings of an evaluation of the pilot and stakeholder consultation, it is anticipated that the new model will be rolled out nationally from April 2023. Work to review and revise the food hygiene intervention rating scheme is planned to commence shortly, with a view to implementation in 2023/24.

Demand

3.10 In April 2021, 2487 food premises were registered in Bromley, many of which are categorised as Small /Medium Enterprises (SME). 502 new premises were registered in 2020/21, which equates to a 34% increase on the number of new businesses (374) registered in 2019-20. This increase is likely to be due to a large number of home-based businesses starting up during the CV19 pandemic.

3.11 In addition to the inspection regime, the service also undertakes reactive work, including: complaint enforcement (in the case of non-compliance), managing food incidents, food hazards, food poisoning and infectious disease outbreaks. In addition they undertake food sampling, and ongoing proactive surveillance.

Overdue Inspections

3.12 As mentioned above, service delivery was seriously affected by the CV19 pandemic. In 2020/21 231 programmed inspections were carried out within food businesses. This compares to 1067 in

2019/20, which represents a 78% decrease. This lower number of completed inspections has resulted in a backlog of 932 inspections. (see Appendix A section 6.1).

Inspections Due this Year

- 3.13 In addition to the 629 category A-E due this year, 390 new and 160 existing premises remain unrated, and these will require an inspection or assessment (see Appendix A section 6.1).
- 3.14 The total number of inspections (backlog and due) for food hygiene and Food Safety is 2111 (see Appendix A section 6.1 Table 1), however, the FSA RP accepts that Local Authorities may not have the resources to achieve this target within the financial year, and have given a 3-year period in which to address the backlog created by the pandemic, and further achieve the normal inspection targets set by the FSA.
- 3.15 The proposed work programme for 2021-22 is detailed in table 1 below (see Appendix A Table 3 section 7.3)

Table 1 Work Programme

Inspections Due 2021-22			
Workstream	Category or Type of Inspection	Food Hygiene	Resources
1	Category A	0	
2	Category B	17	5.54 FTE
3	Category C	135	
4	Category D	285	
5	Category E	192	0.5 FTE Alternative Enforcement Strategy and inspections
6	Unrated New Premises	390	Triage and allocate high risk
7	Overdue Category C and D	365 (C) 483 (D)	OT through underspend where available
8	Unrated existing premises	160	0.5 FTE
9	Total	2027	

- 3.16 The work programme above exceeds the ambitions within the FSA RP, as their initial targets were expressed as a minimum expectation, and Local Authorities were encouraged to move at a faster pace where possible. With that in mind, the work programme is ambitious, and targets have been adjusted and increased to include the overdue category C and D inspections. The rationale being that the greatest risk is presented within these overdue categories, that it is prudent to address these as a priority, and, to fail to try and address these at this stage will add to the overdue inspections moving forwards.
- 3.17 In order to achieve the targets and to maintain pace, the Food Safety Team have already commenced inspecting high risk/non-complaint food businesses. By aiming to go over and above the initial requirements of the recovery plan, the Team will be safeguarding residents by reducing the risk posed by premises which are overdue a Food Safety inspection, as this delay often leads to a deterioration in hygiene standards.

3.18 The above work programme in Table 1 is undertaken in addition to the routine work of the team. Work streams 1-5 & 8 will require a minimum of 6.54 X FTE Food Safety Officers to deliver. The additional work in workstreams 6&7 (Table 1) will be undertaken on overtime where Officers are available, or potentially via agency staff. This additional work will be funded through the underspend created by vacancies in year. However, the ability to deliver the proposed work programme in Table 1 relies on the following:

- The ability to maintain staffing levels (all workstreams)
- The ability to recruit to vacant posts (workstreams 1-5&8)
- The availability of Officers to work overtime (workstreams 6&7)
- The cost of agency staff if Officers are unavailable on overtime (workstreams 6&7)

It is important to note, that ability to deliver the proposed work programme will also be compromised if the level of enforcement work (as experienced pre-pandemic in 2019-20) returns. As such, the regime will be reviewed and adjusted accordingly in year, and throughout the 3-year grace period to track progress, and respond to risks.

Resources

3.19 The Food Team is run and managed in-house with 8.29 permanent FTE equivalents (including the Food Safety Manager and 0.75 FTE administrator), and staffing resources are covered in full in Appendix A section 10.

3.20

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

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

5. POLICY IMPLICATIONS

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

6. FINANCIAL IMPLICATIONS

6.1 The total revenue budget available to deliver the Food Safety plan in 2021/22 is £488k, of which £423k is for staffing costs.

7. PERSONNEL IMPLICATIONS

7.1 The ability to achieve the targets set out in the service plan are reliant on retaining existing staff and recruiting to available posts when they become available.

8. LEGAL IMPLICATIONS

8.1 The Council is the Food Authority under the Food Safety Act 1990. Our performance is monitored by the FSA who have undertaken an audit and published its findings. As Bromley has

had a red audit previously, they will continue to monitor performance closely moving forwards using a balance score card approach and will intervene if our performance deteriorates.

- 8.2 The powers of the FSA are derived from Section 40 Food Safety Act 1990. The Secretary of State may issue code of practice as regards the execution and enforcement of the Act and Regulations. This is the 'Food Law Code of Practice (England) (FLCoP). Where a Food Authority fails to comply with the Code of Practice; the FSA can issue a direction to them requiring them to take specified steps to comply. The previous audit by the FSA was not a formal Direction under Section 40 of the Food Safety Act 1990 but was an informal intervention designed to assist the Council comply with its duties.
- 8.3 The Council as the Food Authority shall have regard to the Code of Practice and shall comply with any direction given by the FSA (Food Safety Act 1990 Section 40(2)).
- 8.4 Under Section 42 Food Safety Act 1990 the Secretary of State may order another food authority or the Food Standards Agency to discharge our duties.

9. PROCUREMENT IMPLICATIONS

- 9.1 The additional temporary Food Safety Officers ordinarily need to be recruited through the Councils preferred employment agency, however, if they cannot provide the appropriately qualified Officers, approval to use additional agencies has been agreed.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	Reports to: ES16008 20 January 2016, PP&S PDS ref ES 17041 29 June 2017 and PP&S PDS ref ES 17071 27 September 17 Report 4 December 2018 ES 18093 Report No. ES19061

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**London Borough of Bromley
Environmental Services
Public Protection**

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

Food Service Plan 2021/22

1. 1. Introduction

- 1.1 This Food and Safety Service Plan 2021-22 (FSSP) covers the key areas of food safety, and the relevant management arrangements and objectives against which the Council will monitor service delivery; it has been compiled in accordance with the guidance issued by the Food Standards Agency (FSA). This plan includes the impacts of the COVID 19 (CV19) pandemic on the work of the Food Safety Team.
- 1.2 The FSA audits Local Authority food and feed enforcement activities, and publishes reports of their findings. Local Authorities are audited against the feed and food law standard in the Framework Agreement (FA), which is a document that sets out the minimum standards of performance required from Local Authorities, across the full range of their feed and food law enforcement activities.
- 1.3 During the last audit in 2017, the Council was not deemed to have met all the standards in this agreement, and the lack of dedicated resources was identified as the main reason why. As a result, action plans were implemented in April and September 2017, and funding was secured for additional resources. The FSA formally closed the audit in September 2019 due to the excellent progress made, but continues to monitor our progress with our unrated and overdue inspections.
- 1.4 This FSSP is subject to approval by the Public Protection & Enforcement PDS Committee, it makes clear the arrangements that Bromley Council will put in place to ensure that there are adequate arrangements for food safety enforcement moving forwards, and states the objectives for the 2021-22 period. It normally includes a performance review against the previous year's plan (2020-21) however, due to the interruption to the food service caused by the CV19 pandemic, a service plan was not produced.

Aims, Objectives and Description of the Service

- 2.1 The services delivered by the Food Safety Team are delivered in accordance with the Food Law Code of Practice (FLCoP), the latest version of which was released in March 2021. The FLCoP is issued by the FSA, and governs the manner in which a Competent Authority enforces relevant food safety legislation, and delivers 'official controls' to secure food law compliance. The Code is issued under the Food Safety Act 1990 and has statutory force.
- 2.2 The key objectives of the service are to:
- Ensure by education and enforcement, that food intended for human consumption which is produced and/or sold in Bromley, is safe to eat and complies with food safety requirements;
 - Deliver a programme of inspections and interventions in relation to primary producers and food businesses, on a risk-based frequency;

- Provide support to help businesses comply with their legal obligations;
- Investigate and take appropriate action concerning complaints about food and food premises to protect public health;
- Provide a fair and equitable service that provides value for money;
- Take enforcement action when necessary in a consistent, transparent, and proportionate basis;
- Carry out targeted and reactive environmental and microbiological food sampling;
- Prevent the spread of specified infectious and food borne diseases;
- Advise and educate consumers and service users on food safety matters;

3. Links to Corporate Plans and Objectives and Enforcement Policy

3.1 The service, and the manner in which it is delivered, contributes to six key priorities as set out in the Council's organisation vision of Building a Better Bromley:

- Vibrant Town Centres' - by engaging with and supporting businesses to thrive, and through enforcing where necessary,
- Safe Bromley –by safeguarding the vulnerable particularly in relation to food safety in educational and care homes settings
- Healthy Bromley' – by supporting Health and Well Being outcomes
- Quality Environment – by ensuring food operators dispose of their waste appropriately
- Regeneration – by supporting local businesses to thrive
- Excellent Council – By ensuring our service is well run

3.2 The work of the Team also delivers to the Public Protection & Enforcement Portfolio Plan 2021 -2022, in particular to Outcome 3 – 'We will support and regulate businesses by':

- Inspecting 100% of high-risk food businesses to ensure food safety standards are met. Investigating and taking appropriate action concerning complaints about food and food premises, to protect public health, and
- Undertaking intelligence-led food sampling and participation in regional sampling programmes for both analysis and examination

3.3 In addition to the annual FSSP, the Public Protection Division has produced an enforcement policy in accordance with the Regulators Code 2014. Regulatory compliance and enforcement are common operational activities carried out by the Food Safety Team as part of the broader regulatory process, and involves actions that encourage and compel compliance within a regulatory framework, that covers various pieces of legislation.

3.4 Within our enforcement role, we consider how best we can:

- Encourage and promote compliance;
- Improve confidence in compliance for those we regulate;
- Focus on high risk issues;
- Provide encouragement for compliant businesses;
- Understand and minimise the negative economic impacts of our activities; and
- Minimise the costs of compliance for those we regulate.

4. Background:

Profile of the Food Industry in Bromley

4.1 The borough of Bromley is the largest borough in London in terms of geographical area; it occupies 59 square miles (152.8 km²) of which the majority is Metropolitan Green Belt land; 30% of the land is categorised as farmland.

4.2 It has the 6th largest population in London with over 330,000 people; 81% of the population are white or white other, 94.2% of Bromley's population speak English, the average age of our residents is 40, 72% of the residents are owner occupiers and over 78% of the economically active population are in employment, with only 4% being unemployed. The borough owns and manages two traveller sites, and is home to a large community of travelling show people.

4.3 There are four town centres; Bromley, Orpington, Beckenham and Penge; the latest figures show that there are over 14,000 businesses in the borough, the majority of businesses are small with less than nine employees in each, and most are within the sectors of finance, retail and construction. However, public administration, education and health are the borough's largest employers, and the Princess Royal University, Beckenham Beacon and Bethlem Royal NHS Hospitals are located within the borough, as is Biggin Hill airport.

Organisational Structure

4.4 The Food Safety Team sits within the Public Protection Division of the Environment and Public Protection Directorate; the feeding stuffs and alcohol authenticity enforcement are carried out by the Trading Standards Team, with Kent Scientific Services appointed as the Food Analyst, and Public Health England (PHE) acts as the Council's Food Examiner.

4.5 The organisational structure chart is provided in Appendix A of this plan (page 19).

Scope of the Food Safety Service

4.6 Food safety activities normally undertaken include:

- Programmed inspections and interventions at food businesses, at a frequency set out in the FSA's FLCoP risk rating scheme;
- Revisits to premises following programmed inspections, to secure compliance with legal requirements;
- Assessing food hygiene and food standards issues (e.g. food allergens and food fraud) during premises inspections;
- Carrying out assessments and updating data for the National Food Hygiene Rating Scheme;
- Food microbiological and compositional sampling, which is either intelligence-led or forms part of national sampling programmes;
- Investigating complaints about the standard of hygiene in food businesses in Bromley;
- Investigating complaints about food that has been produced and/or sold in Bromley;
- Investigating food poisoning and food borne infectious disease cases;
- Responding to national Food Safety Alerts and Incidents issued by the FSA;
- Promoting food safety by education, training and business support and working with other organisations to assist food business operators.

4.7 In addition, the following additional services are provided alongside the above:

- Health and safety "hazard spotting" whereby the local authority is the enforcing authority where significant health and safety matters are noted in food premises. This is in line with the Health and Safety Executives (HSE) National Local Authority Enforcement Code;
- Advice about infection control procedures is given during visits to child day care settings;
- Responding to Freedom of information requests;
- Information sharing in accordance with General Data Protection Regulations.

Service Demand

4.8 In April 2021, 2487 food premises were registered in Bromley, many of which are categorised as Small /Medium Enterprises (SME). In the 2020-21 period, 502 new premises were registered, this equates to a 34% increase on the number of new businesses (374) registered in 2019-20. This increase was due to a large number of home-based businesses starting up during the CV19 pandemic.

4.9 The business types for food premises are varied and include:

- 14 non-EU country food importers
- 1 EU importers
- 45 supermarkets
- 6 approved premises
- 2 fixed weekly market and several occasional and visiting markets and events.
- 1 Airport
- 3 NHS hospitals

Impact of COVID 19 on the Service

- 4.10 From the outset of the pandemic, this service was severely impacted in its ability to deliver the usual obligations in relation to Food Safety. The cohort of Officers allocated to this work were immediately identified and delegated by Government, to provide the frontline enforcement response within the majority of Local Authority Coronavirus Regulations.
- 4.11 Throughout the pandemic, the FSA has issued guidance advising Local Authorities as to what they could and could not inspect. On 16th March 2020, the Council made the decision to cease face to face contact with the public in an attempt to reduce the spread of CV19. This was followed by an instruction from the FSA to suspend our inspection programme. Naturally, this impacted the team's ability to inspect, and meant that the usual statutory requirements in relation to food hygiene and safety inspections were amended on an ongoing basis as the year progressed. As such, there were minimal food hygiene inspection requirements placed upon the Council in 2020/21, and a formal Service Plan was not produced. However, during this time period, the Council responded to any high-risk food hygiene complaints in the usual manner.
- 4.12 The food team followed the FSA advice to carry out remote inspections to high-risk premises (rated A-B for food hygiene/standards) and non-complaint premises (with a food hygiene rating of 0-2), to assess their compliance with Food Safety and coronavirus legislation. In addition to this, remote inspections to restaurants, takeaways, home caterers, food retailers and the charity sector were carried out. This was undertaken to assess their level of Food Safety and CV-19 compliance; the team also used Facebook to find premises which were trading within Bromley but unregistered with the team.
- 4.13 Onsite inspections initially resumed in mid July 2020, these included Food Safety and CV-19 enforcement within the food businesses permitted to trade. However, before Officers could return to face-to-face visits to food premises, a CV-19 risk assessment was undertaken to protect both staff and businesses from the spread of infection. The risk assessment required Officers to carry out a remote assessment prior to conducting their inspection onsite, and this step lengthened the process. In response to the rise of CV-19 post July 20 onwards,

onsite inspections of home-based premises were suspended in November 2020, and as the infection rates continued to increase, all inspections were suspended in December 2020. Notwithstanding this, Food Safety compliance continued to be assessed remotely where possible, and full onsite inspection resumed in March 2021, along with the previous CV-19 precautions.

- 4.14 Onsite inspection resumed in March 2021, along with the previous CV19 precautions.
- 4.15 As a result of the restrictions and redirection of resources, in the 2020/21 period, 231 programmed inspections were carried out within food businesses, compared to 1067 in 2019/20; this represents a 78% decrease between years. As a result, there is a backlog overdue inspections from the previous reporting year, in addition to the inspections due this year (see section 6.1).
- 4.16 With regards to service requests (SRs), 411 reactive SRs were received in the 2020/21 period, compared with 450 in the previous year. This 9% decrease was not unexpected, as the pandemic affected the ability of food businesses to trade.
- 4.17 The focus moving forwards will remain on poorly performing and high-risk food and newly registered high-risk businesses as set out by the FSAs recovery plan published in July 2021.

5 FSA Recovery Plan

5.1 The Recovery Plan (RP) sets out the FSA's guidance and advice to local authorities for the period from 1 July 2021 to 2023/24. This will supersede the current guidance and advice on the response to CV19 which applies until 30 June 2021. The Plan provides a framework for re-starting the delivery system in line with the FLCoP for new food establishments and for high-risk and/or non-compliant establishments while providing flexibility for lower risk establishments.

5.2 The RP is to be implemented alongside delivery of:

- official controls where the nature and frequency are prescribed in specific legislation, and official controls recommended by FSA guidance that support trade and enable export;
- reactive work including, enforcement in the case of non-compliance, managing food incidents and food hazards, and investigating and managing complaints;
- sampling, and
- ongoing proactive surveillance.

5.3 There are two phases to the Recovery Plan:

- **Phase 1 - 1 July to 30 September 2021**

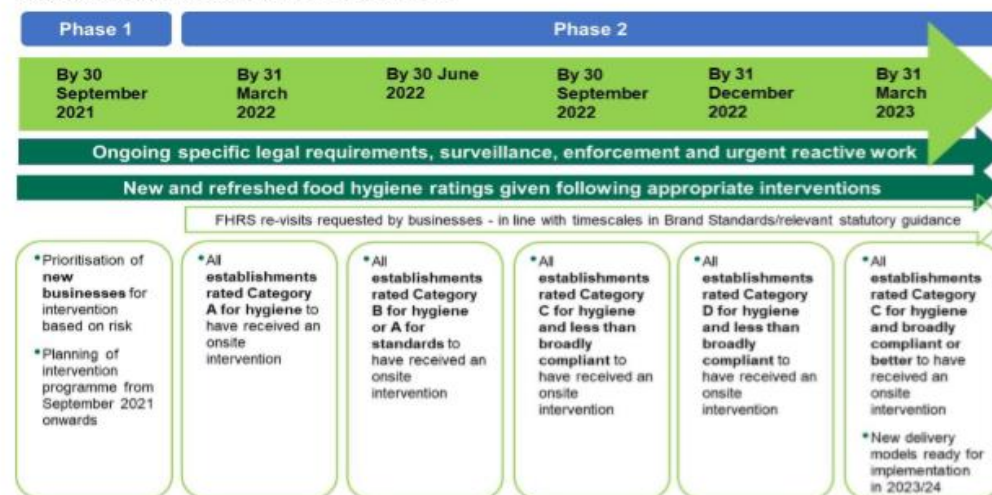
Prioritise new businesses for interventions based on risk, and develop intervention programme from September 2023 onwards, reactive work including responding to food incidents, alerts, food complaints and foodborne outbreaks, food sampling, ongoing proactive surveillance to obtain an accurate picture of the local business landscape, triaging new food premises registrations to identify those requiring addition to our food premises inspection programme due to food safety, and planning for the resumption of planned interventions for high- risk and non-compliant businesses

- **Phase 2 – 1 October 2021 to 2023/24**

Continuation of Phase 1, Implementing our planned food premises inspection programmes for high risk category and non-compliant establishments, implementing an intelligence-based approach for low risk category establishments, responding to FHRS rescore requests within 3 months of application, addressing the backlog See Fig 1 5.4 for details

5.4 Figure 1 below provides an outline of the recovery plan

Figure 1: Outline of the Recovery Plan



Notes

The key milestone dates within the Recovery Plan for higher risk establishments are shown.

For lower risk establishments not shown in the figure, local authorities have the flexibility to defer planned interventions and only undertake intervention where information/intelligence suggests that risks have increased/standards have fallen or if the establishment is otherwise considered a priority for intervention due to the risk posed.

In the case of food standards, the impact on the business of the new requirements on allergen labelling for products prepacked for direct sale - that apply from 1 October 2021 - should also be taken into account.

5.5 In essence, Phase 2 will continue until a new food standards delivery model and a revised food hygiene intervention rating scheme are in place. The new delivery model for food standards is being piloted in England and Northern Ireland until the end of December 2021. Subject to the findings of an evaluation of the pilot and stakeholder consultation, it is anticipated that the new model will be rolled out nationally from April 2023. Work to review and revise the food hygiene intervention rating scheme is planned to commence shortly with a view to implementation in 2023/24.

6. Inspections due and overdue 2021-22

6.1 As outlined in section 4, in addition to the inspections due in this reporting year (2021-22), there is a backlog of inspections, table 1 below details these.

Table 1 Due and Overdue Inspections

Inspections Due 2021-22	
Category or Type of Inspection	Food Hygiene
Category A	0
Category B	17
Category C	135
Category D	285
Category E	192
Unrated new premises	390
Unrated existing premises	160
Total	1179
Inspections Overdue 2021-22	
Category or Type of Inspection	Food Hygiene
Category A	0
Category B	20
Category C	365
Category D	483
Category E	64
Total	932
Grand Total	2111

6.2 The total number of inspections (backlog and due) for food hygiene and food safety is **2055**, however, the FSA RP accepts that LA's do not have the resources to achieve this target within the financial year, and have given a 3 year period in which to address the backlog created by the pandemic, and further achieve the normal inspection targets set by the FSA.

7. Service Delivery 2021-22

7.1 Government lifted all CV19 restrictions on the 19th July 2021, however, at this point, the first quarter for inspections had lapsed, notwithstanding this, food businesses will continue to be risk-rated according to prescribed criteria relating to food type, method of processing, customers at risk and level of compliance. Businesses will then be inspected on the basis of an intervention risk rating which determines the frequency of inspection (as per FLCoP).

7.2 The risk profile of food businesses (with inspection intervals) in Bromley, as at 1st April 2021, is shown in Table 2.

Table 2 Food Hygiene Risk Profile by Category with Inspection Intervals

FH Rating Category	Minimum Inspection Frequency	Number
A	6 Monthly	0
B	12 Monthly	36
C	18 Monthly	539
D	2 Yearly	876
E	3 Yearly or Alternative Enforcement Strategy	542
Outside the inspection programme	none	7
Unrated	Awaiting Inspection	494
Total		2487

7.3 E-rated low or minimal risk food businesses will be dealt with through an Alternative Enforcement Strategy (self-assessment or inspection on an alternate cycle) where possible. Follow-up inspections following self-assessment will be carried out if deemed necessary i.e. if the risk profile of the business has increased since the last assessment. Table 3 on the following page provides the inspection ambition for this year, together with the resources allocated to achieve it.

Table 3 Inspections and Resources 2021-22

Inspections Due 2021-22			
workstream	Category or Type of Inspection	Food Hygiene	Resources
1	Category A	0	5.54 FTE
2	Category B	17	
3	Category C	135	
4	Category D	285	
5	Category E	192	0.5 FTE Alternative Enforcement Strategy and Inspections
6	New unrated	390	
7	Overdue Category C & D	848 (435 (C) 483 (D))	OT
8	Unrated existing premises	160	0.5 FTE
	Total	2027	

7.4 The work programme above exceeds the ambitions within the FSA RP, as their initial targets were expressed as a minimum expectation, and LAs were encouraged to move at a faster pace where possible. With that in mind, the targets were adjusted and increased, and the overdue category C and D inspections are included for this year. The rationale being that the greatest risk is presented within these overdue categories, that it is prudent to address these as a priority, and, to fail to try and address these at this stage will add to the overdue inspections moving forwards.

7.5 The above work programme in Table 3 is undertaken in addition to the routine work of the team. Work streams 1-5 & 8 will require a minimum of 6.54 X FTE Food Safety Officers to deliver. The additional work in Work streams 6&7 (Table 1 section 6.1) will be undertaken on overtime where Officers are available, or potentially via agency staff. This additional work will be funded through the underspend created by vacancies in year. However, the ability to deliver the proposed work programme in Table 1 relies on the following:

- The ability to recruit to vacant posts (workstreams 1-5&8)
- The availability of Officers to work overtime (workstreams 6&7)
- The cost of agency staff if Officers are unavailable on overtime (workstreams 6&7)

It is important to note, that ability to deliver the proposed work programme will also be compromised if the level of enforcement work (as experienced pre-pandemic in 2019-20) returns. As such, the regime will be reviewed and adjusted accordingly in year, and throughout the 3-year grace period to track progress, and respond to risks.

- 7.6 After each inspection food business are rated under the national Food Hygiene Rating Scheme (FHRS), this gives a measure of compliance against three key criteria: hygiene practice, premises structure and food safety management. The rating scale ranges from 5 ('very good') to zero ('urgent improvement necessary'). Most food businesses are included in the scheme but those that do not supply food directly to members of the public are exempted.
- 7.7 The FHRS profile of the registered food businesses in Bromley as at 1st April 2021 is shown in Table 4

Table 4 FHRS Profile for Bromley April 2021

Rating	Descriptor	Number
0	Urgent improvement necessary	1
1	Major improvement necessary	18
2	Improvement necessary	21
3	Generally Satisfactory	262
4	Good	324
5	Very Good	1367
	Total no of rated premises	1993

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- 7.8 To reduce the burden on business and to increase efficiency, food standard and hygiene inspections will be combined where feasible, however, separate food standards inspections will be carried out in high risk premises. Premises given a food hygiene rating of 0 - 2 will receive additional revisits and written guidance to ensure compliance and improved standards. Formal action will be considered where informal action has not been successful; this is in line with our Enforcement Policy.

Unrated New Premises

- 7.9 Ordinarily, new premises should receive a food safety inspection within 28 days of registration to comply with the FLCoP, however, as a result of the backlog created by the pandemic, this will not be possible. As such, the Team will continue to prioritise those businesses with high risk activities, or where intelligence indicates a food safety concern, as permitted by Phase 1 of the FSAs Recovery Plan. Newly registered business with a low food safety risk will be considered during Phase 2.

- 7.10 With regards to the 160 unrated existing businesses which were previously determined to present a low risk e.g. home-based cake makers. These businesses will be contacted to determine if they are still trading by means of a questionnaire. The current risk will be determined, and the premises will be placed into the inspection programme as appropriate if the risk has changed. The Code requires all premises to receive an inspection before they can be dealt with using alternative enforcement strategies; a project will be undertaken to inspect these premises using 0.5 X FTE food safety officers.

Enforcement

- 7.11 Food safety enforcement will continue to be undertaken in a graduated manner, and in accordance with the Public Protection Enforcement Policy 2020 and FSA guidance. Informal action, advice, education, and persuasion are the usual methods of achieving compliance but other enforcement measures (including serving statutory notices and prosecutions) will be taken if the circumstances dictate.
- 7.12 The action taken will depend on the issues identified and the risk presented to the public. In 2020/21 the level of enforcement/complex work carried out by the team was greatly affected by the pandemic with our focus being on CV19 compliance in all Bromley businesses and not just food businesses. It is anticipated that as businesses emerge from the pandemic, lower food safety standards and greater enforcement work may be required.

Food Complaints and Service Requests

- 7.13 The team will respond to complaints about food and food premises within the borough where a breach of food safety legislation is suspected. The speed of response and level of investigation will depend on the severity of the complaint. This will be decided by the investigating officer with advice from the Food Safety Team manager, as required and in accordance with our internal procedures. Urgent complaints will be responded to within 24 hours and non-urgent ones within 5 working days. The team will also continue to respond to complaints abouts CV19 in all Bromley premises along with the commercial teams within Public Protection.

Primary Authority Partnerships

- 7.14 Currently there are no Primary Authority partnerships in Bromley, however, the Home Authority principles will be followed when dealing with requests about or from premises based in our borough, even where no formal agreement exists.

Advice to Businesses

- 7.15 The provision of advice and guidance to secure compliance with food law is an integral part of the work carried out by the service. Advice to existing food businesses will continue to be offered during inspections and revisits. During the CV 19 outbreak, advice on compliance with the Public Health (Coronavirus Restrictions) England Regulations 2020 is being offered to all businesses.
- 7.16 Businesses seeking advice which is not directly related to a current food safety inspection or investigation, will be directed to our website where food safety advice is available on a self-serve basis. Where this is insufficient to meet the business's needs, they may have to seek advice from an external source such as a food safety consultant.
- 7.17 From 1st October 2021, new allergen labelling legislation will come into force for foods pre-packed for direct sale. It is anecdotally known as "Natasha's Law" following the sad death of a teenager who suffered an allergic reaction, after she consumed a sandwich from a retail shop that did not carry a warning of an ingredient with known allergenic potential. The change will require businesses (which produce and pack food onsite for direct sale to the public) to label food with a full list of ingredients with allergenic ingredients emphasised. As many of our businesses affected by this requirement will be small independents, we will offer information and support to assist them with compliance.

Food Sampling

- 7.18 Food sampling is an essential part of our enforcement service, and is carried out in line with our sampling policy and programme. Our food sampling will continue to be intelligence led, focusing on existing and emerging issues, especially for food manufactured in the borough or imported from third countries. Where possible, food sampling will be combined with food inspections or revisits. The Team will also continue to participate in the South East London Food Liaison Group, London Food Coordinating Group (FLCG), Food Standards Agency (FSA) and Public Health England (PHE) sampling programmes for both analysis and examination.

Control and Investigation of Food Related Cases and Outbreaks

- 7.19 The Public Health (Control of Disease) Act 1984 as amended, and the Public Health (Infectious Disease) Regulations 1988, require certain communicable diseases to be notified to the Proper Officer within a Local Authority; and the Council acts as the Proper Officer. Food Team Officers investigate food borne diseases and food poisoning to establish the source of infection and prevent further spread. Outbreaks will be investigated along with the South East London Health Protection Team, who provide infection control advice along with statistical analysis.

- 7.20 On 5th March 2020 Coronavirus was made a notifiable disease by an amendment to the Health Protection (Notification) Regulations 2010. As a result, the team also investigates workplace outbreaks of CV19 notified by the PHE's London Coronavirus Response Cell (LCRC).
- 7.21 Infectious disease investigations are made in accordance with the South London Health Protection Disease Protocols. Priority will be given to those cases involving persons who work within the food industry, or have contact with vulnerable groups. The Council will continue to work in partnership with PHE to prevent and control cases and investigate wider outbreaks of food related disease that fall outside the scope of the single case plan.
- 7.22 In 2020-21, 229 infectious disease notifications were received by the Council, which was a 47% decrease on the previous year (434). This reduction is likely to be the result of the pandemic restricting overseas travel, reduced eating outside of home, and underreporting of food poisoning symptoms due to restricted access to the NHS for non CV19 related symptoms. In any case, it is generally recognised that the number of reported cases is a small proportion of the actual number of cases of food borne illness each year in the UK.

Food Safety Incidents and Alerts

- 7.23 There is a documented Food Alert and Incident procedure covering the issue of warnings arising from a food related issue in the borough and the response to warnings issued by the FSA.
- 7.24 Responses to Food Incidents and Alerts are determined by the Food Safety Team Manager in consultation as necessary, with the Food Standards Agency, PHE and Trading Standards etc.
- 7.25 In March 2018, the FSA updated its communication platform to improve the notification of incidents and food hazards / alerts to local authorities. Although very few notifications require any form of direct action on the part of the service, these continue to emphasise the value of food safety intelligence and 'horizon scanning' in reducing public health risks.
- 7.26 6 food alerts requiring action was received in 2020-21. It is difficult to predict the number of warnings likely to be received in 2021 /2022 however, should incidents rise, there will be a negative effect on the ability of the team to achieve the programmed work schedule.

Liaison with Other Organisations

- 7.27 The Service remains committed to formal inter-agency liaison relationships as set out in the FLCoP. Additional communication will continue to take place at officer level during the process of investigating offences, sharing information and exchange of intelligence.

- 7.28 The Team is a member of the South East London Food Liaison Group (SELFLG), Environmental Health Working Group (EHWG), the Public Health Group (PHG), and the London Food Fraud Group (LFFG), and has designated members to attend. It will also continue to liaise with other enforcement organisations such as the FSA and Department for Environment, Food and Rural Affairs (DEFRA) etc, other Environmental Health Departments and professional organisations such as The Association of London Environmental Health Managers (ALEHM).
- 7.29 The Team will continue to send representatives to the SELFLG, EHWG, PHG and ALEHM.

Promoting Food Safety

- 7.30 The promotion of food safety issues is an important means to secure food safety compliance in food businesses. Our website and press releases will be used to highlight key issues. The team will participate in the FSA Food Hygiene Rating Scheme and will encourage businesses to display the rating received.

8. Financial Resources

- 8.1 In 2021/22 the Council has a dedicated budget of £488k (gross expenditure) to run the food safety service. This includes a sum of £6.4k set aside for food sampling and analysis.

9. Staff Development

- 9.1 A minimum of 20 hours CPD training each year on food safety related topics is required by the FLCoP and this will be met via a mixture of in-house and external training, and through 1-2-1's, cascade training, staff meetings and online training.

10. Staffing Resources

- 10.1 Following an FSA audit in April 2017 where the food serviced was found to be under resourced, an action plan was agreed and additional funding was provided for 2 full time permanent and 3 full time temporary food safety officers for up to 18 months. The FSA formally closed the audit in September 2019 in recognition of the excellent progress made, but continues to monitor our progress with our unrated and overdue inspections.

10.2 PP management is committed to maintaining a full complement of officers, using temporary food safety staff where necessary, to ensure the Council can meet its food safety obligations. As of April 2021, The Food Team is run and managed in-house with 8.29 permanent FTE equivalent:

- 6.54 FTE Environmental Health / Food safety Officers
- 1 FTE Food Safety Manager, who does not have a caseload.
- 0.75 FTE Administrator

A structure chart is provided in Appendix A (page 19), and a summary of staff resources required for the Food Service delivery is provided in Appendix B (page 20).

10.3 2 X FTE permanent food safety officers retired in 2021 (including the Food Safety Manager); permission to recruit to these posts was received, and thus far 1 X FTE has been recruited. The FSM post has been filled (initially on an acting up basis) by an existing permanent food safety officer. This acting up opportunity creates an additional vacancy, which will be covered by a contractor. An additional 1 X FTE permanent food safety officer is due to leave in September 2021, due to career progression, permission to recruit to this post was received and recruitment is underway.

11. Quality Assessment

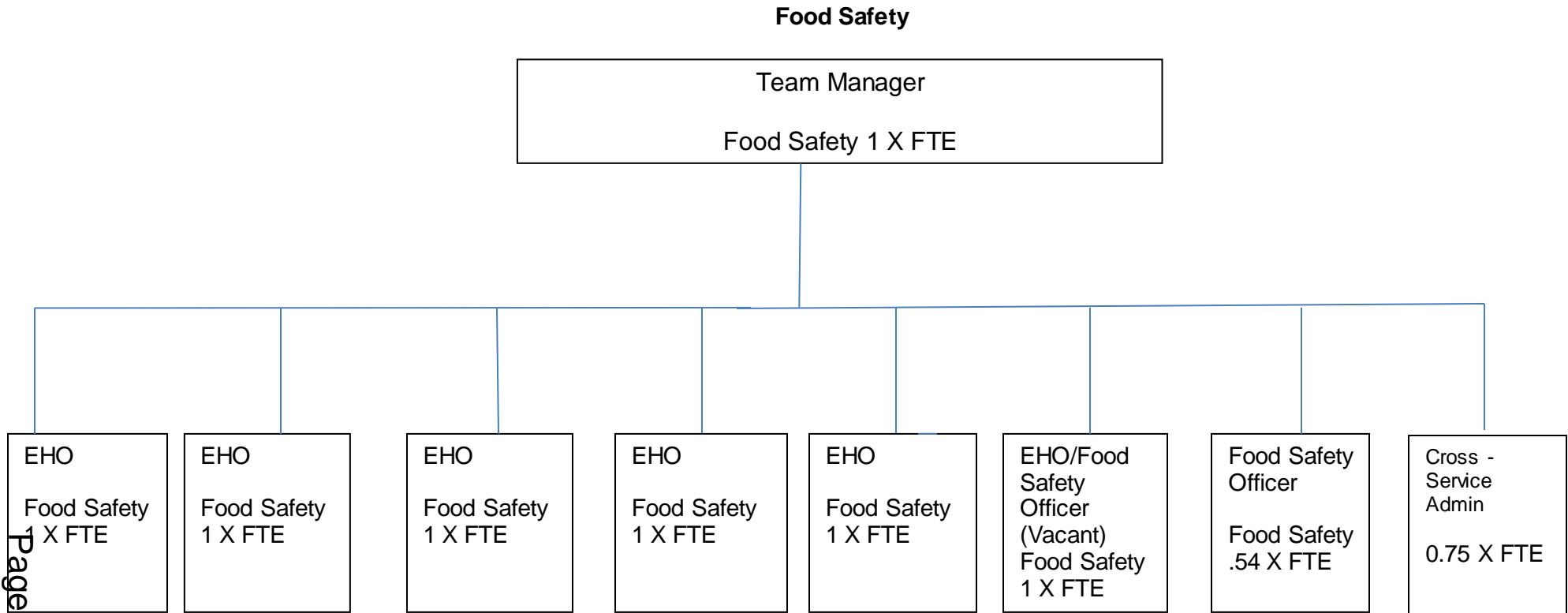
11.1 The team has reviewed the documented internal monitoring procedures, and has subscribed to RIAMS to ensure that it covers the full range of food law enforcement activities, in accordance with the FLCoP and centrally issued guidance. In addition, activities which are used to monitor and maintain service quality will include:

- Weekly remote team catch ups
- 6 weekly remote team meetings
- Review by the Food Safety Manager of any FHR inspection where the risk rating of A changes
- Peer review of statutory notices before service
- Annual post inspection checks by the Food Safety Manager of inspections and service requests
- Benchmarking activities and information exchange between Bromley and the South East London Food Liaison Group
- Investigation of any customer complaints
- Investigation of any appeals against enforcement notices
- Investigation of appeals against Food Hygiene Ratings

12. Review

- 12.1 The process of review of the plan as a whole will be undertaken in March next year based on:
- performance and resources available over the previous 12 months;
 - responses to feedback from local businesses and the community;
 - observations from members and the food safety team;
 - advice and guidance issued by the FSA and other agencies;
- 12.2 The review of this document will then inform the development of the Food Safety Plan for 2022 / 2023 which will be scheduled for member consideration in June 2021 (committee date to be confirmed).
- 12.3 Review of officer workload and priorities will be done on an ongoing basis throughout the year.

Appendix A - Organisational Structure



Appendix B SUMMARY OF STAFF RESOURCES REQUIRED FOR FOOD SERVICE for 2021-22

*EHO = Environmental Health Officer FSO = Food Safety Officer TM = Team Manager AO= Admin officer

SERVICE DELIVERY	FULL TIME EQUIVALENT OFFICERS - REQUIRED TO UNDERTAKE 2021/22 WORK PLAN (does not include Enforcement Work)
Food Premises Inspections	6.54 FSO/EHO
Food Complaints	
Home Authority Advice	
Advice to Businesses	
Advice to Consumers	
Food Sampling	
Control and Investigation of Outbreaks and Food Related Infectious Disease	
Food Safety Incidents	
Liaison - with the South East London Sector food liaison & Environmental Health Working Groups	
Food Safety and Standards Promotion	
Health and Safety in Food Premises	
Staff Training and Development	
FOIs	
Administration	
Management/Staff Training/Monitoring	1.0 TM
TOTAL STAFF RESOURCE REQUIRED	8.29
TOTAL RESOURCE PROVIDED	8.29

Agenda Item 9

Report No.
ES20102

London Borough of Bromley

PART ONE - PUBLIC

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

Date: 1st September 2021 and 7th September 2021

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

Title: Risk 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

1. Reason for report

- 1.1 This report presents the revised 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, Corporate Risk Management Group; and Audit Sub-Committee.

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: £32.41m and £2.54.m
 5. Source of funding: Existing controllable revenue budget 2021/22
-

Personnel

1. Number of staff (current and additional): - 145.6 FTEs and 47.3 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 now quantified and ranked according to the risk presented to the Council). The new Environmental Services Contract, therefore, appears both in this Risk Register and the Corporate Contracts Register, due to its size and complexity.
- 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 26th April 2021 and at Audit Sub-Committee, which last met on 8th June 2021. The next CRMG meeting will take place on 10th September 2021.
- 3.8 At the time of writing, the Council has 123 individual risks (113 departmental plus 10, high-level, Corporate Risks (covering key risks which apply to the Council as a whole).
- 3.9 E&PP Department currently has 28 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. Number E&PP risks are currently ragged 'red' following implementation of management control measures.

Ref	Risk & Description	Gross Risk Rating	Current Risk Rating
1	Emergency Response: Failure to respond effectively to a major emergency/ incident internally or externally	8	6
2	Central Depot Access: Major incident resulting in loss of / reduced Depot access affecting service provision (LBB's main vehicle depot)	12	9
3	Fuel Availability: Fuel shortage impacting on transport fleet / service delivery	5	4
4	Business Continuity Arrangements: Lack of up-to-date, tried and tested, BCP for all Council services	8	6
5	Industrial Action: Contractors' staff work-to-rule / take strike action impacting on service delivery	12	8
6	Health & Safety (E&PP): Ineffective management, processes and systems within E&PP departmentally	12	8
7	Highways Management: Deterioration of the Highway Network due to under-investment	8	6
8	Arboricultural Management: Failure to inspect and maintain Bromley's tree stock leading to insurance claims etc	12	6
9	Income Variation (Highways and Parking) (Non-Covid): Loss of income at a time when the Council is looking to grow income to off-set reduced funding	9	6
10	Waste Budget: Increasing waste tonnages resulting in increased waste management costs	20	12
11	Town Centre Businesses and Markets: Loss of town centre businesses to competition	15	6
12	Staff Resourcing and Capability: Loss of corporate memory and ability to deliver as key staff leave (good new staff are at a premium)	12	9
13	Climate Change: Failure to adapt the borough and Council services to our changing climate	12	8
14	Income Reconciliation (Public Protection Licensing): Uncertainty around income reconciliation when the Council is looking to grow income to offset reduced funding	6	4
15	Income Reconciliation (Waste Management): Uncertainty around income reconciliation linked to the mobilisation of new waste contracts	6	2
16	Dogs and Pests Contract: Failure to deliver the contract to the required service levels	6	4
17	Out of Hours Noise Service: Failure to deliver statutory services	12	12
18	Integrated Offender Management: Failure to contribute to IOM in Bromley	12	12
19	Anti-Social Behaviour Co-Ordinator post: Failure to deliver ASB problem solving and partnership activity	12	12
20	Gangs and Serious Youth Violence Officer: Inability to deliver strategic coordinated gang disruption work with partners across the borough	12	12
21	The provision of 24/7 CCTV Monitoring: Inability to provide 24-7 CCTV monitoring	12	3
22	Loss of Income from Licensing: Lost income from alcohol and gambling licenses	12	9
23	Risk to Health: Officers exposed to COVID-19 through enforcement visits	12	9
24	Increased Costs for Coroners Service: Additional estimated costs due to high risk postmortems	20	20
25	COVID-19 related loss of income (Parking): Greatly reduced income from parking charges and from enforcement activity. Failure to deliver transport improvements.	16	12
26	Dysfunctionality of Uniform Information Management System: Impacts how data is recorded, retrieved and analysed. Data is not always saved or retrievable.	20	12

27	Disruption to Waste Services: During Depot Improvement Programme works in 2022/23 significant infrastructure works at the Depot which will impact the service.	20	16
28	Dysfunctionality of IT Support & Systems: CRM changed service requests are not being received by Public Protection in a timely manner, issues with quality e.g. missing telephone numbers, emails etc. This adds further delay in dealing with requests - complaints increase.	16	12

- 3.11 The risks (including causes and effects) are described in more detail in the appended Risk Register. Each risk is assigned a category (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.
- 3.13 Risk 24 has a Current Risk Rating of 20, which is red. The increased costs for Coroners Service is due to the additional estimated costs due to additional high risk post mortems resultant of COVID, and further requested changes to the service that fall outside of the memorandum of understanding. The Director of Environment and Public Protection has challenged the appropriateness of the required spend for this service to mitigate the risk.
- 3.14 Risk 27 has a Current Risk Rating of 16, which is red. The Depot Improvement Programme works that are planned to take place in 2022/23 involve significant infrastructure works at the Council’s two Waste Sites. It is likely that to undertake these critical works closure of all or part of the Waste Transfer Stations and the Household Reuse and Recycling Centres will be required. There is limited space to store segregated waste during the closure of the Transfer Stations limiting the Council’s ability to recycle as much waste as possible. There will be minimal impact on the waste collection service. Mitigation measures for example operating a temporary Reuse and Recycling Centre are likely to reduce the risk rating to amber.

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 the new Environmental Services Contract is captured in the appended register due to the contract's 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.

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	None

RISK REGISTER REPORT (ES18037): RISK ASSESSMENT GUIDANCE SUMMARY

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

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

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Environment & Public Protection (E&PP) Risk Register

No.	E&PP RISK REF	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	17/08/2021	
1	1	All E&PP	Emergency Response Failure to respond effectively to a major emergency / incident internally or externally	Cause(s): -Emergency may be triggered by storms, floods, snow, extreme heat or other emergency. Ineffective response could be caused by capacity and/or organisational issues Effect(s): - 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	All E&PP	Central Depot Access Major incident resulting in loss of / reduced Depot access affecting service provision (LBB's main vehicle depot)	Cause(s): -Fire, explosion, train derailment, strike etc. Effect (s): -Significant service disruption (Waste, Street Cleaning, Gritting, Fleet Management, Neighbourhood 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 Cleaning) and Highways Winter Service Team 4. 'Central Depot Users Group' (Health & Safety/co-operative forum for all site users) 5. Work Place Risk Assessments in place 6. Depot Insurance reviewed September 2020 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	All E&PP	Fuel Availability Fuel shortage impacting on both LBB and service provider transport fleet	Cause(s): -National or local fuel shortage caused by picketing or other external factors Effect (s): -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	All E&PP	Business Continuity Arrangements Lack of up-to-date, tried and tested, BCP for all Council services	Cause(s): -Failure to implement and keep up-to-date effective service and corporate Business Continuity Plans Effect(s): -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	3	6	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	All E&PP	Industrial Action Contractors' staff work-to-rule / take strike action impacting on service delivery	Cause(s): -Union dissatisfaction over pay and conditions (particularly in Waste, Libraries) Effect (s): -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	All E&PP	Health & Safety (E&PP) Ineffective management, processes and systems within E&CS departmentally	Cause(s): -Failure to take departmental action to reduce likelihood of accidents, incidents and other H&S issues Effect (s): -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. 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 the COVID-19 pandemic have done so in accordance with all corporate processes and procedures.	Sarah Foster
7	12	Highways	Highways Management Deterioration of the Highway Network due to under-investment	Cause(s): -Failure to manage Highways in respect of traffic volumes, winter weather, financial resources leading to deteriorating condition Effect (s): -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	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	
8	13	Neighbourhood Management	Arboricultural Management Failure to inspect and maintain Bromley's tree stock leading to insurance claims etc.	<p>Cause(s): -Failure to ensure that trees are managed as safely as reasonably practicable</p> <p>Effect (s): -Leading to blocked highways, reputational damage and financial liabilities</p>	Financial	4	3	12	<ol style="list-style-type: none"> 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 	2	3	6	<ol style="list-style-type: none"> 1. Continue to monitor completion of annual tree surveys by Arboriculture Team ensuring programme requirements are met. 2. 2021/26 Tree Management Strategy to be approved by Env. PDS March 2022 	Peter McCready
9	14	All E&PP	Income Variation (Highways and Parking*) 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	<p>Cause(s): - 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)</p> <p>Effect (s): -Loss of income with potential to reduce service delivery funds</p>	Financial	3	3	9	<ol style="list-style-type: none"> 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	<ol style="list-style-type: none"> 1. Refine procedure for resolving disputes with utilities 2. Review of parking tariff structures 3. Monitor income trends 4. Intelligence-led targeting of hotspot sites for enforcement 5. Review of further income opportunities as part of Council's Transformation agenda 	Colin Brand
10	15	Neighbourhood Management	Waste Budget Increasing waste tonnages resulting in increased waste management costs	<p>Cause(s): - 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.)</p> <p>Effect (s): - Budgets being exceeded and potential knock-on impact on other Council services</p>	Financial	5	4	20	<ol style="list-style-type: none"> 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) 4. Monthly monitoring of recycled tonnages and projection to yearly figures 5. Regular and sustained recycling awareness campaign 6. Consolidation of Composting for All campaign 7. Continuing investigation of waste minimisation and recycling initiatives 8. Monthly monitoring of all waste tonnages and projection to yearly figures 9. Monthly monitoring of all collection costs and figures 10. Ongoing analysis of collection and disposal methodology 11. Reviewing and benchmarking operational costs to identify options 12. Monitoring procedure in place (from December 2019) for the testing of paper loads to determine moisture content. 	3	4	12	<ol style="list-style-type: none"> 1. Continue to work with Veolia to ensure that recycling services are offered to residents throughout the COVID-19 pandemic. 	Peter McCready
11	18	All E&PP	Town Centre Businesses and Markets Loss of town centre businesses to competition and as a result of the COVID-19 pandemic	<p>Cause(s): -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</p> <p>Effect(s): -Reduction in high street business and market stall occupancy -Loss of income (Business rates and market stalls) -Poor public perception and negative publicity</p>	Financial	5	3	15	<ol style="list-style-type: none"> 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	<ol style="list-style-type: none"> 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
12	20	All E&PP	Staff Resourcing and Capability Loss of corporate memory and ability to deliver as key staff leave (good new staff are at a premium)	<p>Cause(s): -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.</p> <p>Effect (s): -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).</p>	Service Delivery	3	4	12	<ol style="list-style-type: none"> 1. Ongoing programme to find and retain quality staff through internal schemes such as career grades and ongoing CPD 	3	3	9	<ol style="list-style-type: none"> 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

Environment & Public Protection (E&PP) Risk Register

No.	E&PP RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			DATE LAST REVIEWED:	17/08/2021
						Likelihood	Impact	Risk Rating		Likelihood	Impact	Risk Rating	FURTHER ACTION REQUIRED	RISK OWNER
13	22	All E&PP	Climate Change Failure to adapt the borough and Council services to our changing climate	Cause(s): -Severe weather events including extreme heat, storms, floods etc. Effect (s): -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 developed as part of ongoing Carbon Management Programme, in order to achieve net zero organisational carbon emissions by 2029.	Sarah Foster
14	25	Public Protection	Income Reconciliation (Public Protection Licensing) Uncertainty around income reconciliation when the Council is looking to grow income to offset reduced funding	Cause(s): - Lack of processes to reconcile actual licence fee income against expected income held on service specific IT systems. Effect (s): - 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	2	2	4	1. Refine procedure for reconciliation of expected income against actual and provide suitable training for staff to deliver this - project now underway	Joanne Stowell
15	26	Neighbourhood Management	Income Reconciliation (Waste Management) Uncertainty around income reconciliation linked to the mobilisation of new waste contracts	Cause(s): -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 Effect (s): - 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	Public Protection	Dogs and Pests Contract Failure to deliver the contract to the required service levels	Cause(s): -Lack of robustness within contract specification in terms of contract deliverables and Key Performance measures Effect (s): -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
17	29	Public Protection	Out of Hours Noise Service Failure to deliver statutory services	Cause(s): 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 2022. The grant was reduced in 2017 and there is no guarantee it will be sustained post April 2022. The service is staffed on a voluntary basis, and the remuneration for covering the shift is low; as such there is no guarantee that officers will be available. Effect: Inability to deliver Out of Hours Noise Service.	Service Delivery	3	4	12	1. Annual review with MOPAC on service outcomes	4	3	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. OOH Service Offer has been reviewed and approved by PH	Joanne Stowell
18	30	Public Protection	Integrated Offender Management Failure to contribute to IOM in Bromley	Causes: -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. Effect: -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.	Joanne Stowell
19	31	Public Protection	Anti-Social Behaviour Co-Ordinator post: Failure to deliver ASB problem solving and partnership activity	Cause(s): -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. Effect: -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.	Joanne Stowell

Environment & Public Protection (E&PP) Risk Register

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						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING	FURTHER ACTION REQUIRED	
20	32	Public Protection	Gangs and Serious Youth Violence Officer Failure to deliver Gang problem solving and partnership activity	Cause(s): -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. Effect: -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	12	1. Annual review with MOPAC on service outcomes	3	4	12	1. Funding for this post is in place via MOPAC until 2022 - MOPAC funding is outside of the control of LBB.	Joanne Stowell
21	33	Public Protection	The provision of 24/7 CCTV Monitoring	Cause: -COVID 19 Pandemic Effect: -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	The CCTV Control Room is back to full strength - 1 x supervisor and 2 x operators on shift patterns. All staff have now been offered a vaccination and the social distancing/face masks requirement is still in force and will continue until such a time the Government relaxes restrictions further.	1	3	3	1. Monitor and review monthly with Contractors	Rob Vale
22	34	Public Protection	Loss of Income from Licensing	Cause: -COVID 19 pandemic and the potential impact on achieving income from licensing. Effect: -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. 2.Licensing income for 2021/22 is likely to be reduced as a result of business closure. This may be offset by new businesses. An accurate forecast is not likely to be available until March 2022	3	3	9	1. Monitor and review income quarterly	Rob Vale
23	35	All E&PP	Risk to Health - Ill health resulting from enforcing Health Protection COVID 19 Restrictions Regulations 2020 or from operating public sites	Cause: -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. Effect: -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
24	37	Public Protection	Increased Costs for Coroners Service	Cause: -Coroner increasing staffing costs - potential request for a second court - high profile inquests, changes to assistant coroners longer term practices - additional high risk post mortems due to covid Effect: -Additional estimated costs (£238k staffing 57K post mortems) over the BAU contract costs	Financial	4	5	20	1. Ongoing communication with the South London Coroners Consortium to ensure that additional costs are scrutinised, and not agreed to without prior consultation and agreement	4	5	20	1. If the PM 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. 2. With regards to the potential additional spend on staffing etc - The Director of Environment and Public Protection has challenged the appropriateness of the required spend. Until such time that the necessary evidence has been presented to support the increases, Bromley payments will be made according and within the constraints of the budget. Separate payments will be made to cover the additional costs (e.g. inquests) as and when they are incurred.	Joanne Stowell
25	38	Traffic and Parking	COVID-19 related loss of income Greatly reduced income from parking activity. Current uncertainty re TfL grant funding for transport improvements.	Cause(s): -Fewer people used paid-for parking during the pandemic -Enforcement was relaxed to allow residents to park at home during first lockdown -TfL LIP funding has not been clarified for 2021/22 (normally confirmed in December, now expected to be confirmed in July) Effect (s): - Parking income in 2021/22 was down by over 50% - PCN income was down in 2020/21 by 20% - Failure to deliver new traffic and highway improvement schemes, or road safety education and cycle training	Service Delivery / Financial	4	4	16	1. Encourage residents to have confidence to visit town centres 2. Seek ongoing grant funding.	4	3	12	1. This risk will remain high until such time as car use returns to pre-COVID levels. 2. Council should use the limited funding available to support economic recovery for town centres, returning school pupils and those travelling to work. 3. Council to consider reprofiling highway improvements and behaviour change projects if funding is reduced to implement Local Implementation Plan (LIP).	Angus Culverwell
26	39	Public Protection	Dysfunctionality of Uniform Information Management System	Cause- This is a legacy system and there has been a lack of investment in maintaining it. Effects- The dysfunctionality of Uniform affects how data is recorded, retrieved and analysed. Data is not always saved or retrievable. Further there are issues trying to connect to the system remotely.	Service Delivery	5	4	20	Ongoing communication with IT, the system upgrade went ahead in May 21 - further patches required	3	4	12	The issues with data retrieval appear to have been resolved - The system is being loaded to the new server imminently, which should alleviate many of the issues experienced - testing is being carried out in August to determine effectiveness	Joanne Stowell

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27	40	Neighbourhood Management	Disruption to waste services during the Depot Improvement Programme works in 2022/23	<p>Cause - The depot improvement programme involves significant infrastructure works at the Council's operational depots over an 18 month period. The works themselves will impact services as will any delays.</p> <p>Effect(s) - Closure of all or part of the Waste Transfer Station means there is limited space to store waste, resulting in additional costs to find alternatives, it could also limit ability to recycle as much of the waste collected as possible.</p> <p>- Closure of Reuse and Recycling Centre at one or both sites means additional cost if alternative needs to be sourced</p>	Service Delivery	5	4	20	<p>1. Work closely with the Depot Improvement Programme Consultants and stakeholders to plan and phase the works appropriately</p> <p>2. Consider council sites as locations for temporary waste storage and/ or recycling sites</p> <p>3. Produce a communications plan to ensure that residents and businesses are aware of any planned changes to the site and their services.</p>	4	4	16	This risk will remain high until the detailed Depot Improvement Programme plan has been completed by the end of 2021 and additional mitigation measures identified as part of this process.	Peter McCready
28	41	Public Protection	Dysfunctionality of IT Support & Systems	<p>Cause- The Customer Service Centre changed the Customer Relationship Management(CRM) software to CXM on 1st July. Whilst the testing of the system was successful the live rollout has circa 10 errors which is affecting all calls and web queries passed into Uniform.</p> <p>Effects- service requests are not being received by Public Protection in a timely manner, issues with quality e.g.missing telephone numbers, emails etc. This adds further delay in dealing with requests - complaints increase .</p>	Service Delivery	4	4	16	Ongoing fault reporting with IT.	3	4	12	The team are communicating with IT to resolve problems, progress is being made	Joanne Stowell

Note: Column B reflects the unique E&PP risk reference.

ENDS

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SAFER BROMLEY PARTNERSHIP STRATEGIC GROUP

Minutes of the meeting held at 10.00 am on 17 June 2021

Present:

Chief Inspector Craig Knight ((Metropolitan Police)) (Chairman)
 Joanne Stowell ((LBB Assistant Director: Public Protection)) (Vice-Chairman)
 Councillor Angela Page, Portfolio Holder for Public Protection
 Rachel Dunley, (LBB Head of Service for Early Intervention, and Family Support)
 Rob Vale, (LBB Trading Standards and Community Safety Manager)
 Rebecca Saunders, (Designated Nurse for Safeguarding Children for SE London CCG)
 Judie Obeya (Neighbourhood Investment Manager—Clarion)
 Dawn Helps (Tenancy Specialist Manager—Clarion)

Also Present:

Councillor Kathy Bance MBE
 Councillor David Cartwright QFSM

16	WELCOME/HOUSE-KEEPING/INTRODUCTIONS, APOLOGIES AND DECLARATIONS OF INTEREST	Action
	<p>Apologies were received from Bill Kelly, Philip Powell, Colin Brand, Ade Adetosoye, David Stringer, David Tait, David Dare, Sharon Kilbourne, Amanda Mumford, Chloe Todd, Janet Bailey, Elaine Beadle, Kevin McKenzie, Lewis Collins, Betty McDonald, Lucien Spencer, Paul Sibun, Chan Faroqui and Rachel Pankhurst.</p> <p>The Assistant Director for Public Protection and Enforcement stated that as a point of action she would be contacting those members of the Board who had not attended to remind them of the importance of attending meetings to enable the Board to properly fulfill its statutory obligations.</p> <p>It was explained that as Councillor Kate Lymer had taken on a different Portfolio, and had been appointed as Deputy Leader, a new Portfolio Holder had been appointed for Public Protection and Enforcement, and this was Councillor Angela Page. The Board welcomed Cllr Page and thanked Councillor Lymer for her great work as the previous Portfolio Holder and former Chairman of the Partnership.</p>	

	<p>It was explained that the Chairmanship of the Board going forward would be a joint chairmanship, shared by the Assistant Director for Public Protection and Enforcement, along with Chief Inspector Craig Knight.</p> <p>There were no declarations of interest.</p> <p>RESOLVED that the Assistant Director for Public Protection and Enforcement would contact members of the Board to remind them of the statutory responsibilities of the Board and of the importance of attending meetings.</p>	JS
17	<p>MINUTES OF THE MEETING HELD ON 25th MARCH 2021</p> <p>The Board noted the minutes of the meeting that had been held on the 25th of March 2021.</p> <p>RESOLVED that the minutes of the meeting held on the 25th of March 2021 be agreed as a correct record.</p>	Action
18	<p>MATTERS ARISING FROM THE MEETING ON 25th MARCH 2021</p> <p>The Board noted the Matters Arising report that detailed matters that had arisen at the meeting on 25th March 2021. The Board was informed that they would be receiving updates with respect to the Crime Needs Assessment and the VRAP during the course of the meeting.</p> <p>RESOLVED that the Matters Arising report be noted.</p>	Action
19	<p>SUBSTANTIVE DISCUSSION ON PROGRESS AGAINST THE SAFER BROMLEY PARTNERSHIP STRATEGY</p> <p>19a REVISED SAFER BROMLEY PARTNERSHIP STRATEGY DOCUMENT</p> <p>The Board noted the revised Safer Bromley Partnership Strategy Document.</p>	Action
20	<p>QUARTER 1: PRIORITY 1--SAFER NEIGHBOURHOODS.</p> <p>Attention was drawn to the document that outlined the progress being made with respect to Priority 1 of the SBP Strategy, which was 'Safer Neighbourhoods'. The Assistant Director noted that with respect to steps taken to resolve ASB issues, a significant contribution had been made from the LFB, and this would be noted in future updates.</p> <p>The Assistant Director referred to the sterling work that was being undertaken by the Safer Neighbourhood Anti-Social Behaviour Team.</p>	Action

The team had been collaboratively pushing back on ASB. The Assistant Director asked RSLs to exercise their duties and powers (with respect to ASB) initially. This was to avoid the situation whereby the public contacted the Council with issues in the first instance when they could be dealt with by the RSLs under their existing powers.

The Tenancy Specialist Manager (Clarion Housing) pointed out that sometimes it was difficult to differentiate between ASB issues and criminal ones and on where the responsibilities of registered social landlords began and ended. Because of this, it was important that partners worked together, adopting a multi-agency approach in dealing with ASB and other issues.

The Head of Trading Standards and Commercial Regulation gave an update on 'community impact days' stating that three of these had taken place in recent months. One of these would take place each month coordinated by the LBB Public Protection Department and the Community Safety Team. The Council was supported by various partner organisations in this. Residents appreciated the visibility of the partnership approach. Residents felt encouraged when they witnessed this visible multi agency approach and this in turn inspired confidence in the community.

An update with respect to crimes against the elderly and the vulnerable, scams and doorstep crime was given. It was anticipated that the work of Trading Standards in this regard would recommence fully once COVID restrictions were ended.

The Head of Trading Standards and Commercial Regulation referenced Covid enforcement under 'Section 5'.

It was noted that the 'delta variant' of COVID had delayed the country's movement on to the next level. Because of this it was still the case that the hospitality sector had to follow the relevant guidelines with respect to hospitality provision and this was an area that would be enforced by Public Protection. It was felt at the moment that many in the hospitality sector were not following the guidelines particularly well, but there was no real data at the moment available to confirm this. As it was, much work would still be needed to be done until the end of July.

Councillor Bance noted that it had been decided not to issue CPNs to homeless people who were begging, which in genuine cases appeared to be the right approach. However, there were incidences in Bromley High Street where people were not genuinely homeless and they were begging aggressively and generally causing a nuisance of themselves. She asked why this was not being picked up and dealt with; she asked that the matter be given higher priority in terms of enforcement and action.

Councillor Bance also made reference to a pub in the Penge area where there were issues with the premises not being managed properly and the landlord had not lived up to the promises that he had made to improve the establishment. She asked if she would be able to put the pub on a list for a visit and the answer to this was in the affirmative. The Head of Trading Standards and Commercial Regulation said that it would be good to undertake a visit and speak to the licence holder. Councillor Bance agreed to provide the relevant details to the Head of Trading Standards and Commercial Regulation. All members of the Board were encouraged to provide any relevant information or intelligence, as intelligence led operations were the most effective.

The police acknowledged the fact that in many cases, the people on the street were not genuine homeless people that had fallen on hard times, but that in many cases they were on the street purely for the purposes of begging, and often in an aggressive manner. In these cases, CPNs would be issued. It was also noted that the police had the use of translation services if these were required.

The LBB Head of Early Intervention and Family Support encouraged colleagues from across partner agencies to think about intervening earlier before problems and issues faced by families became entrenched... either a referral to Early Intervention and Family Support (EIFS), Bromley Children's Project or to complete their own assessment of needs and log a 'CAF' (Children's Assessment Framework) if a multi-agency response would benefit the family.

She explained that very few referrals had been made to EIFS from partners attending SBPB. A limited number of referrals were received from some parts of the Health landscape, but these were low numbers and could be improved. The biggest challenge was the consent issue with partners believing that referrals to CSC (Children's Services) did not need consent (true but not best practice), whereas a referral to EIFS did need consent which required a conversation with the family concerned.

Resultantly, many referrals to MASH were subsequently "NFA'd"... as not reaching the threshold for a statutory intervention and the referring agency then not speaking to the family afterwards to suggest Bromley Children's Project if they were facing challenges and needed support – often because they did not want the family to know they referred to CSC (Children's Social Care). This was a common 'falling through the net' issue.

The Head of Early Intervention and Family Support said that she was very happy to be contacted by colleagues, to arrange for one of her team managers to deliver bespoke training and to help colleagues understand the offer for families.

	<p>If partners got it right early, then the pressure on MASH and ultimately CSC would reduce and fewer children would face the prospect of a statutory intervention, and more importantly, families would develop resilience and strategies to function in a safer, happier and more productive way, and hopefully this would reduce the potential number of young people heading towards YOS, Police, ASB, YJB, and the risks of gang affiliation/ CCE/ CSE etc.</p> <p>The Assistant Director for Public Protection and Enforcement suggested that the Head of Early Intervention and Family Support draft a briefing on this for Board members which could be presented at the next meeting. It was hoped that in this way the process could be fully explained and the number of referrals increased.</p> <p>RESOLVED that:</p> <p>1) The contribution from the LFB would be noted in future updates.</p> <p>2) RSLs should endeavour as far as possible to deal with ASB in the first instance by using their own powers.</p> <p>3) Councillor Bance would refer a pub in the Penge area to the Head of Trading Standards and Commercial Regulation.</p> <p>4) The police would issue CPNs as appropriate when dealing with aggressive begging in Bromley High Street.</p> <p>5) The LBB Head of Early Intervention and Family Support would update the Board in matters with respect to referrals where more support and referral generation to early intervention services was required.</p>	<p>JO/DH</p> <p>KB/RV</p> <p>CN</p> <p>RD</p>
21	KEY ISSUES/THEMES	Action
	<p>Chief Inspector Craig Knight stated that he wanted to have a conversation with the Board concerning the issue of how crimes were dealt with and classified. This was something that the police had been working on with MOPAC. The Chief Inspector referred to the concept of 'High Harm Crimes'. He briefed the Board on something known as the 'Cambridge Crime Harm Index' which had been invented by a professor at Cambridge University. This was an index that was now being used globally to measure the harm caused by crime as opposed to the volume of crime. In other words, which crimes caused the most harm? Which crimes resulted in the most time spent in prison?</p> <p>The Chief Inspector suggested that this would be a more appropriate way to prioritise crimes and meaningful conversations regarding this should be had with community groups.</p>	

	<p>He wanted to initiate a different set of conversations-- on what really mattered in terms of crime and in terms of harm caused. This would help to determine the allocation of limited resources.</p> <p>The Chief Inspector stated that using the Index would enable a cost benefit analysis with respect to crime, harm and cost to be carried out. A discussion took place about problem solving and what tactics were the most effective. The Chief Inspector stated that what he had learnt recently about how to police effectively and strategically was that there were three key elements to this:</p> <p>Targeting—where should resources be allocated?</p> <p>Testing—what are we going to do with the resources when they are allocated?</p> <p>Tracking—what is it that we are asking them to do, and how do we know if they are successful?</p> <p>Collectively, what was required was that the Board determined a strategy so that problem solving could be undertaken in an effective and efficient manner.</p> <p>The Head of Trading Standards and Commercial Regulation agreed with the value of assessing the wider impact of crime on victims and it was true that money could be saved through early intervention by all relevant services. It was pointed out that when assessing the impact and cost of harm, it was also important to consider the impact of high harm crimes on victim’s children and the cost of them going into care/foster homes if this was required.</p> <p>A discussion took place around strategic objectives, priorities, assets, resources and funding based on the Borough’s needs.</p> <p>The Assistant Director commented that there may be a fear for some partners that the people they were accountable to may have a great want or need for responses in a certain way. To avoid confusion and to aid with clarity of purpose, she requested that Chief Inspector Knight draft a briefing document for the attention of the Board, outlining in a clear and concise fashion his thinking with regard to these matters going forward.</p> <p>The Chief Inspector made it clear that 999 calls would not be affected. He explained that if his beat officers attended a local ward meeting, they could ask attendees what it was they felt that the police should give the most attention to in that particular ward. However, it would also need to be explained that if the police put their resources into that specific issue, then it would mean that there may be no resources (or limited resources) left over to deal with other issues.</p>	
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	<p>The point was made that it may not be simply a matter of resources in terms of funding and budgets. Another matter to consider was that services may already exist that were being under used, and it would be important to identify and tap into these under utilised services. Chief Inspector Knight agreed with this and he stated that he had so far identified 2514 third sector organisations in Croydon and this was something that would require mapping.</p> <p>Councillor David Cartwright expressed serious concerns about the proposals and ask that this matter be brought to and discussed at the Public Protection and Enforcement PDS Committee. He said that it was important that the right message was delivered. He expressed the view that as far as Bromley was concerned, residents were not primarily concerned with what would be regarded as ‘high harm’ crimes, as this was not as big a problem in Bromley as in other boroughs. He expressed the view that residents would be more concerned with volume crimes connected with ASB. He expressed concern that if the ASB was not dealt with it could increase exponentially, possibly even leading to civil unrest.</p> <p>Councillor Cartwright echoed the sentiments of the Assistant Director and said that the proposal that Mr Knight should bring a suggestions and options paper for the attention of the Board was a very good idea. It was resolved that the paper would be drafted in time for the next meeting of the Safer Bromley Partnership and for the Public Protection and Enforcement PDS Committee to scrutinise, after which the Portfolio Holder could make a decision regarding any proposals if required.</p> <p>Chief Inspector Knight reassured the Board that his proposals did not mean the police would stop dealing with those matters which the public considered the most important. The Board discussed the matter of harm caused by dangerous driving and it was noted that one police area had used the Cambridge Crime Index to justify the re-introduction of road policing.</p> <p>RESOLVED that Chief Inspector Craig Knight should draft a briefing paper concerning his policing proposals based on the Cambridge Crime Harm Index. This paper should be ready for the meetings of the Safer Bromley Partnership and for scrutiny by the Public Protection and Enforcement Committee in September.</p>	<p style="text-align: center;">CN</p>
	<p>21a CRIME NEEDS ASSESSMENT UPDATE</p>	<p style="text-align: center;">Action</p>
	<p>The Assistant Director stated that the Crime Needs Assessment was self-explanatory. The document had been produced by graduate Matthew Hodges and she thanked Matthew for this.</p>	

	<p>It was noted that the Crime Needs Assessment was a statutory requirement to be produced by the Board.</p> <p>The Assistant Director stated that by looking at the CNA it was possible to get a good understanding of where LBB stood within the crime rankings. Individual ward data was included within the assessment and overall it seemed that compared to other London boroughs, LBB was doing reasonably well. The CNA indicated that Bromley's crime levels were basically static. The Assistant Director commented that it should be borne in mind that the statistics within the CNA had been affected by the COVID-19 pandemic. During the course of the pandemic, if anyone made any complaints to the police about their neighbours or anyone seemingly in breach of Covid regulations, this was classified as ASB and so consequently the ASB figures rose quite considerably.</p> <p>RESOLVED that the Crime Needs Assessment be noted.</p>	
22	<p>VIOLENCE REDUCTION ACTION PLAN VERBAL UPDATE</p> <p>The Assistant Director for Public Protection and Enforcement informed the Board that the VRAP (Violence Reduction Action Plan) was a standing item on the SBPB agenda.</p> <p>The Assistant Director and Chief Inspector had met with Steve Bentley from the Violence Reduction Unit recently. This meeting took place as a virtual meeting on the 24th May. It followed on from the very positive review given by the VRU to LBB's Violence Reduction Action Plan. The purpose of the visit from Mr Bentley was primarily to assess how the VRU could assist Bromley. It was suggested to Mr Bentley that a repository be developed which would contain details of the violence reduction action plans of all the other boroughs. Each Council would then be able to look at the action plans to see if there were any ideas or plans that would be suitable to be implemented in their own borough.</p> <p>The VRU was also encouraged to develop a best practise document, incorporating the best ideas and plans from all boroughs. Again this would be a useful reference tool for all concerned.</p> <p>The VRU was further encouraged to develop a 'basket of offers'. Within the 'basket' there would be the opportunity to request assistance in specific areas of need, possibly limited to two requests.</p> <p>The VRU was requested to apply weightings (regarding priority/importance) to the actions detailed in the plan.</p> <p>It was pointed out to the VRU that sometimes actions are suggested for boroughs without due consideration taking place to the funding allocated to boroughs.</p>	Action

	<p>It was the case that LBB did not receive as much funding as many other boroughs.</p> <p>A discussion took place with the VRU to ask the question of what does success look like, and what needs to be achieved?</p> <p>A discussion took place at the meeting with the VRU to discuss the danger of the requirement for instant responses to certain circumstances that may in reality be rare. Such responses could be very resource intensive and in the meantime other areas where resources were needed suffered as a result.</p> <p>Partners were informed that the SBP was unique in that it was the only London borough where all of the relevant partners within a Community Safety Partnership had completed their April 2021 updates.</p> <p>Mr Bentley was further impressed by the fact that LBB had detailed more optional actions (more than 50) in their VRAP. He stated that LBB's VRAP was a great example for all other London Boroughs to follow.</p> <p>The Assistant Director said that as an action for herself she would disseminate Bromley's Violence Reduction Action Plan to the Board.</p> <p>The VRU had asked LBB to present their VRAP on 7th July to the Partnership Reference Group which was Chaired by the Mayor for London. This would in effect be a presentation which would showcase Bromley's VRAP.</p> <p>The Assistant Director said that she would update the Board concerning this at the next meeting, and that the presentation and script would be disseminated to the Board in due course.</p> <p>RESOLVED that</p> <p>1) The update concerning Bromley's VRAP be noted.</p> <p>2) The Assistant Director would disseminate a copy of Bromley's Violence Reduction Action Plan to the Board.</p> <p>3) The Assistant Director, subsequent to the presentation to the Partnership Reference Group, would disseminate the presentation to the Board, and would update the Board further at the September meeting.</p>	<p>JS</p> <p>JS</p>
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23	DHR AND PREVENT VERBAL UPDATE	Action
	<p>The Board was briefed that there were three Domestic Homicide Reviews outstanding at present. The updates were as follows:</p> <p><u>DHR 1</u> Following the review by the Home Office Quality Assurance Panel, the report was sent back to the author to consider the recommendations made for areas of improvement. This amended report was received by LBB on 2nd June 2021 and was being proof read. The report would be sent to the family and a proposal to publish the recommendations only, was with the Chair of the Safer Bromley Partnership.</p> <p><u>DHR 2</u> The report was complete and had been shared with the DHR Panel for sign off by 16th June 2021. It would then be placed with the SPB Chair for approval, and then submitted to the Home Office for Quality Assurance.</p> <p><u>DHR 3</u> The report was with the Home Office Quality Assurance Panel.</p> <p>It was noted that the DHRs would ultimately lead to a final report detailing lessons learnt and recommendations for any actions that could be taken to try and prevent a similar domestic homicide in the future.</p> <p><u>Prevent update:</u></p> <p>The Board was advised of some national changes in that Prevent was under a review being led by William Shawcross. The review would gather and analyse a range of information to underpin robust, evidence-based findings and recommendations on the Government's strategy for supporting people vulnerable to being drawn into terrorism.</p> <p>The Protect Duty Consultation was now out and this could impact local authorities with respect to resource implications. A further update would follow later this year. New statutory guidance had introduced a framework of standards for local authorities which included an annual return, submitted in April 2021.</p> <p>The Board was briefed regarding the type of referrals received locally and the Assistant Director asked whether there had been an increase in far right referrals compared with previous years. The Head of Service provided details of the figures released by the Home Office of the number of individuals referred to and supported through the Prevent programme for the period April 2019 to March 2020. There had been 6,287 referrals to Prevent. This was an increase of 10% compared to the record low in the previous year (5,737 in the year</p>	

	<p>ending March 2019). Of these, 697 (11%) were adopted as a Channel case, with 302 (43%) cases referred due to concerns regarding right-wing radicalisation, followed by Islamist radicalisation 210 (30%).</p> <p>The Assistant Director asked what ideologies featured in the other cases. The Head of Service responded that most were mixed, unstable or unclear ideologies and explained that this related to instances where people exhibited a combination of elements from multiple ideologies, or shifted between different ideologies, or where the individual did not present a coherent ideology, yet may still pose a terrorism risk. Deep rooted grievances held by individuals sometimes resulted in moving from one group to another in order to find a place where the frustrations could be addressed.</p> <p>The LBB Prevent lead continued to deliver Workshops to Raise Awareness of Prevent via MS Teams. The training had been adapted locally to include updates on the risks of radicalisation via social platforms and the new threats from groups such as of the INCEL movement—an online community of young men who consider themselves unable to attract women sexually, typically associated with views that are hostile towards women and men who are sexually active.</p> <p>The Board noted that Counter Terrorism training was to be provided to CCTV staff.</p> <p>RESOLVED that the DHR and Prevent updates be noted and that a further Prevent update would be provided in due course, following the outcome of the Prevent Duty Consultation.</p>	RV
24	<p>CRIME PERFORMANCE DASHBOARD--UPDATE FROM THE POLICE</p> <p>Superintendent Craig Knight provided the update from the police with respect to the Crime Performance Dashboard.</p> <p>It was noted that the data showed volatility, particularly through the Covid period. However the data on the graphs did not explain the reason for this. The Board noted that there had been 71 changes to Covid regulations in the last 12 months and the lockdowns had resulted in decreased incidences of burglary and robberies.</p> <p>When undertaking comparisons in crime data, the comparison for 2021 would not be made with 2020 (because of the impact of Covid), but any comparisons would be made with the data for 2019 as this would be more realistic.</p> <p>The number of racist offenses also increased because of Covid.</p>	Action

	<p>Stop and Search rose considerably during the first lockdown. This was because most of the law abiding public stayed indoors--following the Government guidelines.</p> <p>However, those that were not obeying the rules were out on the streets and thus provided opportunities for the police to have a conversation with them, and many of these turned out to be individuals that were involved in committing crimes.</p> <p>At the time of the meeting, the number of stop and searches across London had fallen by 15% / 20%. This was because police training in this area had improved and stop and searches were being undertaken in a much more focused manner.</p> <p>The Head of Service for Early Intervention and Family Support asked who she could contact within the police for support with domestic abuse issues. This was noted as being Detective Inspector Dave Adams and the Chief Inspector promised to provide the Head of Service with his email contact details.</p> <p>Chief Inspector Knight promised to provide the Tenancy Specialist Manager from Clarion Housing with more detail concerning the breakdown of the hate crime data.</p> <p>RESOLVED that</p> <p>1) Chief Inspector Craig Knight would provide the email contact details for Detective Inspector Dave Adams to the Head of Service for Early Intervention and Family Support.</p> <p>2) Chief Inspector Craig Knight would provide a breakdown of hate crime data to the Tenancy Specialist Manager (Clarion Housing).</p>	<p>CK</p> <p>CK</p>
25	<p>EMERGING ISSUES/TASK AND FINISH PARTNER UPDATES</p> <p>The LBB Head of Early Intervention and Support gave an update with respect to violence against women and girls and stated that they were pushing forward with their new strategy. Only one partner signature was awaited with respect to agreeing to commit to the strategy; fifteen signatures had now been received.</p> <p>Being developed alongside this was a programme entitled 'Reducing Parental Conflict'. This would be supported by a website, toolkit and cards. Around 60 staff from the wider workforce and partner agencies had been provided with domestic abuse awareness training. The service had also been looking at how they commissioned services.</p>	<p>Action</p>

<p>The LBB Head of Early Intervention and Support stated that the VAWG service was successfully delivering the 'Drive' programme collaboratively with the BCU. More referrals were coming in to this programme via MARAC.</p> <p>There had also been a drive with newsletters and the sharing of information. The Head of Service invited partners to share information which could be incorporated into the newsletter.</p> <p>It was noted that meetings had taken place with the Children's Safeguarding Board, the Adults' Safeguarding Board as well as Learning and Development, to consider what training should be provided going forward. Training was being planned on 'Coercive Control' and also on the impact that domestic abuse had on children.</p> <p>It was noted that at the next SBP meeting, the focus would be on Priority 2 which was VAWG.</p> <p>The Neighbourhood Investment Manager (Clarion) stated that Clarion Housing was looking at how it addressed issues relating to violence affecting young people. A piece of work was being undertaken with Clarion Futures Communities and Housing Management concerning Clarion's roles and responsibilities in this area and how a more coordinated and targeted response could be employed in known hotspot areas on a national level.</p> <p>Clarion was also supporting the 'Hard Calls Saves Lives' campaign, which was a Crime Stoppers initiative which encouraged the anonymous reporting of concerns about knife crime to Crime Stoppers in order to help with police investigations. The campaign was featured on the Clarion website and campaign materials disseminated in boroughs across London.</p> <p>The Assistant Director asked if some information concerning this work could be shared with the Board.</p> <p>The Designated Nurse for Safeguarding Children for SE London CCG said that the Health Services had been really busy over the last 18 months and that Safeguarding had remained a priority. She said that it was key that none of their designated nurses had been re-deployed as had occurred in other boroughs. There had been much collaboration with their multi agency partnership, especially with respect to domestic abuse work. NHSE had been providing good communication with regards to safeguarding across the Health system.</p> <p>An update was also provided with respect to the IRIS (Identification and Referral for Improved Safety) project which was being rolled out in primary care to upskill GP and practice staff in how to recognise signs of domestic abuse.</p>	<p>JO</p>
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	<p>The Tenancy Specialist Manager (Clarion) stated that Clarion would be rolling out training in July for their Tenancy Specialist Officers with respect to domestic abuse and ASB. Clarion was seeking accreditation nationally for their domestic abuse protocols. Locally, officers had been allocated to work with the Gypsies and Travellers Forum. Clarion was further seeking ways to engage with the Gypsy and Travellers community in the Crays to try and reduce levels of ASB.</p> <p>RESOLVED that the update on emerging issues and task and finish groups be noted and that the Neighbourhood Investment Manager (Clarion) provide an update to the Board with respect to the work that Clarion was undertaking regarding violence affecting young people.</p>	JO
26	AOB	Action
	<p>The Assistant Director informed the Board that Mr Tony Baldock had now left the employment of the Council. It was anticipated that he would be replaced by Sarah Newman as the new Head of Service.</p> <p>Chief Inspector Craig knight expressed his thanks to Bromley Council, and in particular to the Assistant Director for Public Protection and Enforcement (Joanna Stowell) for her hard work and commitment and for the excellent working relationship that had been formed between the police and the Council. He also expressed his thanks for the support provided by Mr Rob Vale (Head of Trading Standards and Commercial Regulation).</p>	
27	DATE AND TIME OF NEXT MEETING	Action
	<p>The date of the next meeting was confirmed as 9th September 2021. This would take place at Bromley Civic Centre at 10.00am.</p>	

The meeting ended at 12.00 pm

Chairman

Report No.
CSD21086

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment & Community Services PDS Committee – 1 September 2021
Public Protection & Enforcement PDS Committee – 7 September 2021
Renewal, Recreation & Housing PDS Committee – 8 September 2021
Adult Care and Health PDS Committee – 9 September 2021
Children, Education & Families PDS Committee – 14 September 2021
General Purposes & Licensing Committee – 21 September 2021

Date: September 2021

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

Title: TRANSFORMING BROMLEY 2019 – 2023: FIRST TWO YEARS

Contact Officer: Graham Walton, Democratic Services Manager
020 8461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Chief Executive

Ward: All Wards

1. Reason for report

1.1 At its meeting on 30th June 2021 the Executive considered the attached report on the Council's Transformation Programme, and referred the report to all PDS Committees and General Purposes and Licensing Committee. The report has already been considered by Executive, Resources and Contracts PDS Committee at its meeting on 23rd June 2021.

2. **RECOMMENDATION**

That progress with the Transformation Programme be noted.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The Adult Social Care and Children's Services and Education workstreams of the Transformation Programme aim to ensure that vulnerable adults and children are kept safe from harm in Bromley as part of the Transforming Bromley agenda.
-

Corporate Policy

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

Financial

1. Cost of proposal: Cost implications of individual transformation proposals are identified in associated reports to Members
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Council-wide budgets
 4. Total current budget for this head: Council-wide budgets
 5. Source of funding: Funding requirements for each proposal are identified in associated reports for decision by Members.
-

Personnel

1. Number of staff (current and additional): Council-wide
 2. If from existing staff resources, number of staff hours: The Transformation Project is embedded as part of business-as-usual service delivery.
-

Legal

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

Procurement

1. Summary of Procurement Implications: The procurement implications of each transformation proposal will be identified in associated reports to Members
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The Transformation Programme will benefit all 330,000 residents in the London Borough of Bromley
-

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 its meeting on 30th June 2021 the Executive received an update on the progress of the Transformation Programme. The draft minute from that meeting is set out below -

256 TRANSFORMING BROMLEY 2019 - 2023: FIRST TWO YEARS

The Executive received key updates on the progress of the Transforming Bromley agenda two years into the four year Transformation Programme (2019-2023).

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 23rd June 2021 and the Committee supported the recommendations.

RESOLVED that the report be noted and referred to all PDS Committees and General Purposes and Licensing Committee.

- 3.2 The report had already been scrutinised at Executive, Resources and Contracts PDS Committee at its meeting on 23rd June 2021 – the Committee’s draft minutes are set out below –

21. PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

(18)TRANSFORMING BROMLEY 2019 - 2023: FIRST TWO YEARS

The report provided the Executive with key updates on the progress of the Transforming Bromley agenda two years into the four-year Transformation Programme (2019 - 2023).

The Chief Executive provided an overview of the report highlighting that the 2019 Staff Conference had been the genesis of transformation and details of the progress that had been made would filter through to individual PDS Committees, but it was important to recognise the importance of celebrating the progress that had undoubtedly been made. Since 2019 there had been key development around the Council’s Digital Strategy and this, along with the Building a Better Bromley Strategy would be reported to the Committee in September 2021. Despite the ongoing Covid-pandemic and the additional demands that this had placed of a number of Officers, the corporate transformation process had continued. The Covid pandemic had inevitably had an impact and had presented challenges which no one could have foreseen in 2019, however, the Transformation Roadmap had never been designed to be a static document and had instead evolved in order to respond to these new challenges.

In response to a question, the Chief Executive highlighted that in 2019, one of the key aspirations had been to introduce agile and home working. The Covid pandemic had accelerated these plans and currently 60-90% of the workforce were working flexibly. A report on the Civic Centre Accommodation Strategy would be presented to Members in the coming months.

In response to a series of questions, the Chief Executive confirmed that reports concerning the 17 strands of the Transformation Programme could be made available to Members. However, a number of these reports would have been presented to individual PDS committees or Executive as part of the savings identified in the medium-term financial strategy. It was clear that the Transformation Roadmap was an organic document and where necessary Officers would approach committees and garner comments and views from Members in order to ensure that the process of corporate transformation was flexible and reactive.

In response to a suggestion that the language of transformation should be more focused on service improvement, the Chief Executive confirmed that all members of the Corporate Leadership Team focused on three key areas:

- What could be done to improve the lives of residents?
- What could be done in terms of improving processes? and
- What innovations could be delivered?

It was only when these three key areas were addressed that savings could be delivered through transformation.

In relation to staffing resilience and continuity, the Chief Executive confirmed his awareness of the age profile of the Council's Senior Leadership Team and the inevitable loss of experience and wisdom that was likely to manifest in the coming 5 to 10 years. In response to this, efforts were being made to develop and build programmes of support and promote internal staff. Through mentoring, supporting and coaching the Council would be able develop its own pipeline strategy. Members noted that this was not a problem unique to Bromley, in the past year 7 Chief Executives and a number of Directors across London had retired.

RESOLVED: That Executive be recommended to:

- (1) Note and comment on the report
- (2) Agree to refer the report to all PDS Committees and General Purposes and Licensing Committee.

3.3 Committees are therefore requested to consider the aspects of the Transformation Programme that affect their portfolios.

Non-Applicable Sections:	See attached report
Background Documents: (Access via Contact Officer)	Transforming Bromley – Report to the Executive, 10 July 2019

Report No. **London Borough of Bromley**
Please obtain
a report
number **PART ONE - PUBLIC**

Decision Maker: **EXECUTIVE**

Date: **30 June 2021**

Decision Type: Non-Urgent Executive Non-Key

Title: **TRANSFORMING BROMLEY 2019 - 2023: FIRST TWO YEARS**

Contact Officer: Ade Adetosoye OBE, Chief Executive
Tel: 020 8313 4197 E-mail: ade.adetosoye@bromley.gov.uk

Chief Officer: Ade Adetosoye OBE, Chief Executive

Ward: All Wards

1. Reason for report

This report provides the Executive with key updates on the progress of the Transforming Bromley agenda two years into the four year Transformation Programme (2019 - 2023).

2. **RECOMMENDATION(S)**

2.1 It is recommended that the Executive:

- i) Note and comment on the report
- ii) Agree to refer the report to all PDS Committees and General Purposes and Licensing Committee.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The Adult Social Care and the Children's Services and Education workstreams of the Transformation Programme aim to ensure that vulnerable adults and children are kept safe from harm in Bromley as part of the Transforming Bromley agenda.
-

Corporate Policy

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

Financial

1. Cost of proposal: The cost implications of individual transformation proposal are identified in the associated report for decision to Members
 2. Budget head/performance centre: Council-wide budget
 3. Total current budget for this head: Council-wide
 4. Source of funding: The funding requirements for each individual transformation proposal are identified in the associated report for decision to Members.
-

Personnel

1. Number of staff (current and additional): Council-wide
 2. If from existing staff resources, number of staff hours: The Transformation Programme is embedded as part of business-as-usual service delivery
-

Legal

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

Procurement

1. Summary of Procurement Implications: The procurement implications for each individual transformation proposal will be identified in the associated report for decision to Members.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The Transformation Programme will benefit all 330,000 residents in the London Borough of Bromley
-

Ward Councillor Views

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

Transformation Programme 2019 - 23

- 3.1 In 2019, the Transformation Programme was launched through the Transforming Bromley Roadmap and outlined the organisation's local approach to tackling the key strategic challenges and significant funding pressures facing the local authority over the next four financial years and a projected emerging £31.7m budget gap by 2022/23. Through this programme, the Council has aimed to transform services to respond to increasing statutory responsibilities, a growing and ageing population, and a growth in demand for statutory services for those with increasingly complex needs.
- 3.2 The Transforming Bromley programme aims to ensure that the Council can continue to meet the needs and expectations of residents through enabling self-sufficiency, designing and delivering efficient services, and improving outcomes for residents at the earliest point of need within a sustainable financial envelope. A report outlining the key strategic principles of the Transformation Programme and the key workstreams went to Members in July 2019.
- 3.3 To ensure the good governance of the Transformation Programme, it is monitored on the Corporate Risk Register in line with the Council's risk management procedures. The Transformation Programme was also subject to an internal audit on its governance arrangements in January 2020 which reported 'substantial' assurance, indicating a sound system of control in place to achieve our strategic transformation objectives.
- 3.4 The Chief Executive has provided regular updates on the Transformation Programme at bi-annual scrutiny sessions since 2019. The Director of Finance has also provided key narrative updates informing how transformation savings have been built into the Medium Term Financial Strategy or else otherwise used to mitigate growth pressures and deliver savings to existing grant schemes in the draft budget reports for 2020/21 and 2021/22. Chief Officers have also provided transformation updates to their respective Portfolio Holder(s) and PDS Committees to inform the delivery of proposals.
- 3.5 Over the last 16 months, the transformation agenda has progressed despite the unexpected and highly challenging context of the Covid-19 pandemic. The Council has demonstrated its agile change management capacity to respond swiftly to residents' needs, delivering additional public health programmes and accelerating the rapid implementation of some key elements of our transformation agenda, including digitalisation. Across the Council, significant changes were quickly implemented to deliver alternative 'business as usual' and Covid-19 safe services. Our Covid-19 response has shown some of the ways forward: better use of technology, shared use of data and intelligence, better strategic decision-making, and better collaboration across services.
- 3.6 This report brings together an overview of the headline achievements during the first two years of the four year Transforming Bromley Programme, as well as the key transformation savings that have been achieved to date. It also provides the direction of travel for the next two years, including some newly identified priority projects against each of the transformation workstreams.
- 3.7 The £10.6m of transformation savings to be delivered by 2024/25 that were built into the Medium Term Financial Strategy for 2020/21 and 2021/22 as a result of transformation proposals from the first two years of the programme are also presented in this report.

Achievements of the first two years of the Transforming Bromley Programme

- 3.8 The Council's Transformation Programme has taken a whole Council approach to tackling medium and long-term organisational challenges. The scope of the Transformation Programme is to deliver the objectives in the context of the following workstreams:

1. Housing, Planning, Property and Regeneration
2. Children's Services and Education
3. Adult Social Care
4. Environment and Public Protection
5. Professional Services
6. Workplace Modernisation

3.9 A summary of the key achievements of each workstream and any new priority programmes for the next two years of the Transformation Programme is provided below.

Housing, Planning, Property and Regeneration

3.10 For this workstream, the Transforming Bromley Roadmap outlined the following objectives:

- Explore all options to increase the supply of affordable housing within Bromley, including permanent and temporary accommodation and within the private rented sector
- Review our initiatives to manage temporary accommodation pressures.
- Focus on early intervention and prevention to relieve housing and homelessness pressures and explore long-term regeneration activities to meet the needs of residents.

3.11 For Bromley, one of the most significant long-term cost pressures is the impact of homelessness and provision of Temporary Accommodation (TA). The Council currently supports 1,800 households in TA with just over 1,000 in costly forms of nightly paid accommodation, which places significant strain on the Council's revenue budget. The Council continues to focus on increasing supply of accommodation through housing association partners and private sector options, like many other local authorities, this supply continues to be insufficient to meet the level of need and is likely to be further challenged as a result of COVID-19 pandemic due to an increase in financial pressures on households and evictions.

3.12 The Housing, Planning, Property and Regeneration workstream has delivered the following activities in its first two years:

- Additional prevention work to reduce levels of homelessness and increase access to private rented accommodation to relieve housing pressures
- The reopening of our Housing Revenue Account (HRA) provides an additional mechanism to allow the Council to better set the rate and pace of additional affordable supply and a vehicle for the ownership of units to ensure ongoing control of affordable units. This will enable us to directly meet statutory rehousing duties and thus reduce the current cost pressures associated with costly forms of nightly rate accommodation. This will also enable the Council to access grant funding to assist in the development and acquisition of units.
- Increasing the supply of cost-effective temporary accommodation on other Bromley-owned sites
- As part of our work to increase the supply of good quality affordable housing and reduce the costs of providing temporary accommodation, we have seen the acquisition and development of properties through various schemes including an agreement with Beehive to provide 51 properties from Hyde Housing and the creation of a limited liability partnership with Orchard and Shipman for the acquisition of approximately 242 residential properties.
- Initial approval from Members has been given and planning permission approved to provide 60 units across three Council-owned sites at Burnt Ash Lane, Bushell Way and Anerley. Off-site construction works has commenced, and it is anticipated that the sites will be ready for residents in September 2021.

- Our Housing Strategy for 2019 - 29 sets out the Council's housing priorities for good quality and affordable homes to reflect housing needs. This sits alongside the Homelessness Strategy for 2018 - 23 and our Local Plan. We also drafted the Council's Regeneration Strategy for 2020 - 2030, which sets out the Council's regeneration priorities for the borough.
- Efficiency savings through better administration of the Disabled Facilities Grant provision
- Our Community Infrastructure Levy (CIL) proposals were approved for adoption by the Council in April 2021 and will come into effect on all relevant planning permissions determined on and after 15 June 2021.
- We are continuing to improve the quality of our building control services and our planning regulatory function with suitable service improvement plans in place.

3.13 We have also progressed our commitment to transform our Property Services and our ambition to move to a corporate landlord model for the strategic, effective, and efficient management of the Council's estate and assets. This is being developed through three different work programmes:

- We have agreed a clear direction of travel for the delivery of our Property and Facilities Management services going forward to ensure that we have a comprehensive approach that meets the needs of our organisation and ultimately residents now and in the future.
- The Operational Property Review has commenced to review of all of the Council's assets with a view to producing an evidence-led Operational Accommodation Strategy supported by a full financial business case and delivery plan to meet the needs of the organisation in the short, medium and longer term.
- The Disposals Programme is a programme of work to introduce a new fund management approach for the Council's investment properties and to work with Housing, Planning and Regeneration teams to ensure that we have a robust property portfolio to meet all the needs of the Council and required services.

Housing, Planning, Property and Regeneration: next two years

3.14 Some of key emerging strategic priorities for the workstream over the next two years include:

1. Deliver transformed Property services

- Deliver the three workstreams to transform property services
- Reconfiguring the delivery of our Property and Facilities Management Service
- Agreeing and setting out the workplan for the Council's Accommodation Strategy to drive longer-term accommodation changes.

2. Implement Economic Development agenda

- Economic Development Strategy for 2021 - 2031 will go to Executive in June 2021 and sets out our aspirations to grow and support the local economy over the next decade
- Support Business Improvement Districts (BIDs) and ensure we utilise these functions to re-generate and grow our local economy.
- Engage with the Digitalisation Strategy to deliver infrastructure for economic recovery for businesses affected by the COVID-19 pandemic.

3. Develop Bromley's Leisure Strategy

- Critical reflection on what is Bromley's role as a leisure provider and our leisure offer

4. Libraries without Walls

- Work with GLL to develop our 'libraries without walls' virtual library offer, building on the benefits and outcomes already achieved through the COVID-19 pandemic.

Adult Social Care

- 3.15 Adults in Bromley have generally better health outcomes than the national average. Life expectancy of 81 years for males and 85 years for females exceeds national figures.
- 3.16 The Council, our health partners and providers, alongside our local community and voluntary sector, provide services for an increasing number of adults and older people with support needs. Over 750 requests for support are made each month for adults and older people's services. Over 2000 people receive packages of support in the community and high numbers of service users receive personal budgets to fund their care. Over 1500 residents live in residential care or nursing homes of which 20% are local authority funded placements.
- 3.18 For this workstream, the Transforming Bromley Roadmap outlined the following objectives:
- Modernising the social care offer and embedding strengths-based approaches and demand management in response to our sustained demographic and financial challenges.
 - Using strengths based approaches and apply principles of personalisation and co-production. Through this, we are focusing on the way we support residents to receive the right level and type of support, at the right time, to maximise their independence. This will reduce or delay their need for ongoing/or formal social care support.
 - Transforming our services by offering earlier help and prevention, enabling residents to retain and regain their independence and working closely with public, independent and voluntary sector partners to make best use of our combined resources.
- 3.19 Over the last two years, we have significantly improved partnership and collaboration with health partners, particularly in the context of the Covid-19 pandemic. During 2020, we implemented a new single point of access pathway for hospital discharges, allowing us to model pressure on adult social care services as patients have been discharged from hospital. In addition, we have restructured our services to meet the needs of our residents.
- 3.20 Since 2019, the key transformation activities across adult social care have included:
- Supporting people to remain active and independent in their communities is a key objective of our Ageing Well Strategy. We have reviewed our partnership arrangements with Bromley Well, our third sector health and wellbeing consortium provider, as part of further developing this early intervention offer. Our strategic analysis of data has supported commissioners to review priorities to sit alongside our Ageing Well strategy, our Learning Disability strategy, and our Mental Health strategy, which will deliver a renewed focus on promoting independence and wellbeing.
 - Our shared lives service, a service for adults with learning disabilities, mental health issues or other needs who cannot on live on their own and matches them with an approved carer in an adult placement, has also been developing its business plan to increase shared live placements and retention of additional carers.
 - We have launched our adult social care 'Making Practice Personal framework, in conjunction with the Social Care Institute for Excellence (SCIE), articulating our system-wide approach to working with adults in need of care, advice and support across the borough.

- Managing demand through the front door and reviewing access arrangements to adult social care services, ensuring residents are screened and signposted to appropriate services in a timely way.
- Improvements to our assessment process, ensuring timely and accurate assessment of need to enable us to work with vulnerable adults at the earliest point and reduce need for higher levels of intervention.
- Regular review of adult social care cases to ensure we are supporting people to live independently and reducing demand and expenditure for high-cost placements where achievable.
- We have undertaken strengths-based reviews of learning disability packages of support developing new working arrangements for 2021/22. We have been challenging our own traditional approach to packages of support, finding new and more creative ways of helping young people transition from children to adult social care. We have taken a similar strengths-based review approach for our older people and those with mental health support packages.
- Reviewing our commissioning arrangements for live-in care and additional 1:1 support in care homes to ensure appropriate and financially sustainable delivery of services. Our new domiciliary care services contract, awarded in September 2020 and mobilised with effect from June 2021, will ensure that the care management action, provider support and commissioning action is aligned to support the delivery of the objectives for each individual and that domiciliary care providers also work to re-able our clients.
- We have driven up the permanency rate of adult social care staff to over 80% and reducing reliance on agency and short term contracts. Our Step up to Care programme is successfully recruiting new staff into the care sector to improve recruitment and retention in adult social care.
- Delivering integration savings from health and social care, supporting people appropriately and reducing barriers to accessing high-quality services across the borough.

3.21 **Adult Social Care: next two years**

Some of key emerging strategic priorities for the workstream over the next two years include:

1. **Working with self-funders**

- Develop programme guide for self-funders, including working with the market, improved advice, information, and guidance.

2. **Broadening approach to early intervention and prevention**

- Maximising use of volunteers across a range of activities beyond social isolation
- Social prescribing
- Joint commissioning of Bromley Well through integrated care system, including key demand management analysis to assist redesign.

3. **Adult Social Care digitalisation agenda**

- Work with BT to deliver a gap analysis of current digital solutions and those that could be implemented to reduce demand on statutory services.

4. **Mental health services**

- Review of Section 75 agreement with incumbent provider.

Children's Social Care and Education:

3.22 In 2019, the key priorities for children's social care and education in the Transforming Bromley Roadmap were:

- Delivery of children's services and education is sustainable and helps our children and young people at the earliest point of need.
- To review and implement a long-term sustainable approach for residential and other specialist placements for children's services and to review transition plans and service pathways.
- Explore opportunities for developing an integrated 0 – 25 service for children and young people with SEND
- Implement the SEND reforms to ensure a more consistent and graduated range of SEND provision in Bromley.

3.23 Over the last two years, Bromley has seen a 24% increase of referrals coming into Children's Social Care. Many of these families have never been known to the Council before and the nature of some of these referrals are complex and high risk. As at March 2021, we had 335 children looked after in Bromley.

3.24 Early intervention and prevention is vital to work with families at the earliest point and reduce the likelihood of children and families requiring ongoing long-term statutory service support and thus improving their life outcomes. Over 97,505 contacts received support and services through our Children and Family Centres in 2019/20. Despite the Covid-19 pandemic, we have still seen 6,559 contacts through our centres and around 2,726 children and their families have received support through the Bromley Children's Project through our ability to provide

3.25 Alongside this, our SEN service in Bromley has, like local authorities across England, seen a sustained increase in requests for Education, Health and Care (EHC) needs assessments, EHC Plans and specialist placements, which is impacting on the availability of placements.. The number of EHC Plans has increased to 2,984 in March 2021, which represents a 17% increase, which looks likely to continue in the future alongside national trends. There is an increase in EHC Plans for children and young people with complex issues; challenging behaviours, complex mental health, childhood trauma/neglect and social communication,

3.26 Since 2019, the key transformation activities and achievements across children's social care have included:

- Our Staying Together service has been established to help children and young people at risk of entering care to stay with their families through intensive support to identify workable solutions to meet both the needs of the young person and the parent or carer (or care provider). The service worked with 40 children which resulted in only two children coming into care. The Service is now starting to move to support the Youth Offending Service to work with young people to prevent them coming into the service.
- The Council has joined the West London Alliance (WLA) in order to ensure that it has a wider and better range of high quality placements to offer our children, achieving better value for money through increased negotiating power as a result of joining the alliance. Transformation savings of £390k have been delivered from 2021/22.
- We are also working to achieve better value for money for our placements outside the WLA through renegotiating our terms with independent foster carer agencies and reducing cost through block booking placements.

- Enhancing our children's contact centre service offer and generating income by extending hours and remit at two of our centres (Royston and the Saxon Centre), which will allow supervised visits to accommodate both the Council and private clients through gaining NACC accreditation.
- Delivering efficiency savings by diverting children and young people from independent foster agency placements and better using our 3 retained emergency foster placements. To date we have placed 37 children through this scheme which has resulted in better outcomes for children in our care.
- Our children's social care service had 80 - 85% permanent staff which represents a significant improvement on our position in previous years. We continue to promote frontline staff into senior management roles in children's services through 'grow your own' and 'talent spotting' schemes.

3.27 Our key transformation activities across education services have included:

- Officers have transformed communications with schools and the early years sector through the development of the Education Matters website. This has provided an efficient vehicle for communications, document exchange, guidance and training opportunities with Bromley schools, early years providers and other partners. In addition to our communications portal, the service has also procured a system to support the management of the early years funding processes.
- We are delivering a sustained approach to earlier intervention, improving inclusion and appropriate support and challenge to deliver efficiency savings through reviewing our alternative provision services and our support services to children and young people with SEMH (Social, Emotional & Mental Health) needs. This has delivered a whole system change and the commissioning of a secondary vocational provision that has enabled the service to reduce the level of exclusions of children which has in turn assisted the service to not only contain significant budget pressures but more importantly provided better outcomes for our children and young people and their education.
- Reviewing the SEN transport policy and delivering efficiencies through the expansion of the in-house independent travel training team.
- The SEN service carried out a review of SEN Placements to seek to reduce the costs of placements through commissioning additional local provision, reducing costly out of borough or independent provision, and reviewing funding bands for Bromley special schools and additional resourced provisions. We are also undertaking a review of our SEN place planning and our current funding processes to enable the Council to be more sustainable now and in the future in its placement provision that meets the needs of our children.
- Bromley's adult education service continues to explore income generation, efficiencies and invest to save opportunities to enhance the quality of our learning offer. We have invested in technology and IT to enhance our online provision and develop creative and innovative ways of learning across all subject areas. We are advertising the use of classrooms for rent when they are not in use to support local people in a safe environment. We are also looking to pilot an intensive programme of learning for learners with learning difficulties and disabilities in addition to launching new full cost recovery courses such as professional bookkeeping and cookery courses.
- As part of the Local London Partnership, Bromley is one of nine boroughs that have submitted an application for funding for the Parental Employment Programme, working with children and family centres and family learning programmes to provide support for parents to find flexible working arrangements and access to childcare support, as well as support parents in work with career progression opportunities.

Children's Social Care and Education: next two years

3.28 Some of key emerging strategic priorities for the workstream over the next two years include:

1. **Children Social Care digitalisation programme**

Work with BT to deliver a gap analysis of current digital solutions and those that could be implemented to reduce demand on statutory services.

2. **0-25 Service offer**

Continue scoping exercise underway with a view to bringing forward a workplan for implementation over the next 2 years.

3. **Enhancing of Youth Services**

Undertake service review

4. **Use of Children's Centres**

Working with the Accommodation Strategy leads to diversify the use of children's centres outside of normal operating hours.

Environment and Public Protection

3.29 Bromley is London's largest borough by geographical area, covering 58 square miles, with 7,000 acres of green space, over 100,000 plotted trees and around 560 hectares of woodland, including 45 conservation areas. Bromley maintains over 128 parks which are highly valued by our residents for their benefits to good health and wellbeing. With around 330,000 residents, we are also responsible for a vast portfolio of services including the management of all the borough's waste and recycling requirements including more than 35,000 green garden waste collections. We maintain and clean 3,700 footways and 2,900 carriageways, combat fly tipping and ensure Bromley's street scene is kept to a good standard. The Council also works well with its Friends Groups, with over 4000 Snow Friends in 426 Snow Friend groups and over 1,500 Street Friends and 49 active Friends of Parks Groups with over 3,500 members.

3.30 Our Public Protection and Enforcement team leads on the delivery of the Council's individual and coordinated activity to ensure that Bromley continues to be a safe and healthy place to live, visit and work. The service spans Food Safety, Licensing, Trading Standards and Enforcement activities.

3.31 Our transformation priorities for environment and public protection services included:

- Reviewing the feasibility of various transport-related initiatives
- Delivering a more sustainable waste management approach by promoting recycling, composting, and reducing landfill waste
- Reviewing highway services, including long term funding arrangements for road resurfacing

3.32 Our strategic transformation priorities have further developed over the last two years to respond to emerging programmes including the Council's commitment to achieve net zero carbon emission by 2029 through our carbon management, as well as the Council's ongoing commitment to tackling poor air quality. We also recently established our first Green Recovery Board to tackle longer term environmental challenges for the local area.

3.33 Our key transformation activities and achievements have included:

- Significant reductions in the use of off-site storage through a digitalisation project has also delivered efficiency savings through our Information Management Strategy. This has coincided with the upgrade of the SharePoint platform to enable officers to effectively manage digitalised documents.
- Agreement to proceed with enforcement of moving traffic contraventions, which is expected to start later in 2021.
- Our Automatic Number Plate Recognition (ANPR) parking approach in the Civic Centre car park is delivering efficiency savings
- The invest-to-save programme to upgrade 4000 street lights has been completed and it is expected to deliver both future savings and contribute to the Council's pledge to have net zero carbon emissions by 2029.
- We have adopted a five-year Air Quality Action Plan for the borough to ensure that while Bromley continues to be the least polluted of all London boroughs, we can continue to make progress in mitigating the impact of poor air quality, including the adverse health impacts associated with air pollution
- Pedestrian and cycling improvements and tree planting schemes which will encourage walking and cycling and enhance the local environment.
- We continue to make significant progress against our Food Safety Service Plan, which sets out the Council's annual plan for effective enforcement of food safety legislation.
- We are undertaking a review of our Woodland Strategy to support biodiversity and to assist with meeting our net zero carbon target.
- The Safer Bromley Partnership Strategy went to Members for approval in July 2020. Four key priorities will be tackling burglary, domestic violence, non-domestic violence with injury and anti-social behaviour.
- We are developing a local information network regarding substance misuse in working with the Safer Bromley Partnership.
- The Public Protection Enforcement policy was adopted in February 2020. It aims to ensure that the public, the regulated community and other stakeholders know what to expect from the services within public protection.

Environment and Public Protection: next two years

3.34 Some of key emerging strategic priorities for the workstream over the next two years include:

1. **Carbon reduction and air quality plans to deliver Council's net zero ambitions**
2. **Green Energy plan including cross-cutting proposals with other departments.**
3. **Review of three main environmental contracts**
Opportunity for further efficiency savings through life of contract
4. **Departmental structure review**
Ongoing review to ensure structure is fit for purpose
5. **Link to Regeneration Strategy**
Ensuring synergy between work of the department and the Regeneration Strategy to meet future needs

Professional Services

- 3.35 In Bromley, our professional services include our enabling strategic and back office functions in the Council, such as Finance, HR, Legal, Corporate Procurement, Performance Management, Customer Services, Commissioning and Contracts, and our business support. Some of our professional services also includes direct service delivery to residents of the borough e.g. housing benefit assessments and payments. Frontline services and managers rely on these professional services for support and challenge to maximise organisational performance. The size of our support function is influenced by a number of factors, including cost, business delivery model (e.g. in-house, shared services or commissioned), organisational culture, the level of centralised or decentralised professional functions and technology.
- 3.36 The Professional Services transformation workstream set out to identify any potential opportunities for efficiency in the delivery of these service, ensuring that our services are fit-for-purpose and provide sufficient, capacity, skills, knowledge and experience available to the Council to deliver our priorities for the future.
- 3.37 During the pandemic, procurement services provided flexible advice adapting to challenges and varying contract arrangements where required. The pandemic also saw temporary easements to in-person committee meetings.
- 3.38 Our key transformation activities and achievements in this area have included:
- Delivering a significant corporate restructure and key efficiencies by establishing a streamlined corporate leadership team in September 2019 with five operational directors to lead the delivery of two front lines departments (People and Place) and three corporate directors to oversee central business functions through the Chief Executive's department and provide oversight to our professional services. At divisional level, the Directors have carried out further staffing and service realignment to deliver local efficiencies.
 - All professional services underwent a service review, ensuring that capacity and skills were fit for purpose in all areas. A business case to increase capacity in the legal department funded through a commercial model has ensured additional and specialist capacity to support housing and social care departments.
 - All departments have worked to deliver a 3% vacancy factor to ensure efficiencies where possible and COE agreed the approach for all contract managers to find between 2% and 5% efficiencies across all contracts at the point of review.
 - A new 'umbrella' contract to appoint agency staff was procured to ensure the Council had access to the right short-term skills and experience. The new contract allows for a streamlined process to manage and appoint staff, delivering better value for money.
 - Efficiencies to our staff training budgets to ensure value for money in our spending.
 - The retendering of the new Exchequer Services contract includes housing benefit assessments and payments with enhanced services and an increased scope to better meet the needs for residents.

Professional Services: next two years

- 3.39 Some of key emerging strategic priorities for the workstream over the next two years include:
1. **Ongoing review of Professional Services**
 - Continued assessment to ensure that back office functions are fit for purpose including ongoing capacity risk assessments delivering services with lean professional services.

- Support and challenge of business cases to ensure the right capacity, skills and knowledge is available to support statutory front line BAU and transformation.
2. **Liberata ‘Preventative Service Model’**
 - Deliver a proposals report to Liberata outlining the work programme to be delivered over the contract term, including four key elements: Going Digital Programme, Intelligence Automation, Digital Analytics Programme and the move towards an enhanced Single Financial Assessment Service and monitor through this workstream.
 3. **Cashless Council**
 - Conduct research to consider the feasibility of becoming a ‘cashless council’ and develop a business case for 2022/23 to progress within the regulatory parameters if feasible.
 4. **Outsourced Contracts**
 - Directors to review existing outsourced contracts where required to ensure the best method of service delivery and costs benefits. Where external contracts already exist, Directors to look for opportunities to further extend roles and responsibility.

Workforce Modernisation

- 3.40 Our Workplace Modernisation workstream has been the driver for delivering a modern working environment for our council offices. Before the pandemic, our Civic Centre campus could accommodate up to 1000 staff working on site during any working day, hardwired into the network on desktop computers.
- 3.41 The workstream is responsible for delivering a new Civic Centre campus office accommodation, driving our IT transformation programme and enhanced digital approach to service delivery, and our cultural change programme that enable a smarter and more flexible working environment to enhance staff wellbeing, productivity and retention. Enabling and empowering staff to identify the best ways of working within their services underpins our bottom line of delivering services within a sustainable financial envelope.
- 3.42 The COVID-19 pandemic has significantly affected this workstream perhaps more than others. It has informed critical reflection on our Civic Centre accommodation strategy business case and designs to reflect the potential for a more hybrid style of office working in the future. IT colleagues have sped up significant elements of our Information Management, IT and Digital strategies and we have begun the internal conversations with managers and their staff on striking the right balance between smarter working, employee wellbeing and ensuring high-quality delivery of services.
- 3.43 Since 2019, the Workforce Modernisation programme has delivered the following achievements:
- As up to 90% of staff have been working at home during the COVID-19 pandemic, we expedited the delivery of the IT strategy by rolling out over 1400 laptops in a COVID-19 safe manner from April to August 2020. This rollout included the migration to our Windows 10 operating platform, our move to Office 365 and the rollout of Microsoft Teams to further enable home working.
 - At the back end of our IT services, we upgraded our data centre infrastructure and improved network connectivity with new wireless connections across our sites. Work has also started on the new SharePoint intranet site - an initial version went live in May 2021

and will be finalised by October 2021, allowing for smarter working whilst managing information in line with best practice.

- Our digital vision for the future of Council services has been informed by the Digital Innovation Conference, held virtually in November 2020, which will inform our new Digital Strategy that is due to be published in 2021. Our experience during the pandemic, moving many of our services quickly online to support residents and staff during the pandemic, has shown the potential for a digital first approach to services. Moving forward, we are reflecting on what our new model of service should look like. How much of this 'channel shift' we should retain.
- Our transformative work with our IT provider has received national recognition as Bromley was shortlisted for the Public/Private Partnership award category of the 2020 Local Government Chronicle (LGC) Awards for IT partnership with BT.

3.44 We have also made significant progress on our cultural change agenda, led by Human Resources, to promote our organisational REAL values (respect, empower, ambition and learning). We recognise that our transformation agenda can only be achieved if we take staff on this journey with us and we engage in regular and open dialogue on how our organisational values can drive more efficient services and better outcomes for our residents.

- We rolled out our first two-day all staff conference in November 2019, engaging our staff in important dialogue about our Transformation Programme, our Digital Strategy and our culture change programme.
- We have held a series of thematic discussions on our corporate REAL values and will be re-launching our Bromley 'Values and Behaviours' competency framework in summer 2021, setting out desired skills and behaviours of managers and staff.
- We have improved our online HR toolkit and corporate and departmental workforce induction programmes to ensure that new starters are able to feel connected to the organisation in a hybrid working environment.
- Our learning and developing training offer during the pandemic has focused on personal mental and physical wellbeing responding to feedback from staff about the isolation of working from home.

3.45 To ensure that we were able to support our staff effectively, we have rolled out two COVID-19 staff wellbeing surveys, one in May 2020 and again in January 2021 to ensure that we were able to support staff to work effectively from home while also assessing their general wellbeing.

3.46 Some of the key headlines that will affect our transformation agenda going forward include:

- By January 2021, 96% of staff expressed confidence in working from home with their new technology.
- Only 7% of our staff want to work in the office full time, with 78% preferring a hybrid approach and 15% wishing to work remotely full time. Identified benefits to remote working include efficiency and better productivity while working from home, flexibility, no commute time, and better work/life balance. On the other hand, other staff have identified benefits to office working, including greater contact with colleagues, combatting loneliness, better workplace collaboration, and a more distinguished divide between work and home. We hope that a hybrid approach will draw out the benefits of both home and office-based working for the vast majority of our staff.

Workforce Modernisation: next two years

3.47 Some of key emerging strategic priorities for the workstream over the next two years include:

1. Redefine the Civic Centre Accommodation strategy

- Considering ‘post Covid’ change in behaviour patterns and ways of working, including the potential use of outposts reflections of service hubs and geography.

2. Implementation of Digital Strategy

- Digital-led approach to service delivery, supporting long term challenges regarding managing demand and enhancing user experience for residents
- Work programme to outline individual projects and providing separate invest-to-save business cases for any activities where funding is required and identified return on investment, in addition to ensuring co-funding opportunities are explored.

3. Re-procure IT Contract to meet new and emerging needs of Council

This re-procurement exercise will include the new normal impact on IT support requirements, ensuring that the service is fit-for-purpose now and in the future. The scoping work will take place in 2021/22 with the new contract due to go live in December 2023.

4. Refresh of the external website

Ongoing programme of work to ensure a user interface that is more customer friendly that drives the delivery of services with a single resident account linking into the work under the Council’s Digital Strategy and other areas of work under this programme including Liberata’s Preventative Model.

5. Information management and enabling smarter working

Through the roll out of the Council’s new SharePoint system with the first phase due to go live in May 2021 and the rest to be completed by October 2021, we hope to improve communication, access to information and collaboration across the organisation and our partners.

Financial savings from the first two years of the Transformation Programme

3.48 The Transformation Programme has so far identified and built in over £10.6m in transformation savings into the Council’s Medium Term Financial Strategy (MTFS) that will be delivered by 2024/25. The table below provides an overview of the savings built into the 2020/21 MTFS and the 2021/22 MTFS, which are also provided.

	Savings				
Transformation Programme 2019 - 2023	2020/21 (£'000)	2021/22 (£'000)	2022/23 (£'000)	2023/24 (£'000)	2024/25 (£'000)
Estimated total savings (net)	-4,096	-7,723	-10,141	-10,532	-10,608

3.49 Alongside these savings, some additional transformation savings have been earmarked to mitigate growth and this is included in the tables below for clarity. Where investments have been required to deliver transformation savings, this is also noted in the MTFS.

TRANSFORMATION INCLUDED WITHIN THE 2020/21 MTFS

Transformation Board	Proposal	Savings			
		2020/21 (£'000)	2021/22 (£'000)	2022/23 (£'000)	2023/24 (£'000)
Housing Phase 1: Immediate Measures	Further increasing level of homelessness prevention and access to private rented accommodation to prevent/relieve housing pressures - additional prevention work	0	-85	-241	-397
Housing Phase 2: Increasing the supply of cost effective temporary accommodation.	York Rise Modular provision Phase 1 - Tender Process				
	Phase 2 – Implementation Phase	-286	-568	-568	-568
	Included in the mitigation in the MTFS	286	568	568	568
	250 additional TA units on Bromley-owned sites through modular construction	-800	-1,600	-1,600	-1,600
Housing Phase 3: Property Acquisitions	Property acquisition partner - delivery of up to 400 units	0	-780	-2,340	-2,600
	Included in the mitigation in the MTFS	0	780	2,340	2,600
Housing Phase 4: Realignment and ongoing supply	Realignment and profiling of existing TA portfolio and reduction of bad debt provision.	-250	-500	-500	-500
	Managing demand through the front door More timely response for our Service Users Reduce the need for additional staff Reduce the cost of care packages Provide effective help without need for long term assistance Increase short term interventions within the community Reduction in LD Transition costs	-55	-55	-55	-55
ASC - Assessment	Meet the Council Statutory requirements with appropriate assessment forms More timely response for our Service Users Reduce the need for additional staff Reduce the cost of care packages Reduction of double handed care packages	-369	-369	-369	-369
	ASC - Review Ensuring we are supporting people to live independently Dealing with poor performing providers Reduction in the number of placements costing over the maximum rate Reduce the long term reliance on S.117 Ensure that the appropriate funding in place Reduce the level of 1:1 packages	-132	-132	-132	-132
ASC - Commissioning	Appropriate and Financial sustainable delivery of services	-68	-68	-136	-136
ASC - Workforce	Robust well trained and suitably qualified work force Reduction in the number of agency staff Increase in the number of permanent staff Decrease reliance on agency and short term contracts Reduction in dependency and over-provision of care Higher staff retention Reduction in the cost of staffing Driving Change	-167	-167	-167	-167
	Children's Social Care Placement demand LAC Investment required for above Phase 1 WLA Framework LAC Placements West London Alliance Placements other than WLA Included in the mitigation in the MTFS	-320 100 -150 -400 500	-320 100 -390 -800 750	-320 100 -390 -800 750	-320 100 -390 -800 750
Traffic and parking	Car Parks - Car Washing Facilities	-19	-19	-19	-19
	Car Parks - Advertising in the car parks	-18	-18	-18	-18
Accommodation	Delivery of accommodation strategy: Saving opportunities from rationalisation of meeting rooms, office space and 70/30 occupancy ratio Reduction in the use of off-site storage			-40	-40
Financial services	Exchequer Services Contract phase 1	-678	-678	-678	-678
HR	Review of agency staff to permanent staff	-14	-14	-14	-14
Senior leadership review and savings	Realignment of current leadership structure	-971	-971	-971	-1,000
	3% vacancy factor	-1,785	-1,785	-1,785	-1,785
	Already included in the mitigation in the MTFS	1,500	1,500	1,500	1,500
	Estimated total savings (net)	-4,096	-5,621	-5,885	-6,070

TRANSFORMATION INCLUDED WITHIN THE 2021/22 MTFS					
Transformation Board	Proposal	2021/22 (£'000)	2022/23 (£'000)	2023/24 (£'000)	2024/25 (£'000)
Housing, Planning and Regeneration	DFG Funding and Administration of the DFG provision	-200	-200	-200	-200
Children's Services	Emergency Foster Placement	-26	-105	-184	-263
Children's Services	Contact Centres	-64	-104	-104	-104
Children's Services	Transport Services Policy	-111	-248	-298	-298
Children's Services	Adult Education	-49	-48	-35	-32
Environment and Public Protection	Enforcement of Moving Traffic Contraventions	-1,173	-2,969	-3,059	-3,059
Environment and Public Protection	Car Parks - ANPR solution in the Civic Offices car park	-29	-29	-29	-29
Professional Services	Review of Training Budgets	-50	-50	-50	-50
Professional Services	Staff realignment	-200	-200	-200	-200
Professional Services	Retendering	0	-103	-103	-103
Professional Services	Retendering	-200	-200	-200	-200
		-2,102	-4,256	-4,462	-4,538

Next steps

3.50 To continue the ongoing oversight of the Transformation Programme, the following next steps are recommended:

1. That the Executive refer the Transforming Bromley 2019 - 2023: first two years report to all PDS Committee and General Purposes and Licensing Committee for review and comment
2. Ongoing oversight through the Chief Executive's scrutiny sessions bi-annually at Executive, Resources and Contract PDS Committee
3. Regular reporting by Chief Officers at their respective PDS Committees on the progress of the newly emerging and ongoing priorities for the second half of the Transforming Bromley programme

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1 The Adult Social Care and the Children's Services and Education workstreams of the Transformation Programme aim to ensure that vulnerable adults and children are kept safe from harm in Bromley as part of the Transforming Bromley agenda.

5. POLICY IMPLICATIONS

5.1 Through the work of the Transformation Programme, there will be proposals for Member decision that will require a policy decision. These individual proposals will be developed in consultation with Members to enable effective decision making.

6. FINANCIAL IMPLICATIONS

6.1 Through the work of the Transformation Programme, there will be transformation proposals with financial implications as part of the work to reduce the emerging budget gap. Each Transformation Programme workstream has a finance lead supporting the development of

transformation proposals. Consequently, each individual proposal will outline cost implications for Members in order to enable effective decision making.

7. PERSONNEL IMPLICATIONS

- 7.1 The Professional Services workstream of the Transformation Programme will look at professional services supporting both service departments and corporate functions, including looking at staffing capacity in the organisation. Each of the Transformation Programme workstreams has a HR lead supporting the development of transformation proposals. Each individual proposal will outline HR implications for Members in order to enable effective decision making.

8. LEGAL IMPLICATIONS

- 8.1 Each of the Transformation Programme workstreams has a Legal Services lead supporting the development of transformation proposals. Each individual proposal will outline legal implications for Members in order to enable effective decision making.

9. PROCUREMENT IMPLICATIONS

- 9.1 Through the work of the Transformation Programme, each Transformation Programme workstream will have the support of a Corporate Procurement lead to develop transformation proposals. The procurement implications for each individual transformation proposal will be identified in the associated report for decision to Members

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	Transforming Bromley - Executive, 10 July 2019

Report No.
ES20111

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER

Date: 28th July 2021

Decision Type: Urgent Non-Executive Key

Title: PROPOSED CHANGES TO OUT OF HOURS NOISE SERVICE

Contact Officer: Joanne Stowell, Assistant Director of Public Protection
Tel: 020 8313 4332 E-mail: Joanne.Stowell@bromley.gov.uk

Chief Officer: Director of Environment and Public Protection

Ward: (All Wards);

1. Reason for report

The Out of Hours Noise Service (OOHS) is staffed on a voluntary basis by competent Environmental Health or Technical Officers; the pool of available officers has declined, and the ability to provide the service is jeopardised.

This urgent report presents a review of the OOHS to determine the reason for the decline in available officers, and further presents a revised service that should encourage take-up of the shift openings moving forward.

This is an urgent decision report, and is presented outside of the normal committee route as permitted in the constitution.

2. **RECOMMENDATION(S)**

The Portfolio Holder is requested to

- i) Consider the options for the provision of an out of hours noise service in Bromley and to
- ii) Agree that Option Two is run for a pilot period of 12 months with a view to being made permanent if successful.
- iii) Agree that a further report be brought back to Members in September 2022 detailing the impact of the changes prior to confirming permanent implementation.

Impact on Vulnerable Adults and Children

1. Summary of Impact:
-

Corporate Policy

1. Policy Status: Not Applicable:
 2. BBB Priority: Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres Healthy Bromley:
-

Financial

1. Cost of proposal: £30,000 per annum
 2. Ongoing costs: £30,000 per annum
 3. Budget head/performance centre: Public Protection – Community Safety
 4. Total current budget for this head: £401k controllable budget.
 5. Source of funding: Annual MOPAC Grant
-

Personnel

1. Number of staff (current and additional): Not Applicable
 2. If from existing staff resources, number of staff hours: 6647 additional hours a year
-

Legal

1. Legal Requirement: Non-statutory:
 2. Call-in: Not Applicable as this is an urgent decision:
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): A total of X noise complaints are received by the OOHS by telephone which may require a real-time response. Potentially all Bromley residents benefit from this service.
-

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 Local Authorities have a statutory duty to take practicable steps to investigate noise and nuisance. It is for each authority to determine the service offer, and there is no requirement to have an out of hours service (OOHS).

OOHS Historical Provision from 2011

- 3.2 In 2011 the Council operated a 7 day per week, 24 hours per day noise service; the decision to introduce an 'out of hours' service was based on the demand from both residents and the police for this provision.

- 3.3 The 2011 OOHS was provided by 8 Officers; the rota and offer were broken down into the following areas:

- 5pm-Midnight Service: (17:00-midnight). Introduced in 2002, this proactive and reactive service responds to all complaints and provides local residents the flexibility of officers visiting them at home after office hours to carry out noise monitoring visits, install noise monitoring equipment or investigate complaints.
- Call Out: (17:00-08:00 hours). A reactive service where a single officer will respond to 'emergency' complaints including; intruder and car alarms, parties, construction noise including street works, noise from licensed premises and 'rapid response' referrals.
- Party Patrol: (Saturday 22:00-04:00 hours). A reactive service where two officers work together and respond to complaints about parties only.

The service was provided by staff in Public Protection on a voluntary basis, whereby those that worked from 5pm-Midnight take time off in lieu. The remainder was covered by a callout rate with an element for on call and an element for overtime. Staff who volunteered for the party patrol were paid an all-inclusive flat rate payment. The breakdown of these figures is not available, however, the cost of the service at that time was funded from the existing revenue budget at an annual cost of £34,200.

- 3.4 In 2011 the Public Protection & Safety Portfolio Holder and PDS Committee requested a review of the out of hours noise service. The review assessed the current demand for the service and includes alternative methods of providing the service including the potential for joint working and service reductions, it also included the options available for financial savings.

- 3.5 Members were provided with details of various options for financial savings of the service, and 4 Options were considered:

- 1.Option 1 - Discontinue the out of hours noise service (Saving £34k)
- 2.Option 2 – Reduce the provision of the Party Patrol service (Saving £9k)
- 3.Option 3 – Joint working with the Metropolitan Police (Saving £9k)
- 4.Option 4 – Maintain current level of service

- 3.6 The Portfolio Holder agreed that Option 3 be run for a pilot period of 3 months with a view to being made permanent if successful, and that Option 2 be implemented if the trial of Option 3 proved unsuccessful.

- 3.7 A verbal update was presented to the Public Protection PDS committee held on the 29 November 2011, whereby Members were advised that it had not been possible to implement

Option 3 due to difficulties in securing, in advance, sufficient police support. As such and in line with Members' previous decision, the dedicated Saturday night party patrol service was withdrawn on 7th January 2012.

OOHS 2012

3.8 In March 2012 a further report was presented to the PDS committee (ES12047), that updated Members, whereby it was explained that from January 2012 onwards, the Party Patrol element ceased, and the OOHS was provided by a single standby officer who responds to all emergency noise complaints including complaints specifically about party noise, reported on a Saturday night. However, as a result of withdrawing the party patrol service, and reducing the number of Officers, it became necessary to apply criterion for referring party noise complaints to the standby officer. The criterion being that the party must affect more than one property; i.e. more than one complaint about the same party must be received before the noise officer will respond. It also became a prerequisite that the standby officer must request police assistance before attending a noisy party that required remedial action.

3.9 From 2012, the OOHS element rota was split as follows:

- Weekday service 17:00 – 03:00
- Weekend Service 08:00 – 03:00 –(1 Officer) as above

The cover for weekday and weekends was currently provided by a single Officer and covered 88 hours of call out.

OOHS 2013

3.10 In 2013 the Council was successful in a bid for MOPAC funding to cover the OOHS; from this point the service became grant funded, the Party Patrol element was reintroduced, however, the service still relied on voluntary cover.

OOHS 2021

3.11 The current MOPAC annual grant for the OOHS is £30K, and it is still staffed entirely on a voluntary basis by competent Environmental Health or Technical Officers. In recent times, the officers willing to commit to these shifts have decreased; there is an over reliance on 2 officers, and a risk that the OOHS will be stood down when officer availability is compromised.

3.12 As a result of the above, the OOHS service cover was placed on the risk register with a red rag status, and a review was undertaken to determine viable options for progression, and this included reducing the operational hours of the OOHS, to target resources at times where demand for the responsive service is highest', with a view that a reduced shift would also encourage additional competent officers to volunteer.

The Duty

3.13 The Environmental Protection Act 1990 places a duty upon every local authority to take reasonably practicable steps to investigate a complaint. The method for discharging this duty is not however dictated by statute and the Council has no legal duty to maintain an OOH service.

- 3.14 Legislation does not specify timescales within which the investigation of a complaint shall take place (our Performance Indicator for complaint response is 5 working days), and the team are able to use alternative monitoring techniques and methods to either support or replace investigations currently undertaken by the OOHS. These will ensure the service provided continues to be high quality in the event that a shift cannot be covered, or in the event that funding stops and the service ceases to be provided.

Current Service

- 3.15 Currently the general OOHS has 2 elements:

- Weekday service 17:00 – 03:00 – (1 Officer) this is a reactive service for alarms and for clients who are on the priority list (those clients whose nuisance resulted in an abatement Notice being served). Where these criteria are met, an Officer visits a client at home to carry out an assessment, or (in the case of alarms) arranges for works in default.*
- Weekend Service 08:00 – 03:00 –(1 Officer) as above
The cover for weekday and weekends is currently provided by a single Officer and covers 88 hours of call out.
***where service requests are made by telephone and where a real time reactive response is possible.**
- Party Patrol Saturdays between May and September (2 Officers) 22:00hrs – 04:00hrs – this service is separate and in addition to the OOH service, and responds solely to complaints about noisy parties affecting more than one property. Where this criteria is met, 2 Officers visit a client at home to carry out an assessment, and if a nuisance is witnessed, advises the person responsible to cease the nuisance.

- 3.16 Party Patrol was suspended during COVID; however, complaints of parties were still investigated by the standard duty OOH Officer.

Breakdown of Cost from the Current Service

- 3.17 Appendix 1 Table 1 presents the cost of the current service broken down to its component parts. In essence for the general OOHS 1 Officer covers 88 hours, and received a daily rate of £34 for weekdays (10 hrs) and £108 for weekends (19hrs).

- 3.18 Party Patrol (May to September 22:00hrs to 04:00hrs Saturdays only) is covered by 2 Officers and attracts £150 a night (6 hours).

OOHS 5 Year Trend Analysis

- 3.19 Appendix 2 Tables 1 to 5 provide data over a 5- year period from which annual averages have been derived. In brief the following can be determined:

- 1319 OOH service requests are received
- 800 OOH service requests a year (15.5 a week) are received by telephone (only those received by telephone get a reactive response)

- The demand for the OOHS service has declined overall, however there was an anomalous year 2019-20 where the service requests increased
- July is the busiest month
- 7% of all OOH service requests on a weekday by telephone are received between 01:00-03:00hrs (0.3 people a week)
- 12% of all OOH service requests on a weekend by telephone are received between 01:00-03:00hrs (1.2 people a week)

Proposed Service Offer and Rota

3.20 Appendix 3 provides details of the proposed new service offer (table 1), the proposed rota (table 2) and the proposed cost break down (Table 3).

3.21 In Brief, the proposed changes (in so far as they materially affect Bromley residents) are presented in Table 1 below are as follows:

Table 1 Material Changes to Service Offer and Rota

	Proposed Change	Difference	Average No of people affected a week
A	Start the service at 18:00hrs on weekdays	1 hour later (17:00hrs)	0.5
B	Finish the service at 01:00hrs on weekdays	2 hours earlier (03:00hrs)	0.3
C	Start the service ay 10:00hrs on a weekend	2 hours later (08:00hrs)	0.5
D	Finish the service at 01:00hrs on weekends	2 hours earlier (03:00hrs)	1.2
E	Remove the priority list for reactive response (e.g. those who have a Notice served or where a nuisance has been witnessed),	Open out service to all users whereby it is established that the noise is ongoing at the time of the call back.	Unknown*
F	Remove the 2 Officers for Party Patrol	require OOH Officer to cover parties	Not Applicable
G	Finish the service at 01:00hrs on Saturdays May - September	3 hours earlier (04:00hrs)	0.046

*whilst numbers cannot be determined, this proposed change will open up the service to more people

Option Appraisal

3.22 Option One Maintain Current Rota and Service Provision

As highlighted at 3.15, this rota is entirely serviced by volunteers who have the competencies to assess and determine the correct enforcement outcomes for statutory nuisance. The pool of

competent Officers is small, and as such, the same Officers are relied upon, and 1 Officer is on call for 88 hours Monday to Sunday.

Officers are not incentivised to continue to provide call out cover, as the current remuneration is low. Moreover, as the pool of competent Officers is so small, and the same Officers are used to provide cover, they feel that they have limited free time, and the time between their on-call duty and work commencing the next day is not sufficient.

Costs £30,000 (Appendix 1 Table 1)

Benefits: It is in Budget

Risks:

- Maintaining the status quo does not move the service from remaining as a Red Risk on the risk register
- The service offer is limited for those not on a priority list
- The Party Patrol becomes the shift of choice as it's a shorter shift with a higher rate

The risks outweigh the benefits; for that reason, this option is discounted.

3.23 **Option Two Change the Service Offer and Rota as described in Appendix 2 and 3 for a trial period of 1 year,**

The service offer is provided in detail in Appendix 2 table 1 and in brief in section 3.21 above.

Costs £30,000 (Appendix 3 Table 3)

Benefits:

- The metrics as given in Appendix 2 Tables 1 to 5 and section 3.21 above demonstrate that the proposed changes to the service start and finish times will not materially affect the majority of service users.
- The new service offer will be beneficial to service users as some barriers to service will be removed (priority list removed)
- The rota is more attractive to officers, as the rates per shift are increased and they have time to return home and eat a meal, and more rest time between on call periods
- Within budget
- The changes are set for a 1-year period, a review can be set at the 6 month mark to gauge whether changes need to be made.

Risks:

- The option to furnish the service is still voluntary, and does not remove the risk of loss of service through lack of cover entirely
- Service complaints may be received by people used to accessing the service past between 17:00hrs – 17:59hrs and 01:01-03:00hrs weekdays, and 08:00hrs – 09:59hrs and 01:01-03:00hrs weekends (average 1.5 people a week)

- Service complaints may be received by people used to accessing the service during party patrol season 03:01hrs-04:00hrs (average 0.046 people a week).
The benefits of this option outweigh the risks; for that reason this option is preferred.

3.24 **Option Three – Make Contractual Changes to Build in Cover to the OOH Rota**

This option would build in contractual cover for the OOHS.

Costs Unknown- Officer Salary plus rotating shift allowance, plus weekend enhancement (the rates of which would need to be negotiated)

Benefits:

- Cover for OOHS would be provided through contractual arrangements

Risks:

- This change would require a significant change to terms and conditions, and would require consultation, and there may be a failure to agree with the Union
- Should the current MOPAC grant cease, any contractual commitment would then need to be covered by the existing revenue, for which there is no provision.
- Even if the MOPAC grant was maintained, it would not cover the costs of contractual changes
- It is hard to recruit to this type of shift pattern

The risks outweigh the benefits; for that reason, this option is discounted.

4. **IMPACT ON VULNERABLE ADULTS AND CHILDREN**

- 4.1 The law pertaining to nuisance specifically does not take vulnerabilities into account, notwithstanding this, it is not anticipated that the proposed changes would adversely affect vulnerable groups.

5. **POLICY IMPLICATIONS**

- 5.1 This recommendations within this report remain in line with the current Portfolio Plan for Public Protection and Enforcement, Building a Better Bromley and the Safer Bromley Partnership Strategy.

6. **FINANCIAL IMPLICATIONS**

- 6.1 The existing £30k MOPAC funded budget is sufficient to contain proposed expenditure based on the activity levels detailed within this report.

6.2 There is a potential funding risk if the MOPAC grant is reduced or stopped in future years. If this were to be the case then the level of provision of this service would need to be considered once again or alternative funding identified.

7. PERSONNEL IMPLICATIONS

7.1 The current service is provided by staff in Public Protection on a voluntary basis, with a set on call rate that differs between weekday, weekend and Party Patrol. The proposed Option 2 would still provide a service on a voluntary footing, whereas Option 3 would require consultation due to changes in terms and conditions.

8. LEGAL IMPLICATIONS

8.1 Under the Environmental Protection Act 1990, local authorities have a statutory duty to take “such steps as are reasonably practicable” to investigate noise complaints and take action to remedy noise if this constitutes a statutory nuisance. This duty is reinforced by section 6 of the Human Rights Act 1998 which makes it unlawful for a local authority to fail to act to protect individual and community rights to private and family life, which includes the impact of serious pollution.

8.2 To fulfil these duties local authorities must have adequately resourced and competent officers available to take appropriate action. There is no legal requirement to provide an out of hours service, however, the determination of what constitutes an appropriate level of resource to commit to the noise service will be guided by the assessment of local needs and an evaluation of staffing, revenue and capital operational costs. As such, there is no definition as to what is considered practicable, and the size and type of a noise service varies between Local Authorities.

8.3 In 2011 the OOHS was cut from previous 24hr 7 day a week provision. The proposed changes are not as drastic, and the 5-year trend analysis as provided in Appendix 2 demonstrates that the service provision will still be in place during periods of highest demand.

Non-Applicable Sections:	PROCUREMENT
Background Documents: (Access via Contact Officer)	Report No.ES11095 REVIEW OF THE OUT OF HOURS NOISE SERVICE 26th July 2011 Report No.ES12047 UPDATE ON THE PROVISION OF THE OUT OF HOURS NOISE SERVICE 13th March 2012

Appendix 1

Table 1 Current Costs

Days	Start	Finish	No of Officers	Daily hours	Weekly Hours	Annual Hours	No officer days per annum	Hourly Rate per officer	Daily Rate per officer	Weekly rate per officer	Annual Cost
OOH Mon-Fri	17:00	03:00	1	10	50	2600	260	£3.40	£34	£170	£8670
OOH Sat & Sun	08:00	03:00	1	19	38	3952	104	£5.68	£108	£216	£11,232
Bank Holiday	08:00	03:00	1	19	19	95	5	£8.30	£158	£158	£790
Party Patrol Sat Eve-Sun Morn	22:00	04:00	2	6	12	264	40 (2 officers)	£25	£150	£150	£6600
Total						6647*	409				
Budget										£30,00	
Rota Costs										£27,642	
Budget Surplus										£2538*	
Total										£30,000	

* surplus used to monitor OOH events etc and extra cover

Appendix 2 5 Year Trend Analysis OOHS

abbreviations

SR	Service Request
PP	Party Patrol
OOH	Out of Hours
WD	Weekday
WE	Weekend

Table 1 General Metrics average 5 years

General Metrics average 5 years			
No of OOH SR received all methods	No of OOH SR received PA by telephone (inside and outside of operating times)	No of calls per week	% of SR rec by telephone
1319	800	15.5	61%*

* only 37% for 20-21

Table 2 SR Received by telephone inside and outside of operating times average 5 years

SR Received by telephone inside and outside of operating times average 5 years		
Year	No OOH SR Received by Telephone	% change
2016-17	894	
2017-18	806	-9.8%
2018-19	796	-1.2%
2019-20	917	+15.2%
2020-21	587	-36%
Total	4000	

Table 3 - % of calls received by month average 5 years

% of calls received by month average 5 years												
Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
% calls Received	6%	5%	6%	7%	10%	9%	15%	12%	11%	7%	6%	6%

Table 4 - OOH SR received by telephone time and day average 5 years inside operating hours -weekdays

OOH SR received by telephone time and day average 5 years inside operating hours - weekdays			
% of SR received by phone between 17:00-18:00 WD	% of SR received by phone between 18:00 01:00 WD	% of SR received by phone between 01:00-02:00 WD	% of SR received by phone between 02:00-03:00 WD
11%	82%	5%	2%
0.5 a week	4.2 a week	0.2 people a week	0.1 people a week

Table 5 OOH SR received by telephone time and day average 5 years inside operating hours - weekends

OOH SR received by telephone time and day average 5 years inside operating hours - weekends				
% of SR received by telephone between 08:00-10:00 WE	% of SR received by telephone between 10:00-01:00 WE	% of SR received by telephone between 01:00-02:00 WE	% of SR received by telephone between 02:00-03:00 WE	% of SR received between 03:00hrs - 04:00hrs during PP season
5%	83%	8%	4%	0%
0.5 people a WE	8.8 people a WE	0.8 people a WE	0.4 people a WE	0.046 people per Saturday during PP season

Appendix 3

Table 1 Proposed Service Offer

	Stop	Reason	Start	Benefit
A	Remove the priority list	As other residents not on the list are excluded from the reactive service	Requiring Officers to visit all issues that are telephoned in and where the nuisance is confirmed as ongoing when called back, and following triage of the case via NoiseApp where appropriate	As nuisances will be witnessed in real time and cases brought to resolution quicker
B	Relying on 1 officer to cover 7 days	The on call length is too onerous when they have to work the next day from 07:00 The pool of officers is too small, and previously available Officers are no longer willing to furnish the service	Split the week into weekdays and weekends	To encourage more officers to join the rota
C	Working until 03:00 weekdays	As only 7% (representing 0.3 people a week) of calls come in after 01:00hrs on a weekday	Finishing at 01:00	As officers can return to work after being on call with a longer break, and the reduction in hours would not materially affect service provision for the majority. Moreover, most parties or issues start before this time, and would have been reported ahead of this cut off.
D	Working until 03:00 weekends	As only 12% (representing 1.2 people a week) of calls come in after 01:00hrs on a weekday	Finishing at 01:00	As above
Party Patrol				
E	Stop Party Patrol	the remuneration for this is far higher, for shorter shifts, and so it's preferred by Officers and it affects the availability for general OOH shifts.	requiring OOH Officer to cover parties that come in, regardless of the season	This is essentially a duplication in service. The statistics cannot be disaggregated specifically for Party Patrol, however, the overall numbers (calls on a Saturday between 22:00-04:00hrs) do not support the continuation of this service in it's current form, and an OOH officer will cover this element.
F	Officers working in pairs on weekends (party patrol)	As this is inefficient, and takes resources away from OOH	One OOH per week and one over the weekend	As Officers wear BWC and are not expected to break up parties without police assistance, their safety should not be compromised. Should additional Officers be needed, then the budget surplus can be used for this cover

Table 2 – Proposed Rota

Day	Times	Total daily hours	Total weekly hours	No of Officers
Monday -Friday Friday	18:00-01:00	7	35	1
Saturday & Sunday	08:00-01:00	17	34	1

* On a rolling basis, each officer will work 4 days on. E.g. if a shift started on a Monday, the Officer would work Mon-Thur and the next shift would Cover Fri-Monday and so on

Table 3 – Cost of Proposed Service

Days	Start	Finish	No of Officers	Daily hours	Weekly Hours	Annual Hours	No of officer days per annum	Hourly Rate per officer	Daily Rate per officer	Weekly rate per officer	Annual Cost
OOH Mon-Fri	18:00	01:00	1	7	35	1820	260	£5.70	£40	£200	£10,400
OOH Sat & Sun	10:00	01:00	1	15	30	1560	104	£8.67	£130	£260	£13,520
Bank Holiday	10:00	01:00	1	15	15	75	5	£10.59	£180	£180	£900
Total						3455	369				
Budget										£30,00	
Rota Costs										£24,820	
Budget Surplus										£5,180*	
Total										£30,000	

* surplus used to monitor OOH events etc and extra cover

Report No.
CSD 21090

London Borough of Bromley

PART ONE - PUBLIC

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

Date: 7th September 2021

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)

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

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 so that the Work Programme can be modified and developed.

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: £366k
 5. Source of funding: 2021/2022 revenue budget
-

Personnel

1. Number of staff Five full time staff.
 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 2021/22 with the Chairman and officers.

Background Documents:	Minutes of the previous meeting. Previous Work Programme Report The Public Protection and Enforcement Portfolio Plan
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PUBLIC PROTECTION AND ENFORCEMENT PDS---Tuesday, 7th Sept 2021
Matters Outstanding
Police Update
Public Protection Performance Overview
Budget Monitoring
Provisional Outturn
Proposed Changes to Out of Hours Noise Service
Public Protection Risk Register Update
Food Safety Service report—2020--2021
Transforming Bromley 2019--2023: First Two Years
Previous Minutes of the Safer Bromley Partnership
Work Programme
PUBLIC PROTECTION AND ENFORCEMENT PDS---Wed, 10th November 2021
Matters Outstanding
Police Update
Public Protection Performance Against Portfolio Plan Indicators
Budget Monitoring
Enforcement Activity Update report
Contracts Register Report
Public Protection Risk Register Update
Fly Tipping Action Plan Update Report
Planning Enforcement Progress and Monitoring Report
Previous Minutes of the Safer Bromley Partnership
Work Programme
PUBLIC PROTECTION AND ENFORCEMENT PDS---Tues, 1st Feb 2022
Matters Outstanding
Police Update
PPE Performance Overview
Public Protection Performance Against Enforcement Indicators Scrutiny Report
Public Protection and Enforcement Draft Budget for 2022-2023
Mopac Update
Contracts Register Report
Update report on the Model London Lettings Enforcement Policy
Public Protection Risk Register Update
Previous Minutes of the Safer Bromley Partnership
Work Programme
Update from SLAM
PUBLIC PROTECTION AND ENFORCEMENT PDS---Wed, 23rd March 2022
Matters Outstanding
Police Update
BYC Presentation
PPE Overview report
Budget Monitoring

Neighbourhood Management Enforcement Update
Contracts Register Report
Public Protection Risk Register Update
Previous Minutes of the Safer Bromley Partnership
Emergency Planning and Corporate Resilience Business Continuity Service: Annual Update
Work Programme
POSSIBLE FUTURE PRESENTATIONS and AGENDA ITEMS
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
Prevent Update
Update report on the Out of Hours Noise Service in September 2022
An update report concerning the Model London Lettings Policy be presented to the Committee later in the year
POSSIBLE FUTURE VISITS
Coroners' Court.
Bethlem Hospital

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