



THE LONDON BOROUGH
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DATE: 8th June 2022

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

Councillor David Cartwright QFSM (Chairman)
Councillor Kim Botting FRSA (Vice-Chairman)
Councillors Mike Botting, Sophie Dunbar, Josh King, Andrew Lee, Alexa Michael, Chloe-Jane Ross, Harry Stranger and Rebecca Wiffen

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
Nathan Ward, Bromley Youth Council

A meeting of the Public Protection and Enforcement Policy Development & Scrutiny Committee will be held at Bromley Civic Centre on **THURSDAY 16 JUNE 2022 AT 7.00 PM**

TASNIM SHAWKAT
Director of Corporate Services & Governance

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>

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 23RD MARCH 2022 (Pages 1 - 14)

4 MATTERS ARISING (Pages 15 - 18)

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

5 QUESTIONS FROM THE PUBLIC AND FROM COUNCILLORS

In line with the Council's Constitution, general questions to the Committee should have been received 10 working days before the meeting which was by 5pm on May 31st

Questions specific to the agenda should be received within two working days of the publication of the agenda which in this case will be 5pm on 10th June.

6 MINUTES OF THE MEETING OF THE SAFER BROMLEY PARTNERSHIP STRATEGIC GROUP--26TH MAY 2022 (Pages 19 - 30)

7 SBP PARTNER UPDATE FROM THE POLICE

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

8 PORTFOLIO HOLDER UPDATE

9 PP&E PERFORMANCE OVERVIEW UPDATE (Pages 31 - 32)

10 PRE-DECISION SCRUTINY OF PORTFOLIO HOLDER REPORTS

Portfolio Holder decisions for pre-decision scrutiny.

a PROVISIONAL OUTTURN (TO FOLLOW)

b GATEWAY REPORT FOR THE TENDER OF THE STRAY DOG & REHOMING SERVICE CONTRACT (Pages 33 - 58)

POLICY DEVELOPMENT AND OTHER ITEMS

11 PLANNING ENFORCEMENT PROGRESS AND MONITORING REPORT APRIL 2020 TO MARCH 2021 (Pages 59 - 70)

12 MOPAC UPDATE

13 LETTINGS ENFORCEMENT UPDATE (Pages 71 - 76)

14 PP&E CONTRACTS REGISTER (Pages 77 - 86)

15 **PP&E RISK REGISTER** (Pages 87 - 94)

16 **WORK PROGRAMME** (Pages 95 - 100)

PART 2 AGENDA

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

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

18 **PART 2 CONTRACTS REGISTER REPORT**
(Pages 101 - 102)

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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PUBLIC PROTECTION AND ENFORCEMENT POLICY DEVELOPMENT & SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 23 March 2022

Present:

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

Oscar Seal: Bromley Youth Council

Also Present:

Hilary Williams: Service Director: SLAM
Dr Shubalade Smith: Clinical Director: SLAM
Ranjeet Kaile: Director of Communications: SLAM

58 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Sharon Baldwin, Alf Kennedy and Nathan Ward.

59 DECLARATIONS OF INTEREST

There were no declarations of interest.

60 MINUTES OF THE PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE HELD ON 1st FEBRUARY 2022

The Committee considered the minutes of the meeting of the Public Protection and Enforcement Committee that met on the 1st February 2022.

RESOLVED that the minutes of the meeting held on 1st February 2022 be agreed and signed as a correct record.

61 QUESTIONS FOR THE CHAIRMAN OF THE PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE

No questions had been received.

62 QUESTIONS FOR THE PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER

No questions were received.

63 MATTERS OUTSTANDING

CSD 22041

Members noted that the matters arising with respect to Fiona Baker (the Metropolitan Police Counter Terrorism Security Adviser) had not been actioned by Ms Baker. The Chairman stated that this should be followed through and that the update was still required.

Minute 48 in the Matters Arising report referenced some questions that Members wanted to ask the police. The police had been notified of the questions by the Portfolio Holder, but they were not in attendance at the meeting to respond. The Chairman stated that this matter should not be forgotten and that the questions should still be raised with the police when they attended the Committee next.

Minute 51 on the Matters Arising report was the matter concerning how the Communications Team could better support the Fly Tipping Action Plan initiatives. The Director for Environment & Public Protection reminded the Committee that an email update on this matter had been disseminated pre-meeting. It was a matter that had been taken up by the Chief Executive and assurances were provided that more communications support for the Fly Tipping Action Plan initiatives would be provided. Susie Clark from the Communications Team was in attendance on this occasion.

An update on the Dogs and Pest Control contract was provided and it was explained that while the relevant officer had been working on the report, additional information had come to light which meant that the update would now be moved to the June Committee.

A discussion took place concerning the updates and scam notices that were disseminated by the Trading Standards Team. A Member stated that these notices were not easy to share. She said that the notices were sent out in PDF form which made them difficult to deal with and to share with others. She asked if going forward the Trading Standards updates could be sent out as a JPEG or image file rather than a PDF. This was a matter that needed to be discussed with the Head of Trading Standards and Commercial Regulation.

A Member commented that Trading Standards used visit places such as church halls and residents' associations to speak to elderly people about scams. This was particularly important as many elderly residents were not using social media. She asked if this could be done again and what was the diary plan for doing so. Again, this was a matter that needed to be expanded upon by the Head of Trading Standards and Commercial Regulation. Susie Clark from the Communications Team said that she had recently been in attendance at a meeting of the Adult Safeguarding Board with the Head of

Trading Standards and Commercial Regulation and it was stated there that he was now beginning to pick up this activity once more.

RESOLVED that:

- 1) A response to Matters Arising should be requested from Fiona Baker (Metropolitan Police Counter Terrorism Security Adviser).**
- 2) Member questions due to be answered by the police at this meeting should be answered by the police at the June meeting.**
- 3) The Dogs and Pest Control Contracts report would be presented to the Committee at the June or September meeting.**
- 4) The Head of Trading Standards and Commercial Regulation should look into the best way to disseminate updates from the Trading Standards Team in order that Members could share the updates without difficulty.**

64 CHAIRMAN'S ANNUAL UPDATE

It was noted that the Chairman's Annual update would also be presented to Full Council.

RESOLVED that the Chairman's Annual Update report be noted.

65 PRESENTATION FROM BROMLEY YOUTH COUNCIL

Oscar Seal attended to provide the BYC (Bromley Youth Council) update concerning the mental health of young people. This was the third year in a row that BYC had focused on young people's mental health. The Chairman said that it was appropriate that representatives from SLAM were also in attendance.

The Committee heard that the focus of the BYC campaign was on the mental health specifically of young men, as they seemed to be disproportionately affected. Bromley Youth Council wanted to explore why this was the case and why it was different for young men.

They targeted their campaign in schools and via their Instagram page to draw awareness to the relevant services available in the borough. BYC had come to the conclusion that in most cases the advice provided was too generic and was not specific enough for the individual concerned. For many young people the services were not really working and more was needed to be done to address the problems. It was noted that those young men who were experiencing mental health issues were more likely to be involved in anti-social behaviour, crime in general and in the taking of drugs. The young men affected did not seem to have much awareness of the services available to them, and in some cases did not seem to appear to want to take on the

information regarding available services. Mr Seal felt that all Services needed to step up their game in order to tackle this serious problem.

In the course of their investigations, BYC liaised with 'Bromley Y' with whom they continued to work. Mr Seal said that it was not a 'one glove fits all' situation and the effect of the COVID pandemic had made one to one personal consultations difficult. The aim of BYC was to develop and improve services so that they would be more effective in helping both young men and young women who were experiencing mental health issues.

The Chairman thanked Mr Seal for his insightful update and asked if he felt there was a connection between the taking of cannabis and mental health. Mr Seal replied that young men and women took cannabis for stress relief; once they felt a relief of stress they would want to feel that again—and this was the road to addiction. He felt that the use of cannabis was increasing.

The Chairman asked what the solutions were and how this matter could be confronted. Mr Seal responded that BYC had not come up with any solutions yet, but it was important to readdress the drug culture in schools.

A Member asked if MIND had been contacted as she normally found them very helpful. Mr Seal responded that he was not aware if any contact had been made with MIND by BYC, as their main connection was with Bromley Y, but he would look into this and check. The Member said that when she was Mayor, Bromley Mind was one of the Mayoral charities that she supported and she was always willing to help Mr Seal in any way she could.

A Member enquired if any education was given in schools to explain the dangers of drug taking and to explore more healthier ways to relax. Mr Seal explained that generally speaking the information that was being fed back to young people was that drugs were bad and that they should exercise, but there was no facility to explore what was specifically beneficial to an individual person.

A Member expressed the view that Mr Seal had 'hit the nail on the head' and that cannabis caused depression. In her ward she was aware of people who were now in their 40s who had been smoking cannabis since they were at school and she expressed the view that now their 'minds were gone' and they were not really fit for anything much. They had not moved to harder drugs but their whole life was centred around the addiction to cannabis. She suggested that something like after school clubs may be a good idea where there could be an open forum so young people could discuss openly their issues and then get help. She said that she had had some dealings with Bromley Y before and that the waiting times were too long.

Mr Seal stated that BYC had met with some Councillors and that suggestions that were made to the Schools Department were taken on board. He said that BYC's work with respect to mental health had received a mixed response from schools.

The Chairman asked if BYC were continuing their work regarding mental health into the next year. Mr Seal answered that this would depend on what the young people voted for going forward. Notwithstanding this, he would not wish to see the work abandoned completely.

The Chairman encouraged Mr Seal and BYC to ask for help if it was required.

RESOLVED that the BYC update regarding the mental health of young people be noted.

**66 UPDATE FROM SLAM--SOUTH LONDON AND MAUDSLEY
NHS FOUNDATION TRUST**

Members received an update from SLAM (South London and Maudsley NHS Foundation Trust).

Attending from SLAM were:

1. Hilary Williams (Service Director)
2. Dr. Shubalade Smith (Clinical Director)
3. Ranjeet Kaile (Executive Director of Communications)

The representatives from SLAM expressed their condolences regarding the death of Councillor Mary Cooke. Councillor Cooke was part of a small delegation from the Council that had visited the Bethlem Royal Hospital on 18th November 2021.

The Service Director said that the main areas that she wished to focus on were:

- a) The continuation of the provision of services during the course of the pandemic.
- b) The development and focus on the Trust's Mental Health Strategy.
- c) The activities that took place on the Bethlem Royal Site.
- d) The site had now reopened after the pandemic and was being used by local services and the general public.
- e) The Bromley Protocol.

It was noted that most cases of leave passed without event. When this was not the case, the Trust worked closely with the police and the Ministry of Justice and informed local stakeholders via the Bromley Protocol. During the period of March 2021 to February 2022, there were 10 incidences of a person absconding, with one person being responsible for three of these incidences.

Dr Smith informed Members that the Trust had robust risk management procedures:

- a) Physical Risk Management
- b) Procedural Risk Management
- c) Trust Policies and Procedures
- d) Relational Security.

With respect to relational security, this enabled staff to get to know the patients and to get to know what increased or decreased risk. As far as the Trust was concerned they were not adopting a 'one size fits all' policy but worked by formulating individual plans for their patients.

The Director of Communications said that SLAM were keen to work with the Council to challenge the discrimination that was often associated with mental health. It was the case that during periods of isolation or lockdown because of the pandemic, that this isolation could worsen mental health issues. SLAM was keen to work with the Council, schools and other community groups.

It was noted that 10 incidents of low risk absconding had been recorded. The Service Director explained that two of these were of a particular type of notified incident and would therefore be subject to an investigation to see what lessons could be learnt. In these cases, the patients did not return to the hospital setting at the correct time. A response was mobilised, the Bromley Protocol was activated, the police were called and the Ministry of Justice was informed. There was no harm caused to the absconder or to any members of the public. Incidences such as these would have a bearing on further decision-making in respect to the patient's clinical treatment plan.

Doctor Smith explained that there were different types of leave, there could be leave in the unit, leave in the grounds (both escorted) and if they conformed to these boundaries, then they could be considered for leave outside of the hospital. If boundaries were breached, then leave was curtailed.

A discussion took place regarding the hospital's Certitude Services and the difference of approach with respect to medium and secure units and treatment.

Members were informed that as well as the medium and secure units there was also:

- a) Acute and specialist rehabilitation wards
- b) Wards for older adults
- c) Wards for children
- d) Wards for working age adults

It was explained that a Medium Secure Unit was similar to a 'Category B' prison. A Medium Secure Unit would have certain specifications with respect to physical security. The Medium Secure Unit at Bethlem therefore had an 18 foot high perimeter fence which was difficult to climb and to escape from. The Low Risk Unit did not have a fence of this nature. There were other differences in that it was harder to obtain leave from a Medium Secure Unit.

Those patients in a Medium Secure Unit would be of higher risk because they had committed more serious offenses.

With respect to the Certitude Service, it was explained that this was a housing complex which was adjacent to the hospital and was run in conjunction with Certitude Housing. It was a step forward housing unit where patients could go after being treated to meet their housing and support needs. The benefit of this was that it would allow those patients to transition to normal life and at the same time would free up hospital beds within the hospital itself. The housing complex had been developed using some estate that had been left to the Trust. There were 36 self-contained step forward flats in the housing complex. The average stay for a person in the Certitude Housing unit was approximately six weeks.

A Member asked what sort of outreach and preventative work was taking place. The SLAM Director of Communications listed some of those:

- a) A package supporting dads that may be struggling with family life and bringing up children.
- b) Packages for schools such as 'Fantastic Friends'
- c) Working with local football associations.
- d) 40 different pilots taking place—one of which was the utilisation of community embedded workers.
- e) Information regarding the provision of housing services
- f) Analytical data technology was being used to identify 'mental health hotspots' where resources could be targeted.

Doctor Smith explained the differences between primary and secondary prevention. SLAM had been used to dealing historically with secondary prevention and were resourced for that. This meant that when people came to Bethlem they were already unwell. So there needed to be more of a focus on primary prevention to prevent individuals from suffering from mental health issues in the first place. She explained that research had shown that a mother's actions like taking drugs could affect the child in the womb and enhance the probability of the child being born with mental health issues. It was understood that substance abuse by young people especially before the age of 19 was very harmful. Childhood adversity was also very harmful for the mental health of young people. It was also understood though, that if you provided the child or young person with the right support they would get better and they would not develop mental health problems further down the line.

It was agreed that the list of projects mentioned by the Director of Communications would be disseminated to Members later, probably with the minutes.

Members were informed that many people with mental health issues could be supported in the community without coming into a hospital setting. Most people that were treated in the hospital setting got well. Even if a person came into hospital in a state of crisis, they were able to leave again in around 30-40 days. Most people being treated in the secure unit were treated successfully between 14-18 months. However, there was a cohort of about

10% who were resistant to treatment and could remain in the hospital setting for 5 years or more. A discussion took place regarding the importance of mental health support outside of the hospital setting by various charities and community support services. One of these was the 'Be Well' Hub. An innovative tool that had been introduced was the CAMHS 'Virtual Waiting Room'. This was an online space that was designed to support young people and parents whilst they were waiting for treatment.

A Member noted the excellent work being undertaken by SLAM with respect to various projects and community engagement. Bearing in mind the presentation given by Mr Seal from BYC and the difficulties in knowing how young men could access relevant help and services, it was the general consensus that greater co-ordination and synergy was required so that those young men that needed help could be signposted to the various projects that SLAM were developing.

A discussion took place regarding the number of people that absconded and it was noted that the ratio was actually very small. The reasons for extending leave and any consequences would be assessed on a case by case basis. This meant that the approach to these issues was truly person centred. Some patients were known to have deliberately extended leave as they did not wish to leave the care of the hospital. A discussion took place concerning the living accommodation, communal spaces and various on-site facilities.

It was noted that about half of the patients had been referred from prison. They would stay until they got better (normally for about 6 months). Once they got better they would be returned to prison.

The Portfolio Holder thanked SLAM for the opportunity to visit Bethlem in 2021 and she recommended a visit to other Members of the Committee. An offer of mental health training for Councillors had been presented and she was keen for this offer to be taken up.

A Member asked about services provided for army veterans. The Service Director responded and said that there was not much in the way of services provided for veterans in the Bromley Borough. However, Bethlem was linked with Kings and there were 4 sites across London that ran Veterans' programmes.

The Chairman mentioned that in one London Borough there was a trial taking place regarding the decriminalising of cannabis. He asked the SLAM representatives what they thought about this. Dr Smith replied that cannabis was not the only drug that was connected with mental health issues, drugs like ecstasy, amphetamines and cocaine were also causes of mental health issues. Cocaine use was associated with the development of psychosis. There had been an experiment in Canada where cannabis had been decriminalised and SLAM had received reports from colleagues in Canada of more rates of psychosis as a result. There was a greater risk of psychosis because of certain hereditary factors and childhood abuse. The view of SLAM

was that cannabis was NOT a benign thing. The right kind of understanding and education was required.

The Chairman thanked the SLAM representatives for attending the meeting and said that the Committee looked forward to another on site meeting at Bethlem in due course.

RESOLVED that the update from SLAM be noted.

67 POLICE CRIME DATA ANALYSIS REPORT

It was noted that this item, together with Agenda item 11 (SBP Police Partner Update) would be deferred to the June meeting.

A Member noted that there was data provided in the document for 2020 and 2022, but no data had been provided for 2021.

68 SBP PARTNER UPDATE: UPDATE FROM THE POLICE

This item was deferred to the June meeting as it had to be presented to the next meeting of the Safer Bromley Partnership first.

RESOLVED that the SBP Partner Update from the Police be provided at the June meeting.

69 UPDATE FROM THE PORTFOLIO HOLDER

The Portfolio Holder was pleased to note the extra number of prosecutions for Blue Badge offences. She was also pleased to note the 'untidy site' prosecution in Beckenham. This was currently being appealed by the resident. She also commented on the latest edition of Safer Bromley News and described it as a 'great piece of work'. The Portfolio Holder thanked officers (and in particular Susie Clark) for this.

The Portfolio Holder had met with Sharon Baldwin (Chairman of the Safer Neighbourhood Board) during the previous month to discuss issues relating to the Safer Neighbourhood Board and police ward plans.

The Portfolio Holder attended the BCU South VAWG Roundtable event. The Portfolio Holder attended the Bromley Town Centre Police launch and informed Members that now Bromley had 18 new Constables in the Town Centre.

A Member asked if some information relating to the VAWG event that the Portfolio had attended could be shared with the Committee. The Portfolio Holder agreed to share this.

A Member said that previously discussions had taken place with Safer Neighbourhood Panels regarding how they were organised and the possibility

of membership being extended wider to a greater number of members of society. He asked if there had been any updates regarding this. The Portfolio Holder stated that some work regarding this was being undertaken by Sharon Baldwin and Inspector Stuart Baker but this was all the detail she was aware of to date.

A Member highlighted the large number of catalytic converter thefts in the borough. She felt that more needed to be done to raise awareness of this and to warn/inform the public. The Chairman said that this was a matter that needed to be progressed via the Safer Neighbourhood Board. It was noted that the police had initiatives in place to deal with catalytic converter thefts.

RESOLVED that the Portfolio Holder update be noted and that the Portfolio Holder share details of the VAWG event that she had attended.

70 PP&E PERFORMANCE OVERVIEW

The Committee noted the Performance Overview report and that the situation with respect to food hygiene inspections was improving. It was anticipated that inspections would be up to date by the end of March.

RESOLVED that the PP&E Performance Overview report be noted.

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

a BUDGET MONITORING 2021/22

FSD22026

The Committee was informed that with the aid of Covid Grant funding, a balanced budget had been achieved. It was noted that all Portfolios had received funding from Covid grants.

RESOLVED that the Portfolio Holder endorse the latest revenue budget monitoring position for the Public Protection and Enforcement Portfolio.

b DRAFT PORTFOLIO PLAN FOR PUBLIC PROTECTION AND ENFORCEMENT--2022 TO 2023

ES20164

A Member referred to Section 3.6 of the report—Community Safety. She commented on the significantly different decreases in the percentage figures for Arson. There had been a 4.2% decrease in Cray Valley East compared to a 75% decrease in Penge. She asked what the reason was for this and what were the actual figures as opposed to percentages. The Head of Performance Management and Business Support said that she would access this data and send it out to Members. A Member commented that there had been a prolific arsonist previously operating in Penge, and so the figures may have been

distorted by his actions. The Chairman agreed that more clarity was required with respect to the data provided.

The Chairman said that he had received a number of calls on Sunday morning with respect to parking issues in his ward. This was caused by two significant sporting events taking place in two playing fields close together. He said that this had occurred before and that on each occasion when he had attempted to contact the out of hours noise service for assistance, he was informed incorrectly that the OOH noise service was not operational on a Sunday. He requested that the correct information be provided to whoever was dealing with the phone calls, so that they were aware that a response service was operational on a Sunday. The Director responded and said that Council officers did attend the events that the Chairman had mentioned and that PCNs were issued. He also said that steps were being taken to resolve matter so that whoever was taking calls was properly briefed.

RESOLVED that the Portfolio Holder endorsed the outcomes, aims and performance measures set out in the Draft Portfolio Plan.

71 END OF YEAR UPDATE--BUSINESS CONTINUITY AND RESILIENCE

The end of year update was provided by Mr David Tait--Emergency Planning and Corporate Resilience Lead.

He said that lessons had been learnt from the incident of flooding that had occurred in the Crays. This was because he had only become aware of this incident after being informed by a Councillor. He was confident that lines of communication would improve going forward. In the aftermath of the flooding there had been good collaborative working with the relevant Housing Association.

The Committee was informed of the incident at Christmas time in Beckenham which had left 400 homes without power. This matter was resolved with good collaborative working with SGN.

A specialist contractors list had been developed. This was a list of contractors that could be contacted 24/7 in the case of various emergencies such as road traffic accidents and incidents involving chemical spillages.

The Emergency Planning and Corporate Resilience Lead mentioned the 'Safer City Exercises' and said that they had provided useful learning with respect to how training should be approached. He was hoping that his 'team' (just 1.6 FTE) would now be able to leave Covid work behind and so focus on core activities such as further exercises and training. He was hoping to renew and refresh business continuity plans in May.

Mention was made of the presentation that had been provided previously by Fiona Baker from the MET police regarding an extension of the Council's responsibilities under the Protect Duty. He said that little progress had been

made on this front as there had been no updates from central government with respect to legislation. This made it difficult to assess what the precise impact would be on the Council. One thing was clear and this was that it would be a large piece of work which would require training and education. The cost to the Council of this was currently unclear. It was clarified that school academies would not be the responsibility of the Council as far as this duty was concerned. A Member suggested that the potential cost of the new Protect Duty to the Council should be flagged to the Executive.

A discussion took place regarding a training package for Councillors with respect to civil emergencies. The Emergency Planning and Corporate Resilience Lead said he was hoping to put something together for Members after the local elections. The training should include advice on dealing with the media.

A Member asked for Members to be better informed regarding incidents and their resolutions. She cited some examples where incidents had occurred and she had not been informed. The Emergency Planning and Corporate Resilience Lead was disappointed to hear this, as generally speaking there was good dissemination of these matters via the Communications Team.

It was noted that the LFB would be staging an event around a simulated air crash at Biggin Hill. All Councillors would be invited.

A Member expressed thanks to the Emergency Planning and Corporate Resilience Lead for the quick response in dealing with fallen trees and other debris after the recent storm. The Emergency Planning and Corporate Resilience Lead said that much of the credit for this lay with Hugh Chapman as the Tactical Lead in all matters relating to trees.

A discussion took place regarding the use of colours for weather warnings. The Council's plans in the event of the death of the Queen were also discussed. A Member commented that it was not appropriate to discuss these matters at the meeting ahead of the Platinum Jubilee Celebrations.

Post Meeting Note:

Regarding the issue of a Member saying that she had not been informed of certain incidences, one of those mentioned was the gas incident at Upton Court in Blean Grove. This turned out to be a mistake, the Member had been informed and subsequently apologised.

RESOLVED that:

- 1) The Emergency Planning and Corporate Resilience Service—Annual Update report be noted by the Committee.**
- 2) The potential cost to the Executive of the new legislation concerning the Protect Duty be flagged to the Executive.**

3) A training package for Councillors regarding how to deal with civil emergencies should be provided to Members after the local elections.

72 PUBLIC PROTECTION AND ENFORCEMENT CONTRACTS REGISTER--PART 1 REPORT

ES 20160

The Director informed Members that the Dog and Pest Control Contract would be presented to Members at the June meeting.

The Mortuary Contract had been extended.

This being the case, the Director informed Members that there were no significant issues to report either in the Part 1 or Part 2 section of the report.

RESOLVED that the update with respect to the Contracts Register be noted.

73 PP&E RISK REGISTER

ES 20162

The Director explained that the Head of Community Safety, Environmental and Domestic Regulation was working with colleagues across the Council to produce an Out of Hours Noise Service that was more standardised and formalised.

An update report considering the various possible options for the OOH Noise Service would be presented to Members at some point during the next meeting cycle.

RESOLVED that the Risk Register report be noted and that an update report regarding the OOH Noise Service would be presented to the Committee in due course.

74 WORK PROGRAMME

CSD 22042

It was noted that the police would be attending the June meeting.

The report regarding the Out of Hours Noise service would be presented either in June or September. A Member expressed concern regarding any delay in the presentation of the OOH Noise Service report, as the Summer was the main time that offences were likely to take place. The Director responded that the service was still being provided.

A Member asked if presentations could be arranged from LAS and the Magistrates' Court and also if visits could be arranged with respect to both of

these. The Chairman noted these comments and also suggested a visit to the mortuary.

RESOLVED that the Work Programme be noted and that a report regarding the Out of Hours Noise Service would be presented during the next cycle of meetings—either in June or September.

The meeting ended at 9.15 pm

Chairman

Agenda Item 4

Report No.
CSD 22061

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Public Protection and Enforcement PDS Committee

Date: 16th June 2022

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

Title: **MATTERS ARISING**

Contact Officer: Steve Wood, Democratic Services Officer
Tel: 020 8313 4316 E-mail: stephen.wood@bromley.gov.uk

Chief Officer: Tasnim Shawkat, Director of Corporate Services and Governance

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: 2022/2023 revenue budget
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Staff

1. Number of staff : 6 FTE
 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.
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Legal

1. Legal Requirement: None
 2. Call-in: Not Applicable
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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 46 Protect Duty 01/02/22	It was resolved that Fiona Baker (Met Counter Terrorism Security Advisor) would provide Members with the relevant links for generic online guidance with respect to the Protect Duty, as well as more specific guidance that was for Councillors.	Awaiting an update from Ms Baker.
Minute 63 Matters Outstanding 23/03/22	Members noted that the matters arising with respect to Fiona Baker (the Metropolitan Police Counter Terrorism Security Adviser) had not been actioned by Ms Baker. The Chairman stated that this should be followed through and that the update was still required.	<p>Links for Members are as follows:</p> <p>Counter Terrorism Section within the Government website https://www.gov.uk/crime-justice-and-law/counter-terrorism</p> <p>Specific link to the protect duty https://www.gov.uk/government/consultations/protect-duty</p> <p>Further to this, the link to the Counter Terrorism Security Office. Within here you are able to receive guidance on Marauding CT attacks, run hide tell, as well as links to online training. Further information is given regarding national vehicle threat mitigation as well as guidance around Crowded Places https://www.gov.uk/government/organisations/national-counter-terrorism-security-office</p> <p>The CPNI (Centre for the Protection of National Infrastructure) https://www.cpni.gov.uk/</p>
Minute 48 Police Update 01/02/22 Minute 63 Matters Outstanding 23/03/2022	Resolved that the police update be noted and that the Portfolio Holder notify the police of questions that Members would like to put to them at the next meeting. Member questions due to be answered by the police at this meeting should be answered by the police at the June meeting.	The Portfolio Holder has briefed the police accordingly. The police will provide responses at the meeting.
Minute 63 Matters Outstanding 23/03/2022	The Dogs and Pest Control Contracts report would be presented to the Committee at the June or September meeting.	Will be presented in June as planned.

Minute 63 Matters Outstanding 23/03/2022	The Head of Trading Standards and Commercial Regulation should look into the best way to disseminate updates from the Trading Standards Team in order that Members could share the updates without difficulty.	Trading Standards Manager Graeme Preston met with Susie Clark, week commencing 16 th May to see how this could be progressed. The Communications Team are considering the various ways that Alerts can be communicated.
Minute 68 SBP Partner Update 23/02/2022	Resolved that the SBP Partner Update from the Police be provided at the June meeting.	Added to the June agenda as planned.
Minute 69 Portfolio Holder Update 23/02/2022	Resolved that the Portfolio Holder update be noted and that the Portfolio Holder share details of the VAWG event that she had attended.	The Portfolio Holder has updated Cllr Kathy Bance who asked the question originally.
Minute 71 Business Continuity and Resilience 23/02/2022	The potential cost to the Executive of the new legislation concerning the Protect Duty be flagged to the Executive.	This is difficult to quantify as the relevant legislation has not been finalised.
Minute 69 Business Continuity and Resilience 23/02/2022	A training package for Councillors regarding how to deal with civil emergencies should be provided to Members after the local elections	The work of the Emergency Planning Team will form part of the workshop for new Councillors that has been arranged. The Emergency Planning Team are developing a Members training package regarding their role at an emergency incident. Once completed I will seek sign off from Chief Officers and discuss the most appropriate delivery method.
Minute 73 PP&E Risk Register 23/03/2022	Resolved that an update report regarding the OOH Noise Service would be presented to the Committee in due course.	This will be presented at the September meeting.

Agenda Item 6

SAFER BROMLEY PARTNERSHIP BOARD

Minutes of the meeting held at 10.00 am on 26 May 2022

Present:

Louise Watkinson ((LBB Assistant Director for Public Protection & Enforcement)) (Chairman)

Councillor Angela Page, (LBB Portfolio Holder for Public Protection and Enforcement)

Cheryl Baker, Clarion Housing

Stuart Baker, (MET Police)

Sharon Baldwin, (Safer Neighbourhood Board Chairman)

Sandra Campbell, (LBB ASB Project Officer)

David Dare, (LBB Children's Services)

Emily Duignan., (Service Manager: Bromley Drug and Alcohol Service)

Rachel Dunley, (LBB Head of Service for Early Intervention, and Family Support)

Chan Farooqui, (Victim Support)

Dawn Helps, (Tenancy Specialist Manager: Clarion Housing Group)

Dirk Holtzhausen, (LBB--ECHS)

Lydia Lewinson, Housing, Planning, Property & Regeneration

Chris Line, (LFB: Borough Commander)

Ken Loyal, (MET Police)

Betty McDonald, (LBB Head of Youth Offending Service)

Sarah Newman, (LBB Community Safety, Environmental & Domestic Regulation)

Finola O'Driscoll, Public Health

Judie Obeya, (Neighbourhood Investment Manager) Clarion Housing Group

Anthony Powell, (LBB Public Protection and Enforcement)

Paul Sibun, (Bromley CCG: Adult Safeguarding Manager)

Lucien Spencer, (National Probation Service)

Rob Vale, LBB Head of Commercial Regulation and Trading Standards)

Also Present:

Councillor Kim Botting FRSA

Matthew Hodges, Chief Executive's Office

1	WELCOME AND HOUSE KEEPING	Action
	The meeting was opened by the newly appointed LBB Assistant Director for Public Protection and Enforcement, Louise Watkinson. The Assistant Director had been appointed as Chairman of the Board.	
2	APOLOGIES AND DECLARATIONS OF INTEREST	Action
	Apologies had been received from Chrissie Mason, Vicky West,	

	<p>Richard Baldwin, Elaine Beadle, Rachel Pankhurst, Rebecca Saunders, Claire Lewin and David Tait.</p> <p>Cllr David Cartwright sent apologies and Cllr Kim Botting attended in his absence. Apologies were received from Mimi Morris Cotterill and Finola O' Driscoll attended as substitute. Apologies were received from Lynette Chamielec and Lydia Lewinson attended as substitute.</p> <p>There were no declarations of interest.</p>	
3	MINUTES OF THE MEETING HELD ON 9th DECEMBER 2021	Action
	The minutes of the meeting that was held on 9 th December 2021 were agreed and signed as a correct record.	
4	MATTERS ARISING	Action
	<p>CSD 21142</p> <p>The Board noted that all matters that had arisen from the previous meeting had been updated upon and there were no further matters that required any further attention.</p> <p>RESOLVED that the Matters Arising report be noted.</p>	
5	PRE ADVISED QUESTIONS	Action
	No questions had been received.	
6	PRIORITY 1: SAFER NEIGHBOURHOODS	Action
	<p>The Board noted the Priority 1 – Safer Neighbourhoods 2021/22 Quarter 4 end of year report. The main partners for this priority were the police and LBB Community Safety.</p> <p>The Head of Community Safety, Environmental and Domestic Regulation provided a brief overview of progress made against the objectives within this Priority. She said that the Community Impact Days were going well, as was partnership working with Safer Neighbourhood Teams. CCTV cameras had been updated to a more effective digital specification. The Council now had a new VVAP (Violence & Victimisation Action Plan) that came out at the end of last year. The Council had been successful in dealing with ASB and also in dealing with scams/fraud that had been targeted against the elderly and vulnerable. With the emergence out of lockdown, crime levels had begun to increase.</p> <p>RESOLVED that the update regarding Priority 1 (Safer Neighbourhoods) be noted.</p>	

7	PRIORITY 2: VIOLENCE AGAINST WOMEN AND GIRLS	Action
	<p>The Head of Community Safety, Environmental and Domestic Regulation provided a brief overview of progress made against the objectives within Priority 2, which was ‘Violence Against Women and Girls’.</p> <p>Overall, the Partnership was doing well in achieving its targets. There was still the need for Partners to share data and there was still some work that needed to be done with respect to mapping. The Council providers (for VAWG services) were providing an excellent service to victims.</p> <p>RESOLVED that the update regarding VAWG be noted.</p>	
8	PRIORITY 3: KEEPING YOUNG PEOPLE SAFE	Action
	<p>The Head of Community Safety, Environmental and Domestic Regulation provided a brief overview of progress made against the objectives within Priority 3: ‘Keeping Young People Safe’.</p> <p>The Partnership heard that all the actions with respect to the Strategy had been achieved. There had been gang awareness training provided to the staff of all relevant partners. Excellent work had been done with schools and the youth offending rate had been steadily declining. .</p> <p>RESOLVED that the update regarding ‘Keeping Young People Safe’ be noted.</p>	
9	PRIORITY 4: STANDING TOGETHER AGAINST HATE CRIME and EXTREMISM	Action
	<p>The Head of Community Safety, Environmental and Domestic Regulation provided a brief overview of progress made against the objectives within this Priority which was ‘Standing Together Against Hate Crime and Extremism’.</p> <p>Generally speaking, objectives and targets had been achieved; some extra work was required around improving hate crime data and improving reporting..</p> <p>RESOLVED that the update concerning Hate Crime and Extremism be noted.</p>	
10	QUESTIONS TO PARTNERS ON END OF YEAR UPDATES	Action
	<p>A board member mentioned that the public's perception of what was happening locally may be somewhat different to the reality. It was</p>	

	<p>agreed that the message needed to be conveyed to the public that generally speaking, Bromley was indeed a safe borough. Ward Panels would have a role to play in this regard.</p> <p>A discussion took place with respect to how parents and caregivers could pick up on signs that children may be vulnerable or at risk and how the Partnership could help with this. It was noted that the Bromley Family Forum Partnership were in the process of developing a programme for parents and carers to raise awareness of such issues as grooming, exploitation and knife crime.</p> <p>It was mentioned that the VAWG reporting figures may be skewed a bit because of Covid 19 and because the Courts were still catching up on a backlog of cases. It was further pointed out that although the official figures reported a decrease in domestic abuse reporting, there had in fact been an increase in the demand for domestic abuse support services. It had always been the case that as far as Bromley was concerned, there had always seemed to be a reluctance to formally report domestic abuse incidents. In a similar vein the CCG reported a very high number of people accessing crisis lines. There had been a rise in the number of cases reported to MARAC of between 20% to 30% and this highlighted the need for a full time MARAC Coordinator as a matter of urgency. Similarly Clarion Housing also reported a rise in reported incidences of domestic abuse and stalking and agreed with the assessment that there was an urgent need for a full time MARAC Co-ordinator to be appointed.</p> <p>The CCG Adult Safeguarding Manager said that the Government had recently amended the Police, Crime, Sentencing and Courts Bill to explicitly include domestic abuse and sexual violence within the definition of 'serious violence' for the purpose of the 'Serious Violence Prevention Duty; the Duty would be incumbent upon public bodies and so it gave added importance to dealing with issues of around domestic abuse. The Board heard that the police had a renewed focus currently on stalking and harassment, as these offences could lead to more serious incidences further down the line.</p> <p>RESOLVED that the questions from Partners be noted.</p>	
11	<p>COMMUNITY IMPACT DAYS OUTCOMES</p> <p>The CID (Community Impact Days) update was provided by the Community Impact Days Co-ordinator (Sandra Campbell).</p> <p>Community Impact Days currently took place in the Penge, Mottingham, St Mary's Cray and St Paul's Cray Wards. Ms Campbell stated that the Community Impact Days were successful and very impactful due to the excellent collaborative work of many partners.</p>	<p>Action</p>

	<p>The police, Clarion, Veolia, and LBB's Neighbourhood Management Teams underpinned the CID days and were vital to the success of CID operations:</p> <ul style="list-style-type: none"> • Housing & ASB visits were carried out • Welfare checks were undertaken for vulnerable residents • Various traffic and vehicle operations were carried out. <p>Ms Campbell thanked the police for their contribution as well as Cheryl Baker (her SPOC) from Clarion Housing. She was also grateful for the work that had been undertaken by Kevin McKenzie while he was the Bromley Fire Commander. The LFB undertook fire safety talks with vulnerable residents and with residents in sheltered accommodation.</p> <p>Ms Campbell informed the Partnership that Clarion Futures was now offering paid apprenticeships and eight young people had been signed up as recently as the day before the meeting.</p> <p>A discussion took place concerning the knife amnesty bins that were located in Penge and Bromley. Individuals could deposit knives in the bins and not worry about being prosecuted for possession of the knife and the keys to the bins were with a charity as opposed to the police. The Bromley logo was displayed on the bins. It was noted that the total cost for the bins including installation, contents collection and maintenance was in the region of £3.5k per annum.</p> <p>Cheryl Baker from Clarion Housing elaborated on the issue that was mentioned previously with respect to apprenticeships. She said that the work also included other types of training and cv writing and there was a team of officers that worked with people with special and complex needs in order to help them to gain employment.</p> <p>Cllr Kim Botting asked when was the next CID? She asked if CIDs were allocated based on high crime areas and was hopeful that one could be based in Orpington High Street. The CID Coordinator responded and said that the next CID would be on the 29th June in Mottingham and this would be extended into Bromley Town Centre. It was clarified that the allocation of CID locations was based on specific crime levels rather than overall crime levels for a ward.</p> <p>RESOLVED that the Community Impact Days update be noted.</p>	
12	<p>ARSON ANALYSIS</p> <p>The Partnership heard that arson levels had peaked in 2016/2017, but since then there had been a year on year fall in arson incidents.</p>	Action

	<p>There was an update regarding specific arson data in Cray Valley East. The issue in that area was mainly related to vehicle fires. This was an area that required more work with partners to address. The LFB Commander said that he was keen to work with partners in this regard and was aiming to identify abandoned vehicles at an early stage before they became a target for arsonists.</p> <p>RESOLVED that the Arson update be noted.</p>	
13	<p>LONDON FIRE BRIGADE UPDATE</p> <p>An update had been provided to the Partnership from the outgoing Bromley Fire Commander, Kevin McKenzie. The Partnership was addressed by the new Bromley Fire Commander (Chris Line) who expressed his thanks for the sterling work that had been undertaken by Mr McKenzie. Mr Line looked forward to working with the Partnership going forward.</p> <p>The Bromley Fire Commander said that he wanted to bring the LFB Community Risk Management Plan to the attention of Partners. The London Fire Commissioner was due to disseminate the Plan for consultation shortly. This would be a six week consultation period. Partners were encouraged to feedback on the Consultation. The Chairman suggested that this should be an action for Partners.</p> <p>RESOLVED that the LFB update be noted and that Partners provide feedback on the LFB Community Risk Management Plan.</p>	<p>Action</p> <p>All Partners</p>
14	<p>DHR AND PREVENT UPDATE</p> <p>The Prevent update was provided by the Head of Trading Standards and Commercial Regulation. Islamist extremism (nationally) continued to be the predominant source of threat and risk and remained the most likely ideological inspiration for a self-initiated individual being drawn into committing terrorism. However, there was a continued growth in extremist far-right content and narratives online and in social-media. Concerns remained about how extremism could manifest in local areas through hate-crime and community tensions. Fortunately, there had been no issues locally. Self-radicalisation was a continuing threat, particularly in the online space and social-media due to the accessible nature of harmful and extremist material and messaging. Recent attacks in the US had highlighted the impact of online influences, not least the Buffalo attack by Payton Grendon who left a lengthy manifesto on mutli social media platforms, and there were early indications he was self-radicalised over the past two years.</p> <p>The Council had limited resources to deal with Prevent and so proactive work around Prevent was restricted to raising awareness and ensuring an effective multi-agency response. The London</p>	<p>Action</p>

	<p>Borough of Bromley provided several ‘Workshop to Raise Awareness of Prevent’ training sessions via online workshops to staff and partners as part of its programme of mandatory training for all LBB relevant staff.</p> <p>Partners were informed that a ‘Prevent Review’ was in the ‘fact checking’ stage; it was hoped it would be published before the Parliament summer recess.</p> <p>The London Borough of Bromley had submitted the annual Channel Panel Annual Assurance Statement for 2022, which formed part of a strengthened quality assurance framework for all Channel panels across England and Wales and required strategic sign off by the Chief Executive.</p> <p>The Head of Trading Standards and Commercial Regulation said that one Domestic Homicide Review (DHR) remained at the Home Office in the QA assessment stage. Feedback was expected in the coming weeks. The latest DHR had been pended until the criminal investigation had been completed – the trial was scheduled for Jan 2023.</p> <p>The DHR into the death of ‘Alice’ had been published. The Action Plan was probation centred and would be reviewed at the next Domestic Abuse Strategic Group meeting. The Probation Service had assured that all the points raised in the Action Plan had been actioned</p> <p>RESOLVED that the Prevent and DHR updates be noted.</p>	
15	<p>VIOLENCE REDUCTION PLAN UPDATE</p> <p>Partners were briefed that they would be required to provide their updates for the VVAP either at the end of May or the beginning of June and it would be soon time to provide updates for the quarterly returns. The LBB Community Safety Officer and Serious Youth Crime and Gangs Lead would be contacting them concerning this shortly.</p> <p>RESOLVED that the VVAP update be noted and that Partners get ready to provide updates for the quarterly returns during the beginning of June.</p>	<p>Action</p> <p>All Partners</p>
16	<p>BROMLEY COMMUNITY SAFETY PARTNERSHIP STRATEGY 2020--23</p> <p>Partners were reminded that the Safer Bromley Community Safety Strategy would expire in 2023 and the Partnership would be required to develop a new Strategy. Contributions would be a required from all partners concerning this and it may be the case the new priorities could be selected.</p>	<p>Action</p>

	<p>RESOLVED that the update on the Safer Bromley Strategy be noted and that Partners start thinking about how they could contribute to the new strategic document and if new priorities should be adopted.</p>	<p>All Partners</p>
<p>17</p>	<p>CRIME NEEDS ASSESSMENT MARCH 2021 TO FEBRUARY 2022</p> <p>The CNA (Crime Needs Assessment) update was provided by Matthew Hodges—Corporate Services Graduate Intern.</p> <p>Partners were reminded that the Crime Needs Assessment was an annual statutory requirement for all Community Safety Partnerships in England and Wales, as stated in the Crime and Disorder Act 1998.</p> <p>The CNA was produced to better understand the crime related needs in the borough and to help decision makers set strategic priorities related to crime. It could be used in supporting future commissioning processes and helped to gain a greater understanding of the needs of the victims and where the highest offence rates were.</p> <p>It was explained that the Mayor of London had published the Police and Crime Plan for London (2017-2022), which set out the priorities for the safety of London. In the Plan there were pan-London priorities and local priorities:</p> <p>The high-volume local priorities that boroughs were required to consider were:</p> <ul style="list-style-type: none"> • Non-Domestic Abuse Violence with Injury • Robbery – Personal Property • Theft from Motor Vehicles • Theft of Motor Vehicles • Theft from the Person • Burglary <p>Within the plan, MOPAC agreed two local police priorities with each Borough, alongside antisocial behaviour and a mandatory focus on high-harm crimes, and those which affect the most vulnerable Londoners, supported by data and research about crime, antisocial behaviour and confidence in the police.</p> <p>The two Local Priorities that were agreed with Bromley for 2021-2022 were:</p> <ul style="list-style-type: none"> • Non-Domestic Abuse Violence with Injury • Burglary (Residential) <p>Partners noted that the ward where the levels of Non-Domestic Violence With Injury was highest was Bromley Town and that the levels of burglary were highest in Cray Valley East, followed closely</p>	<p>Action</p>

by Bromley Town. It was pointed out though that given the population density of the Borough, it was still a safe borough to reside in.

Mr Hodges said that from March 2021 to February 2022, the London borough average for Total Notifiable Offences was 25,742, and the recorded figure for Bromley was 11% lower than the London Average at 23,185. When compared with other London Boroughs, Bromley remained one of the safest boroughs with 68.2 crimes per 1000 population between March 2021 and February 2022. When compared with the London average of 91.54 crimes per 1000 population, this placed Bromley as the borough with the 7th lowest crime rate.

The most common notified offences in Bromley in 2022 were Violence against the Person which made up 28.9% of the total, Theft, which contributed 21.4%, and Vehicle Offences, such as the theft of or from a vehicle, which made up 15.1%

The Covid-19 pandemic had a significant effect on crime numbers in the 2020-21 months, with noticeable dips during the months when lockdown measures were in effect.

It was highlighted that if you analysed the data for overall crime reporting, then Bromley ranked as the 7th safest borough in London. In terms of theft from motor vehicles, Bromley was the 10th safest borough in London. In terms of assault with injury, Bromley was the 5th safest borough in London. In terms of common assault, Bromley was the 3rd safest borough in London. Bromley was the safest borough in London in terms of rape and the 2nd safest in terms of other sexual offences.

Mr Hodges said that the figures for transphobic crimes and disability hate crimes were such small figures that it was difficult to come to overall statistical conclusions as one or 2 offences could completely change the borough's London ranking so tabular data had not been produced for these specific crime reports.

The Head of Community Safety, Environmental and Domestic Regulation commented that the reporting of domestic abuse cases did not seem to be reflected in the CNA data and it would be worth investigating why this was the case.

The Chairman expressed her thanks to Mr Hodges for the CNA presentation.

It was queried if there was data available with respect to the age ranges around the priority of 'Keeping Young People Safe', particularly with respect to knife crime. Mr Hodges explained that the data that he had used was from the current public dashboards. If the data with respect to age ranges of the young people was available, then he would be happy to break it down further as required.

	<p>The Head of Trading Standards and Commercial Regulation said that the CNA data would be useful when it came to re-drafting the new Safer Bromley Strategy.</p> <p>The LBB Head of the YJS said that in the Youth Justice/Youth Offending Service they did have the data regarding the age ranges of young people involved in knife crime and this could be shared with Mr Hodges by the relevant Information Officer.</p> <p>The Bromley CCG Adult Safeguarding Manager said that more detailed analysis was required for the SBPB generally, but especially from the point of view of setting strategic priorities. He expressed the view that the information provided on the current CNA was not the data that was required by the Partnership. He felt that a more specific breakdown of relevant data could be accessed from the police. He pointed out that financial abuse of the elderly was not reported on by MOPAC, and so this was a glaring hole in the CNA data. He felt that in this regard, data would be available from the police and adult social care. He pointed out that the Government had recognised that crimes against the elderly should be given more priority and so consideration was now being applied to creating a dedicated ministerial appointment to this end. The LBB Head of Service for Early Intervention and Family Support suggested that perhaps relevant statistics from Victim Support could be added to the CNA going forward.</p> <p>RESOLVED that the Crime Needs Assessment Update be noted.</p>	
18	EMERGING ISSUES FOR PARTNERS	Action
	<p>The Head of Trading Standards and Commercial Regulation commented that an emerging issue would be the current cost of living crisis which could well expand and get more serious within the next 6 to 12 months. This would have an adverse effect on consumers, particularly those who were vulnerable. There was a danger that people could be pushed into increased debt, be subject to fraud and scammers and generally make unwise financial decisions; he felt it was something that should be reviewed at the next meeting. The Head of Early Intervention and Family Support responded and said that her service would like to link into this as they were also undertaking work in this area.</p> <p>The LBB Public Health Senior Strategist mentioned that one of her colleagues had completed a Drugs Need Assessment which could be circulated to the Partnership. It was anticipated that a presentation would run on this via Teams meetings and she would circulate the details concerning this. She also referred to the national 10 year Drug Strategy and informed Partners that grants were available to boroughs and Bromley was currently in the process of drawing down grant funding which would be used to alleviate various problems</p>	

<p>caused by drug and alcohol mis-use.</p> <p>The Head of Service for LBB Housing Options and Support spoke about rough sleepers within the borough. She said that generally speaking this work was going well but there were some difficult and entrenched cases that were hard to deal with and those clients had been named the 'Target 1000' clients. It was currently estimated that six of these were on the streets of Bromley. Meetings were being held fortnightly to discuss this cohort and she invited as many partners as possible to join the meeting so that a multi-agency response could be formulated. It was also the case that the LBB Housing Department was setting up a Single Homelessness Pathway which would deal with ex-offenders, rough sleepers and single people generally seeking homes.</p> <p>The Assistant Director, Children's Social Care, also commented on the cost of living crisis with its potential impact on statutory services and safeguarding. There was concern for example that parents may be forced to undertake extra work--with young people being left at home to fend for themselves. There was also a possibility that teenagers could become more involved in crime. He said that the number of people contacting children services was 8000 pre pandemic, but now it had reached 12,000 and they were very busy.</p> <p>It was noted that the name of the Youth Offending Team was now changing to Bromley Youth Justice Service.</p> <p>The Safer Neighbourhood Board Chairman highlighted the problem of street begging on the streets of Bromley where the elderly could be targeted. She also highlighted the issue of High Street Banks closing which had a particularly adverse effect upon the elderly. She pointed out that Sidcup had recently lost four banks. She was hopeful that Bromley Council could exercise some influence at a high level in business and planning to try and stop the closure of High Street Banks.</p> <p>The Chairman said that the Constitution and the Terms of Reference for the Safer Bromley Partnership needed renewing and she would be dealing with this.</p> <p>RESOLVED that:</p> <p>1) The issue of the cost of living crisis be reviewed at the next meeting.</p> <p>2) The Drugs Needs Assessment be disseminated to the Partnership</p> <p>3) The Partnership exercise its collaborative influence to try and slow down the continuing closure of High Street Banks (which</p>	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>All Partners</p> <p>FoD</p> <p>All Partners</p>
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	<p>was particularly detrimental to the elderly) if possible.</p> <p>4) The Chairman to draft a new Terms of Reference document and update the SBP Constitution</p>	Chair
19	DATE AND TIME OF NEXT MEETING	Action
	<p>The next meeting would be held at 10am on Wednesday, 17th August. The Chairman preferred an 'in person' meeting but would also consider a Teams meeting if there was a preference for this.</p>	

The meeting ended at 12.00 pm

Chairman

Report No: ES20181																
Outcome	PORTFOLIO PLAN INDICATOR	DESCRIPTION	2019-20 TARGET	2019-20 ACTUAL	2020-21 TARGET	2020-21 ACTUAL	2021-22 TARGET	2021-22 ACTUAL	2021-22 RAG STATUS	GOOD PERF.	Apr-22	2022-23 Projection	2022-23 TARGET	2022-23 RAG STATUS	RAG Threshold	COMMENTARY (BY EXCEPTION)
1: We will keep Bromley safe	1A	Number of Community Impact Days	12	12	12	12	12	12	GREEN	HIGH	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	100%	100%	GREEN	HIGH	NA	100%	100%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
	1C	Number of Safer Bromley Partnership Boards held	N/A	N/A	N/A	N/A	N/A	N/A		HIGH	0	4	4	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	SBPB dates have been re timetabled to ensure they occur before the Board's scrutiny function occurs at PP&E PDS. First meeting of the year will be on 26th May 22. This data will be included in May's data cell.
	1D	Number of quarterly reports provided by Public Protection to the Safer Bromley Partnership Board	N/A	N/A	N/A	N/A	N/A	N/A		HIGH	0	4	4	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	x1 SBPB report prepared by Community Safety team in year to date. This indicator is on target.
	1E	Number of Prevent Boards attended	N/A	N/A	N/A	N/A	N/A	N/A		HIGH	0	4	4	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
	1F	Completion of Covid returns (outcome)	N/A	N/A	N/A	N/A	N/A	New KPI 22/23		OUTCOME	N/A	100%	100%	OUTCOME	Red: more than 10% Amber: Within 10% Green: At target or above	
2: We will protect consumers	2A	Number of awareness raising events & training to groups & partners (No.of attendees)	70	72	70	5	20	20	GREEN	HIGH	6 events (156 attended)	50	50	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
	2B	Rapid Response interventions responded to within 2 hours (%)	100%	100%	100%	100%	100%	100%	GREEN	HIGH	3 (100%)	100%	100%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
	2C	Complete all test purchases following all failed Challenge 25 test purchase which result in a sale of an age restricted product	100	97	100	100	20	20	GREEN	HIGH	5 out of 7 (71%)	100%	100% Compliant Businesses	RED	Red: more than 10% Amber: Within 10% Green: At target or above	Two licensing reviews are due in June in respect of these two under ag test purchase failures. This year the target of TPs is 40, increasing on the 20 last year which was adjusted for COVID reasons. The overall indicator is a % of compliance, indicating the aim of the service is to bring all non-compliant businesses into compliance by the end of the year.
	2D	To disseminate 25 Alerts on emerging topics including doorstep crime and scams	N/A	N/A	N/A	N/A	N/A	New KPI 22/23		HIGH	2	25	25	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
3: We will support and regulate businesses	3A	Due inspections of high-risk food businesses undertaken (% Annual Target)(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 Risk A - 1 Risk B 37	N/A	Risk A - 2 out of 2 - 100% Risk B - 34 out of 37- 92%	GREEN	HIGH	Risk A 0% (0 out of 7) Risk B 98% (82 out of 84)	100% (TBC)	100% (TBC)		Red: more than 10% Amber: Within 10% Green: At target or above	There are 7 Category A premises and 84 Category B premises that are due to be inspected in this year (2022/23). In accordance with the food law code of practice. It is anticipated that 100% of the due food hygiene inspections (Cats A & B) will be completed by March 2023.
	3B	Due food hygiene (FH) inspections of all food businesses undertaken (% Annual Target)	N/A	N/A	N/A	N/A	N/A	N/A		HIGH	All FH 0.5% (3 out of 541)	100% (TBC)	100% (TBC)		Red: more than 10% Amber: Within 10% Green: At target or above	There are a total of 541 food premises (Cats A to E) due for inspection this year. In accordance with the food law code of practice, it is anticipated that 100% of the due food hygiene inspections (Cat A to E) will be completed by March 2023. The team is close to full strength with a final vacancy due to be filled in July 2022. x2 agency staff provide 1.8 FTEs. These are funded by predicted underspend within the 2022-23 Public Protection Divisional budget.
	3C	Inspection of UNRATED (UR) food businesses (FB)(% completed) (Number of inspections or closures if no longer trading)	N/A	N/A	N/A	N/A	N/A	N/A		HIGH	UR FB 10% (40 of 387) UR CM 0% (0 of 433)	100% (TBC)	100% (TBC)		Red: more than 10% Amber: Within 10% Green: At target or above	There are currently 820 unrated food businesses split into two main types. Type 1 - UNRATED FOOD BUSINESSES, total 387 premises, includes a large number of home caterers. It is anticipated to visit all of these premises by March 2023 in line with the FSA recovery plan. Type 2 - UNRATED CHILD MNDERS, total 433 premises. These businesses are currently not registered and the food team received notice of their existence in January 2022. They will be triaged to separate them into HIGH risk and LOW risk. The HIGH risk will be prioritised but completion of all the inspections in this business year is unlikely without additional resources. The FSA are aware of this risk
	3D	Overdue (OD) food hygiene inspections of food businesses undertaken (% completed)	N/A	N/A	N/A	N/A	N/A	N/A		HIGH	OD 5% (54 of 1089)	100% (TBC)	100% (TBC)		Red: more than 10% Amber: Within 10% Green: At target or above	As of the 31st March 22 there are 1089 overdue inspections of Cat C to E food premises. This is due to the disruption to the food team's inspection programme caused by the Covid-19 pandemic. These inspections will be addressed as per the FSA recovery plan with a target of completion by March 2023. However, intelligence received shows that food hygiene standards have fallen post pandemic. There is a risk that this target will not be met if inspections are complicated by the need for enforcement action. The x2 agency staff have been tasked to complete these inspections as it is hoped they will be broadly compliant with required standards. This risk has been communicated to the FSA.
	3E	Respond to 70% of food safety complaints within 5 working days (%)	80%	80%	70%	90%	70%	86%	GREEN	HIGH	84% out of 25) (21)	100% (TBC)	100% (TBC)	GREEN	Red: more than 30% Amber: Within 20% Green: Within 10% or above	

Outcome	PORTFOLIO PLAN INDICATOR	DESCRIPTION	2019-20 TARGET	2019-20 ACTUAL	2020-21 TARGET	2020-21 ACTUAL	2021-22 TARGET	2021-22 ACTUAL	2021-22 RAG STATUS	GOOD PERF.	Apr-22	2022-23 Projection	2022-23 TARGET	2022-23 RAG STATUS	RAG Threshold	COMMENTARY (BY EXCEPTION)
4: We will protect and improve the environment through custodianship and effective and responsible enforcement	4A	Supply of CCTV data on request by appropriate agencies	100%	100%	100%	100%	100%	100%	GREEN	HIGH	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%	N/A	100%	OUTCOME	OUTCOME	100%	100%	100%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
	4C	Completed cases where investigations of breaches of planning control are identified (%) (outcome)	100%	96%	N/A	100%	N/A	N/A	OUTCOME	OUTCOME	Awaiting Data	100%	100%	OUTCOME	Awaiting Data	
	4D	Issue HMO licenses where valid applications are received (No.)	75%	45%	100%	17.6% (3 out of 17)	100%	N/A	GREEN	HIGH	(4 out of 4)100%	100%	100%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
	4E	Total Number of Fly-tipping incidents (No.)	3000	3123	N/A	3565	N/A	3576	OUTCOME	OUTCOME	251	N/A	N/A	OUTCOME	N/A	
	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)	N/A	N/A	OUTCOME	OUTCOME	5 (open for period of April)	N/A	N/A	OUTCOME	N/A	
	4G	Fly-tipping % 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%)	50%	48%	OUTCOME	OUTCOME	30% (10 cases closed after investigation for April. Of 10 cases, 3 have had enforcement action which is the 30%)	50%	50%	OUTCOME	N/A	
	4H	Parking appeals heard by the Environment and Traffic Adjudicators (ETA) against PCNs issued by LBB (No.)	300	112	200	178	200	240	AMBER	LOW	15	200	200		Red: More than 250 Amber: More than 225 Green: Up to 225	Commentary for Year End: This target will need to be revisited following the commencement of enforcement of Moving Traffic Contraventions (MTC) in September as many more PCNs can be expected. This will take a couple of months for the MTCs to process to this stage of appeal. It is projected that there will be 73,000 PCNs issued in 21/22, the increase in appeals could be linked to the new MTC PCNs being issued and the facility to now have a on line appeal instead of a personal hearing, this makes it easier to appeal.
	4I	Parking ETA cases won by LBB (% of cases heard)	80%	74%	75%	68%	75%	83%	GREEN	HIGH	100%	85%	85%	GREEN	Red: Less than 65% Amber: Less than 70% Green: At target or above	

Report No.
ES20190

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER

Date: Thursday 16 June 2022

Decision Type: Non-Urgent Non-Executive Key

Title: GATEWAY REPORT FOR THE TENDER OF THE STRAY DOG & REHOMING SERVICE CONTRACT

Contact Officer: Mark Atkinson, Contracts & Projects Manager
E-mail: Mark.Atkinson@bromley.gov.uk

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

Ward: (All Wards);

1. Reason for report

- 1.1 The contract awarded to SDK Environmental Ltd for delivering the Stray Dogs & Pest Control Services contract commenced on 1st February 2018 for a period of 3 years, plus a 2-year (1+1) discretionary extension. This contract ends on 31st January 2023.
- 1.2 In anticipation of the contract expiring, approval is sought for the recommended commissioning strategy detailed in this report.

2. **RECOMMENDATION(S)**

- 2.1 The Portfolio Holder for Public Protection and Enforcement is recommended to:
- 2.11 Approve decommissioning of the Pest Control Service (paragraphs 3.26 to 3.39) which is a non-statutory function.
- 2.12 Approve proceeding to procurement for the Stray Dog & Rehoming Service paragraphs 3.10 to 3.25, for a proposed contract of three years with the option to extend for up to a further two years at an estimated annual value of £62k (estimated whole life value of £310k).

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
-

Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority: For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future
-

Financial

1. Cost of proposal: Estimated Cost: £310k
 2. Ongoing costs: Recurring Cost: Estimated annual cost of £62k
 3. Budget head/performance centre: Nuisance & Anti-Social Behaviour Team
 4. Total current budget for this head: £311k
 5. Source of funding: Existing revenue budget 2022/23
-

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications: Compliant procurement route set out in report
-

Property

1. Summary of Property Implications: Not Applicable
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications:
-

Customer Impact

1. Estimated number of users or customers (current and projected):Borough Wide
-

Ward Councillor Views

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

3. COMMENTARY

Stray Dogs - Legislative Framework

- 3.1 The Council has a statutory duty under sections 149 and 150 of the Environmental Protection Act 1990 (EPA 199) and the Environmental Protection (Stray Dogs) Regulations 1992 (the 1992 Regulations) to collect and detain stray dogs. Prior to April 2008, the police also had a duty to accept and detain stray dogs and tended to facilitate this function out of hours.
- 3.2 There is no statutory definition of a stray dog. Any dog found in a public place, or a private place where it should not be, which appears to be without its owner and not under the control of its owner or a person representing them, may be seized and detained as a stray dog by an appropriate person.
- 3.3 On 6th April 2008, section 68 of the Clean Neighbourhoods and Environment Act 2005 (CNEA 2005) came into force. This removed from the legislation any requirement for the Police to seize stray dogs or to accept any brought to them. As a result, Local Authority duties were extended, and they now have sole responsibility for discharging all stray dog functions.
- 3.4 The Department for Environment, Food and Rural Affairs (DEFRA) produced comprehensive guidance on stray dogs for Local Authorities, within which it states that the minimum requirement of the Local Authority's extended duty is, that where practicable, they provide a place to which dogs can be taken outside normal office hours (referred to in this guidance as an 'acceptance point'). Authorities are not required to offer a night-time call-out service to seize and detain stray dogs seen or found by the public. However, contact numbers for out of hours cover should be widely publicised to enable 'finders' to take a dog to an acceptance point if one is provided in lieu of a warden service. Whilst there is no statutory requirement for an out of hours collection service for stray dogs, there is a risk to the reputation of the Council in not providing one, as in declining to do so relies on the goodwill of residents to capture and transport strays to the designated acceptance point. Some authorities that do not provide a 24-hour service have had strays left tied to railings outside the Council offices.
- 3.5 No legislative changes have been made to either act since the last tender. However, the introduction of The Microchipping of Dogs (England) Regulations 2015 makes it compulsory for owners to ensure their dog is microchipped which includes owners address details being recorded and kept updated on the national database.

Pests - Legislative Framework

- 3.6 There is no specific statutory requirement for the Council to provide a pest control treatment service to the public; however, there are specific statutory obligations under Part I of the Prevention of Damage by Pests Act 1949 (PDPA 1949) in relation to the Council having to keep its district clear of rats and mice. There are further statutory obligations to deal with insect infestation under the EPA 1990 and the Public Health Act 1936 (PHA 1936).

Delegated Functions:

- 3.7 The Council has a legal duty under the Environmental Protection Act 1990 s149 to appoint an officer for the purpose of discharging the functions imposed or conferred by the legislation for dealing with stray dogs found in the area of the authority. In Bromley the Assistant Director of Public Protection retains the overall responsibility for ensuring that the authority's stray dog functions are discharged correctly. The responsibility for discharging functions can be delegated to third parties such as contractors, as is the case for Bromley.

Procurement History

- 3.8 On 28th September 2016, (ESD16043) the Portfolio Holder for Public Protection & Enforcement agreed that officers should go out to the market for the provision of the Dog Warden, Kennelling, Rehoming and Pest Control Services, under 4 separate Lots. Following difficulties in the tendering process, on the 27th September 2017 (ES17076) the Portfolio Holder for Public Protection and Enforcement agreed to reduce the 4 Lots down to 2:

- Lot 1 – Dog Warden, Kennelling and Re-homing Service; and
- Lot 2 – Pest Control Service.

- 3.9 Following the tendering process, 1 bid was received for both Lot 1 and 2, and 1 bid was received for Lot 2 alone; authorisation was given by relevant Chief Officers on the 1st September 2017 to proceed to evaluate the tender returns; following evaluation, on the 1st February 2018 the contract for both Lot 1 and 2 was awarded to the incumbent provider SDK Environmental Ltd for a period of 3 years, with a 2 year option to extend. Prior to this the incumbent had provided both the stray dog and pest services since April 2006

Scope of Service – Stray Dogs (Lot 1)

- 3.10 The current contract commenced on the 1st February 2018, the contract term was for 3 years, with a discretionary 2-year (1+1) option to extend. Prior to its expiration on the 31st January 2021, a one-year discretionary extension was agreed by the Director of Environment and Public Protection on the 29th September 2020 in accordance with CPR 2.1.2, 13.1 and 23.7. A further 1-year extension was utilised via the Gateway report, Extension of the Stray Dogs and the Pest Control Contract (ES20094) on 22nd June 2021 which extended the contract to 31st January 2022. The cost of Lot 1 is detailed in Table 1.

Table 1: Cost of Stray Dogs (Lot 1) from 1st April 2018 to 31st March 2022

	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	4 Year Average
Warden Services	£48,892	£48,193	£47,205	£46,315	£47,651
Kennelling & Rehoming Costs	£10,366	£17,162	£5,086	£5,272	£9,472
Statutory & Collection Fees	-£3,425	-£3,975	-£2,150	-£2,900	-£3,113
Total Cost	£55,833	£61,381	£50,141	£48,687	£54,010
No of Dogs Received at Kennels	67	88	37	41	58

- 3.11 The current stray dog contract with SDK (Lot 1) operates a 24-hour, 7 day a week dog warden service. Within the contract is a fixed price for warden services of £46K which includes telephone and payment handling, call centre facilities, van hire and maintenance, premises provision and maintenance, equipment and management time.
- 3.12 Where there is reason to believe that a dog is a stray, on being reported by the public, it will be seized and detained by an SDK dog warden and transported back to the SDK receiving kennels. On arrival the dog is health checked and fed. SDK staff then attempt to identify the dog's owner by checking for a microchip or collar, if ownership is established, SDK will attempt to reunite the dog with its owner. If the owner cannot be established, it is transported to dedicated holding kennels for the statutory 7- day period.
- 3.13 From day 1 of the dog being seized, under statute an owner has 7 days to claim the dog, and on full payment of fees plus satisfactory documentation for proof of ownership, the dog would be released back into the owner's care.
- 3.14 From day 7, the dog automatically becomes the property of the Council, and can be put forward for re-homing at this point, be passed on to a stray dog establishment, or be euthanised. As the Council operates a "No Animal Destruction policy" (Decision reference PPS15013), euthanasia is only applied to dogs which are either a banned breed (in accordance with the Dangerous Dogs Act 1991) or unsuitable for re-homing due to behavioural or health issues, as determined by a vet. Under this contract, the statutory 7-day period has been extended to 12 days, after which point the dog becomes the property of The Lodge, is accepted into their re-homing programme, and the Council is no longer liable for any costs associated with the dog.

Fees – Stray Dogs (Lot 1)

- 3.15 Under section 149(5) of the EPA 1990, the authority may charge the owner all expenses incurred during the dog's detention plus a further £25 as prescribed by the 1992 regulations. The expenses are calculated as the per-day kennel cost, plus any costs involved in detaining the dog. Any additional charges Authorities incur resultant from necessary veterinary treatment of injured dogs are also added.

The fees are:

- Statutory fee - £25 which is payable in all cases.
- Collection and return fee - £100, this fee is discounted to £50 if the dog is microchipped (this fee is sometimes avoidable should the warden be able to reunite the dog with the owner at the location).
- Daily kennelling charge which is currently £19.68 per day inclusive of VAT.

All payments are made to SDK directly, and the statutory fees are deducted from the Councils monthly invoice. An authority is within its rights to detain a dog until the owner has paid the full amount, and as explained previously, the dog becomes the property of the Council after the statutory 7 days.

SERVICE PROFILE/DATA ANALYSIS – Stray Dogs (Lot 1)

- 3.16 The performance of SDK with regards to Lot 1 has been good, there have been no complaints made against the company and key performance indicators have been achieved. This signifies that the same specification should be continued and form the basis of requirements during the tender process.

Table 2: Stray Dogs (Lot 1) 5 Year Statistics April 2017 to March 2022

	April 2017 to March 2018	April 2018 to March 2019	April 2019 to March 2020	April 2020 to March 2021	April 2021 to March 2022	5 Year Totals
Requests for Service						
In Hours Service Requests	121	85	103	47	46	402
Out of Hours Service Requests	139	143	98	62	75	517
Total Requests for Service	260	228	201	109	121	919
Aborted Service Requests	127	123	87	65	73	475
Number of Dog Collections	133	105	114	44	48	444
<i>Out of Hours Dog Collections/Seizures</i>	133	101	110	42	48	434
Direct Return to Owners	32	36	24	7	6	105
Section 150's Issued	3	2	2	0	1	8
Total Dogs to Kennels	98	67	88	37	41	331
Outcomes for Dogs Taken to Kennels						
Total Dogs to Kennels	98	67	88	37	41	331
Dogs Rehomed	57	33	55	16	18	179
Dogs Claimed from Kennels	38	32	31	21	23	145
Dogs PTS	2	2	2	0	0	6
Dogs Seized by Police	1	0	0	0	0	1
Microchip Status						
Number of collections	133	105	114	44	48	444
Dogs Microchipped	37	36	25	7	8	113
Dogs not Microchipped	35	32	40	15	9	131
Dogs incorrectly microchipped	61	37	49	22	31	200

- 3.17 Table 2 above provides a trend analysis showing the numbers of dogs received into the service and their associated outcomes since April 2017. The data shows an annual downward trend of 53% between the total number of service requests received between April 17 (260) and March 22 (121). A similar trend is noted for the number of dogs taken to kennels which has fallen by 58%. Demand on the service has declined over the past 5 years despite an increase in the dog population from 8.9 million dogs in 2014 to 13 million today. These trends coincide with those observed by the Dogs Trust, who attribute the decline to the statutory requirement requiring owners to microchip their dogs
- 3.18 Of the 331 dogs received in the service and taken to kennels, 145 were reunited with their owners and 179 were successfully rehomed. Only 6 were put to sleep during the 5-year period which were either on the recommendation of a Vet due to poor health or behaviour problems which did not allow for the dog to be rehomed.
- 3.19 Consideration has been given to the lockdowns throughout the Covid pandemic which may have reduced the opportunity for dogs to stray. Therefore 5-year averages will be provided for all references to volumes and calculations within tender documentation.

MARKET CONSIDERATIONS – Stray Dogs (Lot 1)

- 3.20 The services provided by all neighbouring boroughs were reviewed, along with the fees that are charged to residents. Except for Croydon and Bexley, all provide a 24-hour, 7 day per week service. Bromley's fees are also comparable to other authorities; along with Bromley, half of the neighbouring councils offer a discount for dogs who have been microchipped. Appendix A provides the details for service provision and fees applied by neighbouring Councils.

OPTIONS APPRAISAL – Stray Dog & Rehoming Service

- 3.21 **Option 1** – Provide a service to the public through the creation of a Dog Warden Officer post.
- The Council would also require a specialist vehicle, equipment plus the creation of a contract with a local kennels for storage and rehoming services. The option to bring the service in-house has been discounted as the costs would exceed those of the current contract.
- 3.22 **Option 2** – Reduce from a 24-hour 7 day per week Warden service to a Council hours service in order to achieve savings.

Whilst there is no statutory requirement for an out of hours collection service for stray dogs, there is a risk to the reputation of the Council in not providing one, as in declining to do so relies on the goodwill of residents to capture and transport strays to the designated acceptance point. The majority (57%) of all requests for service are received out of hours.

Changing from a 24-hour service could also consequently see an increase in costs as the Dog Warden will make all attempts to reunite the dog with its owner at location and only take the dog to the kennels as a last resort.

- 3.23 **Option 3** – Tender a new contract on the same specification as the existing contract.

PREFERRED OPTION

- 3.24 **Option 3** – Tender a new contract on the same specification as the existing contract.

- 3.25 The current contract runs well, and the Council has not received any complaints about the service in the past 3 years.

All KPI's have been achieved which indicates providers should be able to fulfil the current service specification. Following the benchmarking and performance analysis, together with the outcome of the options appraisal, Officers recommend that the Council uses the existing specification for the tender documentation.

Scope of Service – Pests (Lot 2)

- 3.26 The current concessionary contract commenced on the 1st February 2018, the contract term was for 3 years, with a discretionary 2-year (1+1) option to extend. Prior to its expiration on the 31st January 2021, a one-year discretionary extension was agreed by the Director of Environment and Public Protection on the 29th September 2020 in accordance with CPR 2.1.2, 13.1 and 23.7. A further 1-year extension was utilised via the Gateway report, Extension of the Stray Dogs and the Pest Control Contract (ES20094) on 22nd June 2021 which extended the contract to 31st January 2022.
- 3.27 This is a concessionary non-exclusive contract; both residents and the Council are able to procure work with other businesses. The service provided to the Council includes the monitoring of bait boxes in parks, two depots and the two Council owned travellers' sites, this element is a free of charge service, however, it does not include the cost of any treatment arising out of the monitoring. The Council also receives 12 free treatments per year with a value of circa £900 which it can offer to residents in hardship. 5 free treatments were used in the 2-year period between 1st February 2020 and 31st January 2022

SERVICE PROFILE/DATA ANALYSIS – Pests (Lot 2)

- 3.28 The bait used in the monitoring programme for the Council is non-toxic and only serves to give an indication of rat activity. Treatments for infestations are additional and chargeable. During the last few years, the Parks team were able to obtain cheaper quotations from local providers. It has proved more efficient and cost effective to deal with infestations in parks as and when they occur and for the Parks team to obtain their own quotations and treatments. There is no value to the Council in simply just monitoring bait stations
- 3.29 The Council refers residents to SDK as the preferred contractor, and they deal with all aspects of providing the services. Residents and businesses requiring pest control services are charged by the contractor at a rate in accordance with the prices agreed via the tender process. The service runs independently from the Council, with customers needing to contact the contractor's call centre directly to arrange and pay for treatment. By allowing SDK to

advertise their services to residents on the bromley.gov.uk website. Both Officers and Councillors receive a significant number of complaints with regards to the services supplied by SDK.

MARKET CONSIDERATIONS – Pests (Lot 2)

- 3.30 Appendix B shows the current prices for residential treatments, and the rates applied for commercial treatments for the Council. Appendix B also shows the service provided by Bromley’s neighbouring authorities and the fees which are charged to their residents. Analysis shows that SDK’s fees for residents when compared are amongst the lowest. However cheaper treatments can be obtained by using local providers.
- 3.31 Commercial rates are also significantly higher than local providers as can be shown in the quotation below from 2019, the treatment from an infestation at the Councils traveller sites. Given that the contract is non-exclusive officers were afforded the opportunity to obtain competitive quotations.

Pest Control - Travellers Sites							
Quotations received - 15/08/2019							
	Charge per visit £	Initial Treatment Duration (Weeks)	Star Lane	Old Maidstone Road	Materials £	Initial Cost £	Monthly Treatments £
BW Pest Control	150.00	6	900.00	900.00	0.00	1800.00	300.00
Pest-Tech	70.00	4	280.00	280.00	0.00	560.00	140.00
CDPE	60.63	4	242.50	242.50	0.00	485.00	160.00
SDK - Quotation 05/02/2019		4	3960.00	3960.00	3054.00	10974.00	Subject to additional fee

OPTIONS APPRAISAL – Pest Control Services

- 3.32 **Option 1** – Provide a service to the public through the creation of a Pest Control Officer post.

The Council would also require a specialist vehicle and equipment. The option to bring the service in-house has been discounted, as the costs would require the creation of budget. Based upon current sales generated through the Council website shown in Appendix C costs would be greater than the income generated.

- 3.33 **Option 2** – Seek to obtain a financial reward through a concessionary contract

Table 3 explores the option to charge commission based upon sales through the Council website.

Table 3

Commission rate charged to Provider on gross sales	Commission rate charged to Provider on gross sales				
	2%	3%	4%	5%	6%
Commission earned from sales	-£862.78	£1,294.16	£1,725.55	£2,156.94	£2,588.33
Cost of Administration	£2,700.00	£2,700.00	£2,700.00	£2,700.00	£2,700.00
Net Cost to the Council	£1,837.22	£1,405.84	£974.45	£543.06	£111.67

3.34 The direct costs for an Officer managing this contract would alone make this proposition unviable. In addition, consideration would need to be given to officer time in Procurement, Legal, Finance to establish and create a contract plus officer time in resolving complaints made to the Council which would also incur costs. This option is therefore not recommended.

3.35 **Option 3** – Do not create a Pest Control contract

PREFERRED OPTION

3.36 **Option 3** – Do not create a Pest Control contract for the following reasons

3.37 There is no statutory duty for the Council to provide pest treatments to its residents. Nor to make recommendations to residents as to which companies to use. As the Council is withdrawing a service, an Equality Impact Assessment has been completed for item 6.

3.38 The Council has not received any benefit from the monitoring of bait stations and can procure treatments by means of quotations from local providers as and when infestations occur.

3.39 The endorsement of any one provider may increase the number of service complaints directed to both Officers and Councillors

5. PROCUREMENT AND PROJECT TIMESCALES AND GOVERNANCE ARRANGEMENTS

5.1 **Estimated Contract Value** – £62k per annum (estimated whole life value of £310k) Appendix D

5.2 **Other Associated Costs** – Not Applicable

5.3 **Proposed Contract Period** – 3 years commencing 1st February 2023 with 2-year discretionary extension

5.4 Proposed Project Plan

Update volumes for current Specification	July 2022
Contract documents . Consideration given to indexation adjustments	July 2022
Write Evaluation Process & Scoring	July 2022
Early Engagement Notice	July 2022
Tender Published	August 2022
Evaluation of tenders	September 2022
Contract Award report presented at PDS 15 th November 2022	November 2023
Contract Mobilisation and contract start date 1 st February 2023	January 2023
The tender will be evaluated on a 60:40 price/quality basis	

6. SUSTAINABILITY AND IMPACT ASSESSMENTS

- 6.1 Appendix E, Equality Impact Assessment determined no impact on residents by withdrawing pest control services from the Council website.
- 6.2 The decommissioning of a concessionary contract for pest treatments will encourage residents to procure pest control from alternative providers. This will in turn support the local SME economy.

7. PROCUREMENT RULES

- 7.1 This report seeks permission to procure a single provider to manage the Council's Stray Dog Service and decommission the Council's concession contract for Pest Control Services.
- 7.2 Due to the estimated contract value and the classification of the contract as a services contract, the procurement process shall comply with the Public Contract Regulations 2015 for an over threshold procurement process. These obligations include advertisement and award notices published in Find a Tender Service (FATs) and Contracts Finder. The procurement must comply with the Regulations principles of transparency and equal treatment.
- 7.3 The Council's specific requirements for authorising proceeding to procurement are covered in 1.3 of the Contract Procedure Rules with the need to obtain the formal Agreement of the Director of Corporate Services and the Director of Finance and Assistant Director Governance and Contracts for a procurement of this value.
- 7.4 In compliance with the Council's Contract Procedure Rules (Rule 3.6.1), this procurement must be carried out using the Council's e-procurement system.
- 7.5 The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

8. FINANCIAL CONSIDERATIONS

- 8.1 The net cost of the Stray Dog & Rehoming Service contract in 2021/22 was £49k. The cost can vary depending on the number of stray dogs each year, and the average cost over the last four years was £54k. If the contract is retendered as recommended in option 1, service officers estimate the future annual cost at £62k, which can continued to be met from the existing revenue budget for contract payments in the Anti-Social Behaviour Team.
- 8.2 If the alternative option 2 was agreed, there should be a reduced direct contract cost if based on a fewer contracted hours although this option has not been market tested at this stage.
- 8.3 The pest control service is a concession contract and therefore is at no direct cost to the Council. If the recommendation is accepted, then there would be no budgetary impact to the Council. Those service areas that have a pest control need would continue to fund that cost from their existing budgets. As set out by officers in the report, there would be an additional cost to the Council of the other options identified.

9. LEGAL CONSIDERATIONS

- 9.1 This report recommends that the Portfolio Holder agree to decommission the Pest Control Services and re-tender the Stray Dog & Rehoming Service contract as outlined in this report,

for a period of three years with the potential to extend for two further years, at an estimated total contract value of £310k.

- 9.2 Under the Council's Contract Procedure Rules, approvals of contract values between £200,000 and £500,000 can be approved by the Chief Officer. As this report recommends decommissioning the Pest Control Service, and the estimated costs may increase, then approval is being sought from the Portfolio Holder rather than the Chief Officer.
- 9.3 The Council has a statutory duty to provide the stray dog services as fully explained in this report. Although there is no statutory requirement for a local authority to provide a pest control service, there are legislative requirements on the Council to take such steps as may be necessary to secure as far as practicable that their district is kept free from rats and mice and to deal with insect infestation. This report explains why there appears no value in the Council procuring its own pest control service but that it should rather rely on local providers.
- 9.4 A contract to procure the stray dogs service is a public contract within the meaning of the Public Contracts Regulations 2015. As the value of the stray dogs service is likely to be above the services threshold it would require a full procurement to be undertaken as required by the Regulations.
- 9.5 Officers are requested to instruct Legal Services to assist, where necessary, with the procurement and associated legal documentation.

Non-Applicable Headings:	Stakeholder Engagement, Transformation/Policy Implications, IT and GDPR Considerations, Personnel Considerations, Property Implications, Carbon Reduction/Social Value Implications, Customer Impact, Ward Councillor Views
Background Documents: (Access via Contact Officer)	ES16043 28/09/2016 – Gateway. ES17076 27/09/2017 – Contract Award. ES20094 22/06/2021 – Contract Extension

Appendix A

Services Provided by Bromley's Neighbouring Local Authorities

Fee	Current Fees (inclusive of VAT) as at 20th April 2022								
	LBB	Sevenoaks	Tandridge	Croydon	Lewisham**	Bexley	Greenwich	Southwark**	Lambeth
Daily Kennelling Charge	£19.68	£17.00	£20.00	£15.00	n/k	£10.00	£14.64	n/k	£0.00
Statutory Fee	£25.00	£25.00	£25.00	£25.00	£25.00	£25.00	£25.00	£25.00	£25.00
Collection/Return fee Non Identifiable	£100.00	£93.00	£100.00	£100.00	n/k	£50.00*	£79.57	n/k	£0.00
Collection/Return fee Identifiable	£50.00	£78.00	£50.00	£50.00	n/k	£50.00*	£79.57	n/k	£0.00
Service	24 hours per day, 7 days per week	24 hours per day, 7 days per week	24 hours per day, 7 days per week	Weekdays 8am to 4pm, Weekends 9am to 5pm	24 hours per day, 7 days per week	Weekdays 9am to 4pm	24 hours per day, 7 days per week	Weekdays 8am to 5pm	24 hours per day, 7 days per week
Provider	Outsourced to SDK	Council. Out to tender April 2022	Outsourced to Clements Environmental	Council	Council	Outsourced to Pond Farm Kennels	Outsourced to SDK	n/k	Council-Out of Hours Team
Policy of holding dog before rehoming	12 days	7 days	7 days	7 days	7 days	7 days	7 days	n/k	7 days

*£100.00 for subsequent occurrences

**Failed to respond to requests for information. Limited information available on websites

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Appendix B

Services Provided by Bromleys Neighbouring Local Authorities

Residential Pest Control Fees (inclusive of VAT) as at 20th April 2022

Service	Local Authority									Cheapest Authority
	LBB	Sevenoaks*	Tandridge	Croydon	Lewisham	Bexley	Greenwich	Southwark	Lambeth	
Squirrels	£108.84	£154.17	POA	£103.26	£187.20			N/A	£149.94	Croydon
Rats (all)	£73.20	£103.33	£174.00		£75.00		£67.00	£206.16	£149.94	Greenwich
Rats (inside)				£31.27						Croydon
Rats (outside)				£74.04						Greenwich
Mice	£73.20	£103.33	£174.00	£109.01	£125.00		£67.00	£206.16	£149.94	Greenwich
Cockroaches	£96.96	£187.50	POA	£177.75	£156.00		£75.00	£113.40*	£149.94	Greenwich
Fleas	£96.96	£108.33		£188.91	£125.00		£60.00	£113.40*	£149.94	Greenwich
Fleas (1 & 2 bedrooms)			£84.00							Greenwich
Fleas (3 & 4 bedrooms)			£144.00							Greenwich
Fleas (5 or more bedrooms)			£234.00					Additional £28.40 per room		Greenwich
Black Ants	£96.96	£108.33	£90.00	£146.65	£125.00			£137.40	£149.94	Tandridge
Garden Ants	£96.96	£108.33	£90.00	£146.65	£125.00			£137.40	£149.94	Tandridge
Ghost Ants	£96.96	£108.33	£90.00	£146.65	£125.00			£137.40	£149.94	Tandridge
Pharaoh's Ants	£96.96	£108.33	POA	£177.75	£136.00			£137.40	£149.94	LBB
Wasps	£53.76	£108.33	£66.00	£76.15	£72.80		£50.00	£68.76	£102.54	Greenwich
Bedbugs	£96.96	£170.83	POA	£282.61	£156.00		£112.50	£229.08	£149.94	LBB
Carpet Beetles	£96.96	£108.33	POA	£146.65	£125.00			£137.40	£149.94	LBB
Cluster Flies	£96.96	£108.33	POA	N/A	N/A			£137.40	£149.94	LBB
Moths	£96.96	£108.33	POA	N/A	£125.00			£137.40	£149.94	LBB
Pigeons	N/A	N/A	POA	N/A	N/A			POA	N/A	
Moles	N/A	N/A	POA	N/A	N/A			POA	N/A	
Discount for residents on benefits	No	No	Yes	Yes	Yes 50%		Yes 100%	Yes 50%	No	
Provider	SDK Environmental Ltd	Council	Balcombe Pest Control	Council - Partnership with Southwark	Council	Does not provide a service	Monitor Pest Control	Council - Partnership with Croydon	Council	

Prices no longer advertised. Prices quoted above are of February 2020

Commercial Rates for Bromley Council

Service	Current Net Charge £
Pest Control Technician - Hourly Rate	43.40
Senior Pest Control Technician - Hourly Rate	54.40
Pest Control Technician - Daily Rate	347.20
Senior Pest Control Technician - Daily Rate	435.20

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Appendix C

Requests for Service - 1st April 2018 to 31st March 2022

	Year 2018 April 2017 to March 2018	Year 2019 April 2018 to March 2019	Year 2020 April 2019 to March 2020	Year 2021 April 2020 to March 2021	Year 2022 April 2021 to March 2022	
Initial Visit - Chargeable						
Bedbugs	63	35	26	24	28	
Black Ants	5	3	4	4	5	
Carpet Beetles	6	6	3	0	2	
Cluster Flies	1	3	0	1	2	
Cockroaches	6	9	9	10	1	
Fleas	15	9	8	5	8	
Mice	244	175	170	163	180	
Moths	7	6	6	4	6	
Rats	440	433	340	488	323	
Squirrels	18	0	10	21	10	
Wasps	359	483	261	237	164	
Total number of Initial Visits	1164	1162	837	957	729	
Revisits - Non Chargeable						
Bedbugs	11	11	14	1	8	
Black Ants	0	1	0	4	4	
Carpet Beetles	0	2	2	0	0	
Cluster Flies	0	2	0	0	1	
Cockroaches	13	14	17	20	2	
Fleas	3	6	0	1	4	
Mice	542	366	320	277	339	
Moths	3	1	0	0	0	
Rats	1041	890	669	814	555	
Squirrels	42	0	15	50	22	
Wasps	64	107	55	39	21	
Total number of Revisits	1719	1400	1092	1206	956	
Total Number of Visits	2883	2562	1929	2163	1685	
Sales based on Current Treatment Prices (Net charge, exclusive of VAT)						
Bedbugs	80.80	£5,090	£2,828	£2,101	£1,939	£2,262
Black Ants	80.80	£404	£242	£323	£323	£404
Carpet Beetles	80.80	£485	£485	£242	£0	£162
Cluster Flies	80.80	£81	£242	£0	£81	£162
Cockroaches	80.80	£485	£727	£727	£808	£81
Fleas	80.80	£1,212	£727	£646	£404	£646
Mice	61.00	£14,884	£10,675	£10,370	£9,943	£10,980
Moths	80.80	£566	£485	£485	£323	£485
Rats	61.00	£26,840	£26,413	£20,740	£29,768	£19,703
Squirrels	90.70	£1,633	£0	£907	£1,905	£907
Wasps	44.80	£16,083	£21,638	£11,693	£10,618	£7,347
Total Sales		£67,762	£64,463	£48,235	£56,112	£43,139

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Appendix D

Requests for Service (Stray Dogs) - 1st April 2017 to 31st March 2022

	April 2017 to March 2018	April 2018 to March 2019	April 2019 to March 2020	April 2020 to March 2021	April 2021 to March 2022	5 Year Totals	5 Year Averages
Requests for Service							
In Hours Service Requests	121	85	103	47	46	402	80
Out of Hours Service Requests	139	143	98	62	75	517	103
Total Requests for Service	260	228	201	109	121	919	184
Aborted Service Requests							
	127	123	87	65	73	475	95
Number of Dog Collections							
<i>Out of Hours Dog Collections/Seizures</i>	133	105	114	44	48	444	89
Direct Return to Owners	32	36	24	7	6	105	21
Section 150's Issued	3	2	2	0	1	8	2
Total Dogs to Kennels	98	67	88	37	41	331	66
Outcomes for Dogs Taken to Kennels							
Total Dogs to Kennels	98	67	88	37	41	331	66
Dogs Rehomed	57	33	55	16	18	179	36
Dogs Claimed from Kennels	38	32	31	21	23	145	29
Dogs PTS	2	2	2	0	0	6	1
Dogs Seized by Police	1	0	0	0	0	1	0
Still at Kennels	0	0	0	0	0	0	0
Microchip Status							
Number of collections	133	105	114	44	48	444	89
Dogs Microchipped	37	36	25	7	8	113	23
Dogs not Microchipped	35	32	40	15	9	131	26
Dogs incorrectly microchipped	61	37	49	22	31	200	40
Percentage of Aborted Service Requests							
Percentage of Aborted Service Requests	49%	54%	43%	60%	60%		53%
Percentage that were Dog Collections	51%	46%	57%	40%	40%		47%
Percentage of In Hours Service Requests							
Percentage of In Hours Service Requests	47%	37%	51%	43%	38%		43%
Percentage of Out of Hours Service Requests	53%	63%	49%	57%	62%		57%
Percentage of Dogs Claimed from Kennels							
Percentage of Dogs Claimed from Kennels	39%	48%	35%	57%	56%		47%
Percentage of Dogs Rehomed	58%	49%	63%	43%	44%		51%
Percentage of Dogs with another outcome	3%	3%	2%	0%	0%		2%
Changes in volumes							
Movement between years - Requests for Service	-29	-32	-27	-92	12	-168	
Movement between years - Dogs to Kennels	-22	-31	21	-51	4	-79	
Movement between years - Dogs Rehomed	3	-24	22	-39	2	-36	
Changes in volumes							
Percentage change between years - Requests for Servi	-10%	-12%	-12%	-46%	11%		
Percentage change between years - Dogs to Kennels	-18%	-32%	31%	-58%	11%		
Percentage change between years - Dogs Rehomed	6%	-42%	67%	-71%	13%		

Estimated Costs of the Stray Dogs & Rehoming Service Contract

Indicative volumes based upon 5 year averages

	Maximum No. Days	Indicative Volumes	Current Unit Price	Total Price
Dog Warden Service				
Dog Warden Service for 184 Requests for Service			£46,990.00	£46,990.00
Kennelling & Rehoming Fees				
Daily kennelling charge (up to 12 days)	12	36	£19.68	£8,501.76
Rehoming fee		36	£82.40	£2,966.40
Vaccination fee		36	£22.00	£792.00
Treatment of Kennel Cough		36	£22.00	£792.00
Flea Treatment any size of dog		36	£16.40	£590.40
Behavioural Assessment		36	£35.20	£1,267.20
Euthanasia & Disposal		1	£82.40	£82.40
Total Kennelling & Rehoming				£14,992.16
Total Annual Contract Price				£61,982.16
Total Contract Price over 3 Years				£185,946.48
Total Contract Price over 5 Years				£309,910.80
Penalty Fees Recovered by Service Provider on behalf of the Council				
		Indicative Volumes	Unit Charge	Total Income
Statutory Fee		89	-£25.00	-£2,225.00
Collection/Return fee Non Identifiable		66	-£100.00	-£6,600.00
Collection/Return fee Identifiable		23	-£50.00	-£1,150.00
Total Annual Recoveries				-£9,975.00
Net Annual Cost to the Council				£52,007.16

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GENERIC EQUALITY IMPACT ASSESSMENT FORM

Stage 1 – screening to establish if the function has any relevance to any equality issue and/or monitored group i.e.

- Could the function affect one or more equality group in a different way to another group?
- Establish whether different equality groups have different needs
- Establish whether the function contributes to or hinders equality of opportunity

1a	<p>Please give a brief description of the function and its purpose*</p> <p>The Council currently has on its website the provision for pest treatments to the public with set fees. There is no Statutory requirement for the Council to provide pest treatments to the public. The service is not subsidised by the Council and is wholly provided and managed by a private company. There are no proposed changes to the complaints procedure which enables members of the public the ability to report pests to the Council.</p> <p>*Function can mean <u>process, service, policy or project</u></p>		
1b	<p>How would you classify the function type?</p> <p><input type="checkbox"/> The service is provided on the basis of an application and /or targeted then go to question 1c</p> <p><input checked="" type="checkbox"/> The service is open to all go to question 1d</p>		
1c	<p>Is the function accessible for all groups? Either tick the box 'Accessible to all groups' and provide <u>relevant evidence</u> OR tick the box for each group to whom the function is <u>not accessible</u> or for whom there may be needs or considerations to accommodate.</p> <table border="1" data-bbox="204 1099 1434 1473"> <tr> <td data-bbox="204 1099 839 1473"> <input type="checkbox"/> *Accessible for all groups <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Marriage & civil partnership </td> <td data-bbox="839 1099 1434 1473"> <input type="checkbox"/> Pregnancy & maternity <input type="checkbox"/> Race <input type="checkbox"/> Religion & belief <input type="checkbox"/> Transgender or Transsexual </td> </tr> </table>	<input type="checkbox"/> *Accessible for all groups <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Marriage & civil partnership	<input type="checkbox"/> Pregnancy & maternity <input type="checkbox"/> Race <input type="checkbox"/> Religion & belief <input type="checkbox"/> Transgender or Transsexual
<input type="checkbox"/> *Accessible for all groups <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Marriage & civil partnership	<input type="checkbox"/> Pregnancy & maternity <input type="checkbox"/> Race <input type="checkbox"/> Religion & belief <input type="checkbox"/> Transgender or Transsexual		
1d	<p>Is it likely that there will be a negative impact on one or more of the equality groups, or is it clear at this stage that it will be equality neutral? (No negative impact on the groups) Please tick in the box equality neutral OR tick the box for the group(s) that will suffer a negative impact. If you have ticked the box 'equality neutral' please provide evidence.</p> <table border="1" data-bbox="204 1648 1434 2018"> <tr> <td data-bbox="204 1648 839 2018"> <input checked="" type="checkbox"/> Equality neutral <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Marriage & civil partnership </td> <td data-bbox="839 1648 1434 2018"> <input type="checkbox"/> Pregnancy & maternity <input type="checkbox"/> Race <input type="checkbox"/> Religion & belief <input type="checkbox"/> Transgender or Transsexual </td> </tr> </table> <p>If you consider that the impact is Equality Neutral then go to question 1h</p>	<input checked="" type="checkbox"/> Equality neutral <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Marriage & civil partnership	<input type="checkbox"/> Pregnancy & maternity <input type="checkbox"/> Race <input type="checkbox"/> Religion & belief <input type="checkbox"/> Transgender or Transsexual
<input checked="" type="checkbox"/> Equality neutral <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Marriage & civil partnership	<input type="checkbox"/> Pregnancy & maternity <input type="checkbox"/> Race <input type="checkbox"/> Religion & belief <input type="checkbox"/> Transgender or Transsexual		

	Otherwise go to question 1e
1e	What are the negative impacts associated with this function? Please list and give details then go to question 1f
1f	Are there positive impacts associated with this function? If yes, please list and give details.
1g	At this stage, what plans could be built in to address any negative impacts, and/or to add measures which promote a positive impact, or could you consider an alternative approach which may better achieve the promotion of equality?
1h	<p>The Council has a responsibility to promote positive attitudes to equal opportunities in public life. Has this responsibility been discharged in the application of this function? If yes give examples.</p> <p>Not applicable. All members of the public have responsibility to keep their land free from large numbers of rats and mice.</p>
1i	<p>Are there any Human Rights Issues? If so what are they?</p> <p>Not Applicable</p>
1j	<p>Is a full impact assessment required?</p> <p><input type="checkbox"/> YES – If you have established that there may not be equality of opportunity in 1c or assessed that there would be negative impact on an equality group in 1 d go to Stage 2</p>

	<input checked="" type="checkbox"/> NO - please sign off the process (stage 3) and fill in any actions identified, if any in the action plan. <input type="checkbox"/> Don't know. i.e. not enough evidence. Please go to stage 2.
--	---

Stage 2 – full impact assessment

2a	Does the function affect or impact on the public, whether directly or indirectly?
	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Don't know
	Provide any relevant information here.
2b	Have complaints or feedback been received about the function and its effect on different equality groups?
	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Don't know
	Provide evidence by documenting all reliable up to date information.
2c	Outsourced services - if the function is provided by external organisations/agencies on behalf of the Council please detail any arrangements you have to ensure that the function promotes equality; this may include contract conditions.
	Provide evidence by documenting all reliable up to date information.
2d	Does the function have employment implications for Council staff
	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Don't know
	Provide evidence by documenting all reliable up to date information.

2e	If you have established that the function does have an adverse impact on one or more of the groups, then you must identify whether this is justifiable. If not, then the function must be changed. Please set out the adverse impact and the business justification for continuing with this situation.			
2f	Monitoring – give details of any monitoring being carried out on existing functions.			
2f (i)	<p>If this is a new function, or not currently monitored, are you planning to monitor the impact of the function</p> <table border="1"> <tr> <td><input type="checkbox"/> yes</td> <td><input type="checkbox"/> no</td> <td><input type="checkbox"/> Don't know</td> </tr> </table> <p>If yes add details to action plan</p> <p>If no please explain why it is not considered appropriate to do so.</p>	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> Don't know
<input type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> Don't know		
2g	<p>Consultation – If you have not carried out consultation, or if you need to carry out further consultation who will you be consulting with and by what methods?</p> <p>Add details to action plan</p>			
2h	<p>Evidence – what further evidence do you have about considerations with regard to equality issues that you have made concerning this function? e.g. audit reports, minutes from meetings or survey results</p>			
2i	<p>Publishing – if the equality impact assessment forms part of an overall review then the results should be published as part of any report that goes forward to Elected Members. If not the findings of the impact assessment should be published on our Council's web site.</p> <p>Add details to action plan</p>			
2j	Training and development - please list any staff training issues that have arisen as a result			

	of conducting the impact assessment
--	-------------------------------------

	Add details to action plan
--	-----------------------------------

Stage 3 - GENERIC EQUALITY IMPACT ASSESSMENT ACTION PLAN please list actions that you plan to take as a result of this assessment, continuing on a separate sheet if necessary. If appropriate these actions should be added to any business/service plan for the function.

Issue	Action to be undertaken	Desired outcome	Action owner	Target date
The current Pest Contract ends on 31/01/2023	Recommend to PP&E PDS 16/06/2022 that the Council does not provide a privately owned pest contractor promotional space on the Council website	Not to retender a Pest Control contract	Mark Atkinson	16 th June 2022

Signed: Mark Atkinson
Date: 29/04/2022

Report No
HPR2022/030
DRR

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE

Date: Thursday 16th June 2022

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

Title: PLANNING ENFORCEMENT PROGRESS AND MONITORING
REPORT APRIL 2020 TO MARCH 2021

Contact Officer: John Stephenson, Head of Planning and Development Support
Tel: 0208 461 7887 E-mail: John.Stephenson@bromley.gov.uk or planning
investigation@bromley.gov.uk

Chief Officer: Tim Horsman, Assistant Director Planning & Building Control
Housing, Planning and Regeneration

Ward: (All Wards);

1. Reason for report

This report provides an update on the progress of the current cases under investigation / pending consideration, cases which are currently at appeal, cases which are also waiting compliance period, cases where enforcement action has been instigated, cases awaiting prosecution action. Enforcement action authorised, cases that are currently with our legal department awaiting further action, cases where direct action has been authorised, cases which have now been closed together with a full breakdown on the range of current complaints.

2. **RECOMMENDATION(S)**

Members to consider the report

Impact on Vulnerable Adults and Children

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

Corporate Policy

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

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre:
 4. Total current budget for this head: £
 5. Source of funding: 2019/2020
-

Personnel

1. Number of staff (current and additional): 50.4ftes
 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: None directly from this report
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): n/a
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 Planning Enforcement team investigates all allegations of breaches of planning control across the whole of the Borough, team Email is planninginvestigation@bromley.gov.uk as set out in the Council's Planning Enforcement Policy. This policy was approved by Members, in order to provide some guidance on any actions the Council may wish to consider when enforcement action could be taken. This includes where building work requiring planning permission is undertaken without such permission (**Operational Development**) and where conditions are attached to an approved scheme and the conditions are not complied with (**Breach of Condition or failing to comply with a Condition**). The team investigates the condition of land (**Section 215 untidy sites**) or property or where the use of a building or land is changed without the benefit of planning permission (**Change of Use**). The team investigates alleged unauthorised advertisements (**Adverts**) which may not have express consent.
- 3.2 Based on the information provided above I can confirm that progress has been achieved in reaching our projected target as set out in our portfolio Plan 2020/2021.
- 3.3 The Planning investigations team are being more proactive in our approach to investigating breaches of planning control. If Officer's see something which may be in breach of planning control then the officer will raise it and an investigation into the alleged breach of planning will be instigated.
- 3.4 The Council has a statutory duty to investigate all planning enforcement enquires, but they are given discretionary powers as to whether/ when to instigate formal enforcement action in each individual case. In each and every individual case an expediency test/assessment is carried out before considering instigating any further formal enforcement action.
- 3.5 We liaise very closely with our legal department within the Council to get clear advice as part of the expediency test, the reason for this is in that we can be satisfied that we are taking the appropriate actions on all enforcement matters at any given time, as we may leave the Council open to an award of costs if at appeal the Planning Inspectorate allows an appeal and if the Council may have been unreasonable.
- 3.6 We have had seen a steady increase over the last couple of years in the amount of enquires received where the condition of land or property is causing an adverse effect on the amenities under Section 215 of the Planning Act 1990 (as amended). In some instances where voluntary compliance cannot be achieved the Council may consider taking direct action to remedy the breach of planning control. In the last year **126** cases (which amounts to 15.7%) have been reported for further investigation **44** of the **126** cases have now been closed as compliance has been achieved and/or no further action is required.
- 3.7 **Direct action** however, will always involve a cost and as a result, quotes will be obtained in order for the Council to carry out the works in default of the notice. These cases will be presented to a Committee with a recommendation for Members to consider. It is for Members to make the final decision to agree to authorise direct action, as this type of action may involve some considerable financial cost to the Council. A charge on the property/land can be considered by the Council in order to recover the Council's initial cost together with the appropriate interest rates charged until the bill is paid in full or the legal owner may wish to pay the cost through instalments until the full debt is paid which is arranged through our collections/billing using Liberata.
- 3.8 As it currently stands as of 31st March 2021 a total of **476** open enforcement cases are currently under investigation or pending consideration. The increase in cases may be as a direct result of COVID, as the planning rules and regulations were relaxed to allow business to

continue this significantly affected the service provided and in turn how the team worked by the restrictions of various guidance during lockdowns etc, delays in applicants and contraveners submitting planning applications or applying to remedy breaches of planning control, obtaining architects, builders or building materials , delays in all investigations and prosecution matters in court were inevitable. A list of all pending cases is attached as Appendix 1 a glossary is added to explain to members the abbreviations in full and this list in broken down by Ward to assist ward members to identify the matters within their wards easier,

3.9 An analysis of the total number of cases received in the last financial year is reported below.

Range of enquiries 2020-2021	No. of enquiries	% of enquiries
Operational Development	326	35
Untidy Sites (S215)	126	15.7
Commercial Activity	38	4
Breach of condition	69	7.4
Adverts	19	2
Boundary treatment	44	4.7
Plans - not built according to	108	11.6
Commercial vehicle - parking of	1	0.1
Change of Use	82	8.8
Access	1	0.1
Shop shutters	2	0.2
Satellite Dishes	3	0.3
Trees	40	4.3
General	70	7.5
Total	930	100%

3.10 A small number of enforcement cases are currently held in abeyance pending the outcome of an appeal with the Planning Inspectorate against the enforcement notices served or are the subject of an appeal against a S78 refused planning decisions. This number also includes cases where a compliance date is pending.

3.11 A total of **68** Enforcement Notices have been served in connection with breaches of planning control in the period April 2020 to March 2021, in other cases, successful negotiation led to matters being resolved before formal enforcement notices were issued. The updated enforcement activity is summarised in the table below.

Type of Notice	Number of Notices issued between April 2020 and March 2021
Operational Development	25
Change of Use	12
S215	11
Breach of Condition Notice	6
Planning Contravention Notice	30
Stop Notice	0
TOTAL	68

3.12 A total of **687** Cases which have been closed between April 2020 and March 2021.

3.13 In some cases where an enforcement notice has been effective and has not been complied with, the Council may exercise its powers by taking prosecution action. The council is currently in the process of prosecuting on the following 12 cases:

- Sunningvale Ave – S.187 – Awaiting further information since 29/4/21
- Dunkery Road – S.216 – Awaiting updated statement since 4/2/21
- Sunningvale Ave – S.210 – awaiting final evidence for review and issue
- High Street Beckenham – S.215 – Awaiting further instructions
- Carlton Pde – S.179 – Advice provided 31/12/21 – awaiting further instructions
- Croydon Road – S.215 – Awaiting confirmation of compliance
- Swanley Bypass Sidcup – S.179 – Awaiting PNC to establish defendants
- Rookery Estate – S.179 – Awaiting confirmation of compliance
- High St West Wickham – S.179 – Listed for first hearing 17/5/22
- High St SMC – S.179 – Listed for first hearing 17/5/22
- L/A Knockholt Stn South Side – S.179 – Listed for first hearing 17/5/22
- Grove Park Road – s.215 – Issued SJP 15/3/22 - Awaiting outcome from Court.

(See relevant Sections of the Town and Country Planning Act (as amended) 1990)

3.14 A list of all **100** cases where delegated authority action has been approved between April 2020 and March 2021 is attached as Appendix 2.

3.15 Our next annual Planning Enforcement Progress and Monitoring Report is due to be presented to Public Protection and Enforcement Policy Development and Scrutiny Committee and the next available Development Control Committee dates to be confirmed.

Non-Applicable Sections:	Policy, Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	n/a

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Delegated Enforcement Action April 2020 to March 2021

No.	ENF Ref	Complaint	Site	Ward	Recommendation	Decision date
1.	16/00503	LARGE MARQUEE ERECTED FOR WEDDING USE	THORNET WOOD ROAD BICKLEY	BICKLEY	OPDEV	Jun-20
2.	20/00140	UNTIDY SITE	BIRDHAM CLOSE BICKLEY	BICKLEY	S215	Jun-20
3.	18/00555	UNTIDY SITE	PAGE HEATH VILLAS, BICKLEY	BICKLEY	PROSECUTION	Oct-20
4.	20/00732	UNTIDY SITE	SOUTHLANDS ROAD BROMLEY	BICKLEY	S215	Dec-20
5.	20/00140	UNTIDY SITE	BIRDHAM CLOSE, BICKLEY	BICKLEY	PROSECUTION	Jan-21
6.	21/00091	HMO	WIDMORE LODGE ROAD, BICKLEY	BICKLEY	PCN	Mar-21
7.	18/00084	OUTBUILDING	BLACKMANS COTTAGES, WARLINGHAM	BIGGIN HILL	PCN	Sep-20
8.	20/00278	DECKING	CERES VIEW, BIGGIN HILL	BIGGIN HILL	OPDEV	Sep-20
9.	20/00873	CHANGE OF USE	SALT BOX HILL	BIGGIN HILL	PCN	Feb-21
10.	"	CHANGE OF USE	SALT BOX HILL	BIGGIN HILL	PCN	Feb-21
11.	21/00097	UNTIDY SITE	BEECH ROAD	BIGGIN HILL	S215	Mar-21
12.	20/00560	MCU SITE 20	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
13.	20/00187	MCU SITE 17	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
14.	16/00513	MCU SITE 16	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
15.	20/00095	MCU SITE 15	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
16.	20/00097	MCU SITE 14	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
17.	20/00513	MCU SITE 13	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
18.	20/00512	MCU SITE 12	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
19.	20/00511	MCU SITE 11	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
20.	20/00510	MCU SITE 10	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
21.	20/00508	MCU SITE 9	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20

22.	20/00506	MCU SITE 6	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
23.	20/00505	MCU SITE 5	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
24.	20/00504	MCU SITE 4	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
25.	20/00503	MCU SITE 2	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
26.	20/00502	MCU SITE 1	BROMLEY COMMON	BROMLEY COMMON & KESTON	PCN	Nov-20
27.	20/00901	PLANS - CONDITION	SUNRAY AVENUE, BROMLEY	BROMLEY COMMON & KESTON	ENBCN	Feb-21
28.	19/00735	Untidy site	BIRCH ROW BROMLEY	BROMLEY COMMON & KESTON	S215	Aug-20
29.	20/00584	Various Issues, Fencing, outbuilding, extension and tree removal	BARNET WOOD ROAD	BROMLEY COMMON & KESTON	PCN	Sep-20
30.	19/00477	OUTBUILDING	JOHNSON ROAD, BROMLEY	BROMLEY COMMON & KESTON	PROSECUTION	Sep-20
31.	20/00311	BUILDING WORKS	SOUTHLANDS AVE, ORPINGTON	CHELSEFIELD & PRATTS BOTTOM	OPDEV	Dec-20
32.	19/00247	car repairs and car parts business	NORSTEAD LANE ORPINGTON	CHELSEFIELD & PRATTS BOTTOM	PCN	May-20
33.	20/00207	Storage of equipment and materials	CHELSEFIELD LANE ORPINGTON	CHELSEFIELD & PRATTS BOTTOM	PCN	Aug-20
34.	18/00278	Roof not in accordance with plans	GROVE VALE, CHISLEHURST	CHISLEHURST	PROSECUTION	Jul-20
35.	20/00632	Residential use of outbuilding	BEECHWOOD RISE, CHISLEHURST	CHISLEHURST	PCN	Dec-20
36.	19/00298	windows	THE CHESTNUTS, SPC	CHISLEHURST	OPDEV	Mar-21
37.	19/00245	Change of use	CAMBRIDGE ROAD, PENGE	CLOCK HOUSE	MCU	May-20
38.	17/00261	RESIDENTIAL UNIT	IMPERIAL COURT, 2 BLAKENEY RD, BECKENHAM	CLOCK HOUSE	PCN	Nov-20
39.	18/00168	marquee	TREMAINE ROAD, PENGE	CLOCK HOUSE	PCN	Jan-21
40.	19/00644	Untidy Site	HIGH STREET BECKENHAM	COPERS COPE	S215	Jun-20
41.	20/00625	BCN	NATIONAL WESTMINSTER BANK SPORTS GROUND	COPERS COPE	BCN	Nov-20
42.	20/00080	PLANS - CONDITION	SOUTHEND ROAD, BECKENHAM	COPERS COPE	OPDEV	Jan-21

43.	20/00118	UNTIDY SITE	COPERS COPE RD	COPERS COPE	S215	Sep-20
44.	18/00899	plans - condition	COPERS COPE RD, BECKENHAM	COPERS COPE	PROSECUTION	Feb-21
45.	18/00410	Change of use of land for stationing mobile home	EAST ROAD ST MARY CRAY	CRAY VALLEY EAST	PROSECUTION	Jul-20
46.	19/00788	Extension built at rear of premises	CARLETON PARADE	CRAY VALLEY EAST	OPDEV	Jul-20
47.	20/00210	FENCING	CHALK PIT AVE	CRAY VALLEY EAST	OPDEV	Oct-20
48.	20/00612	BOUNDARY	GOODMEAD ROAD, ORPINGTON	CRAY VALLEY EAST	OPDEV	Jan-21
49.	21/00003	OUTBUILDING	GOODMEAD ROAD, ORPINGTON	CRAY VALLEY EAST	OPDEV	Jan-21
50.	18/00827	PLANS - CONDITION	WALSINGHAM RD, ORPINGTON	CRAY VALLEY WEST	ENBCN	Sep-20
51.	19/00503	sub division	GROVELANDS ROAD, ORPINGTON	CRAY VALLEY WEST	MCU	Jan-21
52.	19/00723	Unauthorised structure in rear garden	ANERLEY ROAD PENGE	CRYSTAL PALACE	OPDEV	May-20
53.	18/00701	Raised platform, balustrade and decking constructed to front of property	CROYDON ROAD, PENGE	CRYSTAL PALACE	OPDEV	Jun-20
54.	20/00483	UNTIDY SITE	ANERLEY ROAD, PENGE	CRYSTAL PALACE	S215	Mar-21
55.	20/00229	GARAGE EXT AND USE	LEAVES GREEN CRESCENT, KESTON	DARWIN	PCN	Sep-20
56.	20/00229	outbuilding	LEAVES GREEN CRESCENT, KESTON	DARWIN	BCN	Sep-20
57.	20/00229	OUTBUILDING	LEAVES GREEN CRESCENT, KESTON	DARWIN	OPDEV	Sep-20
58.	20/00800	UNTIDY SITE	BLACKNESS LANE	DARWIN	s215	Dec-20
59.	18/00589	LAND CLEARANCE	SOUTH SIDE COURT RD, CHELSFIELD	DARWIN	PCN	Dec-20
60.	18/00699	EXT AND DECKING	MAIN RD, BIGGIN HILL	DARWIN	OPDEV	Dec-20
61.	20/00867	UNTIDY SITE	SPINNEY WAY, CUDHAM	DARWIN	PCN	Jan-21
62.	18/00896	structure	VIEWLANDS AVE, WESTERHAM	DARWIN	OPDEV	Feb-21
63.	20/00862	PLANS - CONDITION	MANTLES COTTAGES, HOLWOOD FARM	DARWIN	PCN	Feb-21

64.	21/00054	residential	LEAVES GREEN RD	DARWIN	PCN	Mar-21
65.	20/00241	WASTE TRANSFER ST	WESTERHAM RD	FARNBOROUGH & CROFTON	PCN	Nov-20
66.	20/00138	PLANS - CONDITION	LAND GARAGES THE SQUIRRELS	FARNBOROUGH & CROFTON	ENBCN	Jan-21
67.	20/00241	Change of use to a waste transfer Site	WESTERHAM ROAD/SHIRE LANE	FARNBOROUGH & CROFTON	PCN	May-20
68.	19/00093	Scaffolding business	HAYES STREET FARM, BROMLEY	HAYES AND CONEY HALL	MCU	Dec-20
69.	20/00200	UNTIDY SITE	LIME TREE WALK WEST WICKHAM	HAYES AND CONEY HALL	S215	Jul-20
70.	19/00751	Change of use to scooter shop with repair workshop	PICKHURST LANE, BROMLEY	HAYES AND CONEY HALL	OPDEV	Sep-20
71.	20/00251	STORAGE	BIRCH TREE AVE, WW	HAYES AND CONEY HALL	PCN	Oct-20
72.	20/00251	STORAGE	BIRCH TREE AVE, WW	HAYES AND CONEY HALL	MCU	Oct-20
73.	16/00034	UNTIDY SITE	HOLLY CRESCENT, BECKENHAM	KELSEY AND EDEN PARK	s215	Oct-20
74.	19/00724	MCU	CROYDON RD, BECKENHAM	KELSEY AND EDEN PARK	MCU	Dec-20
75.	19/00761	OUTBUILDING	CROSSWAYS ROAD, BECKENHAM	KELSEY AND EDEN PARK	ENBCN	Dec-20
76.	20/00462	Commercial use of residential dwelling	WIDECOMBE ROAD, MOTTINGHAM, SE9	MOTTINGHAM	PCN	Jul-20
77.	18/00259	SHED	CHARMINSTER, MOTTINGHAM	MOTTINGHAM & CHISLEHURST NORTH	OPDEV	Oct-20
78.	19/00510	FENCE	STEYNING GROVE, MOTTINGHAM	MOTTINGHAM & CHISLEHURST NORTH	OPDEV	Oct-20
79.	18/00728	UNTIDY	GROVE PARK ROAD, MOTTINGHAM	MOTTINGHAM & CHISLEHURST NORTH	S215	Jan-21
80.	20/00670	residential	HIGHCOMBE CLOSE, MOTTINGHAM	MOTTINGHAM & CHISLEHURST NORTH	PCN	Jan-21
81.	18/00259	outbuilding	CHARMINSTER RD, MOTTINGHAM	MOTTINGHAM & CHISLEHURST NORTH	OPDEV	Jan-21
82.	17/00635	Unauthorised change of use of second floor for residential	HIGH STREET, ORPINGTON, BR6 6BJ	ORPINGTON	MCU	Apr-20
83.	20/00235	Overheight Boundary Wall	HILLCREST ROAD ORPINGTON	ORPINGTON	OPDEV	Jul-20
84.	21/00035	residential	HIGH STREET, ORPINGTON	ORPINGTON	MCU	Feb-21

85.	20/00540	extension	BROW CRESCENT, ORPINGTON	ORPINGTON	PCN	Mar-21
86.	17/00653	RESIDENTIAL UNIT	HIGH STREET, PENGE	PENGE & CATOR	MCU	Dec-20
87.	17/00402	Business - metal work	JASMIN GROVE, PENGE	PENGE AND CATOR	MCU	Sep-20
88.	20/00641	UNTIDY SITE	CROYDON ROAD, PENGE	PENGE AND CATOR	S215	Jan-21
89.	20/00139	HMO	CROYDON ROAD, PENGE	PENGE AND CATOR	PCN	Mar-21
90.	21/00044	office	MAPLE ROAD, PENGE	PENGE AND CATOR	PCN	Mar-21
91.	20/00482	INTERNAL ALT SUB-DIV	MAYFIELD AVE, ORPINGTON	PETTS WOOD & KNOLL	PCN	Dec-20
92.	18/00157	HMO	HIGH ST, ORPINGTON	PETTS WOOD & KNOLL	PCN	Jan-21
93.	19/00399	BOUNDARY	LYNWOOD GROVE, ORPINGTON	PETTS WOOD & KNOLL	OPDEV	Jan-21
94.	16/00177	UNTIDY SITE	ELM GROVE, ORPINGTON	PETTS WOOD & KNOLL	S215	Jan-21
95.	20/00626	FASCIA SIGN	SUNDRIDGE PARADE, PLAISTOW LANE	PLAISTOW & SUNDRIDGE	BCN	Oct-20
96.	19/00654	outbuilding	PARK ROAD, BROMLEY	PLAISTOW & SUNDRIDGE	OPDEV	Jan-21
97.	20/00748	HMO	BURNT ASH LANE, BROMLEY	PLAISTOW & SUNDRIDGE	MCU	Jan-21
98.	20/00536	nursery	SOUTHOVER, BROMLEY	PLAISTOW & SUNDRIDGE	PCN	Jan-21
99.	20/00226	OUTBUILDING EXT	HAYES WAY, BECKENHAM	SHORTLANDS	OPDEV	Oct-20
100.	18/00478	development	RUTLAND GATE, BROMLEY	SHORTLANDS	OPDEV	Jan-21
101.	20/00355	structure	HIGH STREET, WW	WEST WICKHAM	OPDEV	Jan-21

Glossary

BCN -Breach of condition notice
ENBCN -Enforcement Notice for failure to comply with a Condition on a planning decision notice
FCCN -Failure to Comply Condition Notice
MCU -Material Change of Use Enforcement Notice
OPDEV -Operational Development Enforcement Notice
PCN -Planning Contravention Notice
PROSECUTION -Prosecution
S215 -Untidy Site Notice

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Report No.
ES 20182

London Borough of Bromley

PART ONE - PUBLIC

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

Date:

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

Title: Lettings Enforcement update

Contact Officer: Rob Vale, Head of Service, Trading Standards & Commercial Regulation
Tel: 020 8313 4785 E-mail: rob.vale@bromley.gov.uk

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

Ward: (All Wards);

1. Reason for report

This report seeks to update this committee on the work undertaken by Bromley Trading Standards under the London wide Lettings project.

2. **RECOMMENDATION(S)**

That the committee note the update.

Impact on Vulnerable Adults and Children

1. Summary of Impact: There are a number of vulnerable groups who can be impacted by the actions of unscrupulous landlords and letting agents, including persons vulnerable by virtue of age, on a low income, people with complex health conditions and those at risk of harassment or eviction.
-

Corporate Policy

1. Policy Status: Not Applicable
 2. BBB Priority: Children and Young People Excellent Council Safe Bromley Supporting Independence Vibrant, Thriving Town Centres Healthy Bromley:
-

Financial

1. Cost of proposal: No Cost
 2. Ongoing costs: NA
 3. Budget head/performance centre: Trading Standards
 4. Total current budget for this head: NA
 5. Source of funding: The London Trading Standards (LTS) Lettings project, which has been funded by National Trading Standards (NTS)
-

Personnel

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

Legal

1. Legal Requirement: Statutory Requirement: The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019 as amended by the Tenant Fees Act 2019
 2. Call-in: Not Applicable
-

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All Wards
-

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 A report [ES20062](#) on the MODEL LONDON LETTINGS ENFORCEMENT POLICY was presented to this committee on 19th January 2021 for pre-decision scrutiny setting out the London Trading Standards (LTS) Lettings project which has been funded by National Trading Standards to assist London boroughs to fulfil their duty to enforce the requirement for letting agents that handle client money, which accounts for the vast majority, to belong to an approved Client Money Protection (CMP) scheme to protect this money should the business fail. The MODEL LONDON LETTINGS ENFORCEMENT POLICY was adopted at Executive on 10th February 2021.

3.2 It was resolved at the meeting of the Public Protection and Enforcement PDS Committee that an update report be presented to the Committee later in the year.

3.3 Previous enforcement activity in this area of consumer protection has been presented to this Committee on Thursday 27 September 2018 [ES18068](#) and the results of the project presented in a further report [ES19039](#) on 26th June 2019 when Members were apprised that as a result of the project, 25 businesses had been brought into compliance. The situation had therefore improved, businesses were complying, and the public were being properly informed.

3.4 This project was funded until the end of March 2021, with aims to identify up to ten agents physically based in the borough, and who have been the subject of general complaints and/or having regard to the size of the business. A specialist contractor, one of a small team working with other boroughs, carried out the preliminary work including contacting the schemes that offer CMP, preparing notices for LBB to enforce and assisting with any representations.

3.5 A total of nine agents were identified as failing to comply with the requirements set out in the legislation at 7.1, resulting in enforcement action and ultimately fines. In brief, the failings related to:

- breach of the duty to publicise a copy of the client money protection (CMP) certificate on its website, contrary to Reg 4 of the Client Money Protection Scheme for Property Agents (Requirement to Belong to a Scheme etc) Regulations 2019
- failure to comply with the requirement of s83 of the Consumer Rights Act 2015, namely to display/publish details of required information including VAT
- failure to belong to an approved Client Money Protection (CMP), a statutory requirement under the Client Money Protection Schemes for Property Agents Regulations (Requirement to Belong to a Scheme etc.) Regulations 2019

3.6 The table below sets out the outcomes:

Agents investigated	Agents fined	Appeals	Total fines received (x 6 agents)	Total fines outstanding (x 1 agents)
8	7	3	£20,000	£2,500

3.7 This project has enabled us in the short term to address key non-compliance in the borough with minimal operational resources and we have two on-going investigations which are being conducted by our own officers.

- 3.8 The ability to confidently issue penalties coupled with the experience gleaned from the project has put LBB in a much stronger position to, having regard to Trading Standards' priorities, be able to respond to information or to plan work in the future.
- 3.9 In terms of how the authority can use the funds generated by the fines, this is non-recurring income and not likely to generate a regular future income stream. All the legislation under which the fines have been issued allow for local authorities to apply the proceeds to meet the costs and expenses incurred in, or associated with, carrying out any of its enforcement functions. Arrangements have been made to appoint an agency officer to engage in follow up work in this area of our business as well as wider enforcement projects.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Children living in bad housing are more likely to suffer from poorer general health, respiratory health problems and asthma – with children living in private rented housing more likely to have poorer general health and wheezing problems. Working-age adults living in bad housing are disproportionately at greater risk of poorer general health, low mental wellbeing and respiratory problems including asthma and breathlessness.

5. POLICY IMPLICATIONS

- 5.1 The outcomes contribute to the guiding principles of Building a Better Bromley, notably Supporting Independence and a Safer Bromley. Protecting consumers through regulating the letting agent and property management sector by enhancing the clarity of their experience when using these businesses will assist Bromley residents who are searching for solutions to housing needs. The work may also assist the Authority in discerning whether or not to engage the services of letting agents/property managers when assisting people who are experiencing housing difficulties.

6. FINANCIAL IMPLICATIONS

- 6.1 The enforcement activity referred to in this report was conducted as part of the London Trading Standards (LTS) Lettings project and was funded by National Trading Standards at no cost to the Council but has resulted in income from fines set out in table 3.6.
- 6.2 In terms of how the authority can use the funds generated by the fines, this is non-recurring income and not likely to generate a regular future income stream, but this will need to be kept under review. The legislation under which the fines have been issued allow for local authorities to apply the proceeds to meet the costs and expenses incurred in, or associated with, carrying out any of its enforcement functions. Arrangements have been made to appoint an agency officer to engage in follow up work in this area of our business as well as wider enforcement projects which be fully funded from this income received.

7. PERSONNEL IMPLICATIONS

- 7.1 Number of staff (current and additional): One
- 7.2 If from existing staff resources, number of staff hours: Not applicable

8. LEGAL IMPLICATIONS

- 8.1 Legal Requirement: Statutory requirement. The Redress Schemes for Lettings Agency Work and Property Management Work Requirement to Belong to a Scheme etc) Order 2014; The Consumer Rights Act 2015, sections 83-88; The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019

Non-Applicable Sections:	PROCUREMENT IMPLICATIONS FINANCIAL IMPLICATIONS
Background Documents: (Access via Contact Officer)	ES18068 PLANNED ENFORCEMENT OF LEGISLATION WHICH REGULATES THE LETTING AGENTS AND PROPERTY MANAGEMENT SECTOR 27 th September 2018 ES19039 LETTING AGENTS ENFORCEMEN 26 th June 2019 Mandatory client money protection for property agents - Enforcement guidance for local authorities LONDON TRADING STANDARDS Model London Lettings Enforcement Policy

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Report No.
ES20185

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC AND ENFORCEMENT PDS COMMITTEE

Date: 16th June 2022

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

Title: PP&E Contract Register

Contact Officer: Lucy West, Head of Performance Management and Business Support
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 an extract from May 2022's Contracts Register of contracts with a whole life value of £50k or higher, for detailed scrutiny by PDS Committee – all PDS committees will receive a similar report each contract reporting cycle, based on data as at 6 May 2022 and presented to ER&C PDS on 24 May 2022.
- 1.2 The Contracts Register contained in 'Part 2' of this agenda includes a commentary on each contract to inform Members of any issues or developments. A covering report will also be included where additional commentary is required.
-

2. **RECOMMENDATIONS**

That the Public Protection and Enforcement PDS Committee:

- 2.1 Reviews and comments on the Contracts Register as at 6th May 2022.
- 2.2 Note that in Part 2 of this agenda the Contracts Register contains additional, potentially commercially sensitive, information in its commentary.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The appended Contracts Register covers services which may be universal or targeted. Addressing the impact of service provision on vulnerable adults and children is a matter for the relevant procurement strategies, contracts award and monitoring reports, and service delivery rather than this report.
-

Corporate Policy

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

Financial

1. Cost of proposal: - N/A
 2. Ongoing costs: - N/A
 3. Budget head/performance centre: Public Protection and Enforcement Portfolio
 4. Total current budget for this head: £2.64m
 5. Source of funding: Existing controllable revenue budget for 2022/23
-

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications: Improves the Council's approach to contract management
-

Customer Impact

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

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

Contracts Register Background

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

Contract Register Summary

- 3.5 The Council has 214 active contracts across all Portfolios as of 6 May 2022 for the May 2022 reporting cycle as set out in Appendix 1.
- 3.6 The summary for the Public Protection and Enforcement Portfolio is as follows:

Item	Category	November 2021	February 2022	May 2022
Total Contracts	£50k+	5	5	7
Concern Flag	Concern Flag	0	0	0
Risk Index	Higher Risk	1	1	3
	Lower Risk	4	4	4
Procurement Status for Contracts approaching end date	Red	0	0	0
	Amber	0	0	1
	Green	2	2	4
	Neutral	3	3	2

4. IMPACT ON VULNERABLE ADULTS & CHILDREN

- 4.1 The Corporate Contracts Register covers all Council services: both those used universally by residents and those specifically directed towards vulnerable adults and children. Addressing the impact of service provision on the vulnerable is a matter for the relevant procurement strategies, contracts, and delivery of specific services rather than this summary register.

5. POLICY IMPLICATIONS

- 5.1 The Council's renewed ambition is set out in [Making Bromley Even Better 2021 - 2031](#) and the Contracts Database (and Contract Registers) help in delivering the aims (especially in delivering

Ambition Five – Resources & Efficiencies). For Ambition Five, this activity specifically helps by supporting ‘robust and active contract management’.

6. PROCUREMENT IMPLICATIONS

- 6.1 Most of the Council’s (£50k plus) procurement spend is now captured by the Contracts Database. The database will help in ensuring that procurement activity is undertaken in a timely manner, that Contract Procedure Rules are followed and that Members are able to scrutinise procurement activity in a regular and systematic manner.

7. FINANCIAL IMPLICATIONS

- 7.1 The Contracts Database and Contract Registers are not primarily financial tools – the Council has other systems and reports for this purpose such as the Budget Monitoring reports. However, the CDB and Registers do contain financial information both in terms of contract dates and values and also budgets and spend for the current year.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no direct personnel implications but the Contracts Database is useful in identifying those officers directly involved in managing the Council’s contracts.

9. LEGAL IMPLICATIONS

- 9.1 There are no direct legal implications but the Contracts Database does identify those contracts which have a statutory basis and also those laws which should be complied with in delivering the contracted services.
- 9.2 A list of the Council’s active contracts may be found on Bromley.gov.uk to aid transparency (this data is updated after each ER&C PDS meeting).

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


Appendix 1 Key Data (All Portfolios)

Item	Category	November 2021	February 2022	May 2022
Contracts (>£50k TCV)	All Portfolios	207	206	214
Flagged as a concern	All Portfolios	0	8	1
Portfolio	Executive, Resources and Contracts	59	60	63
	Adult Care and Health	48	50	49
	Environment and Community Services	19	17	17
	Children, Education and Families	37	37	34
	Renewal and Recreation and Housing	39	37	44
	Public Protection and Enforcement	5	5	7
Risk Index	Higher Risk	69	69	71
	Lower Risk	138	137	143
Procurement Status for Contracts approaching end date	Red	0	8	1
	Amber	23	16	18
	Green	58	65	60
	Neutral	126	117	135

Appendix 2 - Contracts Register Key and Background Information

Contract Register Key

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

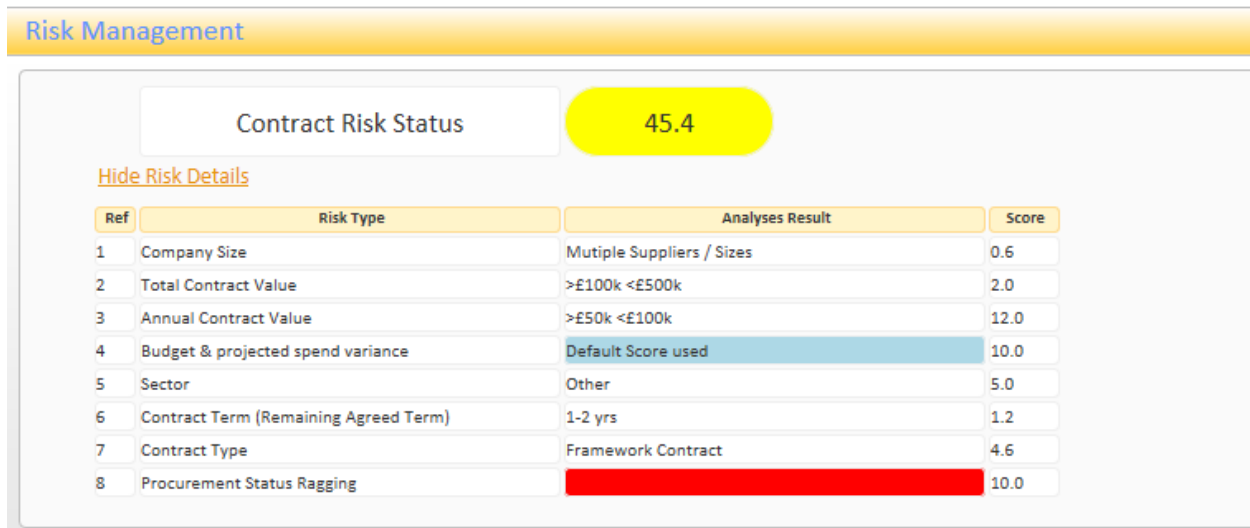
Register Category	Explanation
Risk Index	Colour-Ranking system reflecting eight automatically scored and weighted criteria providing a score (out of 100) reflecting the contract's intrinsic risk – reported as either Higher Risk or Lower Risk
Contract ID	Unique reference used in contract authorisations
Owner	Manager/commissioner with day-to-day budgetary / service provision responsibility
Approver	Contract Owner's manager, responsible for approving data quality
Contract Title	Commonly used or formal title of service / contract
Supplier	Main contractor or supplier responsible for service provision
Portfolio	Relevant Portfolio for receiving procurement strategy, contract award, contract monitoring and budget monitoring reports
Total Contract Value	The contract's value from commencement to expiry of formally approved period (excludes any extensions yet to be formally approved)
Original Annual Value	Value of the contract its first year (which may be difference from the annual value in subsequent years, due to start-up costs etc.)
Procurement Status	For all contracts automatically ranked by the Database as approaching their end date, a manual RAG rating is assigned by the Assistant Director Governance & Contracts to reflect the status of the contract. The RAG ratings are as follows: Red – there are potential issues with the contract or the timescales are tight and it requires close monitoring. Amber – appropriate procurement action is either in progress or should be commencing shortly. Green – appropriate procurement action has been successfully taken or there is still sufficient time to commence and complete a procurement action.
Start & End Dates	Approved contract start date and end date (excluding any extension which has yet to be authorised)
Months duration	Contract term in months
Attention 	Red flag or Red RAG indicates that there are potential issues, or that the timescales are tight and it requires close monitoring. Further commentary may be provided in the Part 2 report.
Commentary	Contract Owners provide a comment –where contracts approach their end date. Corporate Procurement may add an additional comment for Members' consideration <i>The Commentary only appears in the 'Part 2' Contracts Register</i>
Capital	Most of the Council's contracts are revenue-funded. Capital-funded contracts are separately identified (and listed at the foot of the Contracts Register) because different reporting / accounting rules apply

Contract Register Order

1.2 The Contracts Register is ordered by Procurement Status, Portfolio, and finally Contract Value. Capital contracts appear at the foot of the Register and 'contracts of concern' (to Corporate Procurement) are flagged at the top.

Risk Index

- 1.3 The Risk Index is designed to focus attention on contracts presenting the most significant risks to the Council. Risk needs to be controlled to an acceptable level (our risk appetite) rather than entirely eliminated and so the issue is how best to assess and mitigate contract risk. Contract risk is assessed (in the CDB) according to eight separate factors and scored and weighted to produce a Risk Index figure (out of 100). The Risk Index is reported as either 'Higher Risk' or 'Lower Risk'.



Procurement Status

- 1.4 The Database will highlight contracts approaching their end date through a combination of the Total Contract Value and number of months to expiry . For all contracts highlighted by the Database as potentially requiring action soon, a commentary is provided on the status of the contract and a manual RAG rating is assigned.

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

May 2022

Risk Index	Main Contract Data					Finance Data		Proc Status	Contract Terms			Attention	Capital	
	Contract ID	Owner	Approver	Contract Title	Supplier Name	Portfolio	Total Value		Original Annual Value	Start Date	End Date			Months Duration
Lower Risk	4941	Graham Walton	Colin Brand	Mortuary Contract	Princess Royal University Hospital Mortuary via Kings College Hospital NHS Foundation Trust (with LB Bexley)	Public Protection and Enforcement	540,000	180,000		01/10/2019	30/09/2022	36		
Higher Risk	4859	Robert Vale	Colin Brand	CCTV Monitoring	Enigma CCTV Ltd	Public Protection and Enforcement	1,441,000	288,200		01/04/2019	31/03/2024	60		
Higher Risk	4858	Robert Vale	Colin Brand	CCTV Repair and Maintenance Contract	Tyco Fire & Intergrated Soutlion (UK) Ltd	Public Protection and Enforcement	691,081	135,573		01/04/2019	31/03/2024	60		
Lower Risk	3763	Mark Atkinson	Colin Brand	Dogs & Pest Control Services	SDK Environmental Ltd	Public Protection and Enforcement	370,000	60,500		01/02/2018	31/01/2023	60		
Lower Risk	6224	David Braybrook	Peter McCreedy	Hoblingwell Community Cycle Track and Hub	Access Sport BMX CIC and Access Sport CIO	Public Protection and Enforcement	51,634	51,634		01/10/2021	31/05/2022	7		
Lower Risk	3799	Graham Walton	Colin Brand	Coroners Service	London Borough of Croydon	Public Protection and Enforcement	448,640	224,320		01/04/1966	31/08/2029	762		
Higher Risk	5184	Jonathan Richards	Colin Brand	Bromley Market Stall Assembly	MarketForce Services Limited	Public Protection and Enforcement	218,000	109,000		01/01/2022	31/12/2023	24		

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Report No.
ES20179

London Borough of Bromley

PART ONE - PUBLIC

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

Date: **16th June 2022**

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

Title: **PP&E Risk Register**

Contact Officer: Lucy West, Head of Performance Management and Business Support
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 Public Protection and Enforcement Risk Register for detailed scrutiny by the PDS Committee.
- 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 Public Protection and Enforcement PDS Committee reviews and comments on the appended 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: PP&E Portfolios
 4. Total current budget for this head: £2.64m
 5. Source of funding: Existing controllable revenue budget 2022/23
-

Personnel

1. Number of staff (current and additional): 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 [Making Bromley Even Better \(corporate strategy\) | London Borough of 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 25th February 2022.
- 3.8 At the time of writing, the Council has 128 individual risks (116 departmental plus 12, high-level, Corporate Risks (covering key risks which apply to the Council as a whole).
- 3.9 E&PP Department currently has 29 risks (~23% of the Council's total). The PP&E portfolio currently has 21 risks.
- 3.10 The appended PP&E 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.

- 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 12 has a Current Risk Rating of 16, which is red. This grant is released on a 2 year cycle, The most recent cycle ended in March 2022. A new grant bid was prepared and we have recently been advised that it has been successful for another 2 year period until March 2024. The grant has remained the same, this is seeing a reduction in it's value each year due to inflation. As the Out of Hours Noise service is externally funded, there is no guarantee it will be sustained post April 2024. The service is staffed from Public Protection on a voluntary basis. The remuneration for covering the shift/s has been increased, however, post pandemic the appetite of officers to furnish the rota has not improved. Best efforts are made to keep the staff rota functioning but there is no guarantee that an officer will be available and sometimes the service is closed. The team has produced an options report which is currently being initially consulted to key parties, with a report for decision due to go to PP&E PDS in June 2022.
- 3.14 Risk 19 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.

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 [Making Bromley Even Better \(corporate strategy\) | London Borough of 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

Public Protection and Enforcement (PP&E) Risk Register

No.	E&PP RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK RATING			DATE LAST REVIEWED:	RISK OWNER	
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING	FURTHER ACTION REQUIRED		27/04/2022
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 Cleansing) 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 costs and shortage impacting on LBB and service provider fleets, and LBB staff transport	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 - LBB staff unable to commute or use their own vehicles for business journeys	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 logged vehicles 3. Fuel store at Central Depot 4. Ongoing liaison with other London Boroughs concerning collaboration and assistance	1	4	4	1. Ensure service providers Business Continuity Plans include security of fuel supplies. 2. Ensure LBB pool cars are available for LBB staff use 3. Adoption of EV pool fleet	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 or 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	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	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) Effect (s): -Loss of income with potential to reduce service delivery funds	Financial	3	3	9	1. Regular income monitoring and review of parking tariff structures, including benchmarking parking charges against other authorities and local private sector competitors 2. Monitoring contractor performance (e.g. only issue good quality PCNs) 3. Good debt recovery systems 4. Monitoring parking use and avoid excessive charge increases 5. Provide attractive, safe clean car parks 6. Regular contractor meetings 7. Parking enforcement activity Performance Indicators to be reported to PDS Committees (E&S & PP&E) 8. Scrutiny of APCOA at PDS meetings	3	2	6	1. Refine procedure for resolving disputes with utilities 2. Review of parking tariff structures 2. Monitor income trends 3. Continue to monitor success in achieving enforcement objectives 4. Intelligence-led targeting of hotspot sites for enforcement 5. Review of further income opportunities as part of Council's Transformation agenda	Colin Brand	
7	18	All E&PP	Town Centre Businesses and Markets & reducing living standards due to numerous economic impacts on households Loss of town centre businesses to competition and as a result of the COVID-19 pandemic	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 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	Financial	5	3	15	1. BID Teams organise town centres events 2. Investment in Orpington High Street and Bromley North (done) 3. Regular advertising / promotion of markets and availability of stalls 4. Review of Market operational costs to reduce costs where possible (a new Market Strategy is under development and will be delivered from 2020/21) 5. Regular maintenance and renewal of market infrastructure - recent market relocation project has been completed and feedback from traders is positive 6. Markets Manager attends regular strategy meetings with BIDs and has provided guidance for a new town centre (BID) framework agreement	2	3	6	1. Ongoing review of market provision linked to outsourcing service provision 2. Detailed annual action plan to be drawn up for each town centre	Colin Brand	

Public Protection and Enforcement (PP&E) Risk Register

No.	E&PP RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK RATING			DATE LAST REVIEWED:	RISK OWNER	
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING	FURTHER ACTION REQUIRED		27/04/2022
8	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):</p> <ul style="list-style-type: none"> -Lack of availability of suitably qualified / experienced staff to replace retirees and leavers. Particular problem within Planning, Environmental Health, Trading Standards and Traffic professions. There are insufficient Planning, EH & TS staff in the market due to efficiencies in staff training across local government over many years and the professions are now 'aging out' also TTL has previously offered better remuneration and career progression locally. Lack of incentive for good staff to remain at LBB. Combining of roles in lean services which do not appeal to professionals who want to do well at their chosen work area e.g. combining roles such as EH statutory nuisance with ASB/community safety work within teams and specific roles. <p>Effect (s):</p> <ul style="list-style-type: none"> -Loss of organisational memory, need for good quality staff in lean services, greater reliance on expensive contracted staff, delays in delivering services and work plans (e.g. Transport Local Implementation Plan) and lower quality services. Inability to effectively manage contracts as Contract Managers may have started out in a different role (i.e. as Service Managers) and therefore may not have the necessary expertise (i.e. contract monitoring, project management and auditing). 	Service Delivery	3	4	12	1. Ongoing programme to find and retain quality staff through internal schemes such as career grades and training and ongoing CPD. Consider development of trainee posts.	3	3	9	1. Consider potential for contractors to supply necessary skills 2. Review options with HR for incentivisation schemes to ensure staff recruitment and retention is high 3. Existing controls are not currently sufficient to maintain the staff quota within the Arboriculture team. 4. Positively explore apprenticeship and intern schemes as a possibility to ensure teams can maintain deliverables of the service in terms of client inspections and reporting. 5. Enlist contractor to assist with tree survey backlog. 6. Develop staff in at risk services and teams (grow our own)	Colin Brand	
9	22	All E&PP	Climate Change Failure to adapt the borough and Council services to our changing climate	<p>Cause(s):</p> <ul style="list-style-type: none"> -Severe weather events including extreme heat, storms, floods etc. <p>Effect (s):</p> <ul style="list-style-type: none"> -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 LBB for 2029 as part of 10 year climate plan 5. Climate Change included within Corporate Risk Register	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. 3. Public signposting document to be developed early in 2021 to support homeowners and businesses to reduce their emissions.	Colin Brand	
10	25	Public Protection	Income Reconciliation (Public Protection - Licensing) Uncertainty around income reconciliation when the Council is looking to grow income to offset reduced funding	<p>Cause(s):</p> <ul style="list-style-type: none"> - Lack of processes to reconcile actual licence fee income against expected income held on service specific IT systems. <p>Effect (s):</p> <ul style="list-style-type: none"> - Loss of income with potential to reduce service delivery funds - Reputational damage 	Financial	3	2	6	1. Regular income monitoring 2. Effective debt recovery systems 3. Monitor activity using Performance Indicators 4. Continual benchmarking of licensing charges with other similar local authorities	2	2	4	1. Regular income monitoring - Done monthly with financial monitor 2. Effective debt recovery systems - in place 3. Monitor activity using Performance Indicators - in place 4. Continual benchmarking of licensing charges with other similar local authorities - undertaken annually	Rob Vale and Sarah Newman	
11	28	Public Protection	Dogs and Pests Contract Failure to deliver the contract to the required service levels	<p>Cause(s):</p> <ul style="list-style-type: none"> -Lack of robustness within contract specification in terms of contract deliverables and Key Performance measures <p>Effect (s):</p> <ul style="list-style-type: none"> -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	1. This contract ends on 31st January 2023. - Procurement have agreed with the services recommendations and timetable to tender the contract and the options will be presented in the Gateway report at PPE PDS on 16/06/2022.	Mark Atkinson/Rob Vale	
12	29	Public Protection	Out of Hours Noise Service Failure to deliver statutory services	<p>Cause(s): The out of hours (OOH) noise service is dependant on grant funding from the Mayors Office for Policing & Crime (MOPAC) by way of the Local Crime Prevention Fund (LCPF). This grant is released on a 2 year cycle. The last cycle ended in March 2022. A new grant application was made and the bid approved. The grant is being maintained at the same level as previous years by MOPAC, thus is currently seeing a slow, but effective, year on year reduction in its real value and there is no future guarantee it will be sustained. That said, we received confirmation our bid application was successful and a further 2 years funding will be forthcoming. The OOH noise service is staffed on a voluntary basis, and, despite the remuneration being increased, the appetite of officers to take part in the rota has not improved. This is resulting in occasional slots on the rota not being staffed. A paper on costed future options for the service has been prepared for the Director, to discuss with HR and the Portfolio Holder, to get a steer on which future option/s are preferred. A report will be going to PP&E PDS in June 22.</p> <p>Effect: Occasional inability to deliver Out of Hours Noise Service.</p>	Service Delivery	4	4	16	1. Annual review with MOPAC on service outcomes - Done 2. Exploring the cost of a centrally funded OOH service - Done 3. Amended website to manage customer expectation - In process 4. Consider making being on the OOH rota mandatory in new EH enforcement work contracts - In process	4	3	12	1. Press MOPAC to confirm funding status - Bid successful 2. Produce report on centrally funding OOH service - Options paper prepared - currently consulting with HR & Portfolio Holder. 3. Continue to encourage officers to participate in rota - Done monthly - but despite repeated entreaties to staff, interest in participating on the rota remains low.	Sarah Newman/Colin Brand	
13	30	Public Protection	Integrated Offender Management Failure to contribute to IOM in Bromley	<p>Causes: IOM functions are reliant on grant funding from MOPAC. Their contribution equates to 1 day/week of 1 FTE officer for IOM work. Potential for short notice reduction in, or cessation of, the grant.</p> <p>Effect: Potential inability to contribute to IOM in Bromley.</p>	Service Delivery	3	4	12	1. Annual review with MOPAC on service outcomes - Done	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. Grant bid outcome was successful for 2022 - 223	Sarah Newman	
14	31	Public Protection	Community Impact Day Co-ordinator post: Failure to deliver ASB problem solving and partnership activity	<p>Cause(s): This post receives funding from a MOPAC grant for 1 year at a time, thus is vulnerable. This post is responsible for delivering targeted community improvement project work to reduce crime and ASB across the borough with partner agencies. Potential for short notice reduction or cessation of the grant. Potential for high staff turnover due to the instability of the post.</p> <p>Effect: Inability to fund this post would result in the disruption and/or cessation of targeted Community Impact Day work with partners. MOPAC funding for this post is reducing in real terms year on year. The shortfall in funding for a full time CID Coordinator is currently being met by underspend from vacant posts in the Public Protection salaries budget.</p>	Service Delivery	3	4	12	1. Annual review with MOPAC on CID project outcomes - Done - The review of project outcomes to determine if the days could be delivered on a reduced budget concluded that no they cannot. The CIDs project would have to reduce in scope and outcomes - or cease.	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. Grant bid for 2022/23 has been successful.	Sarah Newman	

Report No.
CSD 22042

London Borough of Bromley

PART ONE - PUBLIC

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

Date: 16th June 2022

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: Tasnim Shawkat, Director of Corporate Services and Governance

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: 2022/23 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 2022/2023 with the Chairman and officers.
- 3.4 Please note that the calendar of meetings for 2022/2023 has not been finalised yet and will be discussed at the GP&L Committee on 8th February.

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---16th June 2022
Matters Outstanding
Police Crime Data Analysis Report
PPE Performance Overview report
Portfolio Holder Update
Contracts Register Report
Public Protection Risk Register Update
Provisional Outturn
Planning Management Enforcement Update
An update report concerning the Model London Lettings Policy
MOPAC Update (Verbal)
Dogs and Pest Control Contract
Previous Minutes of the Safer Bromley Partnership
SBP Partner Update—Police End of Year Update
Work Programme
PUBLIC PROTECTION AND ENFORCEMENT PDS---8th September 2022
Matters Outstanding
Police Crime Data Analysis Report
PPE Performance Overview report
Portfolio Holder Update
Budget Monitoring Outturn
Out of Hours Noise Service Report
HMO Mandatory Licensing Tenure Intelligence Project
Contracts Register Report
Public Protection Risk Register Update
Food Safety Plan Update
Expenditure on Consultants--TBC
Fly Tipping Action Plan Update
Previous Minutes of the Safer Bromley Partnership
SBP Partner Scrutiny-Probation Services with respect to Keeping Young People Safe.
SBP Partner Scrutiny-- Early Intervention and Family Support.
Work Programme
Community Impact Days Update
PUBLIC PROTECTION AND ENFORCEMENT PDS---15th November 2022
Matters Outstanding
Police Crime Data Analysis Report
PPE Performance Overview report
Portfolio Holder Update
Budget Monitoring
Contracts Register Report
Public Protection Risk Register Update
PPE Enforcement Activity Update
Previous Minutes of the Safer Bromley Partnership
SBP Partner Scrutiny Item: Partner = Assistant Director for Children's Social Care, Education, Care & Health Services.

Work Programme
PUBLIC PROTECTION AND ENFORCEMENT PDS---31st January 2023
Matters Outstanding
Police Crime Data Analysis Report
PPE Performance Overview report
Portfolio Holder Update
Budget Monitoring
Contracts Register Report
Public Protection Risk Register Update
Previous Minutes of the Safer Bromley Partnership
SBP Partner Scrutiny Item: Partner = HOS Trading Standards and Commercial Regulation.
Work Programme
PUBLIC PROTECTION AND ENFORCEMENT PDS---28th March 2023
Matters Outstanding
Presentation from BYC
Police Crime Data Analysis Report
SBP End of Year SBP Partner Update from the Police
PPE Performance Overview report
Portfolio Holder Update
Budget Monitoring
Contracts Register Report
Public Protection Risk Register Update
Resilience and Business Continuity Annual Update
Previous Minutes of the Safer Bromley Partnership
Update from SLAM
Work Programme

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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