



THE LONDON BOROUGH
www.bromley.gov.uk

BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Steve Wood
stephen.wood@bromley.gov.uk

DIRECT LINE: 020 8313 4316

DATE: 4 September 2023

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

Councillor David Cartwright QFSM (Chairman)
Councillor Kim Botting FRSA (Vice-Chairman)
Councillors Kathy Bance MBE, Sophie Dunbar, Josh King, Andrew Lee,
Alexa Michael, Harry Stranger, Thomas Turrell and Sam Webber

Non-Voting Co-opted Members –

Sharon Baldwin, Chairman - Safer Neighbourhood Board
Ermond Berisha, Bromley Youth Council
Hannah Dumbrell, BYC Chair
Nathan Ward, BYC

A meeting of the Public Protection and Enforcement Policy Development & Scrutiny
Committee will be held at Bromley Civic Centre on **TUESDAY 12 SEPTEMBER 2023**
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 with officers.

STANDARD ITEMS

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTES OF THE PUBLIC PROTECTION AND ENFORCEMENT PDS
COMMITTEE HELD ON 28TH JUNE 2023 (Pages 1 - 14)**
- 4 QUESTIONS FOR THE CHAIRMAN OF THE PUBLIC PROTECTION AND
ENFORCEMENT PDS COMMITTEE**

In accordance with the Council's Constitution, questions that are not specific to reports

on the agenda must have been received in writing 10 working days before the date of the meeting. Questions that are not specific to the agenda should have been received by the Democratic Services Team by 5pm on August 30th.

Questions specifically relating to reports on the agenda should be received within two working days of the normal publication date of the agenda. Please ensure that questions specifically regarding reports on the agenda are received by the Democratic Services Team by 5pm on 6th September.

5 QUESTIONS FOR THE PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER

6 MATTERS ARISING (Pages 15 - 18)

A report is received at every meeting that details any matters that arose at the previous meeting, with an update that explains if the matter is still outstanding, or with an explanation as to how the matter was resolved.

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

7 UPDATE FROM THE PORTFOLIO HOLDER

An update from the Portfolio for Public Protection and Enforcement (Cllr Angela Page) is provided at every meeting.

8 PRE-DECISION SCRUTINY OF PORTFOLIO HOLDER REPORTS

The Committee undertakes pre-decision scrutiny of proposed Portfolio Holder Decisions before a final decision is made.

a BUDGET MONITORING 2023/24 (Pages 19 - 24)

b PP&E PERFORMANCE OVERVIEW (Pages 25 - 32)

c FOOD SAFETY PLAN 2023-24 (Pages 33 - 56)

POLICY DEVELOPMENT AND OTHER ITEMS

9 REGULATION OF INVESTIGATORY POWERS ACT 2000 (Pages 57 - 90)

10 PLANNING ENFORCEMENT PROGRESS AND MONITORING REPORT APRIL 2022 TO MARCH 2023 (Pages 91 - 100)

11 ANNUAL STATUS REPORT FOR YEAR 2022 - REPORTING ON BROMLEY'S AIR QUALITY (Pages 101 - 152)

12 PPE PDS RISK REGISTER (Pages 153 - 160)

13 WORK PROGRAMME (Pages 161 - 166)

PART 2 AGENDA

14 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 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 or public were present there would be disclosure to them of exempt information.

15 PLANNING ENFORCEMENT: LIST OF CURRENT CASES UNDER INVESTIGATION
(Pages 167 - 208)

Information which is likely to reveal the identity of an individual.

.....

This page is left intentionally blank

PUBLIC PROTECTION AND ENFORCEMENT POLICY DEVELOPMENT & SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 28 June 2023

Present:

Councillor David Cartwright QFSM (Chairman)
Councillor Kim Botting FRSA (Vice-Chairman)
Councillors Kathy Bance MBE, Sophie Dunbar, Josh King,
Alexa Michael, Harry Stranger, Thomas Turrell and
Sam Webber

Sharon Baldwin, Ermond Berisha and Hannah Dumbrell

Also Present:

Councillor Angela Page and Councillor Diane Smith

(Councillor Diane Smith attended virtually)

STANDARD ITEMS

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies for absence.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 APPOINTMENT OF CO-OPTED MEMBERS

CSD 23085

Members confirmed the appointment of non-voting Co-opted Members from Bromley Youth Council.

RESOLVED that:

1) Hannah Dumbrell be appointed as a non-voting Co-opted Member of the Public Protection & Enforcement PDS Committee for the 2023/24 municipal year for the consideration of Part 1 (Public) reports only.

2) Nathan Ward be appointed as an alternate non-voting Co-opted Member of the Public Protection & Enforcement PDS Committee for the

2023/24 municipal year for the consideration of Part 1 (Public) reports only.

3) Ermond Berisha be appointed as a non-voting Co-opted Member of the Public Protection & Enforcement PDS Committee for the 2023/24 municipal year for the consideration of Part 1 (Public) reports only.

4 MINUTES OF THE PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE HELD ON 28th MARCH 2023

The Committee considered the minutes of the meeting of the Public Protection and Enforcement PDS Committee held on 28th March 2023

RESOLVED that the minutes of the meeting held on 28th March 2023 be agreed and signed as a correct record.

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

There were no questions submitted for the Chairman.

6 QUESTIONS TO THE PORTFOLIO HOLDER

There were two oral questions submitted by Cllr Sam Webber for the attention of the Portfolio Holder. The responses are appended to the minutes.

There was one written question submitted by a member of the public and the response is also appended to the minutes.

7 MATTERS OUTSTANDING

CSD23084

The Head of Planning and Development Support Team apologised that he had not disseminated the aide memoir to Members which outlined how complaints related to HMOs should be processed. He assured that the document would be disseminated.

The Chairman raised the issue of certain documents remaining in A3 font size following the pattern of the corporate template. He asked why this needed to be the case and suggested that the template needed changing.

A Member raised the matter of food hygiene ratings. She stated that in her ward, she was aware of two businesses (one being a butcher) that had received food hygiene ratings of '1' in 2023 and also in 2021. She expressed concern that this situation had been ongoing for two years. The Assistant Director for Public Protection and Enforcement asked if these details could be provided to her post meeting so that she could investigate. She commented that hopefully this was an anomaly, as the Food Standards Team returned

and reassessed businesses as required. The Food Licencing Team would need to ensure that this was not systemic. It was noted that a full FSA report would be presented to the Committee in September.

A Member commented that there seemed to be a focus on Community Impact Days in Betts Park and that she would like to see the focus move to Penge Recreation Ground. She commented that it was Penge that had won the MOPAC money.

Concerns were expressed from BYC (Bromley Youth Council) concerning shops selling vapes and also displaying nitrous oxide tanks for sale. The Assistant Director for Public Protection and Enforcement asked for the details to be provided to her post meeting, so that the Trading Standards and Licencing Team could investigate.

RESOLVED that the Matters Arising report be noted.

8 CROYDON AND BEHAVIOURAL AND DEVELOPMENTAL PSYCHOLOGY OPERATIONS DIRECTORATE UPDATE

Members noted the Croydon Behavioural and Developmental Psychology Operations Directorate update.

Attending the meeting on behalf of the Directorate were Jonathan Northfield (Interim Service Director), Hilary Williams (outgoing Service Director) and Dr Shublade Smith (Clinical Director Forensic Services).

Members were briefed concerning the 5 year Strategy; "Aiming High, Changing Lives" and the Trust's five strategic ambitions. These were, 'to deliver outstanding mental health care; be a partner in prevention, be a catalyst for change, build a culture of trust together and become effective and sustainable'.

An explanation was provided concerning the Certitude Supported Housing Scheme and it was acknowledged that there had been some ASB in the vicinity of 'The Orchards' housing complex.

Members noted that the low secure residential forensic rehabilitation unit 'Ward in the Community' was to be transitioned in 2023 from its current site at Lambeth Hospital, to the Bethlem Royal Hospital site. It was explained that this was not a brand new unit, rather it was a unit that had existed previously at Bethlem and was now transferring back. It was a low risk unit.

A higher rate of absconding had been reported. It was noted that there was no re-offending connected with this and some of the higher recorded rates of absconding had been attributed to better reporting. A Member queried why they had not been informed of absconsions, and a discussion took place regarding the 'Bromley Protocol.' It was explained that currently, Ward Councillors were not listed on the Bromley Protocol/Compact document, so

this would need to be reviewed and would need executive sign off for any changes.

In some cases of absconding, leave would be suspended and there would be a review. In other cases the police could be involved in returning an absconder to the hospital, but this was rare; it was also the case that Bethlem had their own security team.

Councillor Diane Smith attended virtually to note the update.

RESOLVED that the Croydon Behavioural and Developmental Psychology Operations Directorate update be noted.

9 POLICE UPDATE

The police update was provided by Superintendent Luke Baldock who informed the committee that the police had issued over 50 warrants in the last year. They had seized approximately £2m in cannabis plants and were now in dealing swiftly with unlawful encampments in collaboration with the local authority.

An explanation of a warrant was provided and it was noted that warrants were often used where searches of premises were required for firearms or drugs. Authorization was required from an Inspector and a Magistrate.

The Chairman requested that in future, the police provide details of performance indicators and comparative figures.

A Member commented that the Police Public Attitude Survey revealed that the public did not know how to contact their local police officers. Superintendent Baldock responded that the police were working on a revised website and communication plan; talks regarding this were taking place with the police's senior management team and also with the Safer Neighbourhood Board.

A Member suggested that better collaboration between the police and the British Transport Police (BTP) was desirable and suggested that the BTP should be invited to the Public Protection and Enforcement Committee. The Chairman said this would not be appropriate and that any matters related to the BTP would be picked up by the Safer Bromley Partnership.

A Member expressed concern at the amount of time the police spent with offenders with mental health issues in hospitals. Superintendent Baldock said that the police were stepping back from this task from the 31st of August and were waiting for further guidance.

A discussion took place concerning the use of Secure Units under section 136. Discussion also took place concerning whistle blowing on social media when the police were undertaking anti-speeding campaigns and speed checks. The police over the last year had issued over 900 speeding fines and 200 people had been arrested on various driving related offences.

Enhanced security measures at the Glades were noted, primarily related to young people and gangs. Foot flow was being controlled, no masks were allowed, Dispersal Orders were used when required. The Chairman encouraged the police to have a closer relationship with BYC. Partnership working within the SBP would be used to standardise police priorities within the borough as part of the revised Safer Bromley Strategy.

The Chairman was encouraged to note that his concerns regarding speeding were being listened to. He asked if drink and drug driving could be added alongside this as a police priority and also requested the formulation of a priority regarding how the police were going to deal with e-scooters and bikes which were dangerous as they were both fast and silent.

RESOLVED the Police Update be noted.

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

10 PORTFOLIO HOLDER UPDATE

An update was provided by the Portfolio Holder for Public Protection and Enforcement:

On the 24th of April, the Portfolio Holder had participated in a question and answer panel meeting at the Bromley Youth Council Manifesto event which had taken place at the Warren.

On the 26th of April, the Portfolio Holder joined the briefing for the Penge Community Impact Day, and subsequently visited Bromley and Croydon Women's Aid. During 'National Deaf Awareness Week', the Portfolio Holder joined the scam and cybercrime awareness session with a BSL interpreter which was hosted by Buckinghamshire and Surrey Trading Standards and Thames Valley Police.

On the 18th of May, the Portfolio Holder had attended alongside the Assistant Director for Public Protection and Enforcement and the Head of Trading Standards and Commercial Regulation at the Safer Neighbourhood Board meeting at the Warren. On the 24th of May, the Portfolio Holder had met with Chief Superintendent Andy Britain at Bromley Police Station with the Assistant Director for Public Protection and Enforcement.

On the 11th of June, the Portfolio Holder had attended the 'It's Time' memorial service at Saint Paul's Cathedral which was a national service of commemoration and thanksgiving for the women and girls who had lost their lives to male violence. On the 20th of June, the Portfolio Holder had represented the Leader at the briefing with Sir Mark Rowley, the Met Commissioner, which had taken place at London Councils.

RESOLVED that the update from the Portfolio Holder for Public Protection and Enforcement be noted.

11 PERFORMANCE OVERVIEW

Members noted that a comprehensive update report regarding the Food Safety Plan would be presented to the September meeting.

RESOLVED that the Performance Overview Update be noted.

12 PRE-DECISION SCRUTINY OF PORTFOLIO HOLDER REPORTS

a AMENDMENT TO THE PUBLIC SPACES PROTECTION ORDER (PSPO), DOG CONTROL & FOULING ENFORCEMENT POWERS

ES20296

It was noted that this report was not specifically concerning dangerous dogs which was a matter for alternative legislation. A public consultation had been undertaken regarding the proposed measures which had commenced on the 28th of April 2023 and ended on the 31st of May 2023. The report concerned a number of proposed changes to powers of the Council relating to those in charge of dogs through the implementation of a Public Space Protection Order.

It was commented that there had been 3000 responses to the consultation, as well as 100 emails and a petition of 2000 respondents. The report considered the key issues arising from the responses, and in particular the number of dogs that could be walked on leads, and the locations where they would not be allowed off leads, with restrictions regarding certain locations such as water bodies. In drafting the proposed Order, consideration was also given to the guidance provided by the Pet Industry Federation, supported by the RSPCA, The Dogs Trust and other animal welfare bodies.

Under the new proposals, the maximum number of dogs that could be walked without a licence would be 3, but would be 4 with a licence issued by the Council. Dogs would be permitted off the lead in parks and greenspaces with the exception of certain exclusion zones, such as children's playgrounds. It had been originally proposed that dogs would not be allowed within 30 feet of water bodies. This element had been removed, however dogs would not be allowed into the water body itself.

The notification of the proposed changes would involve new signage and a raising awareness campaign which would be supported by targeted patrols where subsequent enforcement action may be taken.

The use of retractable leads was mentioned and it was asked if keeping dogs on leads at all times in parks was considered, and the response was the

existing dog controls were reviewed and where the locations leads would be required are described in the proposed PSPO Order. A Member referred to restrictions concerning water bodies and asked what would stop a dog from getting in the water. The Committee heard that there would be a campaign with respect to raising awareness, so that matters would be made clear to the public. Where the close control of dogs on a lead was required, the responsibility would be down to the dog walker.

A Member expressed the view that dog fouling was a bigger problem. It was acknowledged that to police the new guidelines would be difficult and the proposals would be reviewed in three years. During the period of the PSPO, targeted patrols would focus on such issues.

Some comments and questions were addressed to the Chairman and Committee from the public gallery. It was proposed that the start date for the new regulations would be implemented on the 1st of September 2023, to enable the arrangements for the raising awareness campaign and appropriate signage to be put in place. The Committee agreed the recommendations of the report with an additional recommendation that the proposals would come into effect on the 1st of September 2023.

RESOLVED that the Portfolio Holder for Public Protection and Enforcement be recommended to:

- 1) Approve the renewal of the Public Space Protection Order (Dog Controls) 2023/2026.**
- 2) Approve the amendment to the current Public Spaces Protection Order and the Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014, that a person can be in charge of no more than three (3) dogs at any one time in a public place unless they have a licence issued by Bromley Council.**
- 3) Approve the reduction in the number of dogs permitted to be walked under licence to four (4) dogs.**
- 4) Approve the extension of Dogs on Lead designated areas to include all cemeteries, allotments and park cafe seating areas within the administrative area of Bromley.**
- 5) Approve that the proposed changes be effective from 1st September 2023 for a three-year period.**

b PROVISIONAL OUTTURN REPORT 2022/23

FSD23039

The Chairman was pleased to note the explanations with respect to underspends.

RESOLVED that:

The Portfolio Holder for Public Protection and Enforcement be recommended to endorse the 2022/23 final outturn position for the Public Protection and Enforcement Portfolio.

13 ENFORCEMENT PLAN 2023

HPR2023/029

The Enforcement Plan update was provided by the Enforcement and Appeals Manager. The report was needed, as the Enforcement Plan had not been updated for 10 years. The report made clear who was responsible for different types of enforcement actions. It was noted that a more detailed Enforcement Monitoring Report would be presented to the PDS Committee and the Development Control Committee in due course. This report would show the level of outstanding cases and would explain issues in more detail.

A Member asked if enforcement issues were going up or down and the response was that the enforcement issues were in line with usual trends; there was always a backlog due to the nature of the work. The report also provided useful information on the functions of Building Control and when the Health and Safety Executive should be involved. The Enforcement and Appeals Manager said that any Member was welcome to spend the day with Enforcement Officers to get a better understanding of how they worked.

RESOLVED that the Enforcement Plan Update be noted.

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

The Chairman referred to the SBP (Safer Bromley Partnership) minute regarding 'Emerging Issues'. He felt it was important to discuss the matter of Naloxone in greater detail and asked that a report regarding this be requested from Bromley Drug and Alcohol Service and added to the Work Programme.

A Member commented that with respect to future SBP minutes, a glossary would be helpful.

RESOLVED that an update be provided to a future committee by Bromley Drug and Alcohol Service, with particular reference to Naloxone.

Post Meeting Note: BDAS is now known as 'Change, Grow, Live.'

15 PP&E CONTRACTS REGISTER

ES20286

RESOLVED that the PP&E Contracts Register update be noted.

16 PP&E RISK REGISTER

ES20280

The Chairman requested an update with respect to the Out of Hours Noise Service which was rag rated as red. It was noted that when the revised service was launched, an update would be provided a year after the launch date. It was reported that the revised service had not yet been launched. This was because of recruitment challenges. This was a national issue. LBB had gone out to tender for a commissioned service. It was hoped to commence with this in August. The current service was still operational.

It was noted that the 'Increased Costs for the Coroner's Service' was still rag rated as red, as it had been for some time. The Chairman offered to speak to any new committee members regarding this matter outside of the meeting if required.

Members noted the final red risk which was the dysfunctionality of the 'Uniform' information management system. Members were informed that this was an ageing system and so a new service had been commissioned called 'IDOX.' This required a progressive launch as it was a complex process.

Resolved that the update on the Public Protection and Enforcement Risk Register be noted.

17 WORK PROGRAMME

CSD23086

The Chairman requested that a Planning Enforcement Update report and also an update from Bromley Drug and Alcohol Service be added to the Work Programme.

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

19 PART 2 CONTRACTS REGISTER UPDATE

The Committee noted the part 2 (confidential) Contracts Register update.

RESOLVED that the Part 2 details in the Contracts Register update be noted.

ORAL QUESTIONS FROM MEMBERS

WRITTEN QUESTIONS FROM THE PUBLIC

The meeting ended at 9.09 pm

Chairman

PP&E PDS Committee: 28th June 2023

Oral Questions from Councillors

1) Question from Cllr Sam Webber:

Residents have raised questions of public safety using the Love Lane walkway between Kentish Way and Rafford Way and the underpass adjacent to it linking Palace View & Rafford Way with Elmfield Road.

Could the Portfolio Holder advise on how the Council can work with the Police to reduce the safety risks here for residents and other users of our town centre and commuters.

Could lighting and CCTV be improved for this site and would the Portfolio Holder consider temporarily blocking off the Love Lane walkway to see if this reduced crime and antisocial behaviour?

Response to Question 1:

This location receives intermittent reports for alleged anti-social behaviour, however it is not at levels showing a need for urgent attention. Love Lane has been updated to LED lights which is the current standard for locations such as this. This does not dissipate that, as an underpass, it may not feel safe. It is considered that there would be significant pushback from the community if these pedestrian access routes were blocked resulting in much longer pedestrian journeys. When such reports are received there is a multi-agency assessment of the matter so enable effective action. Unfortunately, based on data, this location does not meet the criteria for any closures or CCTV interventions.

2) Question from Cllr Sam Webber:

Residents similarly have concerns about the area of grassland off Palace View by the Kentish Way underpass, which is affected by crime and antisocial behaviour. A low level fence has been suggested here but ruled out by our Parks Team as "costly in terms of installation and maintenance".

How best would the Portfolio Holder advise we can protect this green space and work with Police to reduce antisocial behaviour and drug related crime in this area?

Response to Question 2:

This public open space has been reported for alleged ASB and is a location recently identified for inclusion on regular Police patrols and micro-beats to identify the scale

of the reported issue. This is part of a multi-agency approach that focuses on areas, where data shows, ongoing or severe ASB.

7

PP&E PDS: 28th June 2023

Written Questions from the Public

Question from Dermot McKibbin

What is the current position of the Council regarding the licensing of all HMOs in the Borough and will the Council consult the public on this issue?

Response:

Currently there is no legal requirement to license all houses of multiple occupation (HMOs) within Bromley. There is a national mandatory HMO licensing scheme which applies to HMOs with five or more persons. The Local Authority can, voluntarily and based on statistical justification, expand landlord licensing to smaller HMOs.

In line with the Housing Strategy 2019-2029 commitments, there will be an assessment to ascertain if there is a need to expand landlord licensing and, if so, options for how to do this will be prepared.

This page is left intentionally blank

Agenda Item 6

Report No.
CSD 23115

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Public Protection and Enforcement PDS Committee

Date: 12th September 2023

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: 20232024 revenue budget
-

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.
-

Legal

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

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is intended primarily for Members of the Public Protection and Safety PDS Committee.
-

Ward Councillor Views

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

<u>Minute Number/Title</u>	<u>Matters Arising</u>	<u>Update</u>
Minute 117 HMO Update 31 st Jan 2023	Resolved that the Head of Planning and Development Support Team would disseminate an 'aide memoire' to Members which outlined how many complaints relating to HMOs should be processed.	It is anticipated that the document will be disseminated to the Committee prior to the September meeting.

This page is left intentionally blank

Report No.
FSD23049

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER

Date: Tuesday 12th September 2023

Decision Type: Non-Urgent Executive Non-Key

Title: BUDGET MONITORING 2023/24

Contact Officer: Murad Khan, Head of Finance (Environment and Community Services)
E-mail: murad.khan@bromley.gov.uk

Chief Officer: Director of Environment and Public Protection

Ward: (All Wards);

1. Reason for decision/report and options

This report provides the revenue budget monitoring position for 2023/24 for Public Protection & Enforcement Services Portfolio based on expenditure and activity levels for the first quarter of the financial year.

2. **RECOMMENDATION(S)**

The Portfolio Holders are requested to:

2.1 Endorse the 2023/24 revenue budget monitoring for the Public Protection & Enforcement Services portfolio.

2.2 Agree the release of amounts carried forward from 2022/23 as set out in section 3.5.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
-

Transformation Policy

1. Policy Status: Existing Policy: Further Details
 2. Making Bromley Even Better Priority (delete as appropriate):

(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
-

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Recurring Cost
 3. Budget head/performance centre: All Public Protection & Enforcement Portfolio Budgets
 4. Total current budget for this head: £4.2m
 5. Source of funding: Controllable Revenue Budgets 2023/24
-

Personnel

1. Number of staff (current and additional): 47.3 FTE
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

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

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 This report sets out the results of the quarterly revenue budget monitoring exercise for the 2023/24 financial year for the Public Protection & Enforcement Portfolio.
- 3.2 The position for quarter one for the Portfolio is showing a breakeven position based on financial information available at that time.
- 3.3 The projected outturn is detailed in Appendix 1A, which shows the forecast spend for each division within the Portfolio compared to the latest approved budget.
- 3.4 Appendix 1B provides further detail and commentary on each of the projected variations within each service.

3.5 AGREEMENT TO RELEASE AMOUNTS CARRIED FORWARD FROM 2022/23 BY THE PORTFOLIO HOLDER

3.5.1 POCA confiscation orders from the courts £60,637

The amount allocated to Public Protection & Enforcement has not been spent in 2022-2023. This consists of two confiscation orders that is intended to be used to finance Trading Standards project work in 2023-2024.

3.5.2 HMO income £78,000

Surplus generated from the housing in multiple occupancy has been carried forward to reserves and will be used in 2023-2024 for HMO License Applications.

4. TRANSFORMATION IMPLICATIONS

(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

- 4.1 To meet the ambitions for residents, the Council must use available resources deploy its workforce wisely. This is reflected in the "Making Bromley Even Better" ambition of Service Efficiency - 'To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents'.
- 4.2 The "2023/24 Council Tax" report highlighted the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised to minimise the risk of compounding financial pressures in future years.
- 4.3 Chief Officers and Heads of Finance are continuing to place emphasis on the need for strict compliance with the Council's budgetary control and monitoring arrangements.

5. FINANCIAL IMPLICATIONS

- 5.1 A detailed breakdown of the projected outturn by service area in shown in Appendix 1A with explanatory notes in Appendix 1B.
- 5.2 Overall, a breakeven position is projected based on the information available in the first quarter of the 2023/24 financial year.

Public Protection & Enforcement Budget Monitoring Summary

2022/23 Actuals £'000	Service Areas	2023/24 Original Budget £'000	2023/24 Latest Approved £'000	2023/24 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	Public Protection							
483	Community Safety	540	584	584	0		0	0
152	Emergency Planning	157	157	157	0		0	0
823	Mortuary & Coroners Service	939	939	939	0		0	0
1,251	Public Protection	1,592	1,737	1,737	0		0	0
2,709	TOTAL CONTROLLABLE	3,228	3,417	3,417	0		0	0
3	TOTAL NON CONTROLLABLE	12	12	12	0		0	0
950	TOTAL EXCLUDED RECHARGES	816	816	816	0		0	0
3,662	PORTFOLIO TOTAL	4,056	4,245	4,245	0		0	0

Reconciliation of Latest Approved Budget	£'000
Original Budget 2023/24	4,056
Out of Hours Noise Service in Community Safety was	50
Carry Forward Requests approved from 2022/23	
POCA confiscation orders from the courts	61
HMO income	78
Latest Approved Budget for 2023/24	4,245

REASONS FOR VARIATIONS

1. Emergency Planning - no variation

2. Mortuary & Coroners Service - no variation

£300k of growth was awarded to this budget in 23/24 and this has mitigated the pressure we had here last year.

3. Public Protection - no variation

The service have applied for a carry forward of £139k, that will be utilised in 2023-2024 for HMO income and POCA confiscation orders from the courts.

Waiver of Financial Regulations:

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempt from the normal requirement to obtain competitive quotations the Chief Officer has to obtain the agreement of the Director of Corporate Services, the Director of Finance and the Director of Commissioning and (where over £100,000) approval of the Portfolio Holder and report use of this exemption to Audit Subcommittee bi-annually. Since the last report to the Executive, no waivers over £50k have been actioned.

Virements Approved to date under Director's Delegated Powers

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

This page is left intentionally blank

Report No.
ES20291

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER

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

Date: Tuesday 12th September

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

Title: PP&E PERFORMANCE OVERVIEW

Contact Officer: Lucy West, Head of Performance Management and Business Support
Tel: 020 8461 7726 E-mail: Lucy.West@bromley.gov.uk

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

Ward: (All Wards);

1. Reason for decision/report and options

This report presents the PP&E Performance Overview indicators pertaining to the Public Protection and Enforcement Portfolio Plan for 2023/24 for scrutiny by PDS Members and subsequent endorsement by the Public Protection and Enforcement Portfolio Holder. The report includes data from April 2023 to July 2023.

2. **RECOMMENDATION(S)**

2.1 **That PDS Committee reviews and comments on the key performance indicators pertaining to the Public Protection and Enforcement Portfolio Plan.**

2.2 **That the Public Protection and Enforcement Portfolio Holder:**

Endorse the outcomes, aims and performance measures set out in the draft 2023/24 Public Protection and Enforcement Portfolio Plan, taking into account the budget and views of the Committee.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Public Protection and Enforcement services are used by all residents, including vulnerable adults and children. Where vulnerable adults or children may potentially be affected by a proposal or contract, the issues would be covered in that particular report, plan or contract rather than this strategic document.

Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority:
 - (1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
 - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
 - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
 - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
 - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
-

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Public Protection & Enforcement Portfolio
 4. Total current budget for this head: £3.2m
 5. Source of funding: Existing controllable revenue budget
-

Personnel

1. Number of staff (current and additional): 46.2 FTE
 2. If from existing staff resources, number of staff hours: Not applicable
-

Legal

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

Procurement

1. Summary of Procurement Implications: Detail of the service contracts to which this portfolio plan relates are maintained on the Council's Contracts Database, summaries of which are reported to this Committee as part of the Contract Register on a bi-annual cycle. Contractor Performance is scrutinised on a regular basis and contracts are procured in line with all applicable legislation and the Council's Contract Procedure Rules.
-

Property

1. Summary of Property Implications: Not Applicable
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
-

Customer Impact

1. Estimated number of users or customers (current and projected): Not Applicable
-

Ward Councillor Views

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

3. COMMENTARY

The performance overview presented below provides the following key indicators which have Red Performance and the management commentary on exception where indicators are performing below expectation. This report acts as a 'health check' on the PP&E Portfolio Plan indicators.

3.1 Priority 1: We will keep Bromley safe.

3.1.1 There are no Priority 1 PP&E Portfolio Plan indicators performing at RED performance status expectation.

3.2 Priority 2: We will protect consumers.

3.2.1 There are no Priority 2 PP&E Portfolio Plan indicators performing at RED performance status expectation.

3.3 Priority 3: We will support and regulate businesses.

3.3.1 There are Priority PP&E Portfolio Plan indicators performing at RED performance status which is below expectation.

Indicator	Projection (April - July)	Target	RAG Status	Commentary
Due inspections of high-risk food businesses undertaken (% Annual Target) (Risk A and B food premises)	29%	95%	RED	This is an annual target. High risk A and B rated food businesses will be inspected during the course of the year when the inspections are due. Therefore, the RAG status will remain red until all inspections have been completed by the end of this 12 month period.
Inspection of UNRATED (UR) Food Businesses (FB) Childminder (CM) Low Risk Home caterers (LRHC) (% completed) (Number of inspections or closures if no longer trading)	33%	95%	RED	As of 1st April 2023, there were 529 unrated food businesses awaiting inspection. Of these, there are 409 food businesses consisting of childminders and low risk home caterers which will form part of the programme of visits via a pilot contract arrangement. The 120 remaining food businesses will be included in the 2023/4 inspection programme. The team have reduced the number of childminders due in 23/24 through a desk top triage exercise.

3.4 Priority 4: We will protect and improve the environment through custodianship and effective and responsible enforcement.

3.4.1 There are no Priority 4 PP&E Portfolio Plan indicators performing at RED performance status expectation.

3.5 **Priority 5: We will provide value for money.**

3.5.1 Not applicable. Priority 5 does not have measurable key performance indicators in the PP&E Portfolio Plan.

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

4.1 Public Protection and Enforcement services are used by all residents, including vulnerable adults and children. Where vulnerable adults or children may potentially be affected by a proposal or contract, the issues would be covered in that particular report, plan or contract rather than this strategic document.

5. **TRANSFORMATION/POLICY IMPLICATIONS**

5.1 The activities in this report reflect the Council's priorities and aims as set out in:

- [Public Protection and Enforcement \(bromley.gov.uk\)](http://bromley.gov.uk)
- [Making Bromley Even Better \(Corporate Strategy\)](#)
- Plans and Policies as specifically referenced within each priority area of the Portfolio Plan.

Non-Applicable Sections:	Financial, Personnel, Legal, Procurement
Background Documents: (Access via Contact Officer)	Public Protection and Enforcement Portfolio Plan 23/24

6. **FINANCIAL IMPLICATIONS**

6.1 There are no direct personnel implications.

7. **PERSONNEL IMPLICATIONS**

7.1 There are no direct personnel implications.

8. **LEGAL IMPLICATIONS**

8.1 There are no direct legal implications.

9. **PROCUREMENT IMPLICATIONS**

9.1 Most of the Portfolio Plan's priorities are underpinned by contracts and where these have a Total Contract Value (TCV) greater than £200k, they are reported in the Corporate Contract Register. The procurement status of contracts with a TCV >£50k is also reported to the PDS Committee for detailed scrutiny.

9.2 PDS Committee also scrutinises 'Procurement Strategy' and 'Award of Contract' reports and monitors individual contracts and scrutinises the contractors themselves as appropriate.

10. **PROPERTY IMPLICATIONS**

10.1 There are no property implications.

11. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

11.1 There are no direct carbon reduction/social value implications, but the plan does identify service areas where carbon reduction and social values are reviewed.

12. CUSTOMER IMPACT

12.1 There are no direct Ward Councillor views.

13. WARD COUNCILLOR VIEWS

13.1 There are no direct Ward Councillor views.

PP&E Performance Overview 2023/24														
Outcome	PORTFOLIO PLAN INDICATOR	DESCRIPTION	2022-23 TARGET	2022-23 ACTUAL	GOOD PERF.	Apr-23	May-23	Jun-23	Jul-23	2023-24 Projection	2023-24 TARGET	2023-24 RAG STATUS	RAG Threshold	COMMENTARY (BY EXCEPTION)
1: We will keep Bromley safe	1A	Number of evidence packs requested from CCTV	100%	100%	HIGH	100%	100%	100%	100%	100%	95%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
	1B	Rapid Response interventions responded to within 2 hours (%)	100%	100%	HIGH	3 (100%)	0 (100%)	4 (100%)	5 (100%)	100%	100%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
	1C	Complete all test purchases following all failed Challenge 25 test purchase which result in a sale of an age restricted product	100% Compliant Businesses	90% (From 2023/24 target is number)	HIGH	0	7	4	0	25	25 (Number)	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	5 non-compliant premises brought forward from 22/23 pending underage sales operation later in Q1.
	1D	To disseminate 25 Alerts on emerging topics including doorstep crime and scams	25	35 (From 2023/24 target is %)	HIGH	3 (100%)	2 (100%)	2 (100%)	0 (100%)	100%	100%	GREEN	Red: more than 10% Amber: Within 10% Green: At target or above	
	1E	Issue HMO licenses where valid applications are received (No.)	100%	100%	HIGH	100% (9 of 9)	100% (1 of 1)	100% (11 of 11)	100% (2 of 2)	100%	100%	GREEN	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)	50	1314	HIGH	7 (154)	7 (105)	6 (91)	6 (111)	50 (1200)	50 (1200)	OUTCOME		
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% (Annual Target)	Risk A: 100% Risk B: 94%	HIGH	Risk A 0% (0 of 2) Risk B 11% (10 of 92)	Risk A 0% (0 of 2) Risk B 20% (19 of 92)	Risk A 0% (0 of 2) Risk B 40% (37 of 92)	Risk A 50% (1 of 2) Risk B 45% (42 of 92)	29%	95%	RED	Red: more than 10% Amber: Within 10% Green: At target or above	This is an annual target. High risk A and B rated food businesses will be inspected during the course of the year when the inspections are due. Therefore the RAG status will remain red until all inspections have been completed by the end of this 12 month period.
	3B	Inspection of UNRATED (UR) Food Businesses (FB) Childminder (CM) Low Risk Home caterers (LRHC) (% completed) (Number of inspections or closures if no longer trading)	100% (Annual Target)	UR FB = 85% UR CM = 0%	HIGH	UR FB = 18% (22 of 120) UR CM = 0% (0 of 334) UR LRHC = 0% (0 of 75)	UR FB = 24% (29 of 120) UR CM = 0% (0 of 334) UR LRHC = 0% (0 of 75)	UR FB = 37% (45 of 120) UR CM = 0% (0 of 334) UR LRHC = 0% (0 of 75)	UR FB = 52% (63 of 120) UR CM = 0% (0 of 334) UR LRHC = 0% (0 of 75)	33%	95%	RED	Red: more than 10% Amber: Within 10% Green: At target or above	As of 1st April 2023, there were 529 unrated food businesses awaiting inspection. Of these, there are 409 food businesses consisting of childminders and low risk home caterers which will form part of the programme of visits via a pilot contract arrangement. The 120 remaining food businesses will be included in the 2023/4 inspection programme. The team have reduced the number of childminders due in 23/24 through a desk top triage exercise.
4: We will protect and improve the environment through custodianship and effective and responsible enforcement	4A	Completed cases where investigations of breaches of planning control are identified (%) (outcome)	100%	100%	OUTCOME	93%	Awaiting Data	Awaiting Data	Awaiting Data	100%	100%	OUTCOME	Awaiting Data	

This page is left intentionally blank

Report No.
ES20300

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION & ENFORCEMENT PORTFOLIO HOLDER

Date: For Pre-Decision Scrutiny by the Public Protection and Enforcement PDS Committee on Tuesday, 12 September 2023

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

Title: FOOD SAFETY PLAN 2023-24

Contact Officer: Nigel Riley – Food Safety Team Manager
E-mail: nigel.riley@bromley.gov.uk and
Louise Watkinson – Assistant Director of Public Protection
E-mail: louise.watkinson@bromley.gov.uk

Chief Officer: Colin Brand – Director of Environment & Public Protection
Email: colin.brand@bromley.gov.uk

Ward: (All Wards);

1. Reason for report

The Council is the Food Safety Authority under the Food Safety Act 1990 and has a duty to enforce food safety, food standards and food requirements. The Food Standards Agency (FSA) requires the Council to publish an annual Food Safety Service Plan, and that such plans have senior management or member approval.

- 1.1 This report sets out the Council's annual plan for 2023/24, for the effective enforcement of food safety legislation. The objective of the plan is to satisfy the FSA that the intended enforcement and inspection regime ensures that food in the Borough is produced and sold under hygienic conditions, is without risk to health, and is of the quality expected by consumers.

2. **RECOMMENDATION(S)**

The Portfolio Holder is asked to approve the Food Safety Service Plan 2023/24.

Impact on Vulnerable Adults and Children

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

Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priorities
 - (1) For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
 - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
 - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
 - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
-

Financial

1. Cost of proposal: Not applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Food Safety Team
 4. Total current budget for this head: £162k
 5. Source of funding: existing service revenue budget 2023/24
-

Personnel

1. Number of staff (current and additional): 8 FTE permanent posts. The current staffing level is 5.97 FTE officers including the team manager, 0.46 FTE allowed for BR6 administrative support and 1.57 FTE vacant posts.
 2. If from existing staff resources, number of staff hours: 8.46 x 36 hours per week x 48 weeks per year
-

Legal

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

Procurement

1. Summary of Procurement Implications: Not applicable
-

Property

1. Summary of Property Implications: NA
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Food businesses can minimise their impact on the planet by addressing issues like their carbon footprint, shortening their supply chain, reducing food wastage, packaging and energy consumption and recycling.

Impact on the Local Economy

1. Summary of Local Economy Implications: Much of the revenue that local stores and restaurants capture remain in the community. Food businesses help build community identity and create job opportunities for local people who are likely to spend their income locally.
-

Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: A prosperous, flourishing society depends on having a healthy population. All businesses depend on healthy people including employees, customers and suppliers for their long-term success. Good quality food businesses help consumers make better decisions with regard to their eating habits.
-

Customer Impact

1. Estimated number of users or customers: Estimated number of users/beneficiaries (current and projected): There are 2,711 registered food businesses in the Borough that come under the remit of the team for inspection. The protection afforded through those businesses being inspected extends to everyone who buys or eats food in the Borough.
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 The Council is required to produce and approve an annual work plan (Food Safety Plan) that is in line with the Food Standards Agency Framework Agreement and the Statement of Commitment agreed nationally between Local Authority Representatives and the Health and Safety Executive. The plan covers all work undertaken within the Environment and Public Protection work area relating to Food and Health and Safety.
- 3.2 This Food Safety Service Plan 2023-2024 (Appendix 1) covers the key areas of Food Safety and the relevant management arrangements and objectives against which the Council will monitor service delivery and has been compiled in accordance the Food Standards Agency's (FSA) 'Framework Agreement on Official Feed and Food Controls by Local Authorities' [Local authorities | Food Standards Agency](#)
- 3.3 The FSA audits Local Authority food and feed enforcement activities and publishes reports of their findings. Local Authorities are audited against the Feed and Food Law Standard in the Framework Agreement, which is a document that sets out the minimum standards of performance required from Local Authorities, across the full range of their feed and food law enforcement activities.
- 3.4 The work of the Food Safety Team is of vital importance ensuring residents and visitors have access to safe and wholesome food from businesses in the borough. Our journey out of the pandemic is an ongoing process. We have previously targeted our resource at products and premises of the highest risk categories, supporting new businesses to ensure a high level of compliance at the outset, and taking action against those premises who persistently fail to maintain satisfactory levels of food hygiene.
- 3.5 The FSA Recovery Plan (established following the pandemic) ended on the 31st of March 2023 (details of this plan can be found in PPE PDS report ES2026.) The expectation of the FSA is that local authorities carry out all inspections in accordance with the Food Law Code of Practice (FLCoP) from the 1st of April 2023. Local authorities are now expected to work to realign services with the FLCoP and to catch up on any backlog of non-compliant high-risk and lower risk food businesses created by the pandemic. The FSA has indicated that it will work with local authority food safety teams to ensure a return to the delivery of pre-pandemic levels of service, indicating they will take a risk-based and pragmatic approach to performance management as local authorities work to realign with the FLCoP.
- 3.6 The requirements of the FSA remain despite the acknowledged national shortage of environmental health and trading standards professionals which has resulted in a crisis in recruitment and retention across the UK and impacted particularly in London and the Southeast.
- 3.7 The FSA continues to monitor the council's progress through regular bi-monthly meetings with the Food Safety Team Manager, who also temperature checks LB Bromley's performance statistics quarterly, and provides year-end data returns. Feedback from the FSA has been positive to date, in December 2022 they agreed that we were doing excellent work to prioritise the interventions due, based on risk.
- 3.8 In the last business year (2022/23) the Food Safety team completed excellent desk-based work to triage a large cohort of childminders, identifying those which were high or low risk and permitting a reduction in the number of on-site inspections required. The team also made use of grant funding, from the FSA, to undertake data cleansing, which again reduced the number of outstanding inspections due in this business year (2023/24). The team are also preparing an Alternative Enforcement Strategy. This will involve a group of low-risk businesses being offered

the chance to complete a self-assessment questionnaire, which will then be evaluated negating the need for a physical on-site inspection, other than for those needed for quality checks.

- 3.9 The team is currently holding 1.57 FTE in vacancies, due to the issues associated with the national shortage of qualified officers. To address this a pilot contract, to complete 638 inspections, is currently being explored. Also, a further 200 inspections will be completed by an agency officer who has worked for the authority previously. In both cases, strict parameters are set out to ensure that if inspectors identify a non-compliant business with poor hygiene standards, they will notify the Food Safety Manager. The inspection of any non-compliant businesses will be passed to in-house officers to progress. This referral will allow the contractors to work unimpeded toward the borough's inspection targets.

DELIVERY AGAINST THE 2022/23 FOOD PLAN

- 3.10 Detailed below is the summary of progress made against the 2022/2023 plan:

- The food service met the milestones associated with the FSA Recovery Plan.
- 1,139 inspections were completed, representing 81% of the annual target of 1,400.
- 377 complaints were received, and 94% of these were actioned within the service target of 5 working days.
- During 2022-23 the team carried out 6 voluntary closures of food businesses where hygiene conditions were found to be poor, including food premises with infestations of pests. These actions are heavy on staff time which impacts the rate of delivery of food hygiene inspections.
- Following a breach of the regulations that govern Approved Businesses (that handle Products of Animal Origin), the Approval to operate a local fish processing and packing business was withdrawn in March 2023. Thus, prohibiting the business from trading until hygiene conditions were improved. Approved food businesses do not have a retail element, they supply other businesses in the food industry, so the regulations covering Approved businesses require very strict hygiene controls to be in place. As a result of this action a large quantity of food was tested, condemned, and destroyed. The business is still under investigation as allegations that the business is still trading are being investigated.
- 13 Hygiene Improvement Notices were served on businesses where conditions were found to be sub-standard, where there was a lack of water or appropriate cleansing facilities, documented food safety systems were not in place etc.
- 1151 written warnings were served on businesses following inspection, requiring food hygiene standards, cleaning, structural defects, and documentation to be improved.
- Although we saw a return to a pre-pandemic inspection programme, the backlog of programmed food hygiene interventions remains significant, and includes newly registered food businesses from that period. These remain at a high level due to increased business churn and this has continued to negatively impact on the meeting of service targets.

SERVICE DEMAND (section 8 of the Plan)

- 3.11 Last year 3,029 food businesses were registered with LB Bromley, as of 1st April 2023 2,711 business are currently registered. This reduction is, in part, due to the triage exercise of the childminders and other new businesses awaiting an inspection, to determine if they were still

trading. The number childminders reduced from 433 to 334 and the number of new businesses requiring an initial inspection also reduced from 820 to 529.

OUTSTANDING INSPECTIONS THIS YEAR (Section 10 of the Plan)

- 3.12 As of 1st April 2023, 1,897 businesses were due a food safety inspection. This compares to 2,450 the previous year.
- 3.13 Although the FSA has brought the Recovery Plan to an end, they continue to work with us as we work towards the delivery of pre-pandemic levels of service. We shall continue to take a risk-based approach to service delivery whilst also inspecting the overdue low risk premises.
- 3.14 Section 11 of the Plan outlines how we will use our staff and other resources to that end this year.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Premises providing food for vulnerable adults and children will continue to be inspected according to the risk they present to food safety.

5. TRANSFORMATION/POLICY IMPLICATIONS

- 5.1 Providing a resilient Food Safety Service, in compliance with the FSA audit supports Making Bromley Even Better through the following priorities a) Healthy and safe lives: b) A home for business: c) A safe & protected community: As maintaining minimum standards in food business helps to ensure Bromley residents remain safe and healthy and our businesses operate in a fair and equal trading environment.

6. FINANCIAL IMPLICATIONS

- 6.1 The total controllable revenue budget available to deliver the Food Safety Plan in 2022-2023 is £132k. The budget is in the Food Safety and Food Standards Cost Centre, R58080.

7. PERSONNEL IMPLICATIONS

NONE

8. LEGAL IMPLICATIONS

- 8.1 The FSA has the function of developing policies relating to matters connected with food safety (Section 6(1)(a) Food Standards Act 1999)). The Council as the Food Authority (Section 5 Food Safety Act 1990) shall comply with any direction given by the FSA (Section 40(2) Food Safety Act 1990).
- 8.2 The Food Law Code of Practice (England) (the Code) is issued under Section 40(1) of The Food Safety Act 1990. Where a Food Authority fails to comply with the Code of Practice; the FSA can issue a direction to them requiring them to take specified steps to comply.
- 8.3 The Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement requires the production and publication of a service plan to ensure the highest achievable levels of food control are maintained throughout the Borough. Every local authority is required to

develop an annual food enforcement service plan, which is the basis on which the local authorities are monitored and audited by the FSA.

8.4 The Portfolio Holder for Public Protection and Enforcement may approve the Food Safety Service Plan 2023/24 as the role of Policy Development and Scrutiny relating to public protection and enforcement includes receiving reports, making recommendations and performance monitoring of services relating to environmental health and trading standards.

9. PROCUREMENT IMPLICATIONS

9.1 Not applicable

Non-Applicable Headings:	7 PERSONNEL IMPLICATIONS; 9 PROCUREMENT 10 PROPERTY IMPLICATIONS; 15 WARD COUNCILLORS
Background Documents: (Access via Contact Officer)	PDS report ES 2026 15th November 2022

This page is left intentionally blank



London Borough of Bromley

Food Safety Service Plan 2023-2024



Contact details: Nigel Riley (Food Team Manager)
Department: Environment and Public Protection
Place
Address: Civic Centre,
Stockwell Close
Bromley
BR1 3UH
Email: food@bromley.gov.uk

Contents

1. INTRODCUTION.....	3
2. SERVICE AIMS & OBJECTIVES	3
3. LINKS TO CORPORATE OBJECTIVES AND ENFORCEMENT POLICY.....	4
4. PROFILE OF BROMLEY	5
5. STAFF RESOURCE	5
6. SCOPE OF FOOD SERVICE	6
7. FSA RECOVERY PLAN	6
8. SERVICE DEMAND	7
9. PERFORMANCE OUTCOMES 2022-23.....	8
10. INSPECTIONS DUE & OVERDUE 2023-24	9
11. SERVICE DELIVERY 2022-24	10
12. ENFORCEMENT	11
13. FOOD COMPLAINTS	12
14. ADVICE TO BUSINESSES.....	12
15. FOOD SAMPLING	13
16. INFECTIOUS DISEASE CONTROL.....	13
17. FOOD SAFTY INCIDENTS & ALERTS	13
18. WORKING IN PARTNERSHIP	13
19. FINANCIAL RESOURCES.....	13
20. STAFF DEVELOPMENT	13
21. QUALITY ASSESSMENT	14
22. REVIEW	14
Appendix A TEAM STRUCTURE.....	15

1. Introduction

- 1.1 This Food Safety Service Plan 2023-2024 covers the key areas of Food Safety and the relevant management arrangements and objectives against which the Council will monitor service delivery and has been compiled in accordance the Food Standards Agency's (FSA) 'Framework Agreement on Official Feed and Food Controls by Local Authorities' [Local authorities | Food Standards Agency](#) .
- 1.2 The FSA audits Local Authority food and feed enforcement activities and publishes reports of their findings. Local Authorities are audited against the feed and food law standard in the Framework Agreement, which is a document that sets out the minimum standards of performance required from Local Authorities, across the full range of their feed and food law enforcement activities. The FSA have recently published a [5 year strategy and vision](#) which includes designing a more targeted and proportionate approach to local authority regulation of food businesses.
- 1.3 This service plan is subject to review by the Public Protection & Enforcement PDS Committee and makes clear the measures Bromley Council will put in place to ensure that there are adequate arrangements for food safety enforcement moving forwards and states the objectives for the 2023-2024 period. It includes a performance review against the previous year's plan (2022-2023).

2. Service aims & objectives

- 2.1 Bromley's Food Safety Service is delivered in accordance with the [Food Law Code of Practice](#)(FLCoP), the latest version of which was released in June 2023.
- 2.2 The key objectives of the service are to:
- Ensure by education and enforcement that food intended for human consumption which is produced and/or sold in Bromley is safe to eat and complies with food safety requirements.
 - Deliver a programme of Food Hygiene and Food Standards inspections and interventions in relation to primary producers and food businesses, on a risk-based frequency.
 - Provide support to help businesses comply with their legal obligations.
 - Investigate and take appropriate action concerning complaints about food and food premises to protect public health.
 - Provide a fair and equitable service that provides value for money.
 - Carry out targeted and reactive environmental, microbiological and food standards food sampling.
 - Prevent the spread of specified infectious and food borne diseases.
 - Advise and educate consumers and service users on food safety matters.

3. Links to Corporate Objectives

3.1 The service, and the manner in which it is delivered, contributes to the vision and ambitions set out in the [Making Bromley Even Better \(corporate strategy\)](#) to make Bromley a fantastic place to live and work, where everyone can lead a healthy, safe and independents lives. The five ambitions are:

- 1 For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
- 2 For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
- 3 For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
- 4 For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
- 5 To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

3.2 The work of the Team also contributes to the [Public Protection & Enforcement Portfolio Plan 2023/4](#)

3.3 The Public Protection Division has produced an [Enforcement Policy 2019](#) in accordance with the [Regulators' Code](#) 2014. Regulatory compliance and enforcement are common operational activities carried out by the Food Safety Team, as part of the broader regulatory process, and it involves actions that encourage and compel compliance with a regulatory framework that covers various pieces of legislation.

4. Profile of Bromley

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

4.2 It has the 6th largest population in London with over 330,000 people, increasing from 309,400 in 2011 according to the [2021 Census](#); data from the 2011 census reports 81% of the population are white or white other, 94.2% of Bromley's population speak English, the average age of our residents is 40, 72% of the residents are owner occupiers and over 78% of the economically active population are in employment, with only 4% being unemployed. The borough owns and manages two traveler sites and is home to a large community of travelling show people.

4.3 There are four town centres; Bromley, Orpington, Beckenham and Penge; there are over

17,000 businesses in the borough, according to the London Councils [Borough Business Profiles 2019](#), the majority of businesses are small with less than nine employees in each, and most are within the sectors of finance, retail and construction. However, public administration, education and health are the borough's largest employers, and the Princess Royal University, Orpington, Beckenham Beacon, and Bethlem Royal NHS Hospitals are located within the borough, as is Biggin Hill airport.

5. Staff Resource

5.1 The Food Safety Team sits within the Public Protection Division of the Environmental and Public Protection Department; Animal feed enforcement and alcohol authenticity enforcement are carried out by the Trading Standards Team. Provision for specialist services is arranged through Kent Scientific Services who are appointed as the Public Analyst for Food, and the UK Health Security Agency (UKHSA) Food Water Environment Microbiology Laboratory acts as the Council's Food Examiner.

5.2 Table 1: Food Team resource at 1st April 2023

Food Safety Team – Staff Resource*	Number of FTE posts
Food Team Manager	1.0 FTE
Environmental Health Officers	6.0 FTE
Food Safety Officer	0.54 FTE
Total Food Team Officers	7.54 FTE
Administrative Support	0.46 FTE
Total Food Team Staff Resource Allocated	8 FTE

*See Appendix A for staff structure.

5.3 **Staff Recruitment and Retention:** The team has 1.57 FTE vacant EHO posts as of 1st of April 2023 following a part time officer retiring, and a second resigning. A pilot contract, to complete 638 inspections, is currently being implemented. Also, a further 200 inspections will be completed by an agency officer who has worked for the authority previously.

5.4 There continues to be an ongoing shortage of qualified staff across the UK which has been recognised within the profession. The Chartered Institute of Environmental Health [Workforce survey England - CIEH](#) reported that 87% of local authorities were using agency staff because of delays in recruitment. In a recent letter from the FSA to the council's Chief Executive in May 2023, the FSA states, "Although local authority food teams are now largely back to pre-pandemic staffing levels, those teams have around 11% fewer environmental health and 50% fewer trading standards professionals than they did a decade ago, and we have heard evidence of some significant recruitment and retention challenges in food teams". Local authorities have also cut training posts for undergraduates studying Environmental Health over the past 12 years due to the government's austerity measures, this is one of the main factors driving the shortage of qualified staff. Additionally, the existing workforce is ageing. There are currently no posts for newly qualified graduate or student Environmental Health Officers to be employed in the Division's establishment, so an FTE post would need to be utilised, thus removing the

scope to engage a fully qualified officer with the required level of experience to complete inspections and support the training of newly qualified officers and students.

6. Scope of Food Service

6.1 Food safety activities normally undertaken include:

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

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

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

7. FSA Recovery Plan (RP)

7.1 The FSA Recovery Plan ended on the 31st of March 2023; the expectation of the FSA is that local authorities carry out all inspections in accordance with the FLCoP from the 1st of April 2023. Local authorities will be expected to work to realign services with the FLCoP and to 'catch up' on the backlog of compliant high-risk food businesses and lower risk food businesses created by the pandemic. The FSA has indicated that it will work with local authority food teams to ensure a return to delivery of pre-pandemic levels of service, indicating that it will take a risk-based and pragmatic approach to performance management as local authority services work to realign with the Food Law Code of Practice.

8. Service Demand

- 8.1 The food team have worked hard to reduce the backlog of inspections for newly registered food businesses during 2022-23. On the 1st of April 2023 there were 2711 registered food businesses in Bromley, Column 1 in Table 2 compares the number of registered businesses with the previous two years 2021 and 2022.
- 8.2 In 2022-23, 604 new food businesses registered with the council and were added to the inspection programme compared to 974 in the previous year (Column 2 in Table 2). Several factors continue to influence the number of newly registered businesses including change of ownership, new food businesses opening in the High Street and new home-based food businesses. The team continues to deal with the fallout from the Covid pandemic, there is still a considerable backlog of new businesses awaiting inspection and existing businesses which are overdue for an inspection.
- 8.3 Column 3 in Table 2 represents newly registered food businesses awaiting a first inspection. On the 1st of April 2023 there were 529 unrated new food businesses awaiting inspection consisting of 334 childminders, 75 low risk home caterers and 120 other businesses, compared to 820 on the 1st of April 2022. As indicated in the 2022-23 service plan childminders were triaged in this period to assess risk and added to the inspection programme. As a result, there are now 334 childminders awaiting inspection, down from 433.

Table 2: Comparison of Number of Registered Food Businesses 1st April 2023 / 2022 / 2021

	Number of food businesses registered	Number of new food businesses registered annually	Number of new food businesses, awaiting inspection
As of 1st April 2021	2,487	502 (2020-21)	190
As of 1st April 2022	3,029	541 Businesses 433 childminders 974 (2021-22)	387 Businesses 433 Childminders 820
As of 1st April 2023	2,711	362 Businesses 242 childminders 604 (2022-23)	120 Businesses 75 LRHC* 334 Childminders 529

*LRHC = Low risk home caterers

- 8.4 The types of food business premises are varied and include non-EU country food importers, EU importers, manufacturers and processors, warehouses and distributors, supermarkets and other smaller food retailers and online businesses, hospitals, care-homes, schools, nurseries, restaurants, takeaways, home-based businesses, childminders, and primary producers.
- 8.5 Table 3 shows the Food Hygiene Rating Scheme (FHRS) profile of registered food

businesses in Bromley comparing ratings of businesses at the end of 2021-22 and 2022-23.

Table 3: FHRs Profile for Bromley 1st April 2022 compared with 1st April 2023

Food Hygiene Rating	Descriptor	2021-22 Number of businesses	2022-23 Number of businesses
AW	Awaiting inspection (Unrated)	820	529
0	Urgent improvement necessary	1	2
1	Major improvement necessary	28	38
2	Improvement necessary	24	26
3	Generally Satisfactory	231	218
4	Good	308	306
5	Very Good	1,496	1,592
Total number of rated premises		2,908	2,711

8.6 To reduce the burden on business and to increase efficiency, food standards and hygiene inspections will be combined where feasible, however, separate food standards inspections will be carried out in high-risk premises. Premises given a food hygiene rating of 0 - 2 will receive additional revisits and written guidance to ensure compliance and improved standards. Formal action will be considered where informal action has not been successful; this is in line with our [Enforcement Policy 2019](#).

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

9. Performance outcomes 2022-2023

9.1 The Food team have reduced the backlog of due and overdue inspections and unrated new food businesses awaiting inspection during 2022-23. The team continues to perform well with the number of inspections achieved returning to pre-pandemic levels.

9.2 Table 4 compares the number of inspections and service requests for the last 4 years. Last year, April 2022 to March 2023, a total of 1139 inspections were carried out within food businesses. This was 81% of the target (1,400 inspections) set in the previous year's Food Plan. The shortfall in inspection numbers was due to a number of factors for example in some cases officers needed to spend more time on additional enforcement work to deal with food businesses failing to meet food hygiene requirements. Some staff absence has also contributed to the shortfall due to illness and staff taking additional leave which was carried over due to the pandemic.

Table 4. Comparison of number of inspections and service requests for the past 4 years

	Programmed Inspections completed	No of service requests
April 2019 – March 2020	1,067	450
April 2020 – March 2021	231	411
April 2021 – March 2022	782	410
April 2022 – March 2023	1,139	337

10. Inspections due and overdue 2022-23 /2023-24

10.1 In addition to the inspections which were due in this reporting year, there continues to be a backlog of overdue inspections.

Table 5: Due and Overdue Inspections 1st April 2022 compared with 1st April 2023

Risk Category	<i>Inspections Due 2022-23 Food Hygiene</i>	Inspections Due 2023-24 Food Hygiene
Category A	7	2
Category B	84	87
Category C	101	343
Category D	104	259
Category E	245	14
Unrated businesses	288	120
Unrated LRHC*	99	75
Unrated childminders**	433	334
Total	1,361	1,234
Risk Category	<i>Inspections Overdue 2022-23 Food Hygiene</i>	Inspections Overdue 2023-24 Food Hygiene
Category A	0	0
Category B	8	5
Category C	185	16
Category D	621	288
Category E	275	354
Total	1,089	663
Grand Total	2,450	1,897

*LRHC = Low risk home caterers

10.2 The total number of due and overdue food hygiene inspections was 1,897 at the 1st April 2023. The expectation of the FSA from the 1st of April 2023 is for local authorities to work to realign services with the Food Law Code of Practice and to 'catch up' on backlogs of compliant high-risk and lower risk food businesses created by the pandemic.

11. Service Delivery 2023-24

11.1 The authority maintains an up-to-date list of food businesses operating throughout the

borough due to the statutory requirement for all food businesses to be registered with the authority.

- 11.2 Table 5 below sets out the risk profile of all 2,711 registered food premises in the borough as of 1st of April 2023. Of these, there are 1,897 which require an inspection this year.

Table 6: Food Hygiene Risk Profile by Risk Category with Inspection Intervals

FH Risk Category	Minimum Inspection Frequency	<i>2022-23 Number of businesses</i>	2023-24 Number of businesses
A	6 Monthly	7	2
B	12 Monthly	87	92
C	18 Monthly	448	487
D	2 Yearly	964	1009
E	3 Yearly or Alternative Enforcement Strategy	679	592
Outside of the inspection programme	None	24	37
Unrated businesses	Awaiting Inspection	288	120
Unrated LRHC*	Awaiting Inspection	99	75
Unrated childminders	Awaiting inspection	433	334
Total		2487	2711

*LRHC = Low risk home caterers

- 11.3 Table 7 below provides the total number of outstanding inspections for this year, together with the resources available to achieve these inspections.

Table 7: Food Hygiene (FH) Inspections Due and Resources 2023-24

Inspection Year	FH Risk Category	FH Inspections Due	Resources 1st April 2023
Due FH Inspections 1st April 2023	Category A	2	Staff – 4.97 FTE Officers (904 inspections) to March 2024 single agency (200 inspections) to March 2024
	Category B	87	
	Category C	343	
	Category D	259	
	Category E	14	
Total		705	
Overdue FH Inspections 1st April 2023	Category A	0	pilot contract (638 inspections (see 11.7)) Beyond March 2024 Alternative Enforcement Strategy (354 inspections) Beyond March 2024
	Category B	5	
	Category C	16	
	Category D	288	
	Category E	354	
Total		663	
Unrated Awaiting Inspection	Unrated businesses	120	
	Unrated LRHC*	75	

1st April 2023	Unrated childminders	334	
	Total	529	
	GRAND TOTAL	1,897	

*LRHC = Low risk home caterers

- 11.4 The focus this year is to inspect all businesses that fall due for inspection to comply with the FLCoP. Prioritising poorly performing, high-risk and non-compliant food businesses and newly registered high-risk businesses awaiting the first inspection. In addition, we are required by the FSA to address the backlog of overdue D rated food businesses which include compliant high risk food businesses, low risk E rated food businesses and unrated food businesses still awaiting inspection.
- 11.5 With our current staffing level for the team at 4.97 FTE Officers, the team aim to complete 904 inspections by the 31st March 2024. This will include 705 due food hygiene inspections, as well as 5 overdue category B, 16 overdue category C inspections and 178 unrated high risk food businesses awaiting inspection. The Team will continue to prioritise those food businesses with high-risk activities, or where intelligence indicates a food safety concern.
- 11.6 Ordinarily, newly registered food businesses awaiting inspection are to receive a food safety inspection within 28 days of registration to comply with the FLCoP. Although the backlog of new food businesses awaiting inspection is much reduced the number of newly registered businesses has continued to rise month on month since the 1st of April 2023. It is predicted that there will continue to be a backlog of newly registered food businesses awaiting inspection during 2023-24. The Team will continue to prioritise those food businesses with high-risk activities, or where intelligence indicates a food safety concern, until the backlog of newly registered food businesses can be cleared.
- 11.7 Revenue budget from 1.57 FTE vacant officer posts, is intended to be used this budget to employ the services of contractors. A single agency officer contractor will be employed to inspect 200 overdue compliant high risk D rated food businesses. A pilot contract for programmed food inspections is also being explored via a competitive tender process to inspect the 438 unrated low risk home caterers and childminders and up to 200 broadly compliant D risk premises. These contracted inspections may not be completed by the 31st of March 2004 as it depends upon how quickly a suitable contractor can be engaged and their capacity to do this number of inspections by the 31st of March 2004, as there continues to be a shortage of suitably qualified officers available for contract work. The contract may continue into the following year 2024-25 to enable the completion of these inspections.
- 11.8 Up to 354 overdue low risk E rated food businesses will be targeted using the Alternative Enforcement Strategy (AES) outlined in the FLCoP. This work will continue into the following year 2024-25.
- 11.9 With our current resources of 4.97 FTE officers we expect to complete 904 inspections by

the 31st of March 2024. A further 200 D rated inspection will be targeted by a single contractor, bringing the total to 1,104. In addition to this, the programmed food inspection contract, if successfully procured, will return up to 638 inspections within 12 months of commissioning.

12 Enforcement

- 12.1 Food safety enforcement will continue to be undertaken in a graduated manner, and in accordance with the [Enforcement Policy 2019](#) and FSA guidance. Informal action, advice, education and persuasion are the usual methods of achieving compliance, but other enforcement measures (including serving statutory notices and prosecutions) will be taken if the circumstances dictate.

13 Food complaints

- 13.1 Additional inspections may be required following a food or food hygiene complaint. The speed of response and level of investigation will depend on the severity of the complaint. This will be decided in accordance with our internal procedures. Urgent complaints will be responded to within 24 hours and non-urgent ones within 5 working days.

14 Advice to business

- 14.1 The provision of advice and guidance to secure compliance with food law is an integral part of the work carried out by the service. Advice to existing food businesses will continue to be offered during inspections and revisits. There is also an extensive food safety resource available for businesses on the food safety pages on the council's website.
- 14.2 Businesses seeking advice which is not directly related to a current food safety inspection or investigation, will be directed to our website where food safety advice is available on a self-serve basis. Where this is insufficient to meet the business's needs, they may have to seek advice from an external source such as a food safety consultant.
- 14.3 Currently there are no Primary Authority partnerships in Bromley, however, the Home Authority principles will be followed when dealing with requests about or from premises based in our borough, even where no formal agreement exists.

15 Food Sampling

- 15.1 Food sampling will continue to be intelligence led, focusing on existing and emerging issues, especially for food manufactured in the borough or imported from third countries. Where possible, food sampling will be combined with food inspections or revisits. The Team will also continue to participate in regional sampling programmes for both analysis and examination.

16 Infectious Disease Control

- 16.1 The Public Health (Control of Disease) Act 1984 as amended, and the Public Health

(Infectious Disease) Regulations 1988, require certain communicable diseases to be notified to the Proper Officer within a Local Authority, the Council acts as the Proper Officer. Food Team Officers investigate food borne diseases and food poisoning to establish the source of infection and prevent further spread. Outbreaks will be investigated along with the South London Health Protection Team (SLHPT) / UK Health Security Agency (UKHSA), who provide infection control advice along with statistical analysis.

- 16.2 Infectious disease investigations are made in accordance with the SLHPT Infectious Disease Protocol. Priority will be given to those cases involving persons cases of high and medium risk diseases and those who work in the food industry or have contact with vulnerable groups. The Council will continue to work in partnership with SLHPT/UKHSA to prevent and control cases and investigate wider outbreaks of food related disease that fall outside the scope of the single case plan.
- 16.3 In 2022-23, 329 infectious disease notifications relating to food poisoning were received by the Council, which was a 6% increase on the previous year (309).

17 Food Safety Incidents & Alerts

- 17.1 There is a documented Food Alert and Incident procedure covering the issue of warnings arising from a food related issue in the borough and the response to warnings issued by the FSA. Responses to Food Incidents and Alerts are determined by the Food Safety Team Manager in consultation as necessary, with the Food Standards Agency, UKHSA and Trading Standards etc. Resource implication is unknown as it depends on the number and nature of the alert. In 2022-23 there were 3 alerts which required action 2 relating to imported food and 1 relating to contamination of frozen seafood.

18 Working in partnership

- 18.1 The Service remains committed to formal inter-agency liaison relationships as set out in the FLCoP. Additional communication will continue to take place at officer level during the process of investigating offences, sharing information and exchange of intelligence.
- 18.2 The Team is a member of the Southeast London Food Liaison Group, Environmental Health Working Group, the Public Health Group and the London Food Fraud Group and has designated members to attend. It will also continue to liaise with other enforcement organizations such as the Food Standards Agency and Department for Environment, Food and Rural Affairs, other Environmental Health Departments and professional organisations such as The Association of London Environmental Health Managers (ALEHM).

19 Financial resources

- 19.1 The Net Controllable budget for 2023-2024 of £162k is made up of the following: Staffing budgets of £477k, Overhead budgets of £26k and the Recharge to Public Health CR £341k.

20 Staff development

- 20.1 A minimum of 20 hours CPD training each year on food safety related topics is required by the FLCoP and this will be met via a mixture of formal in-person and online training, group and individual peer to peer mentoring and shadowing and coaching from senior colleagues and managers.

21 Quality assessment

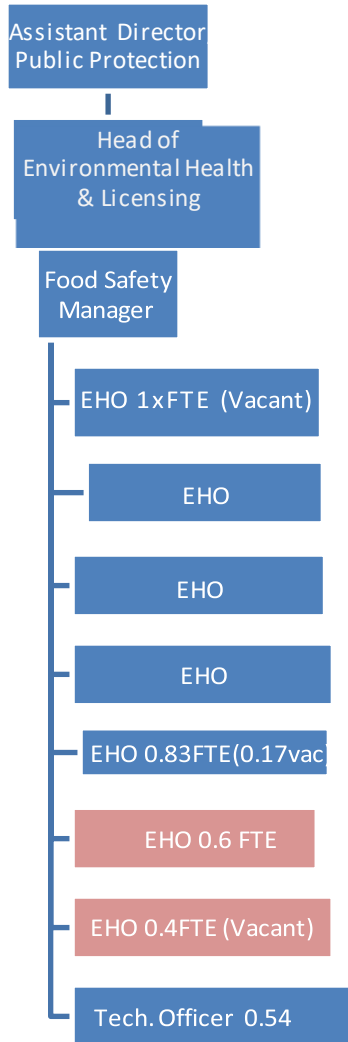
- 20.1 The Food Law Code of Practice (FLCoP) requires the Food team to have internal monitoring systems. The team has reviewed the documented internal monitoring procedures and subscribes to online resources to ensure that it covers the full range of food law enforcement activities.

22 Review

- 22.1 The Food Safety Plan is reviewed annually, and performance reported to the FSA. Food safety actions (inspections and complaints) are reported to departmental management board monthly.

Appendix A

Team Structure Food Safety



This page is left intentionally blank

Report No.
ES20299

London Borough of Bromley

PART ONE - PUBLIC

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

Date: Tuesday, 12 September 2023 at 7.00 pm

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

Title: REGULATION OF INVESTIGATORY POWERS ACT 2000

Contact Officer: Rob Vale – Head of Safer Communities
E-mail: rob.vale@bromley.gov.uk and
Louise Watkinson – Assistant Director of Public Protection
E-mail: louise.watkinson@bromley.gov.uk

Chief Officer: Colin Brand – Director of Environment & Public Protection
Email: colin.brand@bromley.gov.uk

Ward: (All Wards);

1. Reason for report

- 1.1 This report informs the Committee of the outcome of an inspection on 14th February 2023 by the Investigatory Powers Commissioner's Office (IPCO).
- 1.2 It also invites the Committee to agree to additions to the Policy and Procedure Guidance on the Council's use of covert surveillance in the light of the IPCO's recommendations.

2. **RECOMMENDATION(S)**

The Committee is asked to:

- 2.1 Note the contents of the report of the Inspector appointed by the Investigatory Powers Commissioner on the use of covert surveillance by the Council and adopts its recommendations.
- 2.2 Note the Policy and Procedure Document contained in Appendix 2 on the use of powers under the Regulation of Investigatory Powers Act 2000 (RIPA).

Impact on Vulnerable Adults and Children

1. Summary of Impact: The local authority is empowered to make use of directed surveillance for the purposes of the prevention and detection of crime. Enforcement techniques to detect the sale of age restricted products to under-age children includes the use of directed surveillance. The detection and prosecution of rogue traders and illegal fly tipping is essential in order to maintain low levels of fear of crime in our communities which impacts all residents.
-

Corporate Policy

1. Policy Status: Existing Policy:
 2. MBEB Priority: A safe & protected community
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: £N/A
 5. Source of funding: N/A
-

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: Applicable:
-

Procurement

1. Summary of Procurement Implications: N/A
-

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: Not Applicable
-

3. COMMENTARY

Background

- 3.1 The Regulation of Investigatory Powers Act 2000 (RIPA) governs the acquisition and disclosure of communications data and the use of covert surveillance by local authorities.
- 3.2 The Council uses powers under RIPA to support its core functions for the purpose of prevention and detection of crime where an offence may be punishable by a custodial sentence of 6 months or more, or is related to the underage sale of alcohol and tobacco. The three powers available to local authorities under RIPA are:
 - (a) the acquisition and disclosure of communications data
 - (b) directed surveillance
 - (c) and covert human intelligence sources (“CHIS”)
- 3.3 The Act sets out the procedures that the Council must follow if it wishes to use directed surveillance techniques or acquire communications data in order to support core function activities (e.g. typically those undertaken by Trading Standards, Environment Enforcement (fly-tipping) and Environmental Health). The information obtained as a result of such operations can later be relied upon in court proceedings providing RIPA is complied with.
- 3.4 The Home Office Code for Covert Surveillance Property Interference recommends that elected members should review the Council’s use of the legislation and provide approval to its policies.
- 3.5 RIPA governs the acquisition and disclosure of communications data and the use of covert surveillance by local authorities. The Council can only use powers under RIPA to support its core functions for the purpose of prevention and detection of crime where an offence may be punishable by a custodial sentence of 6 months or more (e.g. offences relating to counterfeit goods which carry a maximum penalty of 10 years in prison) or the offence is related to the underage sale of alcohol and/or tobacco.
- 3.6 RIPA sets out the procedure that local authorities must follow when applying to use RIPA powers. These include approval by Authorised Officers that the proposed use of the powers is “necessary and proportionate”. All applications must also be approved by the Magistrates Court before RIPA powers can be exercised. Communications data applications are submitted to the National Fraud Network for authorisation and action.
- 3.7 The Council is required to have a Senior Responsible Officer to maintain oversight of the RIPA arrangements, procedures and operations. The Council’s Director of Corporate Services & Governance performs this function and is responsible for managing the requirements under RIPA.

Inspection on 14th February 2023

- 3.8 The Investigatory Powers Commissioner’s Office (IPCO) oversee the use of covert investigatory powers by more than 600 public authorities under the guidance of the Investigatory Powers Commissioner, Sir Brian Leveson. One of the Commissioner’s inspectors (Grainne Athorn) conducted an inspection of the Council’s use of RIPA on 14th February 2023. The outcome of

that inspection is attached at Appendix 1. The Council's Policy and Procedure Document has since been amended to include the recommendations set out in the report and is attached at Appendix 2.

- 3.9 The inspection was conducted remotely, although Ms Athorn was provided with a copy of the LBB RIPA Policy and Procedure document, and example applications in advance of the meeting. Officers present were Tasnim Shawkat -Director of Corporate Services & Governance and Rob Vale, Head of Safer Communities.
- 3.10 Ms Athorn noted that since the last inspection by IPCO in December 2019, one recommendation remained extant since 2015, that being that the RIPA Policy did not reference the requirements for a risk assessment to be completed prior to the engagement of a CHIS.
- 3.11 Two new recommendations in 2019 concerned the need for the Senior Responsible Officer (SRO) to ensure a process is in place to conduct regular reviews of extant directed surveillance authorisations and the need for the Authorisation officer to provide direction as to the management of the product obtained as a result of surveillance activity. The former recommendation has been discharged, the latter required further action in that future cancellations need to reference the location of the related case files and RIPA material.
- 3.12 The 2023 inspection included comments with regards the sample authorisation submitted ahead of the inspection in particular:
1. The need to place an emphasis on minimising collateral intrusion by ensuring that excessive private information is not processed as a result of the surveillance.
 2. The need to comply with guidance set out by the Covert Surveillance and Property Interference Code of Practice 2018 in respect of proportionality statements.
 3. The need for the AO to consider a fuller statement when considering the necessity and proportionality of an application, although it was acknowledged the AO statement was informative and provided an insight into his consideration.
 4. The need for the AO to clearly state what he was authorising.
- 3.13 Ms Athorn recognised that the use of covert surveillance is not a daily activity for our authority and welcomed the planned training which took place in March 2023.
- 3.14 Ms Athorn commented that the RIPA Policy was a helpful guide for personnel to gain a basic understanding of what is required from the surveillance and CHIS authorisation process. A number of amendments were required which are set out in the table in Appendix 3.
- 3.15 The authority responded to the IPC on 7th June 2023 acknowledging the report and the recommendations.

RIPA activity 2022

- 3.16 There were four applications for directed surveillance made in the year 2022. Two were in relation to the test purchase of alcohol and tobacco by underage volunteers; two were in relation to the investigation of fly tipping. In relation to the underage sales, the operation identified two illegal sales which later resulted in the review of alcohol licences held by the business. No evidence was captured with regards the fly tipping operations.
- 3.17 There were no applications with regards the use of Covert Human Intelligence Sources.

3.18 Since 2018 the council has obtained 12 sets of 'communications data' (e.g. Call Data Records, or CDRs) of individuals from mobile telecoms providers, indirectly through another agency. The legal basis for the requests was under the Investigatory Powers Act 2016.

5 POLICY IMPLICATIONS

5.1 The RIPA Policy & Procedure has been amended to include the recommendations set out in the IPCO report and is attached at Appendix 2.

8. LEGAL IMPLICATIONS

8.1 The Protection of Freedoms Act 2012 requires a Magistrate's approval for a local authority's use of RIPA. It is in addition to the authorisation needed from a senior officer and the more general oversight by elected councillors. Use of RIPA to authorise directed surveillance is confined to cases where the offence under investigation carries a custodial sentence of six months imprisonment or more except in relation to underage sales of alcohol and tobacco, where this sentencing threshold will not apply.

Non-Applicable Sections:	PROCUREMENT; FINANCIAL; PERSONNEL
Background Documents: (Access via Contact Officer)	RIPA codes - GOV.UK (www.gov.uk)

This page is left intentionally blank



Investigatory Powers
Commissioner's Office

PO Box 29105, London, SW1V 1ZU

Mr Ade Adetosoye
Chief Executive
London Borough of Bromley
By email

24th February 2023

Dear Mr Adetosoye,

IPCO Surveillance and CHIS Inspection of the London Borough of Bromley

Please be aware that IPCO is not a “public authority” for the purpose of the Freedom of Information Act (FOIA) and therefore falls outside the reach of the FOIA. It is appreciated that local authorities are subject to the FOIA and that they may receive requests for disclosure of our reports. In the first instance the SRO should bring the matter to the attention of the IPCO Data Protection Officer (at: info@ipco.org.uk), before making any disclosure. This is also the case if you wish to make the content of this letter publicly available.

During February 2023 your Council was the subject of an inspection by Gráinne Athorn, who examined your use of powers under Part II of the Regulation of Investigatory Powers Act 2000 (RIPA) in relation to directed surveillance and Covert Human Intelligence Sources (CHIS). This process was facilitated by the Senior Responsible Officer (SRO) for RIPA matters, Tasnim Shawkat - Director of Corporate Services & Governance, and Robert Vale - Head of Service Trading Standards & Commercial Regulation.

The London Borough of Bromley was last inspected during December 2019 which resulted in the continuation of one extant recommendation from 2015 and two new recommendations. The 2015 recommendation highlighted that the Council's RIPA policy did not reference the requirement for a risk assessment to be completed prior to the deployment of a CHIS. Although the policy has been updated as recently as October 2022, the required change has been overlooked and must be addressed - this recommendation will remain extant.

The first of the two new recommendations (which we now refer to as areas of non-compliance) concerned the need for the SRO to ensure a process is in place to conduct regular reviews of extant directed surveillance authorisations. Since our last inspection, directed surveillance powers have been used once, and for a duration of several weeks during which a review was conducted. Although the review submission was extremely brief, it seems to have provided sufficient reassurance to enable the AO to sanction the continuation of surveillance.

In order to provide a corporate solution to the necessity to complete regular reviews, there is an intention to adapt the Sharepoint system to provide an automatic reminder service to applicants, including notifying them that a review is due. I welcome this approach, albeit automation should not detract from intrusive human oversight by the AO – recommendation discharged.

The second recommendation of 2019 explained that AOs must provide direction as to the management of product obtained as a result of directed surveillance activity when the authorisation is cancelled. Mr Vale explained that the parts of the Council responsible for the use of RIPA powers have internal policy and processes that detail how evidence and intelligence is retained and further used. The Covert Surveillance and Property Interference Code of Practice 2018 states that it is '*good practice that a record should be retained detailing the product obtained from the surveillance*', however, such detail was not recorded by the applicant or AO on the last authorisation. Future cancellations must reference the location of related case files and RIPA material, and as such, this recommendation requires further action.

The inspection discussion included the Data Safeguards introduced by the 2018 Covert Surveillance and CHIS Codes and the need for the Council to ensure its practice is compliant with the guidance provided. This will require two actions to be undertaken. The first is that the Central Record of authorisations must be reviewed to ensure that the documentation held complies with corporate record retention periods. The second element will require the SRO to consider how they will ensure that regular record retention reviews, performed against the Central Record of authorisations and the related case files, are undertaken in tandem, removing the risk that one element of each case is retained for longer than the other.

In respect of the use of covert surveillance undertaken during early 2020, Mr Vale kindly provided a copy of the authorisation documentation in advance of the inspection. The investigation concerned the covert monitoring of a rural fly-tipping hotspot for a period of a few weeks. Mrs Athorn provided feedback on the standard of the document and observed:

- The proposed surveillance and the rationale for the deployment were sound, however the assertion that the surveillance would not result in collateral intrusion was incorrect. The applicant is advised that collateral intrusion can rarely be eliminated and in this case was likely to be low (and thus justifiable). Thus an emphasis should be placed on minimising collateral intrusion by ensuring that excessive private information is not processed as a result of the surveillance.
- The proportionality argument presented by the applicant did not comply with the guidance set out by paragraph 4.7 of the Covert Surveillance and Property Interference Code of Practice (2018).
- The AO's statement concerning the necessity and proportionality of the proposed surveillance was informative and provided an insight into his considerations. Concerning the 'size and scope' element of proportionality, it may have been helpful to highlight that the cameras to be used were video only and placed in a position intended to minimise intrusion.
- The AO did not clearly state what he was authorising.
- The review document listed an incorrect expiry date, and it was unclear from the detail provided when the cameras had been deployed and for how long.

It is accepted that the use of covert surveillance is not a daily activity for local government, however I welcome your plans to deliver refresher training for key personnel during March and ask that the points highlighted above be included as areas of attention.

With regard to your RIPA policy, this document was updated as recently as October 2022. It provides a helpful guide for personnel to gain a basic understanding of what is required from the surveillance and CHIS authorisation process, however a number of amendments are required:

- The document makes repeated reference to the Office of Surveillance Commissioners which no longer exists and was replaced by IPCO in 2017.
- The wording of paragraph 5.5 is confused and thus ambiguous and requires redrafting.
- Paragraph 6.4 should include the duration of juvenile CHIS authorisations as 4 months.
- In paragraph 6.28 the reference to urgent renewals is incorrect and should be removed.

The policy contains guidance on the use of social media and the internet for surveillance purposes, however it is suggested that this section be reviewed actively following the delivery of the planned RIPA training, to ensure that it accurately summarises current practices.

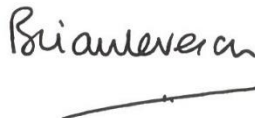
Paragraph 4.47 of the 2018 Covert Surveillance and Property Interference Code of Practice requires that Elected Members be provided with a regular update on the use of RIPA powers and the Council's policy. This is currently facilitated via the Policy Development and Scrutiny Committee. The findings of this letter and the amended policy should be presented as part of the next future update.

I hope that you and your colleagues have found the inspection process helpful in focusing on what activity must be sustained in order to maintain compliance and readiness to use RIPA powers. If you require any further assistance or wish to provide feedback, my Office is available to you.

I would otherwise ask you to respond to this letter within two months of receipt, providing an update against the extant recommendations and new actions. I am mindful that several of the matters identified by my Inspector have been languishing for some time, despite the ease of their remediation. It would be extremely disappointing for any of the findings to have to be repeated by the time of your next inspection.

I look forward to hearing from you.

Yours sincerely,



The Rt. Hon. Sir Brian Leveson
The Investigatory Powers Commissioner

This page is left intentionally blank

London Borough of Bromley

Policy & Procedure on covert surveillance and the use of covert intelligence sources under the Regulation of Investigatory Powers Act 2000

Amended by the Protection of Freedoms Act 2012

Updated December 2015 incorporating recommendations from OSC Inspection on 8th
October 2015
Updated November 2016 at annual review
Updated June 2019
[Updated October 2022](#)
[Updated Jul 2023](#)

CONTENTS

POLICY

A	Introduction	3
B	The Protection of Freedoms Act 2012	4

PROCEDURE

1	Surveillance	4
2	The Criminal Threshold	5
3	Examples of Surveillance	6
4	Covert human Intelligence Source	6
5	On-line investigations & Social Media	8
6	Applications for Authorisations	9
7	Record Maintenance	12
Appendix 1	RIPA Guidance notes	14
	Judicial Process flow chart	15
	Application form	16
	Court Order	17
Appendix 2	CCTV Deployment procedure	18
Appendix 3	Authorising Officers	19
Appendix 4	Record Sheet	20
Appendix 5	Record of annual meetings	21

LONDON BOROUGH OF BROMLEY POLICY & PROCEDURES REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)

POLICY

A INTRODUCTION

- A1 The Human Rights Act requires the Council and organisations working on its behalf, to have respect for the private and family life of citizens. However, in certain cases, it may be necessary for the Council to act covertly in ways that could interfere with an individual's rights.
- A2 The Regulation of Investigatory Powers Act 2000 (RIPA) provides a mechanism for authorising covert surveillance and the use of a "covert human intelligence source" (CHIS) – e.g. undercover agents. It aims to ensure that any interference with individual's privacy is necessary and proportionate and that both the public interest and the human rights of individuals are protected.
- A3 It is important to note that the legislation does not just affect directly employed Council staff. All external agencies working for Bromley Council automatically become a public body under the Act for the time they are working for the authority. It is essential, therefore, that all external agencies comply with the regulations too and that work carried out by agencies on the Council's behalf be properly authorised by one of the Council's designated authorising officers.
- A4 Any officer intending to undertake covert surveillance or use a covert human intelligence source will only do so if the evidence or intelligence sought cannot be obtained by other means.
- A5 If the correct procedures are not followed, evidence could be thrown out, a complaint of maladministration could be made to the Ombudsman, the Council could be the subject of an adverse report by the Investigatory Powers Commissioner's Office (IPCO) or a claim could be made via the Ombudsman, the Courts or possibly a RIPA tribunal leading to the payment of compensation by the Council.
- A6 Officers will have regard to the Covert surveillance and property interference code of practice and the Covert human intelligence sources code of practice when considering the use of covert activity.
- A7 Electronic copies of all guidance relating to RIPA 2000 including copies of the Home Office Codes of Practice pursuant to section 7 of RIPA 2000 are located in the Environmental Services shared folder at [EHTS/General/Phrase Library/Legal/surveillance documents/RIPA Guidance Docs.](#)

B THE PROTECTION OF FREEDOMS ACT 2012

- B1 The Protection of Freedoms Act 2012 came into force on 1 November 2012 and requires all RIPA authorisations to obtain judicial approval by a court order before they can take effect.
- B2 Regulations made under the Act limits the authorisation of directed surveillance to criminal offences which carry a custodial sentence of at least six months or relate to the sale of tobacco and alcohol to children.

PROCEDURE

1 SURVEILLANCE

1.1 “Surveillance” includes:

- monitoring, observing, listening to persons, their movements, conversations other activities or communications;
- recording anything monitored, observed or listened to in the course of surveillance;
- surveillance, by or with, assistance of a surveillance device.

1.2 Surveillance can be overt or covert.

1.3 Overt Surveillance

1.4 Most of the surveillance carried out by the Council will be overt – there will be nothing secretive, clandestine or hidden about it. In many cases officers will be behaving in the same way as a normal member of the public (eg: in the case of most test purchases) and/or will be going about Council business openly (eg: a market inspector walking through Bromley North market). Similarly, surveillance will be overt if the subject has been told it will happen (eg: where a noisemaker is warned that noise will be recorded if the noise continues, or where an entertainment licence is issued subject to conditions and the licensee is told that officers may visit without identifying themselves to check that the conditions are being met).

1.5 Covert Surveillance

1.6 Surveillance is covert surveillance if, and only if, carried out in a manner calculated to ensure that persons subject to the surveillance are unaware it is taking place (Section 26(9)(a) of RIPA).

1.7 RIPA regulates two types of covert surveillance – Directed Surveillance and Intrusive Surveillance and the use of Covert Human Intelligence Sources (CHIS).

1.8 Directed Surveillance

1.9 Directed surveillance is surveillance which is:

- covert surveillance;
- not intrusive surveillance (see definition below – the Council must not carry out intrusive surveillance;
- not carried out as an immediate response to events which would otherwise make seeking authorisation under the Act unreasonable, eg: spotting something suspicious and continuing to observe it); and
- undertaken for the purpose of a **specific investigation** or operation in a manner **likely to obtain private information** about an individual (whether or not that person is specifically targeted for purposes of an investigation). (*Section 26(10) of RIPA*)

1.10 Intrusive surveillance

1.11 Council Officers must not carry out intrusive surveillance. It is defined in section 26(3) of RIPA as covert surveillance that: is carried out in relation to anything taking place on any residential premises or in any private vehicle; and involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device (e.g. a listening device in a person's home or in their private vehicle).

1.12 Private Information

1.13 In relation to a person includes any information relating to his private or family life. The fact that covert surveillance occurs in a public place or on business premises does not mean that it cannot result in the obtaining of private information about a person. Prolonged surveillance targeted on a single person may very well result in the obtaining of private information. Similarly, although overt town centre CCTV cameras do not normally require authorisation, if the camera is tasked for a specific operation which involves prolonged surveillance on a particular individual, authorisation may well be required. The way a person runs their business may also reveal information about his or her private life.

2 THE CRIME THRESHOLD

2.1 The Council can *only* authorise use of a directed surveillance under RIPA to prevent or detect criminal offences that are punishable by a maximum term of at least 6 months imprisonment.

2.2 The council may continue to authorise the use of directed surveillance for the purpose of preventing or detecting criminal offences under s146, 147 or 147A of the Licensing Act 2003, or s7 of the Children and Young Persons Act 1933 relating to the underage sale of alcohol and tobacco where the necessity and proportionality test is met and prior court approval has been granted.

2.3 Examples of cases where the offence being investigated attracts a maximum custodial sentence of six months or more could include:

- Serious criminal damage
- Dangerous waste dumping
- Serious benefit fraud

2.4 Council officers can carry out “Directed Surveillance” if, and only if, the RIPA authorisation procedures are followed.

3 EXAMPLES OF DIFFERENT TYPES OF SURVEILLANCE

Type of Surveillance	Examples
Overt	<ul style="list-style-type: none"> • Police Officer or Parks Warden on patrol; • Signposted Town Centre CCTV cameras (in normal use); • Recording noise coming from premises after the occupier has been warned that this may occur if the noise persists; • Most test purchases (where the officer behaves no differently from a normal member of the public)
Covert – requires a RIPA authorisation	<ul style="list-style-type: none"> • Officers follow an individual over the course of the day to establish whether he is working when claiming benefit; • Hidden CCTV camera focused on a railway bridge which has just been cleared of graffiti where it is expected that taggers will target the bridge • Test purchases where the officer has a hidden camera recording information which might include information about the private life of a small shop owner, eg: the way they run their business
Intrusive – Council cannot do	<ul style="list-style-type: none"> • Planting a listening device (bug) in a person’s home or in their private motor car

4 COVERT HUMAN INTELLIGENCE SOURCE

4.1 Who is a CHIS?

4.2 A person is a CHIS if he establishes or maintains a personal or other relationship for the covert purpose of helping the covert use of the relationship to obtain information.

4.3 The provisions of RIPA do not normally apply in circumstances where members of the public volunteer information to the Council as part of their normal civic duties or to contact numbers set up to receive information. However, care should be taken if the informant acquired the information in the course of, or as a result of the existences of, a personal or other relationship, where in such circumstances he is likely to be within the definition of a CHIS.

4.4 A number of different terms are used to describe those involved in CHIS operations:

4.5 Handler – means the person referred to in section 7(6)(a) of RIPA holding an office or position within the local authority and who will have day to day responsibility for:

- Dealing with the source on behalf of the local authority
- Directing the day to day activities of the source
- Recording the information supplied by the source and

- Monitoring the source's security and welfare
- 4.6 Controller – means the person (usually the line manager of the handler) within the local authority referred to in section 7(6)(b) of RIPA responsible for general oversight of the source. The handler and controller may not be the same person.
- 4.7 The conduct of a source means the actions of that source falling within RIPA or action incidental to it i.e. what the source does.
- 4.8 The use of a source is any action taken to induce, ask or assist a person to engage in the conduct of a source or to obtain information by means of any action of the source
- 4.9 Tasking is the assignment given to the source. Either the handler or the controller may task a source. Tasking should be done only after authorisation for the use or conduct of the CHIS has been obtained. The only exception to this is where the source will not be establishing or maintaining a relationship for covert purposes, in which case authorisation may not be necessary.
- 4.10 Before granting a CHIS authorisation, the authorising officer should ensure that a risk assessment is carried out to determine the risk to the CHIS of any tasking and the likely consequences should the role of the CHIS become known. This should consider the risks relating to the specific tasking and circumstances of each authorisation separately, and should be updated to reflect developments during the course of the deployment, as well as after the deployment if contact is maintained. See para 7.5 of the Covert Human Intelligence Sources Code of Practice
- 4.11 From the above, it may be seen that both the conduct and the use of a CHIS require prior authorisation. This is effected through one application, but care must be taken to ensure that the authorisation complies with both procedures. Insurance – all applicants for authorisation must ensure that they have all the necessary insurances for an operation e.g. vehicle insurance for use of the vehicle in surveillance.
- 4.12 What must be authorised?**
- 4.13 The conduct or use of a CHIS require authorisation.
- **Conduct** of a CHIS = establishing or maintaining a personal or other relationship with a person for the covert purpose of (or is incidental to) obtaining and passing on information;
 - **Use** of a CHIS = actions inducing, asking or assisting a person to act as a CHIS.
- 4.14 The Council can use a CHIS if, and only if, RIPA procedures are followed.
- 4.15 Juvenile Source**
- 4.16 Special safeguards apply to the use or conduct of juvenile sources (under 18). On no occasion can a child under 16 years of age be authorised to give information against his or her parents. Only the Chief Executive can authorise the use of Juvenile Sources.

4.17 Where appropriate, external advice should be sought when undertaking the enhanced risk assessment for a juvenile CHIS, for example from someone with relevant professional qualifications such as a social worker or an appropriately trained health professional.

4.18 Vulnerable Individuals

4.19 A Vulnerable Individual is a person who is, or may be, in need of community care services by reason of mental or other disability, age or illness and who is, or may be, unable to take care of himself or herself or unable to protect himself or herself against significant harm or exploitation. A vulnerable individual should only be authorised to act as a source in the most exceptional circumstances. The Chief Executive is the only person who can authorise the use of a vulnerable person as a CHIS.

4.20 Test Purchases

4.21 Carrying out test purchases will not normally require the purchaser to establish a relationship with the supplier with the covert purpose of obtaining information and, therefore, the purchaser will not normally be a CHIS. For example, authorisation would not normally be required for test purchases carried out in the ordinary course of business (eg: walking into a shop and purchasing a product over the counter). By contrast, developing a relationship with a person in the shop to obtain information about the seller's suppliers of an illegal produce (eg: of illegally imported bush meat) is likely to require authorisation as a CHIS. Similarly, using hidden recording devices to record what is going on in the shop (eg: a hidden CCTV camera) may require authorisation as directed surveillance. A combined authorisation can be given where a CHIS is carrying out directed surveillance.

4.22 Test purchase situations and covert inspection activities are unlikely to obtain private information. However, OSC Guidance & Procedures and the Better Regulation Delivery Office guidance on Under Age sales recommend that covert test purchasing of age restricted goods, where an under-cover under age volunteer is used, the authority should apply for a directed surveillance authorisation.

4.23 Any decisions made which result in the decision not to seek an authorisation must be recorded by the investigating officer.

4.24 Noise

4.25 Persons who complain about excessive noise and are asked to keep a noise diary will not normally be a CHIS as they are not required to establish or maintain a relationship for a covert purpose. Recording the level of noise (eg: the decibel level) will not normally capture private information and, therefore, does not require authorisation. Recording sound with a DAT recorded on private premises could constitute intrusive surveillance unless it is done overtly – for example it will be possible to record sound if the noisemaker is warned that this may occur if the level of noise continues.

5 ON-LINE INVESTIGATIONS & SOCIAL MEDIA

- 5.1 Increasingly, local authorities are making use of online open and closed source intelligence opportunities when conducting investigations. The viewing of suspects Facebook accounts and other social networks is becoming a standard avenue of investigation.
- 5.2 The use of the internet may be required to gather evidence during the course of an investigation. This may amount to directed surveillance. Furthermore, an investigator may need to communicate with a person suspected of criminal activity by means of social media, such as Facebook.
- 5.3 Any use of the internet during the course of an investigation must be carefully considered with regards to Article 8 Rights of the individual, including the effect of any collateral intrusion. Where any interference with an individual's Article 8 rights is likely to be incurred, the activity should be undertaken only when necessary and proportionate to meet the objectives of the investigation.
- 5.4 Where private information is likely to be obtained an authorisation must be sought. Where the investigator is likely to communicate with a subject covertly, a CHIS should be considered.
- 5.5 . [Access to open source material does not require a RIPA authorisation unless there are repeated visits to the same site.](#)
- 5.6 The IPCO has expressed the view that "repeat viewing of individual open source sites for the purpose of intelligence gathering and data collection should be considered within the context of the protection that RIPA affords to such activity." Guidance can be found at para 3.10 of the [Covert Surveillance and Property Interference Revised Code of Practice](#).
- 5.7 Accordingly, systematic monitoring of publicly available material may attract the need for authorisation. Where an officer accesses material that forms the essence of private life and then downloads it, stores it, retains it and processes it, then it is likely there will be an interference with Article 8 and a directed surveillance authority will be required. . Investigators should discuss with an authorising officer whether the likelihood of continued surveillance of a suspect is likely to require a directed surveillance application at the earliest opportunity.
- 5.8 Any use of a false identity for the purposes of a covert investigation must be the subject of an authorisation. The use of another person's photo in the course of setting up a false identity must not be considered.
- 5.9 A CHIS authorisation will be necessary where privacy settings are set, for example the investigator is required to become a "friend" with the suspect to facilitate a test purchase. If privacy settings are available but not applied, the data may be considered to be open source and an authorisation may not be necessary. The investigator should discuss this with the Authorising Officer on a case by case basis.
- 5.10 Where a decision is made not to seek an authorisation this should be recorded by the investigator and handled according to legal process.

6 APPLICATIONS FOR AUTHORISATION

6.1 Directed Surveillance and the use of a CHIS can be carried out only if authorised and only within the terms of the authorisation. Where the person applying for the authorisation is not the actual practitioner, the latter will be given a copy in order to avoid any risk of acting outside the remit of the authorisation. Appendix 1 provides a flow chart of the process from application consideration to recording of information.

6.2 Authorising Officers

6.3 Authorisations can only be given by authorising officers listed in Appendix 2.

6.4 Authorisation under RIPA is quite separate from delegated authority to act under the Council's Scheme of Delegation and internal departmental Schemes of Management. RIPA authorisations are for 3 months and specific investigations only and must be cancelled or renewed once the specific surveillance is complete or about to expire. The duration of a juvenile CHIS authorisation is 4 months.

6.5 The Authorising Officer should not just "sign off" an authorisation but must give personal consideration to the necessity and proportionality of the proposed action and must personally ensure that the surveillance is reviewed and cancelled.

6.6 Although there is no formal guidance on who presents the application to the Magistrates, the OSC recommend that the AO should do so. Where this is not practicable, the authorisation should be presented by the applicant.

6.7 The Authorising Officer for any application should be independent to the investigation, separated from all discussions over the tactics of an investigation and any decision to make an application for RIPA authorisation.

6.8 Application Forms

6.9 Applications for authorisation should be made using standard RIPA forms. Forms seek to ensure that criteria for RIPA are fully considered.

6.10 Bromley currently uses the following modified Home Office forms:

- Application for authority for Directed Surveillance
- Cancellation of Directed Surveillance
- Review of Directed Surveillance Authority
- Application for Authority for Conduct and use of a CHIS
- Cancellation of Conduct and Use of a CHIS
- Review of Conduct and Use of a CHIS

6.11 Grounds for Authorisation

6.12 Directed Surveillance or the Conduct and Use of a CHIS can be authorised by the Council only on the grounds for the prevention or detection of crime

6.13 Assessing the Application Form

6.14 When considering whether to authorise surveillance, an Authorising Officer must:

- Consider the relevant Code of Practice
- Satisfy him/herself that the authorisation is **necessary** in the circumstances of the particular case on the grounds above, and also
- Satisfy him/herself that the surveillance is **proportionate** to what it seeks to achieve. In assessing whether or not the proposed surveillance is proportionate, the Authorising Officer will consider other appropriate means of gathering information.
- A 2023 inspection by the Investigatory Powers Commissioners Office noted the proportionality argument presented by the applicant in a sampled application did not comply with the guidance set out by paragraph 4.7 of the Covert Surveillance and Property Interference Code of Practice (2018). The following elements of proportionality should therefore be considered: • balancing the size and scope of the proposed activity against the gravity and extent of the perceived crime or harm; • explaining how and why the methods to be adopted will cause the least possible intrusion on the subject and others; • considering whether the activity is an appropriate use of the legislation and a reasonable way, having considered all reasonable alternatives, of obtaining the information sought; • evidencing, as far as reasonably practicable, what other methods had been considered and why they were not implemented, or have been implemented unsuccessfully.
- Take into account the risk of intrusion into the privacy of persons other than the specific subject of the surveillance **collateral intrusion**. Measures must be taken wherever practicable to avoid collateral intrusion. Collateral intrusion can rarely be eliminated although in most cases it is likely to be low. The application should focus on how it can be minimised by ensuring that excessive private information is not processed as a result of the surveillance.
- Set a date for review of the authorisation
- Allocate a Universal Reference Number (URN) for the application. The URN will consist of two letters plus a number
- Ensure that the departmental log is completed and that a copy of the entry in the log is forwarded to the Monitoring Officer's Central log (Mark Bowen, Director of Legal, Democratic & Customer Services)

6.15 If there is an alternative practicable means of carrying out the surveillance which is less intrusive, then the surveillance is neither necessary nor proportionate and should not be authorised.

6.16 Additional Factors when Authorising a CHIS

6.17 In addition, when authorising the conduct or use of a CHIS, the authorising officer must be:

- Satisfied that the **conduct** and/or **use** of the CHIS is proportionate to what is sought to be achieved
- Satisfied that the **appropriate arrangements** are in place for the management and oversight of the CHIS
- Consider the likely degree of intrusion of all those potentially affected
- Consider any adverse impact on community confidence that may result from the use or conduct or the information obtained
- Ensure **records** contain statutory particulars and are not available except on a need to know basis

6.18 Urgent Authorisations

6.19 Urgent authorisations are no longer within the powers of a local authority.

6.20 Duration

6.21 The authorisation **must be cancelled** once it is no longer needed and otherwise lasts for a maximum of 3 months for Directed Surveillance and 12 months for a CHIS.

6.22 Review and Cancellation

6.23 The authorising officer must review authorisations frequently and must cancel an authorisation if he/she becomes satisfied that the surveillance is no longer required or appropriate.

6.24 The OSC consider that it would be sensible to complete the authorisation process in a form similar to other parts of the authorisation where relevant details can be retained together. When cancelling an authorisation, the Authorising Officer should:

- Record the date and times (if at all) that surveillance took place and the order to cease the activity was made.
- The reason for cancellation.
- Ensure that surveillance equipment has been removed and returned.
- Provide directions for the management of the product.
- Record the value of the surveillance and whether the objectives were met
- It is good practice that a record should be retained detailing the product obtained from the surveillance including the location of related case files and RIPA material

6.25 Cancellations must be made using the cancellation form.

6.26 Renewals

6.27 Authorisations can be renewed in writing when the maximum period has expired. The Authorising Officer must consider the matter afresh, including taking into account the benefits of the surveillance to date and any collateral intrusion that has occurred.

6.28 The renewal will begin on the day when the authorisation would have expired.

7 RECORD MAINTENANCE

7.1 The Council must keep a detailed record of all authorisations, renewals and cancellations as set out in paragraph 8.1 of the Covert Surveillance Code of Practice, namely:

7.2 Universal Reference for Authorisations

7.3 The following Universal References relates to the authorising department:

UR	Department
ECS	Environmental & Community Services
CP	Chief Planner
ECS	Education & Care Services
RR	Recreation & Renewal
R	Director of Resources
CS	Corporate Services

7.4 Records Maintained in the Department

7.5 The following documents must be retained in the department:

- A copy of the application and a copy of the authorisation, together with any supplementary documentation and notification of the approval given by the authorising officer;
- A copy of the court application and order
- A record of the period over which the surveillance has taken place;
- The frequency of reviews prescribed by the authorising officer;
- A record of the result of each review of the authorisation;
- A copy of any renewal of an authorisation, together with the supporting documentation submitted when the renewal was requested;
- The date and time when any instruction was given by the authorising officer;
- The Universal Reference Number for the authorisation (URN)

7.6 Managers should promptly copy all authorisations, renewals and cancellations to the departmental unit responsible for maintaining a register of all directed surveillance and CHIS operations undertaken.

7.7 Copies of authorisations, renewals and cancellations are discoverable in legal proceedings. If proper records are not maintained, evidence gathered may be inadmissible.

7.8 Records Maintained Centrally by the Monitoring Officer

7.9 Authorising officers must forward details of each authorisation to the Director of Legal, Democratic & Customer Services for use in the maintenance of the Council's Central Register.

7.10 The Council will retain records for a period of at least three and up to five years.

7.11 The form used has been revised and expanded to contain the information set out in paragraph 8.1 of the Covert Surveillance Code of Practice as well as review dates. See Appendix 4

7.12 Oversight & review

7.13 This procedure will be reviewed annually.

Appendix 1

RIPA Authorisation Guidance Notes (as amended following the introduction of the Freedoms Act 2012)

This document should be read in conjunction with Home Office guidance to local authorities on the judicial approval process for RIPA and the crime threshold for directed surveillance.

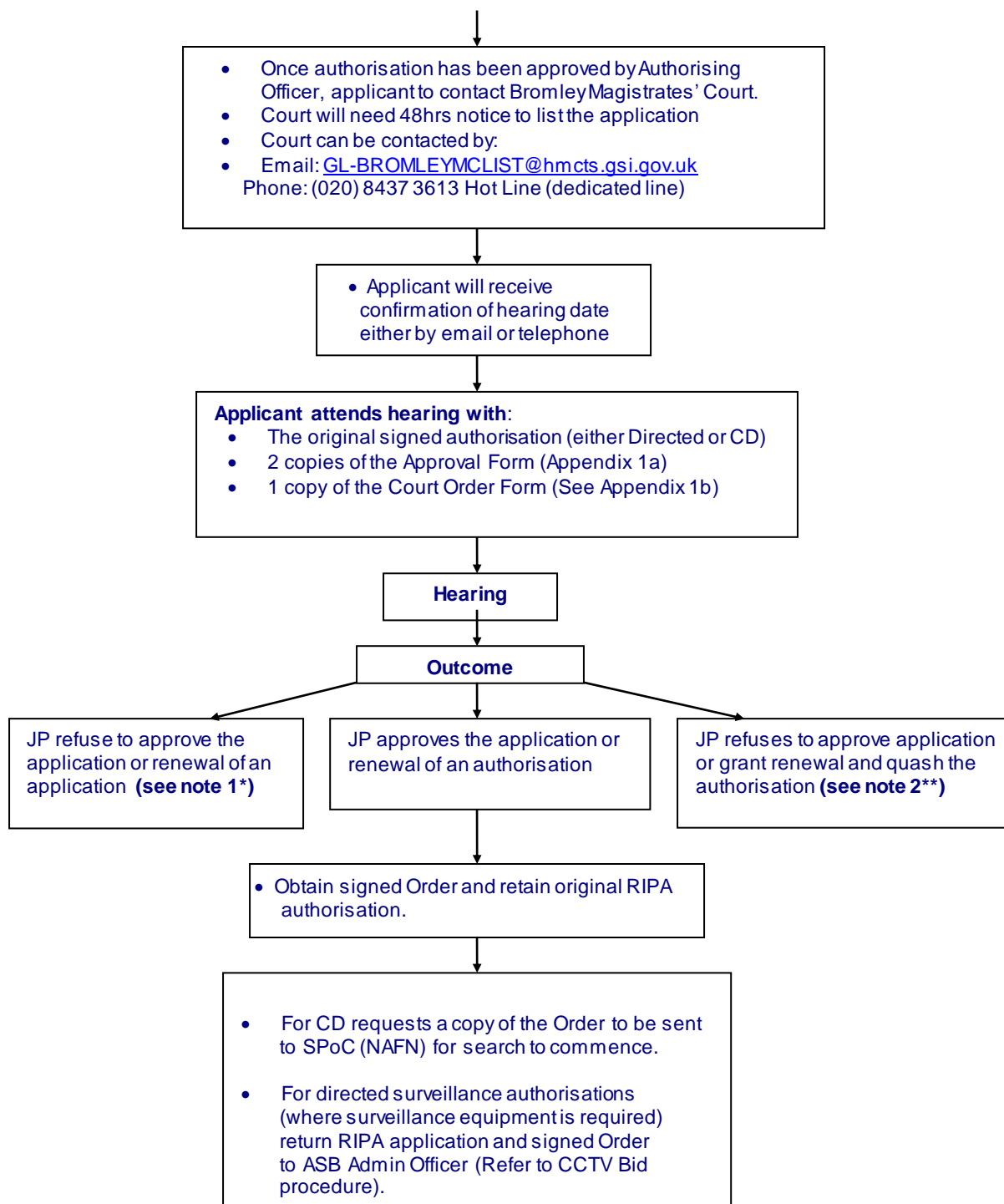
Applications:

1. All **new** applications (including Communication Data) and **renewal** applications must be approved by a Justice of a Peace before the surveillance or covert technique can be undertaken.
2. Only applications for offences which carry a maximum custodial sentence of 6 months or more or criminal offences relating to the underage sale of alcohol or tobacco can be made.
3. All directed surveillance applications are automatically authorised for 3 months (12 months for a CHIS) even though in many cases the surveillance period will be much shorter but this allows for delays in deploying equipment, not gaining evidence, etc. Authorisations for CD will be valid for 1 month from the date the JP approved the application.
 - a. All authorisations **must** specify the equipment to be deployed (i.e. static camera, Mobile van) and the location where it is to be deployed and the estimated period of deployment.
 - b. Within the 3 month period, **regular reviews** (i.e. monthly) should be undertaken to determine whether the surveillance should continue. This should be submitted on a **Review authorisation** form. These do not require JP approval.
4. If surveillance need not continue, the surveillance should be cancelled, and a **Cancellation authorisation** submitted. These do not require JP approval.
5. If before the end of the 3 months, it is deemed necessary to continue the surveillance, a **Renewal application** should be submitted. This will renew the original application for another 3 month period during which time it should be reviewed at monthly intervals. Renewal applications must be authorised by a JP. They should be made shortly before the original authorisation period is due to expire. They must be authorised prior to the expiry of the original authorisation but will run from the expiry date and time of the original authorisation.
6. All Directed Surveillance guidance and application forms can be found at:

N:\Environmental Services\EHTS\General\Phrase.lib\legal\Surveillance Documents\New Surveillance docs

RIPA Judicial Approval Process

- For Directed Surveillance complete RIPA authorisation form and seek approval from a Designated Authorising Officer.
- For Communications Data complete online application form and submit to NAFN. (NOTE CHANGES TO AUTHORISATION RULES)
- Complete Judicial Approval Form. (Required for both Directed/CD applications (see Appendix 1 a)



*Surveillance cannot take effect and applicant may wish to consider the reasons for the refusal and then reapply for approval once steps have been taken i.e. a technical error.

** This may be where the JP considers the application fundamentally flawed. At least 2 business days must be given from the date of the refusal for the applicant to make representations before the application is quashed. A new application must be submitted and authorised by a Designated Authorising Officers before reapplying.

Application for judicial approval for authorisation to obtain or disclose communications data, to use a covert human intelligence source or to conduct directed surveillance. Regulation of Investigatory Powers Act 2000 sections 23A, 23B, 32A, 32B.

Local authority:.....

Local authority department:.....

Offence under investigation:.....

Address of premises or identity of subject:.....

.....

Covert technique requested: (tick one and specify details)

Communications Data

Covert Human Intelligence Source

Directed Surveillance

Summary of details

.....

Note: this application should be read in conjunction with the attached RIPA authorisation/RIPA application or notice.

Investigating Officer:.....

Authorising Officer/Designated Person:.....

Officer(s) appearing before JP:.....

Address of applicant department:.....

Contact telephone number:.....

Contact email address (optional):.....

Local authority reference:.....

Number of pages:.....

Order made on an application for judicial approval for authorisation to obtain or disclose communications data, to use a covert human intelligence source or to conduct directed surveillance. Regulation of Investigatory Powers Act 2000 sections 23A, 23B, 32A, 32B.

Magistrates' court:.....

Having considered the application, I (tick one):

- am satisfied that there are reasonable grounds for believing that the requirements of the Act were satisfied and remain satisfied, and that the relevant conditions are satisfied and I therefore approve the grant or renewal of the authorisation/notice.
- refuse to approve the grant or renewal of the authorisation/notice.
- refuse to approve the grant or renewal and quash the authorisation/notice.

Notes

.....
.....
.....
.....
.....

Reasons

.....
.....
.....
.....
.....
.....

Signed:

Date:

Time:

Full name:

Address of magistrates' court:

Appendix 2

CCTV DEPLOYMENT APPLICATION PROCEDURE (to be read in conjunction with RIPA Authorisation Procedure Guidance Notes)

NB: No deployment will take place unless the following procedure is complied with.

1. The cctv bid form will be completed by the applicant. No direct application for deployment of equipment will be made direct to the CCTV Manager or CCTV engineer. In cases of extreme urgency applications for deployment may be made direct to a designated authorising officer/Head of Service.
2. Bid forms to be sent by e mail to ASB Coordinator who will collate all applications.
3. All police bid form applications must be authorised by an Inspector or Sergeant. A reference number relating to the RIPA must be included in the application together with a copy of the authorisation (redacted where appropriate).
4. All bids will be assessed by the Head of Trading Standards and the ASB Coordinator. Each *deployment* will be for an initial period of 2 weeks, although the RIPA authorisation will be granted for 3 months. It will be the responsibility of the applicant and authorising officer to ensure an initial review at 2 weeks is scheduled in the RIPA application, and subsequent reviews are recorded.
5. Approved bid forms will be passed to the CCTV engineer who will visit the site and assess the most suitable equipment and location for the surveillance.
6. Following the site assessment, the CCTV engineer will inform the applicant with details of what equipment is appropriate for the deployment and details of where the equipment will be deployed.
7. On confirmation from CCTV engineer, the applicant completes a Directed Surveillance application providing full details of the deployment, including details of equipment recommended by the engineer and submits to the authorising officer.
8. For RIPA Authorisation & Judicial Approval refer to *RIPA Authorisation procedure* document. *Equipment must not be deployed until the RIPA authorisation has been approved by a JP.*
9. When deployment takes place the CCTV engineer will be responsible for recovering the equipment at the end of the agreed deployment time.
10. No Hard Drive will be issued to individual Officers. Officers will have 31 days to review their hard drives after this time the drives will be wiped clean and reissued. Any digital evidence recovered from the hard drive will be subject to internal procedures for handling digital images. Refer to *Use of Still Images Procedure*.
11. At the conclusion of the deployment the CCTV engineer will enter the result of the deployment on the CCTV master spreadsheet.

Equipment will only be issued for offences which carry a maximum custodial sentence of 6 months or more or criminal offences relating to the underage sale of alcohol or tobacco.

- Violence, hate crime, assault or abuse.
- Intimidation by acts of serious anti social behaviour involving threats
- Serious criminal damage
- There is history of continual nuisance or ASB.
- Fly tipping
- Fraud

APPENDIX 3 AUTHORISING OFFICERS

Authorising Officers must be “an Assistant Chief Officer or Investigations Manager” or above. The Authorising Officers should not be directly involved in the investigation. Only the Chief Executive can authorise the use of a vulnerable person or child as a CHIS.

Council-wide

Ade Adetosoye, Chief Executive (or, in his absence, a Chief Officer)

Only the Chief Executive can authorise:

- The use of a child under 18 or a Vulnerable Person to be a CHIS
- Operations where confidential information may be obtained. Confidential information includes matters subject to legal privilege, confidential personal information or confidential journalistic material. This includes information relating to the physical or mental health or to spiritual counselling or assistance given or to be given to a person. Legal advice should always be taken in these circumstances.

Chief Executive’s

Deputy Chief Internal Auditor

Francesca Chivers

Environment & Community Services

Head of Community Safety & Domestic Regulation

Sarah Newman

Head of Commercial Regulation

Rob Vale

Assistant Director Public Protection

Louise Watkinson

Corporate Services

Director of Corporate Services

Tasnim Shawkat

Recreation & Renewal

Development Control Manager

Tim Horsman

Education & Care Services

Chief Executive

Ade Adetosoye

Director Social Care

Kim Carey

Appendix 4

Record sheet

REF NUMBER	OFFICER AUTHORITY	MAGISTRATE COURT AUTHORITY	OFFICER INFO	OPERATION INFORMATION	URGENCY Y/N	CONFIDENTIAL INFO S.54 Y/N	AUTH BY INVOLVED OFFICER Y/N	REVIEWS DUE	RENEWED TO/OFFICER INFO	CANCELLED DATE

Appendix 5

IPCO Surveillance and CHIS Inspection of the London Borough of Bromley – February 2023

Number	Description	Evidence of correction	Date corrected
1	The 2015 recommendation highlighted that the COUNCIL'S RIPA policy did not reference the requirement for a risk assessment to be completed prior to the deployment of a CHIS.	See 4.10 and 4.17	30 th June 2023
2	The SRO to ensure a process is in place to conduct regular reviews of extant directed surveillance authorisations	SharePoint system for central records is in development. 6 monthly review meetings set up for formal review of RIPA activity	SharePoint development on going First meeting 30 th June 2023 Second meeting 6 th November 2023
3	Future cancellations must reference the location of related case files and RIPA material	A reference to this requirement is inserted at 6.24. Advice note circulated to all staff and raised at departmental training sessions on 7 th and 8 th March 2023	To be reviewed on 6 th November 2023
4	Central Record of authorisations must be reviewed to ensure documentation held complies with corporate record retention periods.	6 monthly review meetings set up for formal review of RIPA activity	First meeting 30 th June 2023 Second meeting 6 th November 2023
5	SRO to consider how they will ensure that regular record retention reviews, performed against the Central Record of authorisations and related case files, are undertaken in tandem, removing the risk that one element of each is retained for longer than the other	6 monthly review meetings set up for formal review of RIPA activity	First meeting 30 th June 2023 Second meeting 6 th November 2023
6	Feedback on a authorisation was that the assertion that surveillance would not result on collateral intrusion was incorrect.	The applicant in this case has been advised of the comments and an there is an insertion at 6.14	30 th June 2023

7	The proportionality argument presented by the applicant did not comply with the guidance set out by para 4.7 of the Covert Surveillance and Property Interference Code of Practice	Further detail added regarding proportionality at para 6.14	30 th June 2023
8	The AO did not clearly state what he was authorising	Training covered this on 7 th and 8 th March 2023	8 th March 2023
9	Incorrect expiry date making it unclear from the details provided when the cameras had been deployed.	This has been raised with applicants and AOs for future applications	30 th June 2023
10	Delivery refresher training to all staff	Completed across two days, attended by 30 officers	7 th and 8 th March 2023
11	Replace ref to Office of Surveillance Commissioner by IPCO in this document	Completed	30 th June 2023
12	The wording at 5.5 is confused and thus ambiguous and requires re-drafting	Note changes at 5.5 and 5.6	30 th June 2023
13	Para 6.4 should include the duration of juvenile CHIS authorisations as 4 months	Note changes at 6.4	30 th June 2023
14	In para 6.28 the reference to urgent renewals is incorrect and should be removed	This has been removed	30 th June 2023
15	Guidance on the use of social media and internet for surveillance purposes however it is suggested that this section be reviewed actively following the delivery of the planned RIPA training to ensure it accurately summarises current practices	We asked the trainer to focus on the use of social media which included a number of scenarios encouraging officers to identify when thresholds were met, and RIPA applied. A reference to guidance has been inserted at 5.6	30 th June 2023

This page is left intentionally blank

Report No
HPR2023/055

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE

Date: 12TH SEPTEMBER 2023

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

Title: PLANNING ENFORCEMENT PROGRESS AND MONITORING REPORT APRIL 2022 TO MARCH 2023

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: 2022/2023
-

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 updated Planning Enforcement Policy and plan. This policy was approved by Members, in order to provide some further 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 2022/2023.
- 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 **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 S215 notice. These cases will be determined under delegated authority. 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. Some cases may take longer to resolve due to probate or legal reasons.
- 3.7 As it currently stands as of 31st March 2023 a total of approximately **974** open enforcement cases are currently under investigation or pending consideration. The increase in cases may be as a direct result of COVID Pandemic, 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.

- 3.8 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 is broken down by Ward to assist ward members to identify the matters within their wards.
- 3.9 An analysis of the total number of cases received in the last three financial years is reported below. Insert 20/21, 21/22, 22/23.

Range of enquiries 2022-2023	No. of enquiries	% of enquiries
Operational Development	256	33.2
Untidy Sites (S215)	110	14.27
Commercial Activity	30	3.89
Breach of condition	91	11.8
Adverts	26	3.37
Boundary treatment	25	3.24
Plans - not built according to	110	14.27
Commercial vehicle - parking of	1	0.13
Change of Use	73	9.47
Access	0	0
Shop shutters	4	0.52
Satellite Dishes	3	0.39
Trees	50	6.49
General	70	9.08
Total	771	100%

Range of enquiries 2021-2022	No. of enquiries	% of enquiries
Operational Development	337	34.2
Untidy Sites (S215)	130	13.1
Commercial Activity	41	4.1
Breach of condition	83	8.4
Adverts	21	2.13
Boundary treatment	47	4.77
Plans - not built according to	100	10.1
Commercial vehicle - parking of	1	0.10
Change of Use	81	8.22
Access	1	0.10
Shop shutters	2	0.20
Satellite Dishes	2	0.20
Trees	48	4.87
General	91	9.2
Total	985	100%

Range of enquiries 2020-2021	No. of enquiries	% of enquiries
Operational Development	354	35.9
Untidy Sites (S215)	109	11

Commercial Activity	34	3.4
Breach of condition	90	9.1
Adverts	20	2
Boundary treatment	59	5.9
Plans - not built according to	105	10.6
Commercial vehicle - parking of	1	0.10
Change of Use	103	10.4
Access	1	0.10
Shop shutters	1	0.10
Satellite Dishes	0	0
Trees	57	5.79
General	50	5.08
Total	984	100%

3.10 A 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 **50** Enforcement Notices have been served in connection with breaches of planning control in the period April 2022 to March 2023, 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 2022 and March 2023
Operational Development	15
Change of Use	6
S215	9
Breach of Condition Notice	5
Planning Contravention Notice	13
Stop Notice	0
Failure to comply	2
TOTAL	50

Type of Notice	Number of Notices issued between April 2021 and March 2022
Operational Development	25
Change of Use	12
S215	11
Breach of Condition Notice	6
Planning Contravention Notice	30
Stop Notice	0
Failure to comply	2
TOTAL	88

Type of Notice	Number of Notices issued between April 2020 and March 2021
Operational Development	0
Change of Use	7
S215	8
Breach of Condition Notice	5
Planning Contravention Notice	13
Stop Notice	0
Failure to comply	0
TOTAL	33

3.12 A total of **835** Cases which have been closed between April 2022 and March 2023.

3.14 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 14 cases:

1. **Property in Dunkery Road, Bromley**
2. **Land at Sunningvale Ave Biggin Hill**
3. **Land at Widmore Road**
4. **Land at Swanley Bypass Sidcup**
5. **Chinese Garage Beckenham**
6. **Land in Skibbs Lane, Orpington**
7. **Land at Sunningvale Avenue, Biggin Hill**
8. **Property in Croydon Road, Keston**
9. **Property in Southlands Avenue**
10. **Property in Norstead Lane, Pratts Bottom**
11. **Land at Bromley Common**
12. **Land at Cator Park**
13. **Property in Hillcrest Road Orpington**
14. **Property in Byne Road SE26**

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

3.15 Tree Enforcement 38 open tree enforcement cases under investigation. Several approved to prosecute. Next case in court is EN/00314/TREES and this has taken over 200 officer hrs. The small team of two officers receives an average of 50 cases per calendar year.

3.16 Over 100 cases for high hedge enforcement and these cases remain in effect until the hedge is removed, requiring seasonal action and monitoring.

Recent convictions:

20/00817/ TREES	5 Cookham Dene	s210(4)	Beech reduction	Owner	Guilty	290	34	458	£782	15.6.21
22/00150/ TREES	83 Hayes Way	s210(4)	Oak branches removal	neighbour	Guilty	1000	100	458	£1,558	18.10.22
22/00150/ TREES	83 Hayes Way	s210(4)	Oak branches removal	tree surgeon	Guilty	1000	100	458	£1,558	20.9.22
22/00242/ TREES	66 St Johns Road	s210(4)	Pine root severance	contractor (driveway)	Guilty	200	34	229	£463	18.10.22

22/00242/ TREES	66 St Johns Road	s210(4)	Pine root severance	owner	Guilty	200	34	229	£463	18.10.22
22/00290/ TREES	5 Cookham Dene	s210(4)	Beech reduction	Owner	Guilty	440	44	458	942	15.11.22
HH/00094	39 Bromley Common	s75(1) ASBA 2003	non-compliance with RM	Owner (f)	Guilty	110	44	200	354	16.01.23
HH/00094	39 Bromley Common	s75(1) ASBA 2003	non-compliance with RM	Owner (m)	Guilty	110	44	200	354	16.01.23
HH/00094	39 Bromley Common	s75(1) ASBA 2003	non-compliance with RM	Owner (f)	Guilty	220	88	282	590	24.04.23
HH/00094	39 Bromley Common	s75(1) ASBA 2003	non-compliance with RM	Owner (m)	Guilty	220	88	282	590	24.04.23
	Little Byfield, Kemnal Road	s210(4)	Cedar branches removed	Owner (m)	Guilty	280	96	423	£799	2.5.2023

3.17 A list of all cases where delegated authority action has been approved between April 2022 and March 2023 is attached as Appendix 2.

3.18 Since 2019 we have received **3,265** cases broken down as follows in calendar years.

2020 = 913 cases.

2021 =985 cases.

2022 =876 cases.

2023 to date =491 cases.

3.19 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

This page is left intentionally blank

Appendix 2- List of cases authorised for delegated enforcement action Apr 2022-Mar 2023

Ref	Site	Breach	Ward	Instruction	Date
21/00945	AVONDALE ROAD, MOTTINGHAM	RESIDENTIAL	MOTTINGHAM & CHISLEHURST	PROSECUTION	Apr-22
22/00454	HIGH STREET, BECKENHAM	STRUCTURE	BECKENHAM TOWN & COPERS COPE	ENF	Aug-22
22/00858	COPERS COPE ROAD	STRUCTURE	BECKENHAM TOWN & COPERS COPE	ENF	Feb-23
20/00821	MAIN ROAD, BIGGIN HILL	EXTENSION	BIGGIN HILL	OPDEV	Oct-22
21/00241	KINGS ROAD, BH	HMO	BIGGIN HILL	PROSECUTION	Nov-22
23/00080	BARNET WOOD ROAD	COMMERCIAL	BROMLEY COMMON & HOLWOOD	PCN	Feb-23
21/00760	CROWN ROAD, ORPINGTON	UNTIDY	CHELSEFIELD & PRATTS BOTTOM	PROSECUTION	Nov-22
20/00311	SOUTHLANDS AVENUE	DEVELOPMENT	CHELSEFIELD & PRATTS BOTTOM	PROSECUTION	Dec-22
22/00439	HIGH STREET, CHISLEHURST	CONDITION	CHISLEHURST	BCN	Jul-22
22/00439	HIGH STREET, CHISLEHURST	OUTBUILDING	CHISLEHURST	ENF	Jul-22
22/00513	FOXBURY AVENUE, CHISLEHURST	USE	CHISLEHURST	PCN	Sep-22
22/00396	GROVE VALE	STRUCTURE	CHISLEHURST	PROSECUTION	Nov-22
21/00409	GRANGE DRIVE	CONDITION	CHISLEHURST	BCN	Feb-23
21/00775	ELMERS END ROAD	STRUCTURE	CLOCK HOUSE	ENF	Feb-23
22/00154	EDMUNDS AVENUE, ORPINGTON	RESIDENTIAL	CRAY VALLEY EAST	PCN	Apr-22
	CARLTON PARADE, ORPINGTON	CONTAINER	CRAY VALLEY EAST	PROSECUTION	Jul-22
21/00084	SKIBBS LANE, ORPINGTON	BOUNDARY	CRAY VALLEY EAST	PROSECUTION	Aug-22
22/00288	DERRY DOWNS	CONDITION	CRAY VALLEY EAST	ENF	Dec-22
20/00384	SEVENOAKS WAY, ORPINGTON	ADVERT	CRAY VALLEY WEST	ADVERT	Mar-23
20/00800	BLACKNESS LANE, KESTON	UNTIDY	DARWIN	PROSECUTION	Jul-22
22/00363	PETLEYS FARM, LUXTED ROAD	RESIDENTIAL	DARWIN	ENF	Jul-22
22/00363	PETLEYS FARM, LUXTED ROAD	CONDITION	DARWIN	FCCN	Jul-22
22/00364	PETLEYS FARM, LUXTED ROAD	RESIDENTIAL	DARWIN	ENF	Jul-22
22/00364	PETLEYS FARM, LUXTED ROAD	CONDITION	DARWIN	FCCN	Jul-22
20/00294	LUXTED ROAD, DOWNE	UNTIDY	DARWIN	PROSECUTION	Nov-22
20/00867	SPINNEY WAY, CUDHAM	UNTIDY	DARWIN	PROSECUTION	Nov-22
22/00789	CUDHAM LANE SOUTH	RESIDENTIAL	DARWIN	PCN	Dec-22
21/00180	PETLEYS FARM, LUXTED ROAD	CONDITION	DARWIN	BCN	Jan-23
21/00180	PETLEYS FARM, LUXTED ROAD	RESIDENTIAL	DARWIN	ENF	Jan-23

22/00363	PETLEYS FARM, LUXED ROAD	CONDITION	DARWIN	BCN	Jan-23
22/00363	PETLEYS FARM, LUXTED ROAD	RESIDENTIAL	DARWIN	ENF	Jan-23
22/00364	PETLEYS FARM, LUXTED ROAD	CONDITION	DARWIN	BCN	Jan-23
22/00364	PETLEYS FARM, LUXTED ROAD	RESIDENTIAL	DARWIN	ENF	Jan-23
22/00508	CRANWORTH COTTAGES	EXTENSION	DARWIN	ENF	Feb-23
20/00241	WESTERHAM LANE	DEVELOPMENT	FARNBOROUGH & CROFTON	ENF	Dec-22
20/00502	WHOLE SITE, BROMLEY COMMON	BUSINESS	HAYES AND CONEY HALL	PCN	Apr-22
20/00502	WHOLE SITE, BROMLEY COMMON	MIXED USE	HAYES AND CONEY HALL	S16	May-22
20/00502	WHOLE SITE, BROMLEY COMMON	MIXED USE	HAYES AND CONEY HALL	ENF	May-22
21/00660	KINGSWAY, WEST WICKHAM	EXTENSION	HAYES AND CONEY HALL	PROSECUTION	May-22
22/00092	PLOT 21, BROMLEY COMMON	COMMERCIAL	HAYES AND CONEY HALL	PROSECUTION	May-22
19/00751	PICKHURST LANE	COMMERCIAL	HAYES AND CONEY HALL	PROSECUTION	Jan-23
22/00194	DERRICK ROAD	COMMERCIAL	KELSEY AND EDEN PARK	ENF	Dec-22
21/00382	COURT FARM ROAD, MOTTINGHAM	EXTENSION	MOTTINGHAM & CHISLEHURST NORTH	OPDEV	May-22
21/00341	FRANKLIN ROAD, PENGE	UNTIDY	PENGE & CATOR	PROSECUTION	Jul-22
16/00302	HIGH STREET, PENGE	RESIDENTIAL	PENGE AND CATOR	PROSECUTION	Feb-23
22/00230	PETTS WOOD ROAD	STRUCTURE	PETTS WOOD AND KNOLL	ENF	Apr-22
22/00445	CROCKENHILL ROAD, SWANLEY	CONTAINER	ST MARY CRAY	PCN	Mar-23

Key

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

Please note that this list may contain some old wards names, which will have been recorded as they were at time of receipt of the complaint and therefore, may show the old ward names.

Report No.
ES20304

London Borough of Bromley

PART ONE - PUBLIC

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

Date: 12th September 2023

Decision Type: Non-Urgent

Title: ANNUAL STATUS REPORT FOR YEAR 2022 – REPORTING ON
BROMLEY’S AIR QUALITY

Contact Officer: Sarah Newman, Head of Service – Environmental Health & Licensing
E-mail: sarah.newman@bromley.gov.uk

Charlotte Hennessy, Environmental Protection & Housing Enforcement
Manager
E-mail: charlotte.hennessy@bromley.gov.uk

Chief Officer: Colin Brand – Director of Environment & Public Protection
E-mail: colin.brand@bromley.gov.uk

Ward: All Wards

1. REASON FOR REPORT

Annual Status Reports (ASR’s) are designed to report on the air quality monitoring results from LB Bromley’s monitoring equipment, and demonstrate the progress made delivering the actions in LB Bromley’s Air Quality Action Plan 2020 – 2025 (AQAP). The ASR report was submitted to the Greater London Authority (GLA) for approval on 31st May 2023 and has recently been approved.

As part of our statutory duties for London Local Air Quality Management, the London Borough of Bromley (LBB) is required to produce an ASR each year, for the year before, therefore, this report covers the monitoring results and progress made in 2022.

The ASR 2022 (see Appendix 1) is published on the Council’s website.

The current AQAP (2020 – 2025) was approved by ECS PDS Committee on 9th September 2020 – Ref ES20041. Following it’s approval and adoption the Environment and Community Services Portfolio Holder requested that an information report on the ASR be presented to ECS PDS to update members on it’s content.

A glossary of air quality management acronyms can be found on Page 100 of the Air Quality Action Plan.

2. RECOMMENDATION

The Committee is asked to:

1. Note the contents of the Annual Status Report for the year 2022.
-

Impact on Vulnerable Adults and Children

1. Summary of Impact: Air pollution disproportionately affects the most vulnerable in society. This includes children, older people, those with heart and lung conditions, and those vulnerable to stroke.
-

Corporate Policy

1. Policy Status: The ASR reports upon progress made against the commitments and actions contained in the Borough's current AQAP.
 2. MBEB Priorities: A good start to life: Growing older positively: Healthy and safe lives: A clean and green environment: A carbon neutral environment
-

Financial

1. Cost of proposal: Nil
 2. Ongoing costs: Costs are stated within the approved AQAP on a low (0-50k), medium (50-100k) and high (>100k) basis. These are presented within the AQAP Matrix. The current AQAP was approved by ECS PDS Committee on 9th September 2020 – Ref ES20041.
 3. Budget head/performance centre: The departments and service areas responsible for the implementation of each action point are identified within the AQAP Matrix.
 4. Total current budget for this head: N/A
 5. Source of funding: The ASR is produced using staff time, thus is from the agreed staffing budget within the Public Protection Division's existing budget.
-

Personnel

1. Number of staff (current and additional): The ASR has been produced by the Pollution Control Team in the Public Protection Division, in collaboration with the internal stakeholders identified within the AQAP.
 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: N/A – Any matters relating to procurement are highlighted within the attached AQAP.

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All Borough residents, workers and visitors, as well as providing wider benefits to neighbouring authorities, the London region, nationally, and globally as air pollution impacts have no defined boundaries.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
 2. Summary of Ward Councillors comments: N/A
-

3. COMMENTARY

- 3.1 Bromley enjoys very good air quality, in comparison to other London boroughs, having not measured an Air Quality Objective Level exceedance since 2019. The report details that monitored levels of NO₂ broadly continue to trend downwards.
- 3.2 Where measured levels of a specified list of air pollutants exceed their national air quality Objective Limit/s, local authorities, are required to declare an Air Quality Management Area (AQMA). Where an AQMA exists, the local authority is required to produce an AQAP. Further, for London local authorities there is a statutory obligation to submit an Annual Status Report (ASR) to both the Mayor of London and the Department for Environment, Food & Rural Affairs (DEFRA).
- 3.3 The ASR 2022, see Appendix 1, outlines the progress made on the actions within the AQAP, and provides the results of the relevant year's air quality monitoring in the Borough.
- 3.4 LBB has declared an AQMA for Nitrogen Dioxide (NO₂). The latest AQAP was approved by ECS PDS Committee on 9th September 2020 - Ref. ES20041.
- 3.5 The AQAP outlines actions that will be taken to fulfil the statutory responsibility for Local Air Quality Management, and for reducing the health impact of air pollution on residents, workers, and visitors to the Borough.
- 3.6 The number of locations where air quality monitoring takes place in the Borough has increased due to the extension of the NO₂ diffusion tube monitoring network to 32 locations. In addition, 5 Breathe London node monitors are currently operational in the Borough, monitoring both NO₂ and PM_{2.5}.
- 3.7 The Borough's permanent continuous Air Quality Monitoring Station (AQMS) at Harwood Avenue did not exceed the annual or hourly mean for NO₂ in 2022.
- 3.8 There were no monitored exceedences of the annual mean for NO₂ at any of the diffusion tube network locations in 2022.
- 3.9 There were no monitored exceedences of the annual or daily mean for Particulate Matter PM₁₀ in 2022. The annual average was 14.7µgm⁻³. This is well below the national limit of 40µgm⁻³ and continues to trend downwards.

- 3.10 The annual mean for Particulate Matter PM_{2.5} concentration in 2022 was 10.6µgm⁻³. This represents an increase year on year since 2020. The valid data capture for the years 2020, 2021 and 2022 are 56%, 88% and 96.8% respectively and as such the data for the year 2022 is more robust. Valid data capture was compromised due to complications with the installation of this particular monitor. This does not necessarily indicate that levels of this pollutant are increasing, but that because of increased data capture for the year 2022 there is greater confidence in the monitoring. The Council are continuing to enhance the data and future trend data will be important.
- 3.11 As part of a Breathe London Project, 5 node monitors were installed at hospital locations. These results are detailed in Table I of the ASR. Due to the installation dates, only Poverest Allotments and Princess Royal Hospital have sufficient data capture. For these Nodes, PM_{2.5} levels are already at, or near to, the national target level for this pollutant, which is to be met by December 2040. NO₂ levels from these monitors are well below the Objective level of 40 µgm⁻³.
- 3.12 The trend in NO₂ concentrations at the Harwood Avenue permanent continuous monitoring station, shows a decreasing trend. There was a slight increase from 2020 to 2021 of 0.5µg m⁻³. This was due to life returning to normal following the changes to traffic levels during the pandemic and related lockdowns. For the year 2022 NO₂ concentrations decreased by 1.7µg m⁻³.
- 3.13 The trend in NO₂ concentrations for diffusion tube monitoring sites (for those with more than one year of data) for the 2015 – 2021 period also show evidence of a decreasing trend and all sites were below the national limit. 4 sites show a small increase from 2021 levels, the largest of these increases is 0.7µg m⁻³ and it is worth noting that 3 of 4 of these sites are new locations since since 2021 and require further trend data.
- 3.14 Table J of the ASR provides an update on the progress of delivery of the AQAP measures. These are delivered by multiple departments of the Council.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

The AQAP is applicable to the whole Borough so is of value to all who live, work and visit the Borough. However, as air pollution disproportionately affects the most health vulnerable in society, these groups derive a greater health benefit from improved air quality.

5. FINANCIAL IMPLICATIONS

Costs associated with implementation of the AQAP's action points are detailed within the matrix in the approved AQAP.

6. LEGAL IMPLICATIONS

Responsibility for air quality in London is devolved to the Mayor of London, who has a supervisory role, with powers to intervene and direct London local authorities under Part IV of the Environment Act 1995. London Local Air Quality Management (LLAQM) Guidance has been followed in devising the LB Bromley ASR for 2022.

7. PROCUREMENT IMPLICATIONS

Procurement measures are included within the approved AQAP as a means to improve air quality.

Non-Applicable Sections:	POLICY IMPLICATIONS, PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	Draft LONDON LOCAL AIR QUALITY MANAGEMENT (LLAQM) Technical Guidance 2019 (LLAQM.TG (19))
	London Borough of Bromley Air Quality Action Plan 2020 – 2025
	London Borough of Bromley Annual Summary Report 2022

This page is left intentionally blank

London Borough of Bromley

Air Quality Annual Status Report for 2022

Date of publication: May 2023



This report provides a detailed overview of air quality in London Borough of Bromley during 2022. It has been produced to meet the requirements of the London Local Air Quality Management (LLAQM) statutory process¹.

Contact details:

Contact: Pollution Control
Department: Public Protection and Enforcement
London Borough of Bromley

Address: Civic Centre
Stockwell Close
Bromley
BR1 3UH

e-mail: ehs.customer@bromley.gov.uk

¹ LLAQM Policy and Technical Guidance 2019 (LLAQM.TG(19))

Contents

Abbreviations	4
1. Air Quality Monitoring	7
1.1 Locations	7
1.2 Comparison of Monitoring Results with AQOs	11
1.3 Air Quality Sensors	22
2. Action to Improve Air Quality	23
2.1 Air Quality Action Plan Progress	23
3. Planning Update and Other New Sources of Emissions	37
3.1 New or significantly changed industrial or other sources	38
4. Additional Activities to Improve Air Quality	39
4.1 London Borough of Bromley Fleet	39
4.2 NRMM Enforcement Project	39
4.2 Air Quality Alerts	39
Appendix A Details of Monitoring Site Quality QA/QC	40
A.1 Automatic Monitoring Sites	40
A.2 Diffusion Tubes	40
Bias Adjustment	41
Factor from National Bias Adjustment	41
Discussion of Choice of Factor to Use	42
A.3 Adjustments to the Ratified Monitoring Data	43
Appendix B Full Monthly Diffusion Tube Results for 2022	44

Tables

Table A.	Summary of National Air Quality Standards and Objectives	6
Table B.	Details of Automatic Monitoring Sites for 2022	7
Table C.	Details of Non-Automatic Monitoring Sites for 2022	8
Table D.	Annual Mean NO ₂ Ratified and Bias-adjusted Monitoring Results	12
Table E.	NO ₂ Automatic Monitoring Results: Comparison with 1-hour Mean Objective, Number of 1-Hour Means > 200 µg m ⁻³	14
Table F.	Annual Mean PM ₁₀ Automatic Monitoring Results (µg m ⁻³)	18
Table G.	PM ₁₀ Automatic Monitoring Results: Comparison with 24-Hour Mean Objective, Number of PM ₁₀ 24-Hour Means > 50 µg m ⁻³	19
Table H.	Annual Mean PM _{2.5} Automatic Monitoring Results (µg m ⁻³)	21
Table I.	Annual mean of NO ₂ and PM _{2.5} of the Breathe London Nodes within London Borough of Bromley	22
Table J.	Delivery of Air Quality Action Plan Measures	23
Table K.	Planning requirements met by planning applications in London Borough of Bromley in 2022	37
Table L.	Bias Adjustment Factor	42
Table M.	NO ₂ Fall off With Distance Calculations	43
Table N.	NO ₂ Diffusion Tube Results	44

Figures

Figure 1.	Monitoring Sites in 2022	10
Figure 2.	Annual Mean NO ₂ Concentrations at the Hardwood Avenue Automatic Monitoring Site	15
Figure 3.	Annual Mean NO ₂ concentrations for the original 10 Non-Automatic Monitoring Sites	16
Figure 4.	Annual Mean PM ₁₀ Concentrations at Harwood Avenue Automatic Monitoring Site	20
Figure 5.	National Bias Adjustment Factor Spreadsheet (v03/23)	42

Abbreviations

Abbreviation	Description
AQA	Air Quality Assessment
AQAP	Air Quality Action Plan
AQFA	Air Quality Focus Area
AQMA	Air Quality Management Area
AQN	Air Quality Network
AQO	Air Quality Objective
ASR	Annual Status Report
BAM	Beta Attenuation Monitor
BIDs	Business Improvement Districts
BRY-CM3	Bromley Continuous Monitoring Site 3
CEMP	Construction Environmental Management Plan
CHP	Combined Heat and Power
CEO	Civil Enforcement Officer
CIL	Community Infrastructure Levy
CoCP	Code of Construction Practice
DC	Dry Cleaners
EV	Electric Vehicle
FORS	Fleet Operator Recognition Scheme
GLA	Greater London Authority
GULCS	Go Ultra Low City Scheme
HEYL	London Healthy Early Years
HGV	Heavy Goods Vehicle
JSNA	Joint Strategic Needs Assessment
LAQM	Local Air Quality Management
LAQN	London Air Quality Network
LBB	London Borough of Bromley
LEN	Low Emission Neighbourhood
LIP	Local Implementation Plan
LLAQM	London Local Air Quality Management
NO ₂	Nitrogen dioxide
NRMM	Non-Road Mobile Machinery

Abbreviation	Description
PCN	Penalty Charge Notice
PM ₁₀	Particulate matter less than 10 micron in diameter
PM _{2.5}	Particulate matter less than 2.5 micron in diameter
QA/QC	Quality Assurance/Quality Control
PVR	Petrol Vapour Recovery
SCA	Smoke Control Area
SCO	Smoke Control Order
SO ₂	Sulphur dioxide
SPG	Supplementary Planning Guidance
STARS	Sustainable Travel: Active, Responsible, Safe
TfL	Transport for London
TMO	Traffic Management Order

Table A. Summary of National Air Quality Standards and Objectives

Pollutant	Standard / Objective (UK)	Averaging Period	Date⁽¹⁾
Nitrogen dioxide (NO ₂)	200 µg m ⁻³ not to be exceeded more than 18 times a year	1-hour mean	31 Dec 2005
Nitrogen dioxide (NO ₂)	40 µg m ⁻³	Annual mean	31 Dec 2005
Particles (PM ₁₀)	50 µg m ⁻³ not to be exceeded more than 35 times a year	24-hour mean	31 Dec 2004
Particles (PM ₁₀)	40 µg m ⁻³	Annual mean	31 Dec 2004
Particles (PM _{2.5})	10 µg m ⁻³	Annual mean	2040
Particles (PM _{2.5})	Target of 35% reduction in population exposure compared to a base year of 2018 ⁽²⁾	Annual mean	2040
Sulphur dioxide (SO ₂)	266 µg m ⁻³ not to be exceeded more than 35 times a year	15-minute mean	31 Dec 2005
Sulphur dioxide (SO ₂)	350 µg m ⁻³ not to be exceeded more than 24 times a year	1-hour mean	31 Dec 2004
Sulphur dioxide (SO ₂)	125 µg m ⁻³ not to be exceeded more than 3 times a year	24-hour mean	31 Dec 2004

Notes:

(1) Date by which to be achieved by and maintained thereafter

(2) Air quality target under the Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 under the Environment Act 2021.

1. Air Quality Monitoring

1.1 Locations

The London Borough of Bromley has historically monitored at six continuous monitoring sites within the Borough, five of which are now closed. The one operational monitoring station is located at Harwood Avenue, monitoring NO₂, PM₁₀ and PM_{2.5}. Figure 1 and Table B provide details of this monitoring site. Monitoring at the site has been operated by the Council since July 2011. Details of the relevant Quality Assurance / Quality Control (QA/QC) procedures that have been followed throughout the monitoring period are provided in Appendix A.

Bromley carries out passive monitoring using NO₂ diffusion tubes at 32 locations in the Borough. All the diffusion tube sites are either at roadside or kerbside locations. The Harwood Avenue diffusion tube site is co-located with the Harwood Avenue automatic monitor. Up until the end of 2020, there were 10 triplicate diffusion tube monitoring locations, at which point 22 additional diffusion tube locations were installed and all monitoring locations commissioned with one tube. Figure 1 and Table C provide details of the operational diffusion tube sites within the Borough during 2022.

Table B. Details of Automatic Monitoring Sites for 2022

Site ID	Site Name	X (m)	Y (m)	Site Type	In AQMA?	Distance to Relevant Exposure (m)	Distance to Kerb of Nearest Road (N/A if not applicable) (m)	Inlet height (m)	Pollutants monitored	Monitoring technique
BRY-CM3	Harwood Avenue	540523	169326	Roadside	Y	0.0	3.0	3.5	NO ₂ , PM _{2.5} and PM ₁₀	Chemiluminescence, Beta attenuation monitoring (BAM)

Table C. Details of Non-Automatic Monitoring Sites for 2022

Site ID	Site Name	X (m)	Y (m)	Site Type	In AQMA?	Distance to Relevant Exposure (m)	Distance to Kerb of Nearest Road (N/A if not applicable) (m)	Inlet height (m)	Pollutants monitored	Tube co-located with an automatic monitor. (Y/N)
1	Homesdale Road	541047	168231	Roadside	Y	2.0	2.0	2.0	NO ₂	N
2	Chatterton Road	541679	167931	Roadside	Y	3.3	2.0	2.0	NO ₂	N
3	Hastings Road,	542402	166012	Kerbside	Y	10.0**	0.8	2.0	NO ₂	N
4	College Road	540336	170258	Roadside	Y	3.0	3.0	2.0	NO ₂	N
5	London Road	539790	170050	Roadside	Y	4.0	2.0	2.0	NO ₂	N
6	Shortlands Road	539486	169399	Roadside	Y	5.3	1.2	2.0	NO ₂	N
7	Beckenham Road	535947	169765	Kerbside	Y	10.0**	0.5	2.0	NO ₂	N
8	Worsley Bridge Road	536941	171320	Kerbside	Y	6.0	0.8	2.0	NO ₂	N
9	Links Way	537511	167277	Kerbside	Y	9.5	0.8	2.0	NO ₂	N
10	Elmers End Road	536076	168434	Roadside	Y	4.0	1.0	2.0	NO ₂	N
11	Anerley Road	535006	169590	Kerbside	Y	3.0	0.5	2.0	NO ₂	N
12	Anerley Hill	533949	170624	Kerbside	Y	13.0**	0.5	2.0	NO ₂	N
13	Hamlet Road	534052	170237	Kerbside	Y	8.5	0.5	2.0	NO ₂	N
14	Belverdere Road	533702	170354	Kerbside	Y	8.5	0.5	2.0	NO ₂	N
15	Glebe Way	538398	165925	Kerbside	Y	8.0	0.8	2.0	NO ₂	N
16	Ridgeway	540228	165941	Kerbside	Y	10.0	0.5	2.0	NO ₂	N
17	Crofton Road	543303	165256	Kerbside	Y	7.2**	0.6	2.0	NO ₂	N
18	Towncourt Lane	544779	166831	Roadside	Y	7.0**	2.6	2.0	NO ₂	N

19	High Street, Orpington	546190	166135	Roadside	Y	3.8	1.7	2.0	NO ₂	N
20	Cardinham Road	545861	164813	Roadside	Y	4.5	1.8	2.0	NO ₂	N
21	Farnborough Hill	545439	164034	Kerbside	Y	8.8	0.6	2.0	NO ₂	N
22	Poverest Road	546821	167564	Kerbside	Y	3.1	1.3	2.0	NO ₂	N
23	High Street, St Mary Cray	547168	167471	Roadside	Y	3.3	1.4	2.0	NO ₂	N
24	Midfield Way	546984	169905	Kerbside	Y	17.5	0.6	2.0	NO ₂	N
25	Ashfield Lane	544437	170464	Roadside	Y	10.0	1.8	2.0	NO ₂	N
26	Park Road	543930	170934	Roadside	Y	2.4	0.8	2.0	NO ₂	N
27	Harwood Avenue	540525	169325	Roadside	Y	0*	3.0	2.0	NO ₂	Y
28	Widmore Road	540519	169403	Roadside	Y	0*	3.0	2.0	NO ₂	N
29	Blackbrook Lane	542980	167735	Roadside	Y	12.0	1.7	2.0	NO ₂	N
30	Old Hill	543452	169793	Kerbside	Y	6.1	0.3	2.0	NO ₂	N
31	Mottingham Road	542847	172021	Roadside	Y	0*	2.1	2.0	NO ₂	N
32	Page Heath Lane	541960	168841	Kerbside	Y	1.8	0.4	2.0	NO ₂	N

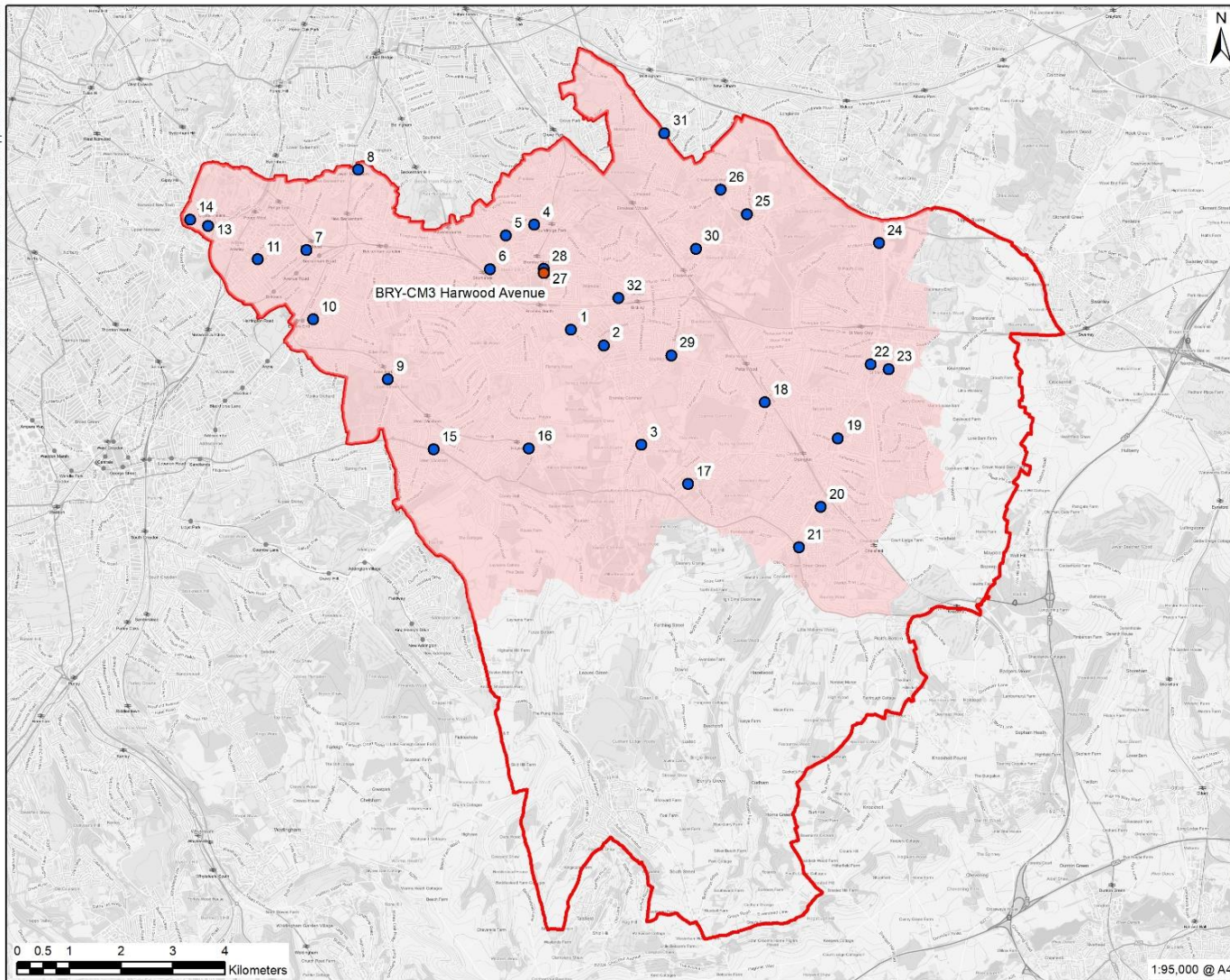
Notes:

* not directly on a façade, but representative of adjacent façade road distance

** monitoring site closer to the road source than the nearest façade

Figure 1. Monitoring Sites in 2022

Revision: No. 1 Drawn: YMC/checked: CM/Approved: AS Date: 18/05/2023



AECOM
PROJECT
London Borough of Bromley
Annual Status Report

CLIENT
London Borough of Bromley

CONSULTANT
AECOM Limited
2 City Walk
Leeds
LS11 9AR
www.aecom.com

LEGEND

- 2022 Automatic Monitoring Locations
- 2022 Diffusion Tube Monitoring Locations
- Air Quality Management Area
- London Borough of Bromley

NOTES
Contains OS data © Crown copyright and database right 2023. All rights reserved.
Licence number 0100031673

ISSUE PURPOSE
FINAL
PROJECT NUMBER
60483865
SHEET TITLE
Map of Monitoring Locations
SHEET NUMBER
Figure 1

1. 2 Comparison of Monitoring Results with AQOs

Annual mean NO₂ concentration results from automatic monitoring stations and diffusion tube monitoring locations since 2016 are presented in Table D and Figures 2 and 3. The results presented are after adjustments for “annualisation” and for distance to a location of relevant public exposure (if required), the details of which are described in Appendix A.

The BRY-CM3 Harwood Avenue automatic monitor achieved a 99.2% data capture and did not exceed the NO₂ annual mean objective of 40 µg m⁻³. Table E presents the number of 1-Hour means where they are more than 200 µg m⁻³; no exceedances were recorded in 2022. All data have been ratified, and details of the data ratification process are provided in Appendix A.

Diffusion tube monitoring results presented are after adjustments for “annualisation” of sites that achieved less than 75% data capture in 2022, and following adjustments for bias, the details of which are described in Appendix A. As the data capture for the diffusion tubes were 75% or above, annualisation was not required. Details of the QA/QC procedures applied to the diffusion tube results are also summarised in Appendix A. For those monitoring sites not located at points of relevant exposure, Defra’s Diffusion Tube Data Processing Tool² has been used to estimate the annual mean NO₂ concentrations at the nearest location of relevant exposure (see Appendix A).

Of the diffusion tube monitoring locations, there was one exceedance of the annual mean NO₂ objective in 2022 at diffusion tube 19, High Street, Orpington, with a concentration of 40.6 µg m⁻³, the maximum annual mean concentration recorded. Following distance correction for a location of relevant exposure, the predicted concentration was 33.9 µg m⁻³. As there were no diffusion tube locations which had an annual mean concentration above 60 µg m⁻³, this indicates that the 1 hour mean NO₂ objective is unlikely being exceeded.

² Defra (2023), Diffusion Tube Data Processing Tool. Available at: [Diffusion Tube Data Processing Tool | LAQM \(defra.gov.uk\)](#) Accessed 19/05/2023

Table D. Annual Mean NO₂ Ratified and Bias-adjusted Monitoring Results

Site ID	Site type	Valid data capture for monitoring period % ^(a)	Valid data capture 2022 % ^(b)	2016	2017	2018	2019	2020	2021	2022	Trend in NO ₂ level
BRY-CM3	Automatic	99.2	99.2	31.9	28.6	25.7	24.7	21.3	21.8	20.1	↓
1	Diffusion tube	100.0	100.0	63.3	54.3	43.5	39.4	29.3	30.9	28.6	↓
2	Diffusion tube	100.0	100.0	-	-	-	-	-	18.3	18.1	↓
3	Diffusion tube	100.0	100.0	-	-	-	-	-	27.5	27.6	↑
4	Diffusion tube	92.3	92.3	46.8	36.4	35.6	33.1	25.7	25.5	25.6	↑
5	Diffusion tube	82.6	82.6	52.4	43.3	37.6	37.6	27.7	26.8	24.6	↓
6	Diffusion tube	100.0	100.0	-	37.3	35.3	36.0	27.7	27.1	25.4	↓
7	Diffusion tube	100.0	100.0	47.9	38.0	38.2	36.0	28.6	30.2	28.8	↓
8	Diffusion tube	100.0	100.0	-	-	-	-	-	20.6	20.0	↓
9	Diffusion tube	100.0	100.0	-	-	-	-	-	25.4	24.6	↓
10	Diffusion tube	100.0	100.0	68.8	59.5	51.3	48.1	39.5	37.5	35.4	↓
11	Diffusion tube	100.0	100.0	47.9	38.2	35.2	36.4	27.9	29.2	26.3	↓
12	Diffusion tube	100.0	100.0	49.6	41.6	39.0	42.5	35.1	35.9	36.2	↑
13	Diffusion tube	100.0	100.0	-	-	-	-	-	26.6	26.0	↓
14	Diffusion tube	92.3	92.3	-	-	-	-	-	18.2	16.5	↓
15	Diffusion tube	100.0	100.0	-	-	-	-	-	27.9	27.9	-
16	Diffusion tube	90.4	90.4	-	-	-	-	-	16.2	15.3	↓
17	Diffusion tube	92.6	92.6	-	-	-	-	-	25.0	25.7	↑
18	Diffusion tube	82.6	82.6	-	-	-	-	-	15.4	14.6	↓
19	Diffusion tube	100.0	100.0	-	-	-	-	-	35.0	33.9	↓
20	Diffusion tube	77.1	77.1	-	-	-	-	-	19.4	18.3	↓
21	Diffusion tube	100.0	100.0	-	-	-	-	-	33.3	30.5	↓

Site ID	Site type	Valid data capture for monitoring period % ^(a)	Valid data capture 2022 % ^(b)	2016	2017	2018	2019	2020	2021	2022	Trend in NO ₂ level
22	Diffusion tube	100.0	100.0	-	-	-	-	-	22.4	19.8	↓
23	Diffusion tube	90.4	90.4	-	-	-	-	-	25.1	23.7	↓
24	Diffusion tube	92.3	92.3	-	-	-	-	-	24.7	24.0	↓
25	Diffusion tube	92.3	92.3	-	-	-	-	-	19.6	18.9	↓
26	Diffusion tube	100.0	100.0	-	-	-	-	-	21.0	19.8	↓
27	Diffusion tube	100.0	100.0	31.3	30.3	27.3	28.3	21.4	21.1	20.5	↓
28	Diffusion tube	92.3	92.3	50.9	43.4	39.1	38.4	30.9	32.8	31.1	↓
29	Diffusion tube	100.0	100.0	-	-	-	-	-	23.0	21.5	↓
30	Diffusion tube	100.0	100.0	-	-	-	-	-	26.6	23.3	↓
31	Diffusion tube	100.0	100.0	-	-	-	-	-	29.7	26.4	↓
32	Diffusion tube	100.0	100.0	-	-	-	-	-	25.3	23.9	↓

Notes:

The annual mean concentrations are presented as $\mu\text{g m}^{-3}$.

Exceedances of the NO₂ annual mean AQO of $40 \mu\text{g m}^{-3}$ are shown in **bold**.

NO₂ annual means in excess of $60 \mu\text{g m}^{-3}$, indicating a potential exceedance of the NO₂ hourly mean AQS objective are shown in **bold and underlined**.

Means for diffusion tubes have been corrected for bias.

All means have been “annualised” in accordance with LLAQM Technical Guidance if valid data capture for the calendar year is less than 75% and greater than 25%.

Results have been distance corrected where applicable.

(a) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(b) data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%).

Table E.

NO₂ Automatic Monitoring Results: Comparison with 1-hour Mean Objective, Number of 1-Hour Means > 200 µg m⁻³

Site ID	Valid data capture for monitoring period % ^(a)	Valid data capture 2022 % ^(b)	2016	2017	2018	2019	2020	2021	2022
BRY-CM3	99.2	99.2	0	0	0	0	0	0	0

Notes:

Results are presented as the number of 1-hour periods where concentrations greater than 200 µg m⁻³ have been recorded.

Exceedance of the NO₂ short term AQO of 200 µg m⁻³ over the permitted 18 hours per year are shown in **bold**.

If the period of valid data is less than 85%, the 99.8th percentile of 1-hour means is provided in brackets.

(a) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

(b) Data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

Figure 2 below shows the trend in annual mean NO₂ concentration at BRY-CM3 Harwood Avenue Automatic Monitor for the 2016 – 2022 period. This location shows an overall decreasing trend after a slight increase from 2020 to 2021. From 2021 to 2022 NO₂ concentrations decreased by 1.7 μg m⁻³.

Figure 2. Annual Mean NO₂ Concentrations at the Harwood Avenue Automatic Monitoring Site

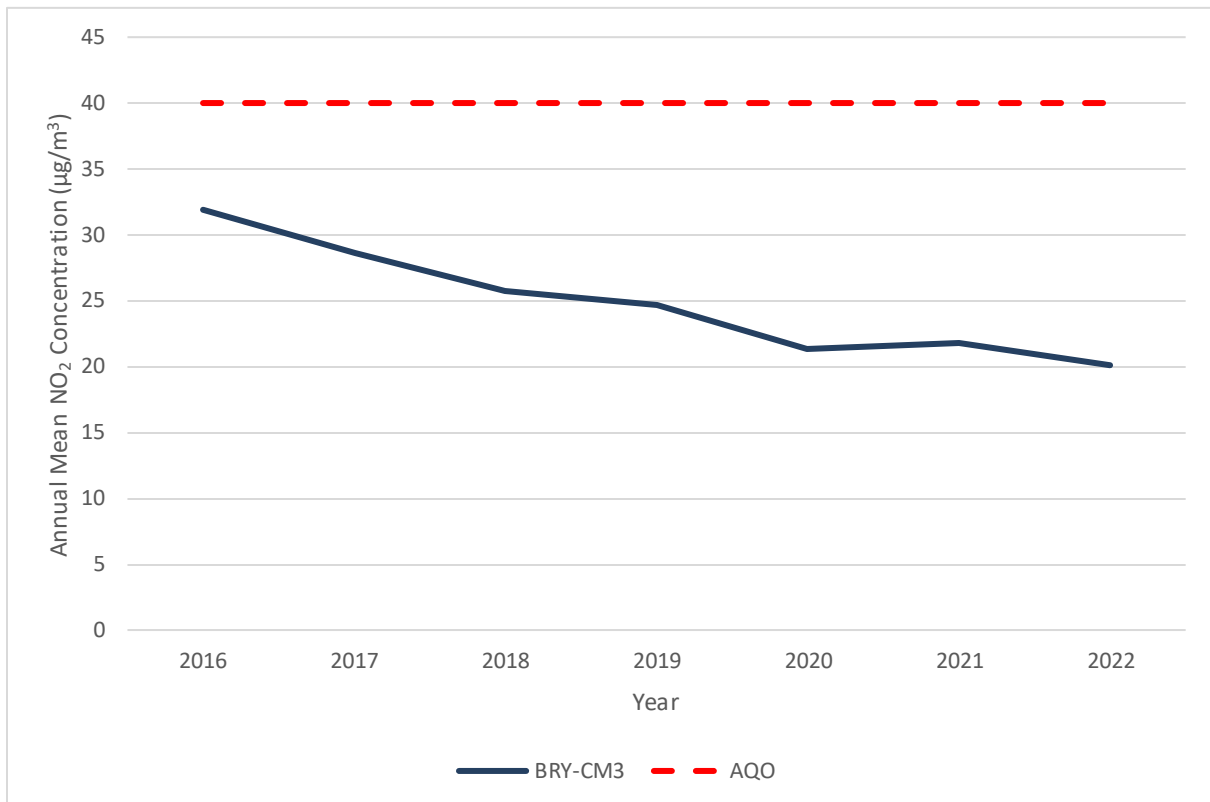


Figure 3 below shows the trends in annual mean NO₂ concentrations for the original 10 non-automatic monitoring sites referred to on Page 8 for the 2016 – 2022 period. There is only data available for 2021 and 2022 for the additional 22 diffusion tube sites installed in 2021 and this is not sufficient to graphically represent NO₂ trends at this time. Please refer to Table D for full results.

Figure 3. Annual Mean NO₂ concentrations for the original 10 Non-Automatic Monitoring Sites

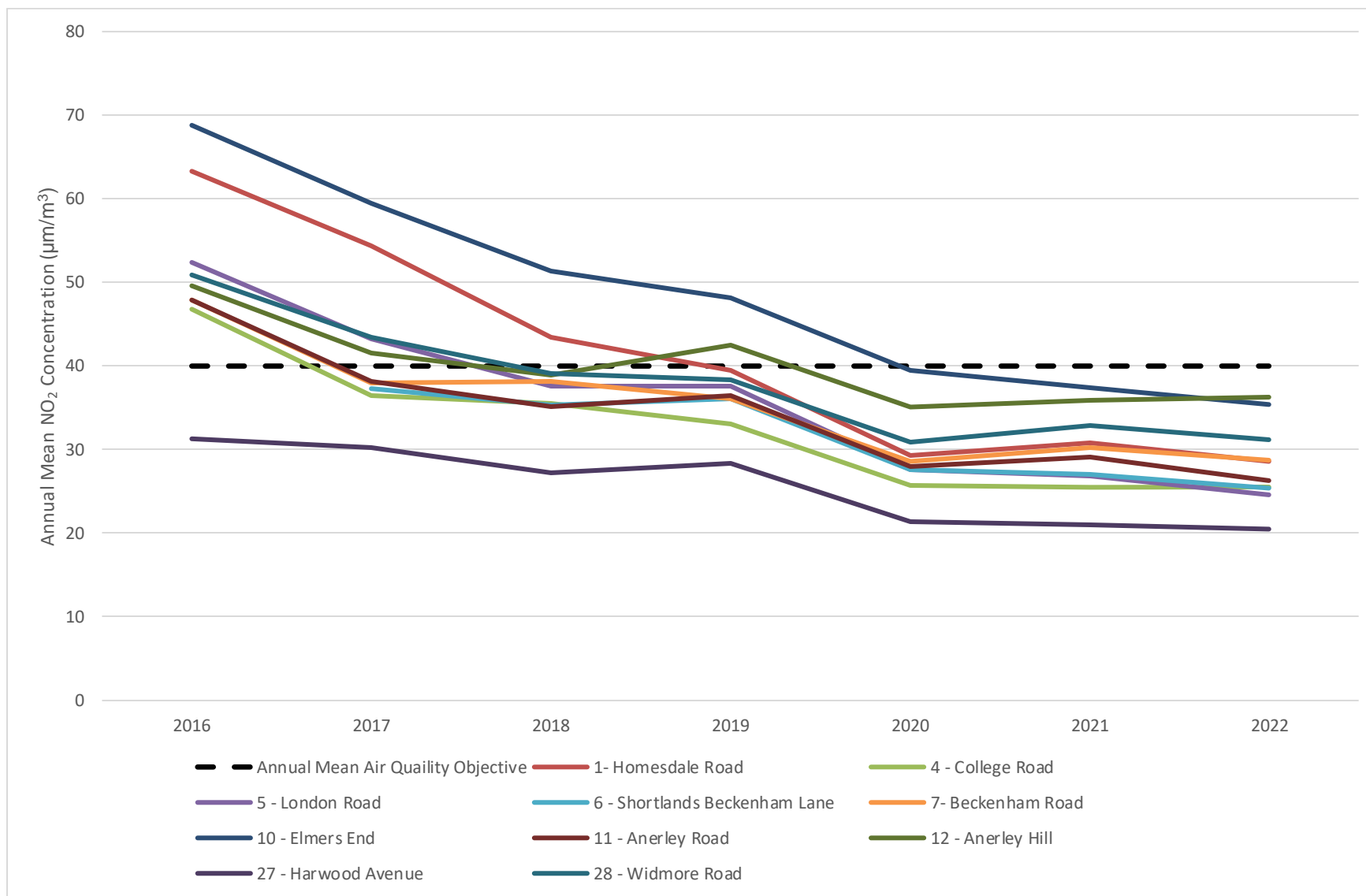


Table D demonstrates that the majority of diffusion tube sites show evidence for a decrease in NO₂ concentrations from the start of their monitoring period to 2022. The highest decrease in NO₂ concentrations of 3.3µg m⁻³ was observed at site 30, Old Hill, and site 31, Mottingham Road from 2021 to 2022. Site 12, Anerley Hill, and site 17, Crofton Road, show the highest increase in NO₂ concentrations of up to 1.0µg m⁻³ compared to 2021. All but one diffusion tube was below the AQO in 2022.

Diffusion tube site 19, High Street, Orpington, exceeded the AQO of 40µg m⁻³ with a concentration of 40.6 µg m⁻³, however, following distance correction for a location of relevant exposure, the predicted concentration was 33.9µg m⁻³. Site 19 had a decrease in NO₂ concentration of 1.1µg m⁻³ compared to 2021. In 2021, site 19 recorded NO₂ concentration of 41.9µg m⁻³, however after distance correction, the concentration was predicted to be 35µg m⁻³.

In general, it appears that there was a significant reduction in NO₂ concentrations during the Covid-19 pandemic restrictions in 2020. Since then, NO₂ concentrations have increased slightly from these low levels, however, they have not returned to pre-pandemic levels.

Overall, NO₂ concentrations observed in 2022 were very similar to those of 2021 with small reductions across most sites but marginal increases at four locations. The longer term trend from 2016 to 2022 indicates that the NO₂ concentrations have reduced when compared to 2016 concentration.

The Council has been monitoring PM₁₀ within the Borough since October 1999. The only operational monitoring station is at Harwood Avenue. A Beta Attenuation Monitor (BAM) is used for monitoring PM₁₀. The annual mean PM₁₀ results are shown in Table F and the 24-hour mean PM₁₀ results are presented in Table G. Data capture at the site in 2022 was 97.1%. The annual mean PM₁₀ concentration in 2022 was 14.7 µg m⁻³, which is below the annual mean objective of 40 µg m⁻³. There were no days where the average concentration was above the 24-hour mean air quality objective value of 50 µg m⁻³ (Table G).

Figure 4 shows there was a decline in the PM₁₀ annual mean concentration between 2016 and 2018, with a small increase between 2018 and 2019, then declining again from 2019 to 2022.

Table F. Annual Mean PM₁₀ Automatic Monitoring Results (µg m⁻³)

Site ID	Valid data capture for monitoring period % ^(a)	Valid data capture 2022 % ^(b)	2016	2017	2018	2019	2020	2021	2022
BRY-CM3	97.1	97.1	29.5	16.8	16.5	18.8	15.8	15.4	14.7

Notes:

The annual mean concentrations are presented as µg m⁻³.

Exceedances of the PM₁₀ annual mean AQO of 40 µg m⁻³ are shown in **bold**.

All means have been “annualised” in accordance with LLAQM Technical Guidance if valid data capture is less than 75% and more than 25%.

(a) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(b) Data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%).

Table G. PM₁₀ Automatic Monitoring Results: Comparison with 24-Hour Mean Objective, Number of PM₁₀ 24-Hour Means > 50 µg m⁻³

Site ID	Valid data capture for monitoring period % ^(a)	Valid data capture 2022 % ^(b)	2016	2017	2018	2019	2020	2021	2022
BRY-CM3	97.1	97.1	4(45)	2(30)	0(26)	8	1	0	0

Notes:

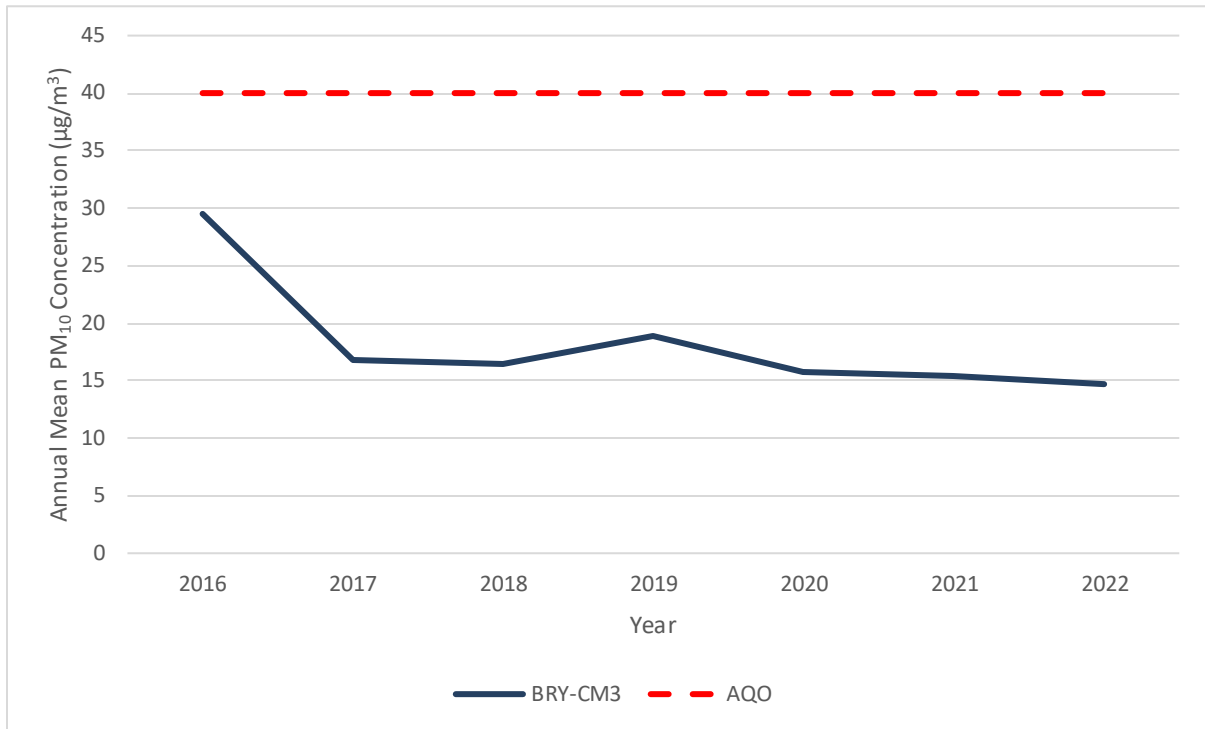
Exceedances of the PM₁₀ 24-hour mean objective (50 µg m⁻³ over the permitted 35 days per year) are shown in **bold**.

Where the period of valid data is less than 85% of a full year, the 90.4th percentile is provided in brackets.

(a) data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

(b) data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%).

Figure 4. Annual Mean PM10 Concentrations at Harwood Avenue Automatic Monitoring Site



In 2015, an inlet particle sensor was attached to the PM₁₀ monitor to monitor PM_{2.5}. This monitoring technique was not reference equivalent and as such provided indicative results. In 2020, a PM_{2.5} beta attenuation monitor (BAM) was added to the existing continuous monitoring site at Harwood Avenue, to replace the PM_{2.5} inlet particle sensor. The annual mean PM_{2.5} results from the BAM in 2022 are shown in Table H; all data previous of 2020 presented in Table H were collected using the inlet sensor therefore any trends should be indicative. The annual mean PM_{2.5} concentration in 2022 was 10.6 µg/m³ which is below the annual mean objective of 20 µg/m³; data capture in 2022 was 96.8%.

Table H. Annual Mean PM_{2.5} Automatic Monitoring Results ($\mu\text{g m}^{-3}$)

Site ID	Valid data capture for monitoring period % ^(a)	Valid data capture 2022 % ^(b)	2016	2017	2018	2019	2020 ^(c)	2021 ^(d)	2022
BRY-CM3	96.8	96.8	15.5	-	-	-	8.5	9.7	10.6

Notes:

The annual mean concentrations are presented as $\mu\text{g m}^{-3}$.

Exceedances of the PM_{2.5} annual mean AQO of $20 \mu\text{g m}^{-3}$ are shown in **bold**.

All means have been “annualised” in accordance with LLAQM Technical Guidance, if valid data capture is less than 75% and more than 25%.

(a) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(b) Data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%).

(c) Valid data capture for 2020 was 56%.

(d) Valid data capture for 2021 was 88%.

Annual mean concentrations have increased between 2020 and 2022. It should be noted that the PM_{2.5} data capture in 2020 and 2021 is below the valid data capture requirement of 90% to be used as part of the London Air Quality Network. This is largely due to the monitors installation in 2020 and technical issues resulting in periods of down time.

The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 set an annual mean target level for PM_{2.5} of $10 \mu\text{g m}^{-3}$ to be met by 31st December 2040.

1.3 Air Quality Sensors

The Council are supporting Breathe London with five monitors. Table I shows a list of the monitors with the annual mean of NO₂ and PM_{2.5} in 2022. This monitoring technique is not reference equivalent and as such provides indicative results.

The locations of the Breathe London Nodes can be found here: [Node Search — Breathe London](#)

Table I. Annual mean of NO₂ and PM_{2.5} of the Breathe London Nodes within London Borough of Bromley (µg m⁻³)

Node Name	Valid data capture 2022 % ^(a)	Valid data capture for operational period in year 2022 % ^(b)	NO ₂		PM _{2.5}	
			2021	2022	2021	2022
Beckenham Beacon Hospital	35	100	-	26.8	-	7.8
Bethlam Royal Hospital	45	100	-	22.9	-	8.1
Orpington Hospital	58	99.3	-	23.3	-	7.7
Poverest Allotment	99	99	26.2	23.8	9.3	8.2
Princess Royal Hospital	99	99.8	22.1	22.2	10.7	10.0

Notes:

(a) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(b) data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%).

Beckenham Beacon, Bethlam Royal Hospital and Orpington Hospital Nodes became operational in August, July and June 2022 respectively. Poverest allotment and Princess Royal Hospital sites have been operational throughout 2022.

2. Action to Improve Air Quality

2.1 Air Quality Action Plan Progress

Table J provides a brief summary of London Borough of Bromley's progress against the Air Quality Action Plan, showing progress made this year.

Table J. Delivery of Air Quality Action Plan Measures

Measure	LLAQM Action Matrix Theme	Action	Progress
1.1	Monitoring and other core statutory duties	Ongoing maintenance of the Harwood Ave air quality monitoring station (AQMS) (%) Target: data capture over 90%	Achieved in 2022. Ongoing
1.2	Monitoring and other core statutory duties	Publish an annual report of air quality data on Bromley's website The successful submission and publication of Annual Status Reports and other statutory documents to the GLA	Ongoing
1.3	Monitoring and other core statutory duties	Seek funding where appropriate (via s106 agreements) for reference monitoring in Bromley Submissions	Ongoing
1.4	Monitoring and other core statutory duties	Review of diffusion tube network following the extension of the AQMA and add additional diffusion monitoring points (no.)	Completed. In January 2021, the number of monitoring locations increased from 10 to 32 and these have been analysed monthly since.
1.5	Monitoring and other core statutory duties	Seek funding for AQMS to measure PM ₁₀ and PM _{2.5} , NO ₂ and O ₃ at Biggin Hill by local agreement	Ongoing
1.6	Monitoring and other core statutory duties	Prioritise the provision of a PM _{2.5} monitor if installing new monitors	Completed. A PM _{2.5} BAM was installed at Harwood Monitoring Station. There are no current plans to install further monitoring stations
1.7	Monitoring and other core statutory duties	Seek to test appropriate new smart monitoring technologies as they develop.	Report based on horizon scanning and reviewing of current and emerging technology completed for 2022 (Keeping up to date on progress and research:

Measure	LLAQM Action Matrix Theme	Action	Progress
			www.researchgate.net/publication/335466076_Review_of_the_Performance_of_Low-Cost_Sensors_for_Air_Quality_Monitoring . Installed an AQ sensor as part of Breathe London at the Princess Royal Hospital, Beckenham Beacon Hospital, Bethlam Royal Hospital, Orpington Hospital and Poverest Allotment (see chapter 1.3). The research is ongoing.
1.8	Monitoring and other core statutory duties	Continue to support major developers in siting and installing construction site dust monitors Advice given through planning consultation system. Outputs – number of planning conditions /reports provided. Reported annually in the Annual Status Report (ASR)	Completed for 2022 (See 2.9 for numbers of Construction Management Plan conditions recommended to planners which includes the management and monitoring of dust on site)
1.9	Monitoring and other core statutory duties	Membership of the LAQN renewed.	Completed for 2021 (Membership maintained. Bromley's site makes an essential contribution to the LAQN. This network provides published information for forecasting air quality and predictive triggers for data dissemination)
1.10	Monitoring and other core statutory duties	Borough review of Part B (Environmental Permitting) processes to ensure all relevant process are captured (%) Borough wide review to be completed by the end of 2021.	The Borough wide review is completed. All premises that require a permit have one in place or have applied.
2.1	Emissions from developments and buildings	Require Construction Environmental Management Plans for 100% of major developments where works are likely to produce levels of dust (%) Target:	Completed for 2022.
2.2	Emissions from developments and buildings	Require real-time PM ₁₀ monitoring at high risk sites in accordance with the Mayor of London Supplementary Planning Guidance (SPG). (%)	Air Quality Assessments accompany relevant planning applications.
2.3	Emissions from developments and buildings	Enforcement visits when complaints received. (%)	100% of complaints were appropriately responded to
2.4	Emissions from developments and buildings	Update Bromley's existing Code of Construction Practice (CoCP)	London Borough of Bromley has adopted the GLA CoCP documents as its own CoCP

Measure	LLAQM Action Matrix Theme	Action	Progress
2.5	Emissions from developments and buildings	Produce information for developers to promote low combustion and combustion free development	Completed (This information has been produced and will be available on Bromley's website in the near future)
2.6	Emissions from developments and buildings	Adopt revised planning conditions and informatives regarding the use of diesel generators Adoption of any additional information /Informatives.	Completed (Requirements where practicable adopted in CEMPs as part of the approved planning process. Details also included in draft CoCP. Also, a Bromley Communique for developers was produced on 21st December 2021 to promote low combustion and combustion free development).
2.7	Emissions from developments and buildings	Effectively manage and mitigate emissions of development taking place in the designated Air Quality Focus Area (AQFAs) through New Bromley plan	Completed for 2022 (Conditions imposed on relevant applications. GIS layer of all AQFAs put on STATMap, where planners can view for new applications)
2.8	Emissions from developments and buildings	Where appropriate, use planning obligations to secure funding from developers for monitoring compliance checks on major and/or sensitive sites.	Completed for 2022
2.9	Emissions from developments and buildings	Continue to assess all relevant planning applications for their air quality impact and condition as appropriate Number of applications assessed, against no received within 28 days.	Completed for 2022 Number of applications where AQ assessment: 16 Number of planning apps required to monitor for dust: 48 Number of developments required to install ultra low NOx boilers : 73 Number of Neutral building and/or transport assessments undertaken: 16 Planning applications conditions for NRMM: 32 Planning applications conditioned for EV: 13
3.1	Emissions from developments and buildings	Apply conditions for construction sites to ensure compliance with the GLA's NRMM requirements *Planning conditions to include where appropriate: Air Quality Assessment Air Quality Network (AQN) assessment Construction Environment Management Plan (CEMP) to include PM10 monitoring NRMM compliance with London LEZ Seek funding for air quality measures through S.106, Community Infrastructure Levy (CIL) where feasible	100% of developments registered and compliant - completed for 2022
3.2	Emissions from developments and buildings	Ensure emissions from construction sites are minimized through cooperation with developers and site visits, including effective dust monitoring where	Completed for 2022 (Provided an updated list of Major Planning sites where construction is starting or soon to start to NRMM Project Team

Measure	LLAQM Action Matrix Theme	Action	Progress
		appropriate, and compliance with GLA NRMM requirements	for inspection. 25 Audits carried out in 2022. Follow up action was taken on one non-compliant site with equipment removed from site)
4.1	Emissions from developments and buildings	Require developments with Combined Heat and Power (CHP) to be air quality neutral as a minimum Number of developments where AQ neutral is applied.	Completed for 2022
4.2	Emissions from developments and buildings	Require developers to meet the GLA's emissions limits for CHP and Biomass boilers	Completed for 2022
4.3	Emissions from developments and buildings	Set requirement for evidence of maintenance of CHP and associated plant	Completed for 2022
5.1	Emissions from developments and buildings	Apply Air Quality Positive for regeneration areas in line with the new London Plan Agree standard planning conditions to require compliance with AQN standards and London Plan policy.	Completed for 2022
5.2	Emissions from developments and buildings	Set requirement for evidence of maintenance of CHP and associated plant	Completed for 2022
6.1	Emissions from developments and buildings	Planning application / conditions - Set targets to improve levels of green infrastructure provided in new developments.*To be considered on a case-by-case basis through application of relevant London Plan Policies	Completed for 2022
6.2	Emissions from developments and buildings	Ensure that exposure to poor air quality in amenity spaces is considered at design stage and as part of the Air Quality Assessment (AQA).*To be considered on a case-by-case basis through application of relevant London Plan Policies	No action required (London Plan Policies are applied to development proposals and considered via the consultation process)
7.1	Emissions from developments and buildings	Carry out awareness campaigns in relation to bonfires and wood burning stoves and provide advice on appropriate fuel by issuing guidance Guidance to be produced by the end of 2021 and to be promoted through newsletters including	Ongoing (The Council will utilise publications such as 'Environment Matters' to provide advice here)

Measure	LLAQM Action Matrix Theme	Action	Progress
		'Environment Matters'. Estimated engagement can be demonstrated through circulation outputs, website page hits. We will circulate to providers of fuels and relevant businesses, demonstrated through number of correspondences.	
7.2	Emissions from developments and buildings	Effectively fulfil statutory duties as a Smoke Control Area (SCA)	Completed for 2022 (100% response to SCA related complaints. 5 of 5 complaints responded to and appropriate action taken. Includes complaints about smoke emissions from chimneys in SCAs and use of unauthorised fuels only. Excludes more general enquiries about SCAs, authorised fuels, and requests for copies of SCO)
7.3	Emissions from developments and buildings	Continue to control emissions from permitted processes through inspections and enforcement (see also action 1)	Completed for 2022 (All DC and PVR sites requiring an inspection compliant with permit conditions. Other LAPPC activities not inspected in year 2022 due to staff resourcing)
8.1	Emissions from developments and buildings	Promoting and delivering energy efficiency retrofitting projects in workplaces and homes	ECO Flex declarations commenced in 2017. The projected figure for Bromley in 2019/20 is 12 declarations covering 53 households with an escalation year on year. Target: 5% minimum increase annually. Ongoing
8.2	Emissions from developments and buildings	Follow up proposals for inclusion in a revised policy for the retrofitting of air pollutant reduction equipment for clients living in areas identified as most likely to trigger detrimental health effects	Ongoing
8.3	Emissions from developments and buildings	Continue with the advice service for households at risk of fuel poverty in south east London. Target- to carry out 800 home visits and 800 one-to-one advice sessions at events	Completed for 2022 (164 home visits have been conducted. The Council is awaiting a project report on the impact that these visits have had on fuel poverty and this will be used to determine how to best support residents going forward.)
8.4	Emissions from developments and buildings	As part of a current review of the use of discretionary grant funding linked to Disabled Facilities Grants and the Better Care Fund	Ongoing
8.5	Emissions from developments and buildings	All projects have a demonstrable carbon reduction and will be appraised independently. Overall organisational emissions reductions will be evidenced in the Council's Carbon Management Programme	Completed for 2022 (Pipeline projects were initially identified and scoped to make use of the decarbonisation loan scheme from Salix, including an option for LED and solar panels to complement the work to replace the district heating system. Following completion of the Operational Property Review, the Operational Property Repair

Measure	LLAQM Action Matrix Theme	Action	Progress
			Programme has been established, with this Board considering priorities for decarbonisation as part of the programme.)
8A.1	Emissions from developments and buildings	Production of a sustainability toolkit for service leads to consider sustainability issues including carbon and air quality when initiating the procurement process.	Completed for 2022 (A contract has been awarded to CO2Analysis to undertake a scope 3 carbon foot printing exercise for the council's procurement emissions. An understanding of the emissions generated by the council's purchased goods and services will support Bromley's Sustainable Procurement policy which is in place to ensure that the environmental impact of LBB's procured services is considered in the tendering process, and target work with specific contracts to have the most significant impact on reducing carbon emissions.)
8B.1	Emissions from developments and buildings	LB Bromley Sustainability Policy to be further developed	Completed in full: A policy has been developed and stipulates that the procurement process must take into account bids "seeking to minimise any negative environmental impacts of goods and services purchased, across the whole life cycle from raw material extraction to end of life"
8B.2	Emissions from developments and buildings	Seek to influence supplier behaviour through Circular Economy principles: reduced journeys, shared services, product life extension, waste minimisation, energy recovery from waste	Completed for 2022 (Circular economy workshop delivered by specialist external providers to key officers. Sustainability toolkit developed to support commissioners includes consideration of circular economy principles and how to embed these into contract requirements.)
9.1	Emissions from developments and buildings	Update ASR and planning portal	Ongoing
10.1	Public health and awareness raising	The Health and Well-Being Board will include a new section within the Joint Strategic Needs Assessment (JSNA) with up to date information on air quality impacts on the population *Public Health Team to support engagement with local stakeholders (businesses, schools, community groups and healthcare providers)	Ongoing
11.1	Public health and awareness raising	Promote active travel and public transport to businesses. The Council will host events such as free cycle training and Dr Bike sessions for BIDs who are proactively engaged (dependant on TFL funding and Covid restrictions)	Completed for 2022 (In 21/22 we have delivered 11 Dr Bike Sessions and have delivered cycle training to 113 adults. Unfortunately, due to a lack of funding TfL were unable to continue to provide the Healthy Streets Officer who was responsible for business engagement. The Road Safety Team will continue to promote their services to businesses in the borough.)

Measure	LLAQM Action Matrix Theme	Action	Progress
12.1	Public health and awareness raising	Public Health team to support promotion through GP practices and pharmacies Membership of airTEXT consortium	Completed for 2022. (ICS respiratory group is involved, revisions and updates to airTEXT platform planned for 2025. Another Digital health app for patients with Asthma and allergies being rolled out. At the end of 2022 Bromley had 200 active subscribers to airTEXT, which was a net increase of 18 on the previous year. There were 22 alert days in Bromley in 2022, and 2,569 alert messages were sent by text, email or voicemail.)
13.1	Public health and awareness raising.	Use of the STARS programme in schools as a tool to promoting active travel to school	Completed for 2022 (In 21/22 71 % of schools have an active Travel Plan. 11 Bronze, 12 Silver and 59 Gold. This gives us a quality score of 212)
14.1	Public health and awareness raising	Ongoing co-ordination of the Healthy Schools London in Bromley project, to improve children and young people's health and well-being. Target is to add 5% more schools each year. *over ninety schools currently participating. London Healthy Early Years (HEYL) supports and recognises achievements in child health, wellbeing and education in early years settings. Well over one hundred Bromley Early Years settings have already registered with a target of an additional 5% year on year.	Ongoing HEYL: only one silver award and one gold award were given this year in Bromley. Both the HSL and the HEYL scheme are currently being reviewed by the GLA in 2023 HEYL bronze award (and above) include whether the Early Years (EY) setting has an air quality monitoring system in place as part of their sustainability aims.
14.2	Public health and awareness raising	The borough is currently undertaking a trial of a green screen around Valley Primary School as part of the Shortlands Friendly Village (Liveable Neighbourhood) project. If successful, consideration will be given to how the green screens can be delivered to more schools in the AQMA. *This delivers on the LIP3 commitment to look to undertake a trial of new green infrastructure, such as trees and green walls around schools in the AQMA and alongside corridors with the highest concentrations as a means of natural emissions capture	Ongoing (Recently research published has suggested that Green Screens are not as effective as they were hoped to be. More evidence of their efficacy will be required before Bromley looks to introduce further Green Screens).
14.3	Public health and awareness raising	Promote campaign on anti-idling, involving specific signage, communications activity and increased enforcement in idling hotspots around 8 schools (see	Completed for 2022 (56 warnings issued)

Measure	LLAQM Action Matrix Theme	Action	Progress
		also 21). *A more targeted approach to idling, focusing on schools will be taken, which should make a differences in areas over short periods of time, utilising a variety of comms and enforcement action	
15.1	Deliver servicing and freight	Seek to influence supplier behaviour through circular economy principles: reduced journeys, shared services, product life extension, waste minimisation, energy recovery from waste.	No action required (Circular economy workshop delivered by specialist external providers to key officers. Sustainability toolkit developed to support commissioners includes consideration of circular economy principles and how to embed these into contract requirements.)
15.2	Deliver servicing and freight	Require environmental services suppliers with large fleets to have attained Bronze / Silver / Gold (Fleet Operator Recognition Scheme) FORS accreditation. *Bromley's LIP3 sets out a road map to reducing emissions from the London Borough of Bromley (LBB) fleet to 2041 and working with procurement, the Council will be asked to consider how they could ask contractors to innovate towards a greener fleet and to reduce emissions from the Council's fleet.	Completed for 2022 (Veolia maintained FORS Bronze accreditation in September 2022)
16.1	Deliver servicing and freight	Sustainability toolkit for service leads to consider sustainability issues including carbon and air quality when initiating the procurement process. Will require measurements that are proportional and appropriate to contract size	Ongoing (Commissioners are required to consider sustainability as part of the gateway report process. The Corporate Procurement team work with commissioners to explain the need for considering sustainability and social value in procurement processes, encourage commissioners to include it and provide methods of doing so to facilitate this, offering regular training including through the Quarterly Contract Owners meetings and in individual project-specific meetings. The Carbon Management Team have now developed a toolkit to support commissioners which is expected to be launched in 2023.)
16.2	Deliver servicing and freight	LB Bromley Borough-Wide Emissions Strategy to be developed, as part of wider corporate Sustainability Policy	Ongoing (Soft market testing with potential consultants has been undertaken to scope what might be involved in producing a borough-wide emissions strategy, however this would involve a significant investment of council resources with success dependent on action from central government. A detailed report on Bromley borough's emissions using N186 data was published in 2021, with a report for

Measure	LLAQM Action Matrix Theme	Action	Progress
			2022 being prepared using LEGGI data, an approach which ensures consistency in reporting between London boroughs.)
16.3	Deliver servicing and freight	The Council will continue to seek to work with collection locker providers to provide such facilities in some borough car parks to reduce delivery miles Provision of facilities installed.	Ongoing (Officers are still looking at the possibility of introducing more lockers around the Borough, however there are still only 7 car parks with live lockers installed. In total Bromley have 30 chargeable car parks, 2 free and 1 Disabled only car park.)
16.4	Deliver servicing and freight	Any development likely to create a significant number of trips will, where necessary, be required to enter into an agreement to submit and implement acceptable Construction Logistics Plans, and Delivery/Service Plans. Consideration will be given to re-organisation of freight to support consolidation (or micro-consolidation) of deliveries, by setting up or participating in new logistics facilities, and/or requiring that council suppliers participate in these.	Completed for 2022
17.1	Borough fleet	Council fleet and hired fleet to meet Quality Standard. Operating data and feedback will be collected to help inform future replacements and procurement projects.	Completed for 2022 (Two electric hatchback cars expected for Highways Division in July 2023. One plug-in hybrid Mayoral car delivered, one expected in April 2023. Charging points installed in Central Depot and Civic Centre fleet parking areas. Demonstration light commercial vehicles being evaluated as they become available. Ongoing discussions with Departments for replacing vehicles with EV's as they reach the end of their lease terms. Four replacement Euro VI gritter commissioned.)
17.2	Borough fleet	Increase the number of plug-in hybrid and electric council vehicles through planned replacement programme	Completed for 2022 (One new plug-in hybrid car commissioned. Two EV chargers installed at vehicle bases (Civic and Central))
17.3	Borough fleet	Increase the uptake of new Euro VI vehicles in the heavier fleet, phase out older vehicles operated by our contractors by April 2020	Completed for 2022 (Waste Fleet Euro VI compliant)
17.4	Borough fleet	Promote fuel-efficient driving through the driver induction and competence checks	Completed for 2022 (Routine part of driver competence check for new staff, authorised to drive Council vehicles.)
17.5	Borough fleet	Work in partnership with our Waste contractor to ensure our infrastructure allows for a fully electric waste collection fleet in 2026 Improvement in infrastructure.	Completed for 2022 (We have now determined that electric is the direction of travel and not hydrogen gas. Trials and demonstrations of electric vehicles for both waste collection and street cleaning were carried out in November 2022. We plan to jointly procure a single

Measure	LLAQM Action Matrix Theme	Action	Progress
			electric RCV as a test vehicle to run over the next few years, and then move to full electric fleet at contract extension in 2027 as part of the 8-year contract extension from 2027 if extension is successfully negotiated.)
17.6	Borough fleet	Monitor progress with vehicle manufacturers, other similar operators and technical developments to further support the intake of alternatively fuelled vehicles.	Completed for 2022 (An electric fleet is now the front runner for alternative to diesel and trial demonstrations of electric vehicles for both waste collection and street cleaning have been carried out in November 2022.)
17.7	Borough fleet	Increase the use of pool vehicles Uptake monitored and reported annually.	Completed for 2022 (Neighbourhood Management have explored with transport operations colleagues the change from the existing 1 x diesel van for officers to an electric alternative which will be implemented when the current vehicle's contract expires in 2024)
17.8	Borough fleet	Maintain the FORS accreditation held by the Council's Waste, Streets and Parks contractors.	Completed for 2022 (Veolia maintained FORS Bronze accreditation in September 2022)
17.9	Borough fleet	Equip waste vehicles with the 'Driving Efficiently and Safely' (DES) tracking and monitoring system to monitor and minimise idling, braking, over-revving, and contravention of speed limits	Completed for 2022 (A programme began in August 2022 and concluded in October 2022 to update Echo logistics and implement the Autonomise system which has superseded DES. All 58 Veolia owned frontline RCVs, and all Veolia owned frontline streets vehicles (15 cages, 4 Hi-Abs and 4 LMBs) are now fitted with either 360-degree cameras or forward and rear facing cameras linked to 'smart boxes' that store telemetric data for driver behaviours to measure idling, harsh acceleration, harsh braking, harsh cornering, speed, and g-shock.)
17.10	Borough fleet	Supervisors of the waste and street cleansing service to use electric vehicles	Completed (March 2020 - 12 electric vehicles)
17.11	Borough fleet	Installation of electric charging point for Heavy Goods Vehicles (HGVs)	Completed for 2022 (All of Veolia's nine Environmental Manager electric vans also have this technology fitted)
17.12	Borough fleet	Increase the % of mobile equipment used (e.g. electric chainsaws) by the Arboriculture contractor	Ongoing (The statistics are yet to be confirmed by the contractor, but use of various pieces of mobile equipment have been reported at monthly contract monitoring meetings during 2022.)
17A.1	Borough fleet	Promote the uptake of alternative fuel cars via the staff lease scheme. The option to further incentivise	Completed for 2022

Measure	LLAQM Action Matrix Theme	Action	Progress
		drivers will be a discussion point when approaching the next procurement exercise	(Taxation and fuel costs continue to move the trend towards electric and hybrid vehicles. No diesel cars are ordered. The fleet now includes 11 full electric and 74 hybrid cars.)
18.1	Localised solutions	Through Planning process, identify opportunities for green infrastructure	Completed for 2022
18.2	Localised solutions	Feasibility of enhancing the public realm potentially through gyratory removal at Elmers End (see also 19).	Ongoing (funding for LEN bid has not yet been identified)
18A.1	Localised solutions	Continue to provide an annual tree planting plan and where possible consider planting trees in areas where they will be of most benefit to local air quality. Progress a scheme to create/expand woodlands in the Borough.	Completed for 2022 (1590 trees have been planted in the 2022/23 planting season. The Forestry Commission have awarded funding to develop designs for three new woodland sites in the borough at ex-grazing sites with this work being undertaken into 2023)
18A.2	Localised solutions	Increase the number of street and parks trees via funding	Completed for 2022 (The Council's tremendous tree planting programme is seeing £1.35m invested in an additional 5000 street and park trees over 4 years. 1250 of the 1590 trees planted in the 2022/23 planting season were additional, and part of the Tremendous programme. Furthermore, funding has been granted from the Platinum Jubilee Parks Fund to plant two new orchards in parks in 2023.)
19.1	Localised solutions	Review previously unsuccessful bid to the Mayor's Air Quality Fund for a Low Emission Neighbourhood in Birkbeck village in Bromley's AQMA, which is bounded by the A213 and A214 *Options are being considered for how the benefits of the scheme can be derived without LEN funding	Ongoing (No funding secured for LENs in LBB)
19.2	Localised solutions	Feasibility study for enhancing the public realm potentially through gyratory removal at Elmers End.	Ongoing (funding has not yet been secured for this project)
19A.1	Localised solutions	Continue to provide existing comprehensive waste and recycling collection service	Completed for 2022 (Maintained comprehensive waste and recycling collection service. Garden waste customers continue to grow in number and exceed 44,000. Started trials in flatted properties to improve recycling capture.)

Measure	LLAQM Action Matrix Theme	Action	Progress
19B.1	Localised solutions	Provide a kerbside collection service for textiles, batteries and small electrical items*The Council provides a collection service for the Core Materials as required within the London Environment Strategy	Completed (Kerbside collection of textiles, batteries and small waste electronic and electrical items provided)
19B.2	Localised solutions	Liaise with Council's contractor to expand on materials accepted at the kerbside and promote the Council's chargeable garden waste service	Completed for 2022 (List of materials accepted available at www.bromley.gov.uk/wastenews) Comprehensive kerbside collection service provided for the core (dry) materials, plus textiles, batteries and small waste electricals. Continue to consider accepting additional items at the kerbside through contract meetings. Promotion of garden waste is a contractual requirement and was promoted in 2022 through targeted letters, the website, social media and articles in Environment Matters.)
19C.1	Localised solutions	Promote dust management at sites – using the accordance with the Mayor of London SPG as an exemplar	Completed for 2022 (Dust management is in accordance with the environmental permit)
19D.1	Localised solutions	Monitor and manage landfill gas generated by closed landfill site through existing network of pipes and landfill gas flare	Completed for 2022 (Landfill gas and leachate are managed at the closed landfill site in accordance with Environment Agency best practice. Management of the site is reported on a monthly basis and discussed via monthly Service Operations Board)
19E.1	Localised solutions	Install wood chip bins within the borough's parks instead of transporting woodchip outside the borough*Parks Contractor will be able to use woodchip for bedding, path creation rather than woodchip being used as biomass	Completed for 2022 (The three trial sites have been agreed and continued to be used intermittently in association with volunteer and local friends Groups who have re-used the woodchip on shrub beds. Costs have been obtained for the installation of the agreed three areas where the wood chip piles can be officially stored. Additional sites are in the process of being considered with a view to expanding across the Borough.)
20.1	Cleaner transport	Through this AQAP and Bromley's LIP3 officers will continue dialogue regarding project and policy	Completed (This is also supported by involvement in the Green Recovery Group and other climate change discussion groups)

Measure	LLAQM Action Matrix Theme	Action	Progress
		implementation. *Transport and Environmental Health staff form part of core AQAP Steering Group	
21.1	Cleaner transport	The Council is participating in the London-wide anti-idling campaign funded from the Mayor's Air Quality Fund with eight schools in the borough to hold anti-idling campaigns per annum. PCN enforcement will allow for a significantly higher penalty for idling to be applied	Completed for 2022 (34 schools are now engaged with the campaign, and certain schools are being targeted with additional publicity.)
21.2	Cleaner transport	The borough has adopted powers to enforce against idling vehicles but will look to create a Borough-wide Traffic Management Order (TMO) to allow for PCN enforcement which will be easier to enforce with existing and widely allocated Civil Enforcement Officer (CEO) resources	TMO created and in effect from April 2020. Ongoing.
22.1	Cleaner transport	Work with BIDs to support a suitable programme of weekend road closures to allow town centres and high streets to be used in new and innovative ways, supporting vibrant town centres and communities	Completed (A programme of weekend closures has not been taken forward. Instead, the Council has promoted street party road closures and these have become more popular than ever before, primarily in the summer months (although these were not permitted during Covid lockdown periods).
22.2	Cleaner transport	Continue with Street Party events and engage with residents in discussions about possible changes in the locality that would enhance walking and cycling	Completed for 2022 (Over 300 events in 2022)
23.1	Cleaner transport	The use of electric vehicles will be promoted by providing the appropriate infrastructure	Completed (An Electric Vehicle Charging Strategy has now been produced with the intention to introduce pilot schemes for on street charge points and residential gullies in 2022)
24.1	Cleaner transport	Work with Bluepoint London to continue to roll out electric vehicle charging infrastructure. *There are national policies in place to influence road users' choice of vehicle but parking policy is not considered to have an impact on the use of those vehicles	Ongoing (Ongoing EV trial to determine best type of EV CPs)
24.2	Cleaner transport	Install 4 Rapid Charge Points as part of the TFL scheme by March 2020 along with the 4 installed on the A232 TLRN in Coney Hall and West Wickham	Ongoing (Ongoing EV trial to determine best type of EV CPs)

Measure	LLAQM Action Matrix Theme	Action	Progress
24.3	Cleaner transport	Policy 30 of the Local Plan requires 1 in 5 car parking spaces to be provided with electric vehicle charge points	Completed in full (Conditions imposed on relevant applications prior to being superseded by Approved document S to expand scope within the Buildings Regulations. Planning conditions no longer required as a result and replaced with informative on development applications)
24.4	Cleaner transport	Implementation of a pilot for lamp post charging points, including £30K Local Implementation Plan investment match funded by Go Ultra Low City Scheme	Ongoing (Ongoing EV trial to determine best type of EV CPs)
25.1	Cleaner transport	Development of new cycle routes, both as part of TfL's strategic cycle network and local routes	Ongoing Progress for cycle infrastructure was affected due to insufficient funding
25.2	Cleaner transport	Delivery of the 'Shortlands Friendly Village Scheme' to include schemes to reduce traffic volumes on residential streets to facilitate a safer and more inviting environment for walking and cycling.	Ongoing (TfL funding is still suspended for LNs in LBB)
25.3	Cleaner transport	Delivery of area based schemes that promote walking and reduce road danger, including a new footpath to Valley Primary School, a parallel zebra crossing outside Bishop Challoner School and a segregated cycle route in Albermarle Road and Beckenham Road to connect Shortlands with Beckenham, plus a cycle route in Valley Road to Harris Primary.	Completed for 2022 (The footpath was not in the end feasible, but the parallel zebra (tiger) crossing and the cycle route were introduced. In place of the Valley Primary School footpath scheme a zebra crossing was installed outside the school)
25.4	Cleaner transport	Improve pedestrian safety- installation of new pedestrian crossings	Completed for 2022 (3 crossings were installed at Lennard Road (parallel zebra), Red Lodge road (informal crossing point) and Old Hill (new pedestrian refuge))
25.5	Cleaner transport	Improve pedestrian infrastructure to encourage walking to school	Completed for 2022 (Pool river path walking and cycling infrastructure was improved and new footway build out at Addison Road and Kent House Road.)
25.6	Cleaner transport	Provide high quality cycle hubs at stations and continue to deliver on-street cycle parking and Bike hangers	Completed for 2022 (three bike hangers installed in 2022/23 F/Y)

3. Planning Update and Other New Sources of Emissions

Table K. Planning requirements met by planning applications in London Borough of Bromley in 2022

Condition	Number
Number of planning applications where an air quality impact assessment was reviewed for air quality impacts	16
Number of planning applications required to monitor for construction dust	48
Number of CHPs/Biomass boilers refused on air quality grounds	0
Number of CHPs/Biomass boilers subject to GLA emissions limits and/or other restrictions to reduce emissions	0
Number of developments required to install Ultra-Low NO _x boilers	73
Number of developments where an AQ Neutral building and/or transport assessments undertaken	16
Number of developments where the AQ Neutral building and/or transport assessments not meeting the benchmark and so required to include additional mitigation	0 *
Number of planning applications with S106 agreements including other requirements to improve air quality	0
Number of planning applications with CIL payments that include a contribution to improve air quality	0
<p>NRMM: Central Activity Zone , Canary Wharf and Opportunity Areas</p> <p>Number of conditions related to NRMM included.</p> <p>Number of developments registered and compliant.</p> <p>Number of audits</p> <p>% of sites unregistered prior to audit</p> <p>Please include confirmation that you have checked that the development has been registered with the GLA through the relevant NRMM website and that all NRMM used on-site is compliant with Stage IV of the Directive and/or exemptions to the policy.</p>	N/A
<p>NRMM: Greater London (excluding Central Activity Zone, Canary Wharf and Opportunity Areas)</p> <p>Number of conditions related to NRMM included.</p> <p>Number of developments registered and compliant.</p> <p>Number of audits</p> <p>% of sites unregistered prior to audit</p> <p>Please include confirmation that you have checked that the development has been registered at www.nrmm.london and that all NRMM used on-site is compliant with Stage IIIB of the Directive and/or exemptions to the policy.</p>	<p>32</p> <p><i>33 registered on website, of which 32 registered as compliant and 1 as non-compliant. There were 25 NRMM audit inspections carried out of which 3 were non-compliant and not registered on the website. 36% of sites were 'cold engaged' i.e., unregistered prior to audit **.</i></p>

* All developments were air quality neutral. Where a couple of developments weren't initially AQN, further mitigation introduced ensured standards were going to be met.

** *For one of the sites inspected and non-compliant planning enforcement action was taken to action non-compliance. The non-compliant equipment was removed from site*

3.1 New or significantly changed industrial or other sources

No new sources identified.

4. Additional Activities to Improve Air Quality

4.1 London Borough of Bromley Fleet

Two electric hatchback cars are expected for the Highways Division in July 2023. One plug-in hybrid Mayoral car was delivered, another one is expected in April 2023. Charging points were installed in Central Depot and Civic Centre fleet parking areas. Demonstration light commercial vehicles are being evaluated as they become available. There are ongoing discussions with Departments for replacing vehicles with EV's as they reach the end of their lease terms. Four replacement Euro VI gritter were commissioned.

One fully electric van was procured for Public Protection & Enforcement in 2021.

4.2 NRMM Enforcement Project

Bromley is an active member of the GLA Pan London NRMM and will be continuing to support the NRMM Enforcement project in 2022 – 2023 through match funding.

4.2 Air Quality Alerts

The Council is a member of the AirText consortium. At the end of 2022, Bromley had 200 active subscribers.

Appendix A Details of Monitoring Site Quality QA/QC

A.1 Automatic Monitoring Sites

During 2022, the Harwood Avenue station was operated by the London Borough of Bromley. QA/QC procedures involve a minimum monthly calibration visit and filter change when required by LB Bromley as the local site operator, and regular service checks by Matts Monitors. All data have been ratified according to Defra LAQM Technical Guidance standards.

In 2020 a PM_{2.5} beta attenuation monitor (BAM) was added to the existing continuous monitoring site at Harwood Avenue (BRY-CM3). On several occasions, there were a few issues with the BAM Tape which would prevent PM_{2.5} measurements from being recorded. However, these issues were quickly rectified by the appropriate service engineer within a couple of days of occurrence.

PM₁₀ Monitoring Adjustment

All PM₁₀ monitoring data has been fully ratified. Ratification of data is undertaken by Imperial in accordance with membership to the LLAQM. Prior to ratification, a fixed zero offset of 15 µg m⁻³ is removed from the raw PM₁₀ concentration. The PM₁₀ concentrations are then divided by 1.21 to make them equivalent to the reference method, following Defra guidance (LAQM.TG(22)).

A.2 Diffusion Tubes

Air proficiency testing (AIR-PT) is an independent analytical proficiency-testing scheme, operated by Laboratory of Government Chemists (LGC) Standards and supported by the Health and Safety Laboratory (HSL). AIR-PT is a scheme that has run from April 2014 to combine two long running PT schemes: LGC Standards Stack emission proficiency testing scheme and HSL Workplace Analysis Scheme for Proficiency scheme.

Gradko International participates in the AIR NO₂ PT scheme³. AIR NO₂ PT forms an integral part of the UK NO₂ Network's QA/QC and is a useful tool in assessing the analytical performance of those laboratories supplying diffusion tubes to Local

³ LGC (2022) Summary of Laboratory Performance in AIR NO₂ Proficiency Testing Scheme (May 2020 – June 2022) Available at: [WASP – Annual Performance Criteria for NO₂ Diffusion Tubes \(defra.gov.uk\)](https://www.defra.gov.uk/llaqm/wasp/) Accessed: 03/05/2023

Authorities for use in the context of Local Air Quality Management (LAQM). Defra and the Devolved Administrations advise that diffusion tubes used for LAQM should be obtained from laboratories that have demonstrated satisfactory performance in the AIR-PT scheme.

The results for Gradko International were overall satisfactory as stated here:

AR037 (May – June 2020) – no results reported

AR039 (July – August 2020) – no results reported

AR040 (September – October 2020) – 75%

AR042 (January – February 2021) – 25%

AR043 (May – June 2021) – 100%

AR045 (July – August 2021) – 100%

AR046 (September – October 2021) – 100%

AR049 (January – February 2022) – 100%

AR050 (May – June 2022) – 100%

Bias Adjustment

Bias adjustment is effectively a calculated factor which shows whether diffusion tubes are overreading or under-reading ambient concentrations, and therefore allows for a correction to be made.

Factor from National Bias Adjustment

The national bias adjustment factor spreadsheet for 2022 is available from the Defra website. The results of multiple co-location studies are collated, and the average bias adjustment factor is taken for studies using the 20% TEA/water preparation method, analysed by Gradko. The national bias adjustment factor for 2022 version 3/23 is 0.83, based on 27 studies, using the LAQM national bias adjustment spreadsheet⁴ which is shown in Figure A-1.

⁴ Defra (2023), LAQM, National bias adjustment factor spreadsheet. Available at: [Database Diffusion Tube Bias Factors v03 23-FINAL.xlsx \(live.com\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114444/Database_Diffusion_Tube_Bias_Factors_v03_23-FINAL.xlsx) Accessed: 03/05/2023

Figure 5. National Bias Adjustment Factor Spreadsheet (v03/23)

National Diffusion Tube Bias Adjustment Factor Spreadsheet						Spreadsheet Version Number: 03/23				
Follow the steps below in the correct order to show the results of relevant co-location studies						This spreadsheet will be updated at the end of June 2023				
Data only apply to tubes exposed monthly and are not suitable for correcting individual short-term monitoring periods						LAQM Helpdesk Website				
Whenever presenting adjusted data, you should state the adjustment factor used and the version of the spreadsheet						Spreadsheet maintained by the National Physical Laboratory. Original compiled by Air Quality Consultants Ltd.				
This spreadsheet will be updated every few months; the factors may therefore be subject to change. This should not discourage their immediate use.										
The LAQM Helpdesk is operated on behalf of Defra and the Devolved Administrations by Bureau Veritas, in conjunction with contract partners AECOM and the National Physical Laboratory.										
Step 1:		Step 2:		Step 3:		Step 4:				
Select the Laboratory that Analyses Your Tubes from the Drop-Down List		Select a Preparation Method from the Drop-Down List		Select a Year from the Drop-Down List		Where there is only one study for a chosen combination, you should use the adjustment factor shown with caution. Where there is more than one study, use the overall factor shown in blue at the foot of the final column.				
If a laboratory is not shown, we have no data for this laboratory.		If the preparation method is not shown, we have no data for this method at this laboratory.		If a year is not shown, we have no data.		If you have your own co-location study then see footnote. If uncertain what to do then contact the Local Air Quality Management Helpdesk at LAQMHelpdesk@bureauveritas.com or 0800 0327953				
Analysed By	Method	Year	Site Type	Local Authority	Length of Study (months)	Diffusion Tube Mean Conc. (Dm) (µg/m ³)	Automatic Monitor Mean Conc. (Cm) (µg/m ³)	Bias (B)	Tube Precision	Bias Adjustment Factor (A) (Cm/Dm)
Gradko	20% TEA in water	2022	KS	Marylebone Road Intercomparison	12	52	42	22.8%	G	0.81
Gradko	20% TEA in Water	2022	UB	Plymouth City Council	12	18	18	3.2%	G	0.97
Gradko	20% TEA in water	2022	UC	Belfast City Council	12	26	20	30.7%	G	0.76
Gradko	20% TEA in water	2022	R	Belfast City Council	12	47	36	28.1%	G	0.78
Gradko	20% TEA in water	2022	R	Belfast City Council	12	25	22	14.0%	G	0.88
Gradko	20% TEA in water	2022	R	Belfast City Council	12	36	28	29.0%	G	0.78
Gradko	20% TEA in water	2022	R	Brighton & Hove City Council	10	37	23	62.8%	G	0.61
Gradko	20% TEA in water	2022	UB	Herfsmere Borough Council	12	16	15	7.1%	G	0.93
Gradko	20% TEA in water	2022	R	Southampton City Council	12	36	28	30.6%	G	0.77
Gradko	20% TEA in water	2022	UC	Southampton City Council	12	28	24	15.4%	G	0.87
Gradko	20% TEA in water	2022	R	Southampton City Council	12	34	31	8.4%	G	0.92
Gradko	20% TEA in water	2022	R	Worcestershire	11	13	12	4.2%	G	0.96
Gradko	20% TEA in water	2022	R	Lancaster City Council	13	34	27	25.9%	G	0.79
Gradko	20% TEA in water	2022	R	Lancaster City Council	12	28	24	15.2%	G	0.87
Gradko	20% TEA in water	2022		Overall Factor* (27 studies)				Use		0.83

Discussion of Choice of Factor to Use

During 2022 there had been only one diffusion tube co-located with the continuous monitoring at Harwood Avenue. Therefore, no local bias adjustment factor is available for 2022 due to the lack of co-location duplicate or triplicate sites. Therefore, the national bias adjustment factor of 0.83 (version 03/23) for the diffusion tube method 20% triethanolamine in water, analysed by Gradko was used.

Table L. Bias Adjustment Factor

Year	Local or National	If National, Version of National Spreadsheet	Adjustment Factor
2022	National	03/23	0.83
2021	National	03/22	0.84
2020	Local	-	0.82
2019	National	03/20	0.93
2018	National	03/19	0.93
2017	National	06/18	0.87
2016	National	03/17 v2	0.94
2015	National	06/16	0.88

A.3 Adjustments to the Ratified Monitoring Data

Short-term to Long-term Data Adjustment

Where data capture is less than 75% and greater than 25% of a full calendar year (between 3 and 9 months), the mean should be “annualised” – i.e. adjusted using the methodology outlined in LLAQM.TG(19) before being compared to annual mean objectives. Annualisation was not required to be undertaken at any sites.

Distance Adjustment

The monitoring sites that have been bias adjusted and shown to be with 10% of the NO₂ annual objective of 40 µg m⁻³ (i.e. above 36 µg m⁻³) or above should be accounted for the inherent uncertainty in diffusion tube monitoring concentration data as advised in the LAQM technical guidance produced by Defra (LAQM.TG(16)).

One site is above the threshold (DT19, High Street, Orpington) and is considered not representative of relevant exposure. The distance-corrected annual mean NO₂ concentration is shown below.

The local annual mean background concentrations in 2022 from the Defra 2018-based background maps⁵ have been used for the calculation.

Table M present the outputs from the NO₂ fall off with distance tool.

Table M. NO₂ Fall off With Distance Calculations

Site ID	Distance (m): Monitoring Site to Kerb	Distance (m): Receptor to Kerb	Monitored Concentration (Annualised and Bias Adjusted (µg m ⁻³))	Background Concentration (µg m ⁻³)	Concentration Predicted at Receptor (µg m ⁻³)
19	1.7	5.5	40.6	14.9	33.9

⁵ Defra (n.d.), Background Maps. Available at: [Background Maps | LAQM \(defra.gov.uk\)](https://www.defra.gov.uk/laqm/background-maps/) Accessed: 03/05/2023

Appendix B Full Monthly Diffusion Tube Results for 2022

Table N. NO₂ Diffusion Tube Results

Site ID	Valid data capture for monitoring period % ^(a)	Valid data capture 2022 % ^(b)	Jan	Feb	Mar	Apr	May	June	Jul	Aug	Sept	Oct	Nov	Dec	Annual mean – raw data	Annual mean – bias adjusted
1	100.0	100.0	47.1	27.5	42.4	33.9	31.1	27.0	32.9	32.6	35.1	29.8	32.8	41.4	34.5	28.6
2	100.0	100.0	42.1	17.9	32.0	18.4	15.3	13.6	15.0	16.1	19.6	20.7	21.6	29.3	21.8	18.1
3	100.0	100.0	44.4	27.6	44.3	30.7	27.9	25.5	32.9	32.1	35.4	29.6	35.1	33.5	33.2	27.6
4	92.3	92.3	40.3	24.9	43.3		24.7	21.4	25.6	28.6	28.9	28.2	32.7	40.6	30.8	25.6
5	82.6	82.6	42.1	21.9	34.8	29.3	25.9	23.9	26.1	28.7			27.0	36.6	29.6	24.6
6	100.0	100.0	40.8	24.6	38.5	28.1	25.9	23.1	25.5	27.4	29.8	30.4	33.2	39.6	30.6	25.4
7	100.0	100.0	47.0	28.6	45.7	33.0	29.3	24.8	31.1	32.2	35.5	32.5	34.8	41.6	34.7	28.8
8	100.0	100.0	34.2	18.5	33.0	21.9	19.0	13.6	18.4	20.4	23.9	24.6	26.8	35.3	24.1	20.0
9	100.0	100.0	41.6	24.3	41.6	27.4	23.1	21.5	25.1	25.0	29.9	28.8	31.1	36.8	29.7	24.6
10	100.0	100.0	55.9	42.5	54.5	42.8	34.3	36.7	39.3	41.6	42.7	40.4	38.4	42.2	42.6	35.4
11	100.0	100.0	44.4	25.8	35.0	29.4	23.1	23.6	28.9	28.5	32.8	33.3	34.1	41.0	31.7	26.3
12	100.0	100.0	60.5	42.1	55.0	43.5	35.5	32.6	38.0	41.2	41.3	44.7	41.3	48.2	43.6	36.2
13	100.0	100.0	37.8	21.4	42.7	33.6	26.1	20.3	29.8	30.8	34.0	32.0	31.9	36.3	31.4	26.0
14	92.3	92.3	33.8	18.6	31.1	20.1	13.4	12.0	14.3	15.3	19.2	18.2	22.6		19.9	16.5
15	100.0	100.0	51.9	30.8	39.0	29.7	31.9	24.7	27.8	27.7	32.6	31.4	35.2	40.9	33.6	27.9
16	90.4	90.4	31.2	17.6	22.8	16.1		11.5	13.7	13.6	18.0	15.6	18.0	24.7	18.4	15.3
17	92.6	92.6		26.7	36.3	27.4	24.8	24.4	29.9	30.9	32.9	32.7	35.0	39.5	30.9	25.7

18	82.6	82.6	27.6			17.5	14.2	11.5	15.0	16.1	18.0	15.4	17.1	23.9	17.6	14.6
19	100.0	100.0	<u>60.1</u>	44.8	53.9	46.3	42.4	43.6	45.6	47.3	46.1	50.7	49.8	56.8	48.9	40.6
20	77.1	77.1		22.5	27.8		18.1	15.4		19.7	20.3	20.7	23.2	30.3	22.0	18.3
21	100.0	100.0	40.2	29.5	46.7	35.6	30.8	33.2	33.8	33.5	37.6	39.5	40.7	39.4	36.7	30.5
22	100.0	100.0	30.8	18.2	34.7	26.2	16.8	16.2	20.6	23.6	25.2	21.9	23.3	28.2	23.8	19.8
23	90.4	90.4	39.7	27.5		28.2	24.5	22.3	24.4	23.6	28.2	28.2	30.8	36.8	28.5	23.7
24	92.3	92.3	36.8		39.9	30.1	23.1	20.0	25.2	26.7	28.5	27.3	26.1	34.5	28.9	24.0
25	92.3	92.3	33.3	21.5	27.7		17.5	15.6	17.8	19.0	22.8	22.4	22.5	29.8	22.7	18.9
26	100.0	100.0	33.9	17.7	34.2	24.9	18.7	15.7	17.8	19.5	22.8	22.5	26.2	31.8	23.8	19.8
27	100.0	100.0	36.0	23.3	31.8	20.9	20.5	19.0	18.2	19.0	24.0	24.4	27.1	32.0	24.7	20.5
28	92.3	92.3	47.1		46.5	38.3	30.6	29.9	34.2	36.4	39.3	29.9	32.6	47.3	37.5	31.1
29	100.0	100.0	35.2	20.4	36.5	25.6	21.6	20.3	22.9	22.8	25.4	25.4	26.7	28.0	25.9	21.5
30	100.0	100.0	42.6	26.2	42.9	29.7	24.3	20.9	19.5	16.4	28.1	26.1	27.4	33.0	28.1	23.3
31	100.0	100.0	45.4	26.2	44.3	32.8	26.9	21.9	26.4	28.4	30.1	30.4	30.1	38.4	31.8	26.4
32	100.0	100.0	40.9	25.1	37.9	28.0	21.1	20.4	22.6	25.7	28.4	26.6	30.8	38.7	28.8	23.9

Notes:

Concentrations are presented as $\mu\text{g m}^{-3}$.

Exceedances of the NO₂ annual mean AQO of 40 $\mu\text{g m}^{-3}$ are shown in **bold**.

NO₂ annual means in excess of 60 $\mu\text{g m}^{-3}$, indicating a potential exceedance of the NO₂ hourly mean AQS objective are shown in **bold and underlined**.

All means have been “annualised” in accordance with LLAQM Technical Guidance if valid data capture for the calendar year is less than 75% and greater than 25%.

Results have been distance corrected where applicable.

(a) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(b) data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%).

Blank cells are where the diffusion tube was missing from the site and as such were not available for analysis for this monitoring period.

This page is left intentionally blank

Report No.
ES20293

London Borough of Bromley

PART ONE - PUBLIC

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

Date: Tuesday 12th September 2023

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 E-mail: Lucy.West@bromley.gov.uk

Chief Officer: Director of Environment and Public Protection

Ward: (All Wards);

1. Reason for decision/report and options

- 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. **RECOMMENDATION(S)**

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.
-

Transformation Policy

1. Policy Status: Not Applicable
 2. Making Bromley Even Better Priority (delete as appropriate):
 - (1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
 - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
 - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
 - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
 - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.Not Applicable
-

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: PP&E Portfolios
 4. Total current budget for this head: £3.2m
 5. Source of funding: Existing controllable revenue budget 2023/24
-

Personnel

1. Number of staff (current and additional): 46.2 FTEs
 2. If from existing staff resources, number of staff hours: Not Applicable
-

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.
-

Property

1. Summary of Property Implications: N/A
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
-

Customer Impact

1. Estimated number of users or customers (current and projected): Not Applicable
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 The Council's aims are set out in [Making Bromley Even Better Corporate Strategy](#) 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 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.
- 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 24th May 2023.
- 3.8 At the time of writing, the Council has 126 individual risks (111 departmental plus 15, high-level, Corporate Risks (covering key risks which apply to the Council as a whole).
- 3.9 E&PP Department currently has 24 risks (~19% of the Council's total). The PP&E Portfolio currently has 16 risks.
- 3.10 The appended PP&E Risk Register Matrix is summarised in the appendix. 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). 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) current 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 The PP&E Risk Register was presented at the June 2023 Committee. Key changes to the register since then are as follows:
- **Score Changes:** There have been no score changes to the register.
 - **Current Red Risk Ratings:**
 - Risk 14 (Coroners Service) 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.
 - **Gross Red Risk Ratings:**
 - Risk 8 (Out of Hours) has a Gross Risk Rating of 16, which is red. The initial risk rating is 16 and therefore red, however following the decision to resource a revised service and a Project Manager is in place to implement the new service. Hence the current risk rating is 8, which is yellow after mitigation.
 - Risk 15 (Dysfunctionality of the Uniform Information Management System) has a Gross Risk Rating of 20 which is red. A new case management system has been resourced and the onboarding of the system is underway with a target launch date of March 2024. Hence the current risk rating of 12, which is amber after mitigation. The Current Risk has changed from 8 to 12.
 - **Addition of New Risks:** There have been no new risks added to the register.
 - **Removal of Risks:** There have been no risks removed from the register.

4. IMPACT ON VULNERABLE ADULTS AND 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.

5. TRANSFORMATION/POLICY IMPLICATIONS

- 5.1 The Council’s renewed policy ambition for the borough is set out in [Making Bromley Even Better Corporate Strategy](#) 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. FINANCIAL IMPLICATIONS

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

7. PERSONNEL IMPLICATIONS

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

8. LEGAL IMPLICATIONS

8.1 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

9. PROCUREMENT IMPLICATIONS

9.1 Contract and hence procurement risk is mainly captured in the Contracts Database and Contracts Register Report rather than this Risk Register Report.

10. PROPERTY IMPLICATIONS

10.1 There are no direct property implications, but the Risk Register does identify service areas where Property present challenges.

11. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

11.1 There are no direct carbon reduction/social value implications, but the Risk Register does identify service areas where carbon reduction and social values are reviewed (e.g. Climate Change).

12. CUSTOMER IMPACT

12.1 There are no direct customer impacts, but the Risk Register does identify service areas that could result in customers being impacted.

13. WARD COUNCILLOR VIEWS

13.1 There are no direct Ward Councillor views.

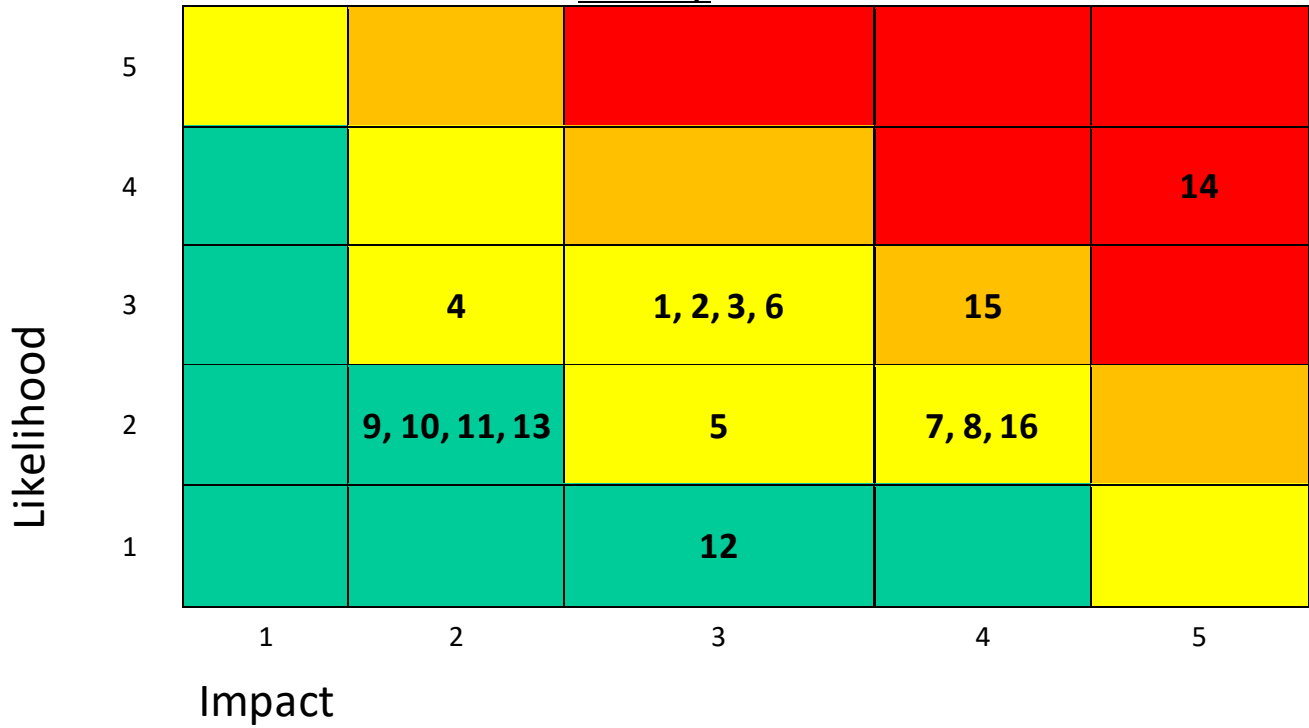
Non-Applicable Headings:	None
Background Documents: (Access via Contact Officer)	None

Heat Map

Public Protection and Enforcement (PP&E) Risk

Register

Current Risk Rating
Heat Map



Risk Matrix

Risk No.	Risk Ref	Risk Description	Gross Risk Rating	Current Risk Rating
1	1	Emergency Response	12	9
2	2	Central Depot Access	12	9
3	4	Business Continuity Arrangements	12	9
4	14	Income Variation (Highways and Parking)	9	6
5	18	Town Centre Markets	12	6
6	20	Staff Resourcing and Capability	12	9
7	22	Climate Change	12	8
8	29	Out of Hours Noise Service	16	8
9	30	Integrated Offender Management post:	9	4
10	31	Community Impact Day Co-ordinator post:	9	4
11	32	Serious Youth Violence & Gangs Officer post	9	4
12	33	The provision of 24/7 CCTV Monitoring	12	3
13	34	Loss of Income from Licensed Premises Fees	9	4
14	37	Increased Costs for Coroners Service	20	20
15	39	Dysfunctionality of Uniform Information Management System	20	12
16	42	Health & Safety (PP&E)	12	8

Report No.
CSD23120

London Borough of Bromley

PART ONE - PUBLIC

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

Date: 12th September 2023

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
- 1.3 The detailed work programme for the next municipal year will be subject to discussions between the AD for Public Protection, Chairman, Portfolio Holder and relevant officers.

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. MBEB 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: 2023/2024 revenue budget
-

Personnel

1. Number of staff Six 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 2023/2024 with the Chairman and officers.

Background Documents:	Minutes of the previous meeting. Previous Work Programme Report The Public Protection and Enforcement Portfolio Plan
-----------------------	--

PUBLIC PROTECTION AND ENFORCEMENT PDS--- 28th June 2023
Matters Arising
Appointment of New Co-opted Members from BYC
Update from SLAM
Police Update
Scrutiny of the Safer Bromley Partnership and Previous SBP Minutes
Portfolio Holder Update
PPE Performance Overview Report
Provisional Outturn
PSPO for Dogs
Planning Enforcement Plan 2023
Risk Register
Contracts Register
Work Programme
PUBLIC PROTECTION AND ENFORCEMENT PDS---12th September 2023
Matters Arising
Portfolio Holder Update
Budget Monitoring 2023/24
PPE Performance Overview Report
Food Safety Plan 2023-24
Regulation of Investigatory Powers Act 2000
Planning Enforcement Progress and Monitoring Report: April 2022 to March 2023
Public Protection Risk Register
Annual Status Report For Year 2022 - Reporting On Bromley's Air Quality
Work Programme
PUBLIC PROTECTION AND ENFORCEMENT PDS---14th November 2023
Matters Arising
Presentation from 'Change, Grow, Live'. (Formerly BDAS)
Portfolio Holder Update
PPE Performance Overview
London Fire Brigade – Annual Update – New Fire Safety Plan
Budget Monitoring
HMO Licensing Options Appraisal
Fly-Tipping Action Plan Update
Risk Register Update
Contracts Register
Scrutiny and Minutes of the previous meeting of the Safer Bromley Partnership Strategic Group
Work Programme
PUBLIC PROTECTION AND ENFORCEMENT PDS---24th January 2024
Matters Arising
Portfolio Holder Update
PPE Performance Overview report

Budget Monitoring
Contracts Register Report
Public Protection Risk Register Update
Scrutiny and Minutes of the previous meeting of the Safer Bromley Partnership Strategic Group
Safer Bromley Strategy for 2024 Onwards
Work Programme
PUBLIC PROTECTION AND ENFORCEMENT PDS---19th March 2024
Matters Arising
Portfolio Holder Update
Public Protection Portfolio Plan
BYC Annual Presentation
Update on Resilience and Business Continuity
PPE Performance Overview
Budget Monitoring
HMO Licensing Options Appraisal
Contracts Register Report
Public Protection Risk Register
Scrutiny and Minutes of the previous meeting of the Safer Bromley Partnership Strategic Group
Update Concerning Bromley and Lewisham Probation Delivery Unit
Work Programme
POSSIBLE FUTURE PRESENTATIONS and AGENDA ITEMS
Report on LBB's contract with the Coroner.
Review of Out of Hours Noise Service
POSSIBLE FUTURE VISITS
Coroners' Court.

This page is left intentionally blank

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is left intentionally blank