



THE LONDON BOROUGH
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DATE: 6 November 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, 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 (opposite the Glades Shopping Centre) on **TUESDAY 14 NOVEMBER 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.

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 12TH SEPTEMBER 2023 (Pages 1 - 8)**
- 4 QUESTIONS FOR THE CHAIRMAN OF THE PUBLIC PROTECTION AND ENFORCEMENT POLICY DEVELOPMENT AND SCRUTINY 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 October 31st**.

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 Wednesday 8th November**.

Members of the public can ask one question each. **Please clarify if you want to ask your question at the meeting or require a written response.**

5 QUESTIONS FOR THE PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER

6 UPDATE FROM CHANGE, GROW, LIVE

7 LONDON FIRE BRIGADE--ANNUAL UPDATE--NEW FIRE SAFETY PLAN

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

8 PORTFOLIO HOLDER UPDATE

9 PRE-DECISION SCRUTINY OF PORTFOLIO HOLDER REPORTS

Portfolio Holder decisions for pre-decision scrutiny.

a BUDGET MONITORING 2023/24 (Pages 9 - 14)

b PUBLIC PROTECTION PERFORMANCE OVERVIEW REPORT (Pages 15 - 20)

10 INFORMATION ITEM: PUBLIC PROTECTION PERFORMANCE OVERVIEW APPENDIX

This item has been published as an Information Briefing and can be viewed at the following link:

[Agenda for Information Briefings on Tuesday 14 November 2023, 7.00 pm \(bromley.gov.uk\)](https://www.bromley.gov.uk/agenda-for-information-briefings-on-tuesday-14-november-2023-7-00-pm)

POLICY DEVELOPMENT AND OTHER ITEMS

11 SAFER BROMLEY PARTNERSHIP - MEMBER UPDATE (Pages 21 - 42)

12 HOUSES OF MULTIPLE OCCUPATION (HMO) ADDITIONAL LICENSING AND PRIVATE SECTOR LICENSING ASSESSMENT – MEMBER UPDATE (Pages 43 - 70)

13 FLY TIPPING ACTION PLAN UPDATE (Pages 71 - 76)

14 PUBLIC PROTECTION AND ENFORCEMENT CONTRACTS REGISTER REPORT
(Pages 77 - 84)

a INFORMATION ITEM: PART 1 CONTRACTS DATABASE UPDATE

The Part1 Contracts Database update has been published as an information briefing and can be viewed at the following link:

<https://cde.bromley.gov.uk/ieListDocuments.aspx?MId=7783>

15 PUBLIC PROTECTION AND ENFORCEMENT RISK REGISTER (Pages 85 - 92)

16 WORK PROGRAMME (Pages 93 - 98)

17 PART 2 (CONFIDENTIAL) AGENDA

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

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

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

19 PART 2 CONTRACTS DATABASE EXTRACT

This item has been emailed to committee members directly.

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

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PUBLIC PROTECTION AND ENFORCEMENT POLICY DEVELOPMENT & SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 12 September 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 and Ermond Berisha

Also Present:

Councillor Angela Page

STANDARD ITEMS

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Hannah Dumbrell from Bromley Youth Council.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES OF THE PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE HELD ON 28th JUNE 2023

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

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

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

No questions had been received for the Chairman.

5 QUESTIONS FOR THE PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER

No questions had been received for the Portfolio Holder.

6 MATTERS ARISING

CSD23115

The Committee noted the Public Protection and Enforcement PDS Committee Matters Arising Report.

RESOLVED that the Matters Arising Report be noted.

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

7 UPDATE FROM THE PORTFOLIO HOLDER

The Committee received a verbal update from the Portfolio Holder for Public Protection and Enforcement.

On July 11th, the Portfolio Holder had attended the Bromley Mentoring Initiative meeting. It was noted that a networking and support event for Mentors was taking place at the Council on the 27th of September. Anyone who was interested in becoming a Mentor was welcome to attend.

On August 1st, the Portfolio Holder had attended the Met Police Commissioner's event.

On the 23rd of August, the Portfolio Holder had met with Chief Superintendent Andy Brittain and the Assistant Director for Public Protection; at this meeting, a discussion took place concerning the out of hours noise service and the support that would be needed from the police. On the same day, the Portfolio Holder and the Assistant Director visited Bromley and Croydon Women's Aid refuge.

On the 31st of August, the Portfolio Holder had conducted her regular catch up meeting with Superintendent Luke Baldock and the Assistant Director for Public Protection.

The Portfolio Holder reminded Members that on the 1st of September, the Dog Public Space Protection Order had come into force.

The Portfolio Holder reminded Members of the Community Scams Event that was taking place in Bromley Town Centre two days after the meeting. It was noted that the police 'ride along' service was now back up and running. The Portfolio Holder referenced the sterling work that had been undertaken by Dean Laws and his team with respect to fly tipping prosecutions.

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

a BUDGET MONITORING 2023/24

FSD23049

Members were presented with the budget monitoring report which provided the revenue budget monitoring position for 2023/24 for the public protection and enforcement services portfolio, based on the expenditure and activity levels for the first quarter of the financial year. Members noted that the Council had a balanced budget.

RESOLVED that:

1) The Portfolio Holder for Public Protection and Enforcement be recommended to endorse the 2023/24 revenue budget monitoring position for the Public Protection and Enforcement Services Portfolio.

2) The Portfolio Holder be recommended to agree the release of the amounts carried forward from 2022/23 as set out in section 3.5 of the report.

b PP&E PERFORMANCE OVERVIEW

ES20291

The report presented the Committee with the Public Protection and Enforcement Performance Overview indicators that pertained to the Public Protection and Enforcement Portfolio Plan for 2023/24.

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

c FOOD SAFETY PLAN 2023-24

ES20300

This report was submitted for the Committee's attention, because 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 FSA (Food Safety Authority) requires the Council to publish an annual Food Safety Service Plan and this Plan requires senior management or Member approval.

Members were informed that 1139 food rating inspections were conducted during the previous year. The number of outstanding inspections in 22/23 was 2450 and this had now fallen to 1877.

The Chairman drew attention to section 3.5 of the report which discussed the FSA Recovery Plan; this indicated that the expectation of the FSA was now that local authorities would work to realign their targets with the Food Law

Code of Practice, in order to catch up with any backlog of inspections. The Chairman asked if there was an approximate date when the backlog of inspections would be eliminated. The Council hoped to be up to date with inspections in two years' time, whereas the FSA target was three years. It was noted that the FSA was still supportive of the recovery work being undertaken by the Council.

The report highlighted that 13 Hygiene Improvement notices had been served and additionally, 1151 written warnings had been issued. A Member asked what the difference was, and it was explained that Hygiene Improvement Notices were more serious and could result in swift legal action if they were not complied with.

A Member noted that there was a 1.57 fte vacancy level, she commented that this needed a long term solution and wondered what was being done to resolve this. She felt the Council should take measures to bring in and train young people. The Assistant Director for Public Protection referred the Member to the information in the report regarding the proposed use of contractors. The Council was also looking at the Apprenticeship scheme for the Environmental Health Degree which could now be undertaken via an apprenticeship. As things stood, because the course was Degree level entry, this would not be for 16 year old entrants, but for 18 plus entry with A' levels. The Assistant Director said that she would like to facilitate a mix of opportunities for both school leavers and for more mature entrants into the profession.

A Member asked if anyone had died of food poisoning in the Borough. The Head of Environmental Health and Licensing said that she was not aware of any deaths.

RESOLVED that the Portfolio Holder for Public Protection and Enforcement be recommended to approve the Food Safety Service Plan 2023/24.

9 REGULATION OF INVESTIGATORY POWERS ACT 2000

ES20299

This report was presented to the committee to inform them of the outcome of an inspection that took place on the 14th of February 2023, by the Investigatory Powers Commissioner's Office. (IPCO).

It was noted that matters outstanding from the previous inspection could be closed, as they would be incorporated into the Council's revised RIPA (Regulation of Investigatory Powers Act) procedures following the adoption of the recommendations of the Inspector.

RESOLVED that the Portfolio Holder for Public Protection and Enforcement 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 that the Portfolio Holder be recommended to adopt the recommendations of the Inspector's report.

**10 PLANNING ENFORCEMENT PROGRESS AND MONITORING
REPORT APRIL 2022 TO MARCH 2023**

HPR20223/055

It was noted that the Part 2 (confidential) appendix could have been published in the main public agenda as the information contained therein was already in the public domain.

The Head of Planning and Development Support outlined the reasons that the report was being presented to the Committee.

The Chairman referred to Section 3.6 of the report which outlined the process for 'Direct Action.' It was noted that Direct Action could often result in considerable financial cost to the Council. The report stated that 'A charge on the property/land CAN be considered by the Council.' The Chairman expressed the view that the wording should be changed so that 'CAN' be replaced with 'MUST'. It was noted that the invoice from the Council could be paid before further action was taken to seek a charge on the property.

The Chairman drew attention to what appeared to be duplicate cases. It was explained that the cases were not duplicate. In certain cases, both a husband and wife would be prosecuted at the same address, so what looked like a duplicate was in fact connected with the same prosecution but for two offenders.

A Member asked how many times the Council was forced to adopt Direct Action as this was not detailed in the report. The Head of Planning and Development Support agreed that this detail was missing and could be added to future reports. He stated that there was an increase in the number of residents not complying with notices, and so Direct Action was increasing. Generally speaking, the matter would be referred to Court first, before Direct Action was taken. He was aware of one case of Direct Action where the matter did not go to Court first because the Council was dealing with a vulnerable person who was unable to deal with the matter themselves.

RESOLVED that the Planning Enforcement Progress and Monitoring Report be noted.

**11 ANNUAL STATUS REPORT FOR YEAR 2022 - REPORTING ON
BROMLEY'S AIR QUALITY**

ES20304

The Annual Status Report for 2022 with respect to Bromley's air quality, reported on the air quality monitoring results from the London Borough of Bromley's monitoring equipment, and was designed to demonstrate the

progress made in delivering the actions against Bromley's Air Quality Action Plan.

The Chairman drew attention to page 12 of the report where there was a table entitled 'Annual Mean NO₂ Ratified and Bias Adjusted Monitoring Results'. The table indicated that in four areas where diffusion tubes were located, there had been a slight increase in nitrogen dioxide levels. The Assistant Director for Public Protection commented that with respect to the measurements of air quality, trends were generally measured over three to five year periods. She said that the changes referenced by the Chairman were very small changes and all of the NO₂ levels within the Borough were still under the UK Government's recommended levels. It was noted that the diffusion tubes would measure NO₂ levels, but would not measure PM_{2.5}. In addition to the monitoring of nitrogen dioxide levels at the main Harwood Monitoring Centre, 'Breathe' was undertaking independent monitoring of NO₂ levels which would be fed back into Bromley's data.

RESOLVED that the content of the Annual Status Report for the year 2022 the noted.

12 PPE PDS RISK REGISTER

ES20293

The Chairman commented that the red risks were the same as last time and asked if anyone wanted to ask any further questions. The representative from Bromley Youth Council wondered why the risk with respect to Town Centre Markets was higher than the risk rating apportioned to Serious Youth Violence. He expressed the view that gang culture in Bromley was brewing. It was clarified that the risk rating was not directly concerned with serious youth violence and gangs, but was the risk associated with MOPAC funding for the post of Serious Youth Violence and Gangs Officer.

RESOLVED that the update regarding the Public Protection and Enforcement Risk Register be noted. .

13 WORK PROGRAMME

CSD23120

It was noted that 'Change, Grow, Live' (formerly BDAS: Bromley Drug and Alcohol Service) would be presenting in November and would provide an update regarding Naloxone.

The Chairman felt it would be good to arrange another visit to the Bethlem Royal Hospital in Beckenham.

RESOLVED that the Work Programme Report be noted.

- 14 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION)(VARIATION) ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000**
- 15 PLANNING ENFORCEMENT: LIST OF CURRENT CASES UNDER INVESTIGATION**

As previously mentioned, this appendix was in fact a Part 1 (Public) item and had been noted when the main report had been discussed earlier in the meeting.

The meeting ended at 8.00 pm

Chairman

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Report No.
FSD23069

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PORTFOLIO HOLDER FOR PUBLIC PROTECTION AND ENFORCEMENT

Date: Tuesday 14th November 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 second quarter of the financial year.

2. **RECOMMENDATION(S)**

The Portfolio Holder is requested to:

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

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 two 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.

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 is 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.

Non-Applicable Headings:	Social Care, Legal, Personnel, Property & Procurement Implications
Background Documents: (Access via Contact Officer)	2023/24 budget monitoring files within E&CS Finance section

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

No variation to report across PPE, just to note a £300k growth was awarded to the Mortuary and Coroners Service for 2023/24, this has mitigated the pressure in this area from last year.

Waiver of Financial Regulations:

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

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Report No.
ES20311

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PORTFOLIO HOLDER FOR ENVIRONMENT AND PORTFOLIO HOLDER FOR TRANSPORT, HIGHWAYS AND ROAD SAFETY.

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

Date: Tuesday 14th November 2023

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 September 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: £4.2m
 5. Source of funding: Existing controllable revenue budget
-

Personnel

1. Number of staff (current and additional): 47.3 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 AMBER or 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 AMBER or 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 AMBER or RED performance status which is below expectation.

Indicator	Target	RAG Status	Commentary
Due inspections of high-risk food businesses undertaken (% Annual Target) (Risk A and B food premises)	95%	Amber	3A: Since 1st of April 2023 a further 3 businesses have received a category A rating, bringing the total number of Category A rated businesses due for the inspection to 5 in the 2023-24 inspection period. Of the 5 businesses 2 have been inspected to date and have been rated Category B and D respectively as standards in both food businesses have improved. The team is making good progress, with 65% of the 92 category B businesses due this year completed to date. It is anticipated 100% of the due food hygiene inspections in Categories A-B will be completed by March 2024 in accordance with the Food Law Code of Practice (FLCoP).
Inspection of UNRATED (UR) Food Businesses (FB) Childminder (CM) Low Risk Home caterers (LRHC) (% completed) (Number of inspections or	95%	Amber	3B: The team is making good progress toward completing the 120 unrated food businesses with 90% completed to date. It is anticipated 100% of the due hygiene inspections of unrated food businesses will be completed by March 2024. Regarding the 334 unrated home-based childminders (UR CM) and 75 low risk home caterers (LRHC), a food safety contractor will be engaged to complete these outstanding inspections with the

closures if no longer trading)			proposed contract being put out to Tender in the next quarter (Update Note - the Tender process is now live and will close in mid-November). These inspections will be completed in business year 2024-25. (Update Note - The Food Standards Agency (FSA) have been provided with a copy of the Member approved Food Plan and have approved LBB's approach).
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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 AMBER or 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.

Report No.
ES20332

London Borough of Bromley

PART ONE - PUBLIC

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

Date: Tuesday 14 November 2023

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

Title: SAFER BROMLEY PARTNERSHIP - MEMBER UPDATE

Contact Officer: Louise Watkinson, Assistant Director of Public Protection
Email: louise.watkinson@bromley.gov.uk

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

Ward: All

1. Reason for decision/report and options

- 1.1 The purpose of this report is to update the Committee on the September meeting of the Safer Bromley Partnership.
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2. RECOMMENDATION

- 2.1 Members to note the update.

Impact on Vulnerable Adults and Children

1. The Safer Bromley Partnership (SBP) brings together local partners to formulate and deliver strategies to tackle crime and disorder in their communities. The role of the SBP is to ensure that the statutory agencies, commissioned services, community and voluntary representatives are working better together at a strategic and operational level, to reduce crime and disorder. Using intelligence and insights to develop preventative and early intervention approaches and to minimise the impact and trauma caused by crime to reduce re-victimisation and repeat offending.
-

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.

Financial

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

Personnel

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

Legal

1. Legal Requirement: None
2. Call-in: Not Applicable: No executive decision is required at this stage.

Procurement

1. Summary of Procurement Implications: Not Applicable

Property

1. Summary of Property Implications: Not Applicable

Carbon Reduction and Social Value

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

Impact on the Local Economy

1. Summary of Local Economy Implications: Keeping Bromley Safe supports the economic development of the borough by making it a desirable option for visitors wanting to use local businesses.

Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: The SBP consider a range of crimes which are linked to health and wellbeing, including but not limited to serious violence, domestic abuse, sexual

exploitation, drug supply and the trauma associated to being a victim of crime. The Integrated Care Board are a statutory partner of the Safer Bromley Partnership to ensure that the impact on the health and wellbeing of those involved affected by crime are considered and represented.

Customer Impact

1. The role of the Safer Bromley Partnership is to keep Bromley a safe Borough for all residents, businesses and visitors.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

- 3.1 The Safer Bromley Partnership (SBP) is the Community Safety Partnership introduced by Section 6 of the [Crime and Disorder Act 1998](#) and brings together local partners to formulate and deliver strategies to tackle crime and disorder in their communities. Responsible authorities that make up a Community Safety Partnership are the Metropolitan Police, London Fire Brigade, South East London Integrated Care System, National Probation Service and Bromley Council.
- 3.2 The Safety Bromley Partnership met on 21 September 2023. This report seeks to summarise the key issues arising from the meeting.
- 3.3 The Home Office are currently revising the guidance on Domestic Homicide Reviews following the requirement to include suicides in which domestic abuse was a significant factor, including the option of an alternative name for non-homicides, such as 'Domestic Abuse Fatality Review'. The Home Office will be formally consulting on the revised statutory guidance later this year.
- 3.4 Bromley has received the new version of the Violence and Vulnerability Reduction Action Plan (VVRAP) providing a range of optional actions for the SBP to consider. The new version reiterates the importance of violence against women and girls (VAWG).
- 3.5 Between April 2022 and April 2023, 610 potential weapons have been collected from the Knife Amnesty Bins in Walters Yard and Station Road, Anerley.
- 3.6 The Safer Bromley Partnership Strategy update was presented in a new format which focusses on activity delivered in Quarter 1 against each Priority. The new format was well received and will be used going forward.
- 3.7 Superintendent Baldock gave an update which included;
 - 3.7.1 The intention to develop Ward based crime and disorder profiles, understanding the concerns of each locality and developing problem solving approaches in each area.
 - 3.7.2 The acquisition of a speed gun for use in the borough.
 - 3.7.3 The intention to hold an ASB conference in early 2024 to better understand the ASB concerns across the borough.
 - 3.7.4 The focus on working with Education to deliver awareness campaigns and help children understand how to keep themselves and their property safe. Robbery of school children in the South London Area has been identified as being higher in Bromley.
 - 3.7.5 Burglary trends are being investigated to understand some recent spikes in offending in Penge and St Mary Cray and St Pauls Cray.
 - 3.7.6 He has a schedule of public meetings to attend so that he can be visible and accessible to residents.
 - 3.7.7 Whilst there had been some serious violent incidents which are under investigation there is no indication at this stage they are linked.
 - 3.7.8 In recognition of the national problems related to nitrous oxide there are plans by the government to implement new legislation around its use.

- 3.7.9 Officers have been active in tackling shoplifting with some good outcomes in relation to some prolific offenders. There are plans to develop a task and finish group to better understand the issues around retail crime, particularly shoplifting.
- 3.8 The SBP had a presentation of the draft Community Safety Strategic Assessment 2023. The assessment aims to assess crime, disorder and the issues that may impact on these, highlight areas of increasing and reducing threat, and inform future priorities. It has been acknowledged that there are a range of knowledge gaps. and Partners have been asked to consider how they may be able to address these going forward. The document is still in draft and cannot be published until it has been approved by all partners.
- 3.8.1 A workshop has been scheduled for the SBP to finalise the Strategic Assessment, agree the priorities for the next 3 years and consider the high-level actions to be delivered. The public will be consulted on these proposals following the Workshop.
- 3.9 The Safer Neighbourhood Board gave an update and advised that they are keen to encourage more community participation and ways to improve Ward Panels. The Police were also asked to publish the Safer Neighbourhood Team contact details. Members were reminded that the Crime Summit was taking place on 14 October.
- 3.10 It was proposed at the meeting that the Domestic Abuse Strategic Group be incorporated into the Safer Bromley Partnership to ensure an efficient use of time and effective delivery of activity. This was agreed in principle and the views of the Domestic Abuse Operations Group would also be sought. It was noted this will require some adaptations to the current meeting structure to ensure that the momentum around the domestic abuse is maintained.
- 3.11 It was agreed to revisit the Terms and Reference of the SBP at the Workshop to ensure it remains up to date.
- 3.12 The date for the Workshop has now been set for 16 November.
- 3.13 The date of the next SBP meeting is 6 December, this will be a longer meeting to allow for the integration of the Domestic Abuse Strategic Group agenda.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 The Safer Bromley Partnership (SBP) brings together local partners to formulate and deliver strategies to tackle crime and disorder in their communities. The role of the SBP is to ensure that the statutory agencies, commissioned services and community and voluntary representatives are working better together at a strategic and operational level to reduce crime and disorder. Using intelligence and insights to develop preventative and early intervention approaches and to minimise the impact and trauma caused by crime to reduce re-victimisation and repeat offending.

5. TRANSFORMATION/POLICY IMPLICATIONS

- 5.1 Not applicable

6. FINANCIAL IMPLICATIONS

- 6.1 Not applicable.

7. PERSONNEL IMPLICATIONS

7.1 Not applicable

8 LEGAL IMPLICATIONS

8.1 Not applicable.

9 PROCUREMENT IMPLICATIONS

9.1 Not applicable

10. PROPERTY IMPLICATIONS

10.1 Not applicable

11. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

11.1 Not applicable

12. IMPACT ON THE LOCAL ECONOMY

12.1 Keeping Bromley safe supports the economic development of the borough by making it a desirable option for visitors wanting to use local businesses.

13. IMPACT ON HEALTH AND WELLBEING

13.1 The SBP consider a range of crimes which are linked to health and wellbeing, including but not limited to serious violence, domestic abuse, sexual exploitation, drug supply and the trauma associated to being a victim of crime. The Integrated Care Board are a statutory partner of the Safer Bromley Partnership to ensure that the impact on the health and wellbeing of those involved affected by crime are considered and represented.

14. CUSTOMER IMPACT

14.1 The role of the Safer Bromley Partnership is to keep Bromley a safe borough for all residents, businesses and visitors

15. WARD COUNCILLOR VIEWS

15.1 Not applicable

Non-Applicable Headings:	Transformation/Policy, Financial, Personnel, Legal, Procurement, Property, Carbon Reduction/Social Value, Ward Councillor Views.
Background Documents: (Access via Contact Officer)	SBP 2023/24 Quarter 1 (April – June 2023) Update SBP Minutes – 21 September 2023

Bromley Community Safety Partnership Strategy 2020-2023

2023/24 Quarter 1 (April – June 2023) Update

Priority 1 – Safer Neighbourhoods	
Aim:	To achieve reductions in the following crimes that are deemed by MOPAC, the Police and residents to be local priorities: <ul style="list-style-type: none"> • Non-domestic violence with injury • Crime against the elderly and vulnerable (financial abuse) • Residential burglary • Anti-social behaviour
Update	
<ul style="list-style-type: none"> • During Q1 the Council Trading Standards Team received 49 complaints from residents in respect of doorstep crime and scams. The total consumer detriment associated with these cases was £132,295. • A total of 27 calls were made to the Doorstep Crime Rapid Response number, resulting in 3 urgent responses to residents who were at immediate risk of losing money to a scam or rogue trader. One intervention saved a vulnerable consumer £1,650. • Twenty advice and education talks have been delivered to local community groups and partners on how to recognise a scam, with a total of 350 people in attendance. • The total estimated saving in Q1 in relation to healthcare and health related quality of life, together with estimated future savings following the intervention of the Council Trading Standards Team are £130,835. • The CCTV Control Room actively support the police with 94 arrests in Q1, they also provided 94 evidence packs to the Police and 41 evidence packs for other regulatory activity. • Partnership Community Impact Days (CIDs) have taken place each month to address hot-spot areas and reduce the number of reports for ASB, fly-tipping, arson, graffiti, weapons, nuisance vehicles. Agency representatives from the Council Environment and Public Protection Division and Police Safer Neighbourhood Teams regularly attend and they are joined by other agencies as appropriate to the area. The CID's have been well attended by the public. • The ASB Panel continues to meet and provide a multi-agency approach to tackling problem behaviours by individuals leading to ASB. Standing members are the South East London Integrated Care Board (SEL ICB) Police Safer Neighbourhood Teams, registered social landlords (RSLs), mental health support services (Oxleas), Adult Safeguarding, Children's Services, Change Grow Live, Public Protection. 	

- The Police Safer Neighbourhood Team (SNT) have provided advice and equipment to people who have been victims of crime e.g., Smart water, Catalytic Converter marking, home security advice, Crime prevention events & working alongside 'Designing Out Crime' teams.
- The SNTs have also undertaken school visits, safer schools interventions and provided access to activities for young people to help them make good choices and divert them from ASB and crime.
- The Police, Council and LA & BDAS continue to monitor, sign-post and safeguard vulnerable individuals at risk of alcohol or substance misuse.

Priority 2 – Violence Against Women and Girls

Aim: To reduce violence against women and girls, change the culture that allows this to happen, and empower them to take control, in doing so we will:

- Better protect women and girls
- Improve support for those affected
- Target offenders

Update:

- Recommissioned victim survivor service BCWA with an increased budget.
- Developed LBB DA web pages to include services, advice and guidance to victims, parents of victims, perpetrators and professionals. This includes a safety button on all LBB websites DA pages for safe exit. [What is domestic abuse? \(bromley.gov.uk\)](#)
- Developed a professionals directory available on LBB sister sites- Parenting hub, BSAB and BSCP. [Domestic Abuse Professional's Service Directory - Bromley Parenting Hub](#)
- Developed the training package further by identifying and sourcing specialist training: Protection orders, working with perpetrators, sign health, Gypsies and Travellers, Harmful practices: supporting women and girls at risk of forced marriage and FGM in the style of lunch and learns to increase accessibility to staff.
- DA training is now mandatory across Children's Social Care.
- Engaged victim service BCWA with Community Safety Impact Days to broaden reach and support partnership working
- Successful 'Walk and Talk' initiatives have been conducted in the High St, alongside Bromley Town Centre Team officers which resulted in positive public engagement with this campaign, providing feedback to officers about ASB issues, and, specifically, how to help blind females. Work is progressing on further events which will focus on providing friendly and safe environment for females and their families at football matches.
- Two Op Vigilant events have been held in Bromley Town Centre and Beckenham High Street. Utilising the resources available from the TAC teams & licensing

teams to target potential suspects from harassing women during night-time economy periods. Further Op Vigilant initiatives towards Autumn/Xmas periods.

- Multiple agencies attended Ask 4 Angela training held at the Churchill Theatre – this was arranged in partnership with Bromley BID & the Safer Business Network.
- Across the South London Police Area (Bromley, Croydon and Sutton) 47 Domestic Violence Protection Orders (DVPO) and 21 Stalking Protection Orders (SPO) have been issued at court.
- A series of ‘Lunch & Learn’ domestic abuse awareness raising sessions are being planned a range of agencies invited to attend.
- Point of Contact stall held in Bromley High Street open to the public who were able to stop and chat to officers about VAWG concerns in the area in confidence.
- SEL ICB (Bromley) has funded the Identification and Referral to Improve Safety (IRIS) Service in Bromley. IRIS is a programme of evidence-based, effective and cost-effective intervention to improve the general practice response to DA and is nationally recognised. The IRIS Service delivered education and training to Bromley GP practices on the identification and appropriate referral of victims of DA.
- SEL ICB additionally commissioned an IRIS GP Clinical Lead to support local GP practices by promoting DA services and to attend appropriate steering groups, and professional DA forums, including the Bromley MARAC meetings.
- The SEL ICB Safeguarding Team continues to chair and manage the DA Health Forum attended by health provider representatives. The forum’s purpose is to build a whole Health model of responses to DA in Bromley through:
 - Acknowledging that DA is an issue deserving of a whole Health partnership approach.
 - Having oversight of the local response to DA in Health.
 - Mapping provision of DA support across the local health economy, identifying gaps and escalating accordingly.
 - Providing a platform to optimise multiagency Health partnerships to achieve safe responses for victims/survivors.
 - Providing the means for members to share good practice, including the identification of funding opportunities.
- A Safeguarding Adults Review (SAR) highlighted risk factors relating to the Domestic Abuse of Older Persons. The GP practice where the patient who was the subject of the review was registered, implemented a practice led learning event led by the Independent Domestic Violence Advocate (IDVA) of the Bromley ICB commissioned IRIS service.

Priority 3 – Keeping young people safe

- Aim: To improve outcomes and life chances for children and young people in contact with the youth justice system, or at risk of becoming involved in crime and anti-social behaviour by:
- Reducing the number of first-time entrant children in the youth justice system, and reduce re-offending.
 - Reducing the number of knife crimes, by volume and repeat victims and reduce levels of serious youth violence.
 - Preventing and reducing substance misuse.

Update:

- The Police have;
 - appointed a single Safer Schools Inspector (Gary Allen) to ensure strategic oversight and consistency in relation to the Safer School Partnership. Previously this was a shared role across the South London BCU.
 - Rolled-out of the 'look up, look out' robbery initiative with BRIT team, utilising social media platforms and digital displays in key areas.
 - Recognising some of the issues of youth disorder a partnership working group has been formed with the objective of keeping young people safe. The group meet regularly at key times throughout the academic year forming a collaborative approach to minimise further occurrences in key locations, such as Bromley Town Centre and the Glades.
 - Offering Selecta Smart DNA marking kits to Year 7 pupils at key location to reduce the risk of personal robbery.
- The Police Safer Neighbourhood Teams have;
 - Worked with BDAS and Bromley Changes in schools to educate young people on preventing and reducing substance misuse.
 - Worked with Bromley Mentoring Initiative (BMI) to divert children from crime and ASB.
 - Attended school assemblies focusing on knife crime/crime prevention/robberies - educating YP on consequences of criminality.
- The SEL ICB has Designated Professionals for Children and Children Looked After, as senior professionals, clinical experts and strategic leaders, are a vital source of safeguarding advice and expertise for all relevant organisations and agencies but particularly the Integrated Care Board, NHS England, and the local authority, BSCP and for advice and support to other health practitioners across the health economy. The Designated Professionals (CYP) contribute to multi agency subgroups and work on the strategic priorities of the Borough and SEL.
- A number of multi-agency panels continue to meet to ensure effective strategies are adopted to safeguard children and young people, these include the Multi-agency Child Criminal Exploitation (MACCE) and the Missing, Exploitation and Gang Affiliation (MEGA) Panel. These meetings are attended by various Council, Police and Health representatives.

- The Health Forum provides a professional network for Named Safeguarding Professionals (Nurses and Doctors) across the NHS and Private Sector and has attendance from public health colleagues including Change, Grow, Live where themes, trends, workstreams are discussed.

Target offenders

- LBB are now coordinating the Domestic abuse perpetrator panel (DAPP) and developed a new model to align with Bromley needs
- Supporting the roll out of the pan London Drive model
- Identified specialist training for staff working with perpetrators and added to the DA training package.
- Delivered workshops to DA partnership to support understanding of diversion work with perpetrators

Priority 4 – Stand together against hate crime and extremism

Aim: To improve reporting of hate crime and to reduce repeat victimisation of victims of hate crime.

Update:

- The Police are undertaking daily calls to victims of Hate Crime following victimisation / criminal allegations being made, focusing on quality-assurance and Victim Care. Working with partners such as Housing Authorities, Social Care and the LA, and organisations who specialise in Hate Crime such as CATCH and Broken Rainbows, to achieve the best outcome for all victims of hate crime and extremism.
- Quarterly GP Practice Lead Forums delivered by ICB Adult and Child GP Safeguarding leads are held to deliver topics including Prevent.

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SAFER BROMLEY PARTNERSHIP BOARD

Minutes of the meeting held at 10.00 am on 21 September 2023

Present:

Luke Baldock, (Met Police Superintendent) (Joint Chairman)
 Louise Watkinson, (LBB Assistant Director for Public Protection & Enforcement) (Joint Chairman)
 Chris Line ((LFB: Borough Commander)) (Vice-Chairman)
 Councillor Angela Page, (LBB Portfolio Holder for Public Protection and Enforcement)
 Sharon Baldwin, (Safer Neighbourhood Board Chairman)
 Lynnette Chamielec, (LBB Assistant Director-Housing)
 Rachel Dunley, (LBB Head of Service for Early Intervention, and Family Support)
 Betty McDonald, (LBB Head of Youth Offending Service)
 Judie Obeya, (Neighbourhood Investment Manager) Clarion Housing Group
 Jamie O'Malley, (LBB Domestic Abuse Strategy Co-ordinator)
 Paul Sibun, (Adult Safeguarding Manager SEL ICB (Bromley))
 Rob Vale, LBB Head of Service for Commercial Regulation and Trading Standards
 Louise Watkinson, (LBB Assistant Director for Public Protection & Enforcement)
 Luke Baldock, (Met Police Superintendent)
 Karen Proudfoot, LBB Environment and Public Protection
 Karen Proudfoot (LBB Projects Manager—Environment and Public Protection)

Also Present:

Councillor Alisa Igoe
 Amanda Mumford, Environment & Public Protection

71	APOLOGIES FOR ABSENCE	Action
	<p>Apologies for absence were received from David Dare, Chief Superintendent Andy Brittain, Helen Andrews, Vicky West, Dean Laws, Claire Lewin Farrell, Rebecca Saunders, Richard Baldwin, Emily Wren, Mimi Morris Cotterill, Jared Nehra, Finola O' Driscoll, Cllr Kathy Bance, Christine White and Sarah Newman.</p> <p>Apologies were also received from Dina Sahmanovic and Zuzanna Krzemien attended as substitute.</p>	
72	DECLARATIONS ON INTEREST	Action
	There were no declarations of interest.	

73	<p>MINUTES OF THE MEETING HELD ON 2nd JUNE 2023</p> <p>The minutes of the meeting held on 2nd June 2023 were agreed and signed as a correct record.</p>	Action
74	<p>MATTERS ARISING</p> <p>CSD23121</p> <p>The Board noted the Matters Arising report.</p> <p>An update was provided concerning progress made against the Safer Bromley Partnership Strategy and the nature of the Board’s engagement with the Home Office with respect to DHRs (Domestic Homicide Reviews).</p> <p>The SBP had previously engaged with the Home Office during a current DHR where the deceased took their life by way of suicide. Concerns were raised about the language, how a domestic homicide review in certain cases of suicide could impact the recovery and wellbeing of the children of the deceased, and the need for the guidance to be reviewed in the case of suicide. Currently, the guidance provided a few lines of definition only. Similar observations were expressed in a letter from the Bromley Safeguarding Children’s Partnership in March this year.</p> <p>The Home Office had since consulted on a review of the legislation and a response had been provided on behalf of the Partnership. The consultation included an acknowledgment that the name ‘Domestic Homicide Review’ could be misleading when the fatality had not been ruled as a homicide, such as suicides and unexplained deaths. An option was to offer an alternative name for non-homicides, in particular “Domestic Abuse Fatality Review”.</p> <p>With regards to the guidance, the Home Office was continuing to redraft the statutory guidance and was grateful for Bromley’s feedback regarding its experiences of the DHR process, and how the next version of the guidance could be strengthened. The Home Office would be formally consulting on the statutory guidance later this year.</p> <p>An update was provided concerning VVRAPs: Violence and Vulnerability Reduction Action Plans. These plans set out evidence based actions which tackled factors contributing to violence and vulnerability. The Violence Reduction Unit had recently updated the plans to align with research, emerging themes and good practice. The new action plan strengthened work towards the VRU priorities of reducing harm, and creating opportunities for children and young people, families, education, and community.</p>	Action

	<p>On 24th August, the latest version of the VVRAP was received. It was structured in the same way as the previous version; it had a section for actions, and a list of optional actions which boroughs might consider adopting. Details of new actions could also be added to the Plan. There was a new section which recognised the importance of tackling violence against women and girls, but many of the actions were similar to those in the previous version.</p> <p>A update was provided regarding Knife Amnesty Bins:</p> <p>Between April 2022 and April 2023 610 potential weapons collected from both bins.</p> <p>From the bin in Walters Yard in Bromley, 347 potential weapons had been collected and from the bin in Station Road Anerley, 263 potential weapons had been collected.</p> <p>It was noted that the Community Safety Website was still in the process of being updated.</p> <p>RESOLVED that the Matters Arising Report be noted.</p>	
75	<p>SAFER BROMLEY PARTNERSHIP 2023/2024 QUARTER 1 (April - June 2023) UPDATE</p>	Action
	<p>Partners noted the April-June 2023 Quarter 1 SBP update.</p>	
76	<p>POLICE UPDATE</p> <p>Superintendent Luke Baldock (Joint Chairman) attended to provide the Police update.</p> <p>The Superintendent stated that he wanted to ‘dig in’ and understand individual problems in each ward and work was commencing to this effect. His aim was that a crime profile could be established for each Ward. A ‘data dive’ would then be undertaken to try and understand the key issues in each Ward and to see if the data dive met with the reality and current perceptions on the ground. So in essence, the Police were moving to a problem based system to identify problems and then undertaking the appropriate actions. The Superintendent said that he would take co-responsibility for a problem in each ward.</p> <p>Partners were informed that a new speed gun was being acquired in an attempt to address the speeding problem that had been identified within the Borough. An ASB conference was due to take place in February/March 2024. The purpose of this was to better understand issues across the Borough with respect to ASB.</p>	Action

	<p>The Police Tactical Task and Action Group had identified that there was a disproportionately high victimisation of Bromley school children with respect to robbery, when compared with Sutton and Croydon. The Police would be working with the Education Department to implement awareness campaigns to help children understand how to keep themselves and their property safe.</p> <p>It seemed that there was an emerging issue of burglary within the Borough, particularly in certain wards like Penge and the Crays and Superintendent Baldock was asking his officers to look into this further.</p> <p>Some events were mentioned, like the recent attendance of the Met Commissioner, who introduced the new 'Met for London Plan'. It was noted that the Crime Summit would be held in October. Superintendent Baldock was booking in public meetings, so that the police could speak to local communities. He had already attended a meeting in Biggin Hill; a meeting was booked in Chislehurst and he would be speaking in Plaistow soon.</p> <p>There was no indication at this time that any of the recent violent incidents were linked. Superintendent Baldock said that it was the practise of local officers that they would be more visibly present in communities after these incidents, to provide assurance and that the local knowledge of Safer Neighbourhood Teams (SNTs) was often invaluable. It was noted that the local knowledge of a SNT had recently led to a suspect being identified via CCTV.</p> <p>The Assistant Director for Housing mentioned that the Council had a large temporary accommodation unit in the Plaistow area, and she asked if any of the incidences discussed at the meeting had been linked to the unit. Superintendent Baldock responded that at this time there was no indication that there was any link with the temporary accommodation unit. A discussion took place as to how the police would patrol parks and local spaces and it was noted that the misuse of nitrous oxide was a national problem and that the Government was considering new legislation to manage this. It was asked if all burglaries were now attended, and the response was affirmative.</p> <p>The matter of how the Police were dealing with shoplifting was discussed. Work was already underway in this regard. Superintendent Baldock's intention was to form a working group comprising of the Partnership, the Police, business groups and any other relevant parties, to analyse the issues in detail. It was noted that one particular police officer had been instrumental in the conviction of five or six prolific shop lifting offenders who had received custodial sentences. It was further noted that all of the prolific shoplifters arrested were also drug users.</p>	<p>LB</p> <p>LB</p>
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	<p>The Head of Service for Early Intervention and Family Support asked if PCSOs could visit Children and Family Centres, as she felt this was beneficial for communities. This was something that had been undertaken previously. Superintendent Baldock said he would take this up as an action outside the meeting.</p> <p>In response to a request, the Superintendent stated that he would ensure that the Programme Lead – Substance Misuse (Public Health) got invited to the next meeting of the Drugs Partnership.</p> <p>RESOLVED that:</p> <p>1) Superintendent Baldock would look into the possibility of PCSOs visiting Children and Family Centres.</p> <p>2) Going forward, the LBB Programme Lead – Substance Misuse (Public Health) would be invited to meetings of the Drugs Partnership.</p>	<p>LB</p> <p>LB</p>
<p>77</p>	<p>PRESENTATION ON THE COMMUNITY SAFETY ASSESSMENT</p>	<p>Action</p>
	<p>The Projects Manager for Environment and Public Protection presented the draft version of the Community Safety Strategic Assessment. The Board heard that previous strategic assessments had focused on crime and the police. The idea of this draft, was that a more holistic approach involving all partners be adopted to try and minimise the volume of matters that ended up with the police. The idea was that the Assessment would identify trends that would aid in the formulation and agreement around the priorities for the future Safer Bromley Strategy. It was acknowledged that in certain areas there were knowledge gaps where more data was required.</p> <p>Once the Safer Bromley Strategy had been finalised, then Task and Finish Groups would be established to deliver the strategic priorities. It was suggested that a ‘Workshop’ be scheduled to finalise the Strategic Assessment, consider the strategic priorities, key deliverables and delivery structure.</p> <p>The Community Safety Assessment Document would not be published until all Partners agreed with its contents. The Assistant Director for Public Protection (and Co-Chairman) stated that this was a document that was owned by all partners, and so it was essential that all partners agreed with its contents. The Vice Chairman expressed the view that the document was very crime and police orientated. He pointed out that LFB had a statutory responsibility to produce a community based Risk Management Plan. This had not been incorporated into the Assessment and covered a much wider remit of matters that were considered as community safety and he expressed the view that these should be reflected in the Assessment.</p>	<p>LW</p>

	<p>Consideration would need to be applied across the board to take into account business crime, transport infrastructure and input from the voluntary sector. Partners were encouraged to consider what sources could be used to fill knowledge gaps. The SBP was asked to focus on where there was the highest need for improvement and where resources could be used to achieve the greatest impact.</p> <p>The Adult Safeguarding Manager (NHS South East London Clinical Commissioning Group) commented that consideration would need to be applied to the relevant legislation under the Crime and Disorder Act and that there should be some consultation with the public in the process of determining priorities. Care should be taken to avoid duplicating the work of existing Boards.</p> <p>RESOLVED that:</p> <p>1) The Draft Community Safety Strategic Assessment document be noted and that a focused Workshop be arranged to take place, to finalise the Community Safety Strategic Assessment and develop the Strategy.</p> <p>2) Partners should consider the contributions that they could make in determining the final version of the overarching strategic document and if the usual attendees were not able to attend on 10th November, then they should ensure that they arranged for a substitute to attend.</p>	<p>SBP</p> <p>LW</p> <p>SBP</p>
<p>78</p>	<p>NEXT STEPS</p> <p>As previously noted, 'next steps' would consist of finalising the draft Strategy and the formal setting up of a delivery structure. It was suggested that a Workshop would be required to establish high level actions. The Terms of Reference for the SBP and its Constitution would also need to be amended. The Workshop would need to be very focused. It was intended that there would be a public consultation on the proposed strategic priorities before the Strategy was finalised.</p>	<p>Action</p>
<p>79</p>	<p>SAFER NEIGHBOURHOOD BOARD UPDATE</p> <p>The Safer Neighbourhood Board (SNB) update was provided by its Chairman, Sharon Baldwin.</p> <p>The SNB was considering ways of encouraging community support and participation, and was also considering options to improve Ward Panels. Consideration would need to be applied as to who specifically should be members of Ward Panels.</p>	<p>Action</p>

	<p>The SNB Chairman expressed the view that it would be good to finalise the publication of the Police Safer Neighbourhood Team contact details, to facilitate better engagement with the public. Partners were reminded that the Crime Summit would take place on the 14th of October at Bromley Civic Centre.</p> <p>The Board was briefed concerning three projects for which MOPAC funding had been received:</p> <ul style="list-style-type: none"> • A new Speed Gun • An ASB Youth Conference scheduled for the Spring. • A Safer Streets campaign. <p>The SNB Chairman had been asked to contribute to the drafting of a new Stop and Search Charter.</p> <p>RESOLVED that the SNB update be noted.</p>	
80	DOMESTIC ABUSE STRATEGIC GROUP	Action
	<p>It was proposed that the current Domestic Abuse Strategic Group be incorporated into the Safer Bromley Partnership. This would have the advantage of saving officer time and of avoiding duplication. The Assistant Director of Public Protection felt that the nature of the Safer Bromley Partnership meetings should change, as they were often too rushed. She suggested a longer meeting with a break in between, which would give more time for discussion and networking.</p> <p>It was noted that although the minutes of the Safer Bromley Partnership were published on the Bromley Council Website, the meeting itself was not a public meeting. The Assistant Director suggested that due to the sensitive nature of some of the matters discussed by the Board, it may be useful to adopt a similar process used by scrutiny committees, and that there should be a 'part one' and a 'part two' meeting, where the 'part two' meeting would be private and confidential. This idea was supported by the joint Chairmen, and also by Councillor Alisa Igoe. The Assistant Director of Housing said that she would prefer a meeting that was not separated into two parts to maintain the flow of the conversation. The NHS Adult Safeguarding Manager commented that he would not wish to lose the importance of the domestic abuse agenda, now that it had gained momentum. Partners expressed frustration regarding the budgetary constraints that domestic abuse operated under.</p> <p>The Assistant Director decided that the next meeting would run as one longer meeting, which would not be split into two and clarity would be provided on what could be recorded in the public minutes.</p>	

	<p>A discussion arose as to whether or not the Safer Bromley Partnership was a public meeting and the Assistant Director for Public Protection, stated that in her view it was definitely not a public meeting and indeed was not suitable to be a public meeting. It was pointed out that the Safer Bromley Partnership was subject to scrutiny by the Public Protection and Enforcement Scrutiny Committee.</p> <p>RESOLVED that the Domestic Abuse Strategic update be noted and that the next meeting of the SBP would be longer to allow more time for discussion and networking.</p>	
81	<p>FORWARD PLAN</p> <p>The Assistant Director for Public Protection said that at the Workshop, she would like to give consideration regarding the membership of the Safer Bromley Partnership Board to ensure that all relevant organisations were represented. The Terms of Reference would also be considered and amended as required. The Assistant Director stated that it was important that the representatives from all partner organisations turn up and attend the meetings. It was also important that the agenda be relevant and be a productive use of time. It was anticipated that the meeting in December would likely be a time where feedback would be received from the Workshop.</p> <p>Reference was made to the fact that Bromley was piloting the new Domestic Violence Protection Notice (DVPN) scheme in spring 2024, and that it would be useful to have an update regarding this at the December meeting. Superintendent Baldock said that he would see if he could arrange a short presentation regarding this.</p> <p>The Assistant Director for Public Protection requested that the proposals made regarding the incorporation of the Domestic Abuse Strategic Group into the Safer Bromley Partnership be fed back to the Domestic Abuse Operational Board and that feedback be provided to Partners.</p> <p>RESOLVED that:</p> <p>1) At the Workshop, there would be a review of the SBP’s TOR and Membership.</p> <p>2) If possible, an update on the new DVPN Pilot scheme be brought to the December meeting.</p> <p>3) The proposed incorporation of the Domestic Abuse Strategic Group into the SBP be advised to the Domestic Abuse Strategic Board and their feedback provided to Partners.</p>	<p>Action</p> <p>SBP</p> <p>LB</p> <p>JoM</p>

82	DATE AND TIME OF NEXT MEETING	Action
	The next meeting will take place at Bromley Civic Centre on 6 th December at 10.00am	

The Meeting ended at 12.30 pm

Chairman

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Report No.
ES20331

London Borough of Bromley

PART ONE - PUBLIC

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

Date: Tuesday 14 November 2023

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

Title: HOUSES OF MULTIPLE OCCUPATION (HMO) ADDITIONAL
LICENSING AND PRIVATE SECTOR LICENSING ASSESSMENT
– MEMBER UPDATE

Contact Officer: Sarah Newman, Head of Environmental Health & Licensing
Email: sarah.newman@bromley.gov.uk

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

Ward: All

1. Reason for decision/report and options

- 1.1 The purpose of this report is to update the Committee on the findings of the open-source data assessment to determine whether the current policies and processes with regard to Houses in Multiple Occupation (HMOs) are adequate to ensure that private rented sector tenants,(HMO) tenants, and the wider Bromley community, are sufficiently protected.
- 1.2 The undertaking to 'introduce mandatory licensing for HMOs of all sizes and invest in resources to monitor and enforce this' is an approved action currently being delivered by Public Protection, listed in the LB Bromley Housing Strategy 2019 – 2029. 2.1 Following a comprehensive review, Members should note that Bromley does not meet the statutory test for the introduction of additional HMO Licensing or Private Rented Sector Selective Licensing schemes.

2. RECOMMENDATION

- 2.1 Following a comprehensive review, Members should note that Bromley does not meet the statutory test for the introduction of additional HMO Licensing or Private Rented Sector Selective Licensing schemes.

Impact on Vulnerable Adults and Children

1. Summary of Impact: HMOs are more likely to be occupied by younger people and those who are more economically disadvantaged who are unable to afford market rent for an individual flat or house. Private Sector Licensing standards apply to all rented properties, including HMOs. Licensing fees fund dedicated resources to deliver proactive inspections and enforcement of standards. However, the cost of licensing schemes is likely to be passed onto the tenants through increased rents.
 2. The current financial climate is already impacting on the financial benefits landlords can realise from properties, it is reported that many landlords are finding that the increased interest rates on Buy to Let mortgages have resulted in rental income no longer covering the mortgage payments. As improved housing standards are introduced through legislation and licensing schemes, this is likely to reduce the availability of affordable rented housing options.
-

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.
-

Financial

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

Personnel

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

Legal

1. Legal Requirement: None
 2. Call-in: Not Applicable: No executive decision is required at this stage.
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Property

1. Summary of Property Implications: Not Applicable

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications:

Since 1 April 2020, landlords can no longer let, or continue to let, properties that are covered by the Minimum Energy Efficiency Standards (MEES) Regulations 2015. If the property has an Energy Performance Certificate (EPC) rating below E it cannot be let unless the owner has a valid exemption.

HMOs require an EPC where:

- The HMO was sold as a whole property after 2008 and an EPC would have been required when it was marketed for sale, as for any other residential building.
- The HMO is let as a whole dwelling (i.e., tenants are on a joint tenancy contract)
- Where an HMO has self-contained flats, those flats require an EPC.

Impact on the Local Economy

1. Summary of Local Economy Implications: Not Applicable

Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: Not Applicable

Customer Impact

1. Estimated number of users or customers (*current and projected*): Census 2021 data reflects that there were approximately 23,660 people living in private rented accommodation in Bromley on Census Day, this includes residents living in HMOs.

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

- 3.1 A detailed assessment of open-source data has been undertaken to understand the current position with regard to HMOs in Bromley and to determine whether the criterion for adoption of an Additional HMO Licensing Scheme or a Private Rented Sector Selective Licensing Scheme could be suitable to apply in Bromley, see [Appendix A](#).
- 3.2 The Census 2021 identified that privately rented properties now account for 30% of homes in London, much higher than the national average of just over 20%. In Bromley properties rented through a private landlord or letting agency account for 15.8%, other private rented property, such as shared ownership or living rent free, accounts for a further 1.6% of households. Socially rented properties account for 13% of homes in Bromley.
- 3.3 The Bromley Housing Strategy 2019-2029 made a commitment to introduce mandatory licensing for HMOs of all sizes and invest in resources to monitor and enforce this. Mandatory Licensing of HMOs in Bromley currently applies to properties occupied by five or more persons from two or more households, unless an exemption applies. This is now in place and operating. Further to this the Housing Act 2004 sets out thresholds for the local authority to consider the introduction of discretionary licensing schemes, such as Private Rented Sector Selective Licensing or HMO Additional Licensing.
- 3.4 The requirement for adopting HMO Additional Licensing either in the whole borough or part, is that the local authority considers that a significant proportion of HMOs of a particular type are being managed ineffectively and that they give rise, or are likely to give rise, to one or more problem/s either for those occupying the HMOs or for members of the public.
- 3.5 To adopt a Private Rental Sector Selective Licensing scheme at least one of the following conditions must be met. The area:
- i) Is, or is likely to become, an area of low housing demand
 - ii) Has a significant and persistent problem of anti-social behaviour
 - iii) Has a significant number of privately rented properties in a poor condition
 - iv) Is experiencing an influx of migration. Migration refers to movement within the country or from overseas.
 - v) Has high levels of deprivation.
 - vi) Suffers from a high level of crime.
- 3.6 Secretary of State approval is required for Selective Licensing schemes covering over 20% of the boroughs geographical area or private rented sector provision.
- 3.7 The assessment found that;
- 3.7.1 Bromley remains an area with high demand for its properties, both for sale and rent.
- 3.7.2 International and domestic migration resulted in a net population decrease of 544 from 2019 to 2020.
- 3.7.3 In 2022/23 Bromley Council received 111 complaints related to the private rented sector and 34 complaints related to HMO's or possible HMOs. This accounts for less than 1% of the available 21,415 privately rented properties. Most of the complaints relating to matters of disrepair, including mould and damp, however, there were no identified concentrations of complaints in particular areas.

- 3.7.4 The level of detail about crime allegations and ASB is not available to the Council to directly link them to specific properties or tenure types, therefore, information on a Ward basis has been assessed.
- 3.7.5 Whilst reported crime increased across London by 6%, in Bromley it reduced by 2% in 2022/23 when compared to the previous year. Biggin Hill, Chelsfield, Farnborough & Crofton, Kelsey & Eden Park and Mottingham Wards saw increases in crime reporting, however, the Ward boundary changes, which took effect on 5 May 2022, means that data at Ward level cannot be accurately compared with the previous year.
- 3.7.6 Reported incidents of anti-social behaviour in Bromley reduced by 16%. A small number of Wards, Biggin Hill, Chelsfield, Darwin and Kelsey & Eden Park, appear to have had an increased number of reported incidents when compared to the previous year, however, due to the Ward boundary changes the data at Ward level cannot be accurately compared.
- 3.7.7 Fifty of the boroughs 191 Lower Super Output Areas (LSOAs) are in Deciles 1 to 5. St Paul's Cray Ward has the highest concentration of these, with no areas above Decile 5. When focussing on the IMD Barriers to Housing domain St Paul's Cray remains the Ward with the highest concentration of LSOAs in the 50th percentile. Mottingham, St Mary Cray and Crystal Palace and Anerley Wards also have over 70% of their LSOAs in the 50th percentile.
- 3.8 Considering the criteria set out in the Housing Act this assessment did not find significant evidence that areas of the boroughs private rented sector would be improved by the introduction of selective licensing or that any particular HMOs would benefit from additional licensing.
- 3.9 Irrespective of a licensing scheme private sector landlords have legal obligations and responsibilities to protect the safety and rights of their tenants. Tenants, the Council, the Police and the Fire Brigade have a range of tools available to them should they be needed to address issues with individual properties or landlords, these include;
- **The London Borough of Bromley's HMO Adopted Standards:** all HMOs regardless of licensing must meet Bromley's adopted standards. These relate to size and amenities as well as fire precautions.
 - **Gas Safety:** Landlords must ensure that all gas appliances and flues are maintained in a safe condition. This includes annual gas safety checks conducted by a Gas Safe registered engineer. Landlords must provide tenants with a copy of the Gas Safety Certificate.
 - **Electrical Safety:** Landlords are required to ensure that electrical installations are safe and in good working order. Electrical safety checks by a qualified electrician may be necessary. From April 2021, new electrical safety regulations came into force in England, requiring an Electrical Installation Condition Report (EICR) to be provided to tenants.
 - **Fire Safety:** Landlords should ensure that the property has adequate fire safety measures, including working smoke detectors on each floor, and that tenants have clear escape routes. Additionally, landlords are responsible for maintaining fire safety equipment and conducting fire risk assessments in certain properties.
 - **Energy Performance Certificate (EPC):** Landlords are required to provide tenants with an Energy Performance Certificate (EPC) that rates the energy efficiency of the property. The EPC must be provided at the start of the tenancy.
 - **Protection of Deposits:** Landlords must protect tenants' security deposits in a government-approved tenancy deposit scheme. They must also provide tenants with prescribed information regarding the deposit protection within a specific timeframe.
 - **Right to Rent Checks:** Landlords must carry out right to rent checks to ensure that tenants have the legal right to reside in the UK.

- **Repairs and Maintenance:** Landlords are responsible for keeping the property in good repair and working order. This includes plumbing, heating, and structural maintenance.
- **Minimum Energy Efficiency Standards (MEES):** Landlords are required to ensure that rental properties meet minimum energy efficiency standards. Properties with low EPC ratings may not be eligible for rental.
- **Environmental Protection Act 1990:** Local authorities can use this act to take action against landlords if a property is in a state of disrepair or is causing a nuisance to neighbouring properties.
- **Anti-social Behaviour, Crime and Policing Act 2014:** provides a range of tools to address anti-social behaviour.
- **Building Regulations:** Building regulations in the UK include standards for the construction and safety of buildings. Local authorities can use these regulations to ensure that properties meet safety and structural standards.

3.10 A number of legislative changes are currently being planned which are intended to address the challenges around the private housing sector whilst maintaining decent housing standards for tenants. The Government's White Paper, 'A fairer private rented sector', sets out the government's long-term vision for a private rented sector (PRS) that is fit for the 21st century and delivers a better deal for tenants. This includes plans to:

- Abolish Section 21 'no-fault' evictions and introduce a simpler tenancy structure
- Apply the Decent Homes Standard to the PRS for the first time
- Introduce a new Property Portal to help landlords understand their obligations
- Introduce a Housing Ombudsman to cover all PRS landlords and provide redress for tenants.

3.11 There are also anticipated changes in legislation the Houses in Multiple Occupation (Asylum-Seeker Accommodation) (England) Regulations 2023 which, if implemented, will exempt HMOs that are used by the Home Office, or their approved contractors, to accommodate asylum seekers for a period of 2 years from the date the occupants are placed.

3.12 It is also expected that the Levelling-Up and Regeneration Bill, which is currently at Report Stage in the House of Lords, will introduce firmer regulation to the short-term let market.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1 HMOs are more likely to be occupied by younger people and those who are more economically disadvantaged who are unable to afford market rent for an individual flat or house. Private Sector Licensing standards apply to all rented properties, including HMOs. Licensing fees fund dedicated resources to deliver proactive inspections and enforcement of standards. However the cost of licensing schemes are likely to be passed onto the tenants through increased rents.

4.2 The current financial climate is already impacting on the financial benefits landlords can realise from properties, it is reported that many landlords are finding that the increased interest rates on Buy to Let mortgages have resulted in rental income no longer covering the mortgage payments. As improved housing standards are mandated through legislation and licensing schemes, this is likely to impact on the benefits to landlords and reduce the availability of affordable rented housing options.

5. TRANSFORMATION/POLICY IMPLICATIONS

5.1 Not applicable

6. FINANCIAL IMPLICATIONS

6.1 Due to not meeting the criteria within the Housing Act to justify the implementation of additional HMO licensing, there are no financial implications to report against this paper.

7. PERSONNEL IMPLICATIONS

7.1 Not applicable

8. LEGAL IMPLICATIONS

8.1 The report correctly identifies the criteria that must be met for the introduction of additional HMO Licensing or a Private Rental Sector Selective Licensing Scheme under applicable legislation.

9. PROCUREMENT IMPLICATIONS

9.1 Not applicable

10. PROPERTY IMPLICATIONS

10.1 Not applicable

11. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

11.1 Where an HMO is required in law to have a current EPC (i.e., no older than 10 years) the property must meet a minimum standard/rating of E and the licence holder or manager must provide a copy of the certification to their tenant/s.

12. IMPACT ON THE LOCAL ECONOMY

12.1 Not applicable

13. IMPACT ON HEALTH AND WELLBEING

13.1 Not applicable

14. CUSTOMER IMPACT

14.1 Census 2021 data reflects that there were approximately 23,660 people living in private rented accommodation in Bromley on Census Day, this includes residents living in HMOs.

14.2 Private rented properties provide an important part of the housing infrastructure for many people living in the UK. The reasons people rent property are many and varied, such as:

- Less of a financial burden, such as a smaller deposit being required, no solicitors' fees or stamp duty, no buildings insurance and no maintenance costs.
- Tenancy terms can vary to suit needs, so planning for a future move is easier.
- More controls in the rental market mean tenants enjoy more legal protection.
- No danger of incurring negative equity.

14.3 The Private Rented Sector also provides landlords a secure financial investment, either as a regular income or through the eventual release of capital upon sale of the property. However, the reducing amount of private rented sector properties was identified in the Housing Strategy 2019-29 as one of the three main causes of homelessness.

14.4 At a time when demand for housing is increasing it is important to balance the need for landlords to achieve their financial aims, whilst ensuring they deliver a good standard of accommodation that meets the requirements of renters.

15. WARD COUNCILLOR VIEWS

15.1 Not applicable

Non-Applicable Headings:	
Background Documents: (Access via Contact Officer)	London Borough of Bromley - Adopted Housing Standards 2021

**Assessment of Private Rented Sector (PRS) Selective Licensing
and Houses of Multiple Occupancy (HMO) Additional Licensing
requirements in the London Borough of Bromley
October 2023**

1.0 Introduction

- 1.1. Private rented properties provide an important part of the housing infrastructure for many people living in the UK. The reasons people rent property are many and varied, such as:
- Less of a financial burden, such as a smaller deposit being required, no solicitors' fees or stamp duty, no buildings insurance, and no maintenance costs.
 - Tenancy terms can vary to suit needs, so planning for a future move is easier.
 - More controls in the rental market mean tenants enjoy more legal protection.
 - No danger of incurring negative equity.
- 1.2 The Private Rented Sector also provides landlords a secure financial investment, either as a regular income or through the eventual release of capital upon sale of the property. However, the reducing amount of private rented sector properties was identified in the Housing Strategy 2019-29 as one of the three main causes of homelessness.
- 1.3 At a time when demand for housing is increasing it is important to balance the need for landlords to achieve their financial aims, whilst ensuring they deliver a good standard of accommodation that meets the requirements of renters.
- 1.4 Bromley identified that in 2020 the three main causes of homelessness in the borough were:
- Loss of private rented accommodation.
 - Parents or friends no longer willing to provide accommodation.
 - Relationship breakdown and domestic violence.
- 1.5 The Strategy made a commitment to introduce mandatory licensing for HMOs of all sizes and invest in resources to monitor and enforce this. Mandatory Licensing of HMO's currently applies to properties occupied by five or more persons from two or more households unless an exemption applies. The Housing Act 2004 sets out thresholds for the local authority to consider the introduction of discretionary licensing schemes, such as Private Rented Sector Selective Licensing or HMO Additional Licensing.
- 1.6 The Council and other public services have a range of tools to address individual incidents and issues such as ASB and crime by individuals, statutory nuisance, building repair, planning, building control and fire safety concerns through existing public service resources and their business-as-usual activities. The main purpose of PRS and HMO licensing is to set minimum standards for the license holder to achieve and sustain, and to address any identified non-compliance. The license fees cover the costs associated with administering and making relevant checks throughout the application process. They can also be used to ensure service capacity to ensure ongoing compliance.

2.0 Scope of Assessment

- 2.1 The purpose of this analysis is to determine if LB Bromley can evidence that it meets the requirements to introduce additional Houses in Multiple Occupation (HMO) licensing or selective licensing of private rented properties.
- 2.2 This assessment focusses on data from the 22/23 as data from previous years has become less meaningful in determining trends due to the impact of the UK leaving the EU, Covid-19 pandemic, cost of living crisis, and fluctuating interest rates.
- 2.3 The requirement for adopting HMO Additional Licensing either in the whole borough or part, is that the local authority considers that a significant proportion of a particular type of HMO are being managed ineffectively and give rise, or are likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public. The summary finding from this assessment in relation to this criterion are provided below.
- 2.4 To adopt a Private Rental Sector Selective Licensing scheme at least one of the following conditions must be met. The area:
- i) Is, or is likely to become, an area of low housing demand
 - ii) Has a significant and persistent problem of anti-social behaviour
 - iii) Has a significant number of privately rented properties in a poor condition
 - iv) Is experiencing an influx of migration. Migration refers to movement within the country or from overseas
 - v) Has high levels of deprivation
 - vi) Suffers from a high level of crime

3.0 UK and Regional Context

- 3.1 The Covid 19 pandemic, the cost-of-living crises and rising interest rates have impacted on the lifestyles of many people, including the housing options available to them. A House of Lords ¹article published on 8 March 2023 found that ‘higher inflation, interest rates and rents, coupled with a decline in average real-terms earnings, have increased housing costs for many people. Evidence suggests that the impact is being felt across all housing tenure types, but that tenants in the private and social rented sectors have been most adversely affected.’
- 3.2 The GLA Housing and Land, Housing Research Note 9² – Understanding recent rental trends in London’s private rented market – published in June 2023 sets out the recent historical context of London’s private rental sector (PRS). Some of the findings relevant to this paper are:

1.5 The pandemic, cost of living crisis and move to a period of low economic growth has caused volatility which has made it more difficult to determine, evidence, and forecast the factors which have impacted the rental market. These same issues, however, have also exacerbated existing supply and demand issues in the market.

¹ [Through the roof? Housing and the cost of living - House of Lords Library \(parliament.uk\)](#)

² [Housing and race equality in London: An analysis of secondary data](#)

7.3 NRLA's Landlord Confidence Index (survey undertaken in the third quarter of 2022) reported that increasing costs was the top reason for their members adjusting rent. Landlord costs are likely to continue rising in the medium term due to energy price and mortgage costs increasing, as well as the costs of retrofit works to improve energy efficiency.

7.4 Demand for privately rented homes is currently extremely high and new supply is low, therefore any decrease in the stock of rented homes would risk pushing rents even higher. Sales of rental homes to first-time buyers do simultaneously reduce both supply of, and demand for, rental housing. If, however, a shared house (a house of multiple occupation) is sold by a landlord to a single household, multiple people will require a new home, so the rental supply is likely to fall by more than the demand.

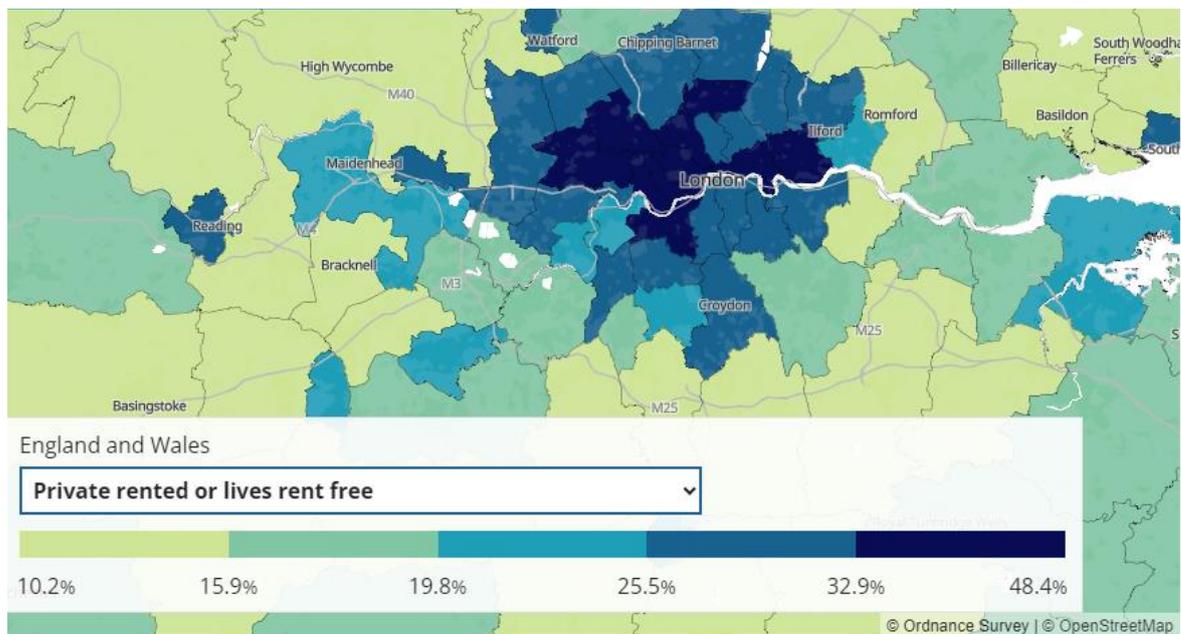
3.3 The Census 2021 highlighted the following changes in the tenure of households across England and Wales:

- A decrease in the proportion of households that owned their accommodation, to 62.5%, 15.5 million in 2021 (from 64.3%, 15.0 million, in 2011)
- An increase in the proportion of households that rented their accommodation, to 37.3%, 9.3 million, in 2021 (from 34.3%, 8.0 million, in 2011)
- A decrease in the proportion of households that lived rent free, to 0.1%, 33,000, in 2021 (from 1.4%, 315,000, in 2011)

3.4 The Census 2021 data on accommodation ownership and renting can be broken down further to show that:

- An increase in the proportion of households that owned the accommodation they lived in outright to 32.8% of households, 8.1 million (from 30.8%, 7.2 million in 2011)
- A decrease in the proportion of households that owned their accommodation with an outstanding mortgage, loan, or shared ownership arrangement to 29.7%, 7.4 million (from 33.5%, 7.8 million in 2011)
- An increase in the proportion of households that rented their accommodation privately to 20.3%, 5.0 million (from 16.7%, 3.9 million in 2011)
- A slight decrease in the proportion of households that were living in the social rented sector, for example through a local council or housing association, to 17.1% 4.2 million (from 17.6%, 4.1 million in 2011)

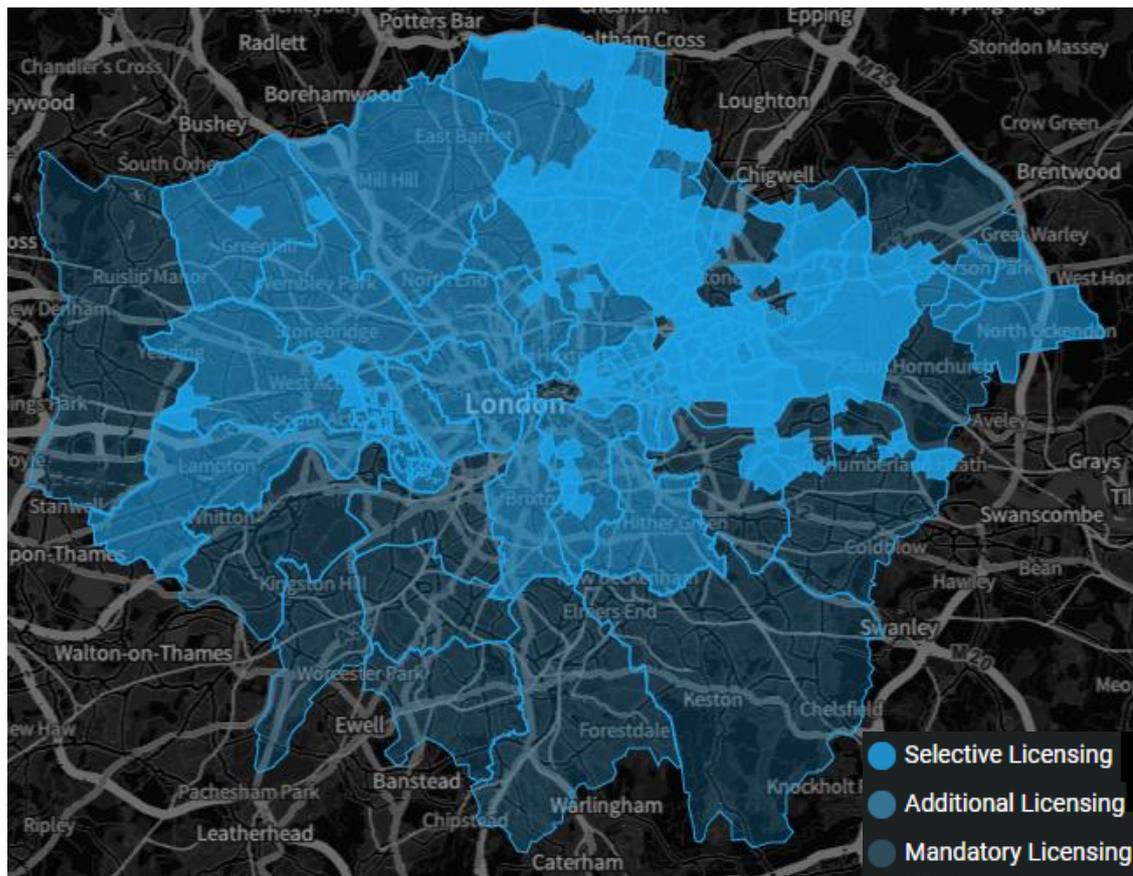
3.5 The Census 2021 shows that, within England, London had the lowest level of overall home ownership of any English region (46.8%). London also had the highest proportion of households that rented privately (30.0%) or in the social rented sector (23.1%). The following image shows the level of privately rented properties across the London Boroughs.



- 3.6 The Census 2021 also found that more adults are leaving their family home later in life and some studies indicate the average age for a person to buy their first home in London is now 35yrs.
- 3.7 The Government's White Paper, 'A fairer private rented sector', sets out the government's long-term vision for a private rented sector (PRS) that is fit for the 21st century and delivers a better deal for tenants. This includes plans to:
- Abolish Section 21 'no-fault' evictions and introduce a simpler tenancy structure
 - Apply the Decent Homes Standard to the PRS for the first time
 - Introduce a new Property Portal to help landlords understand their obligations
 - Introduce a Housing Ombudsman covering all PRS landlords and providing redress for tenants
- 3.8 Anticipated changes in legislation the Houses in Multiple Occupation (Asylum-Seeker Accommodation) (England) Regulations 2023 were laid before parliament on 30 March. They are still in draft with no date of implementation set. If implemented, the regulations will exempt HMOs that are used by the Home Office, or their approved contractors, to accommodate asylum seekers for a period of 2 years from the date the occupants are placed.
- 3.9 In London, no planning permission or licensing is required to use an entire flat, or house, as a short term or holiday let, if:
- Council Tax is paid for the property,
 - Each individual short term let is no more than 90 days,
 - The total number of let days over the calendar year is no more than 90 days.
- 3.10 Short term lets are not proactively monitored by the Authority. Investigations by Planning and Development Control are done in response to complaints and/or received intelligence. If, on investigation, substantive evidence of a breach of the

above controls is found it may result in a Planning Contravention Notice being served on the owner or operator of the property.

- 3.11 The Levelling-Up and Regeneration Bill, which is currently at Report Stage in the House of Lords, includes proposals to introduce firmer regulation to the short-term let market. The government is also actively discussing further protections for tenants in the private rented sector regarding specific issues, for example, protection from eviction and damp, condensation, and mould.
- 3.12 The following map, produced by the Greater London Authority, shows the Housing Act related licensing requirements that are currently adopted across London.



- 3.12 Locally, as can be seen from the Census 2021 data, Bromley residential patterns are not typical of the wider rental picture across the capital. Bromley has approximately 70% owner occupied and 30% rented properties. Of that 30% Bromley private rented properties account for 23,660 (17.5%), of Bromley households, and of that 17.5% properties rented through a private landlord or letting agency account for 15.8%. Other private rented property, such as shared ownership, where part mortgage and part rent are paid, and adult children living with their parent, or living rent free, account for the other 1.7%.
- 3.13 Private sector landlords have legal obligations and responsibilities to protect the safety and rights of their tenants. These include:
- **The London Borough of Bromley's HMO Adopted Standards:** all HMOs regardless of licensing must meet Bromley's adopted standards. These relate to size and amenities as well as fire precautions.

- **Gas Safety:** Landlords must ensure that all gas appliances and flues are maintained in a safe condition. This includes annual gas safety checks conducted by a Gas Safe registered engineer. Landlords must provide tenants with a copy of the Gas Safety Certificate.
- **Electrical Safety:** Landlords are required to ensure that electrical installations are safe and in good working order. Electrical safety checks by a qualified electrician may be necessary. From April 2021, new electrical safety regulations came into force in England, requiring an Electrical Installation Condition Report (EICR) to be provided to tenants.
- **Fire Safety:** Landlords should ensure that the property has adequate fire safety measures, including working smoke detectors on each floor, and that tenants have clear escape routes. Additionally, landlords are responsible for maintaining fire safety equipment and conducting fire risk assessments in certain properties.
- **Energy Performance Certificate (EPC):** Landlords are required to provide tenants with an Energy Performance Certificate (EPC) that rates the energy efficiency of the property. The EPC must be provided at the start of the tenancy.
- **Protection of Deposits:** Landlords must protect tenants' security deposits in a government-approved tenancy deposit scheme. They must also provide tenants with prescribed information regarding the deposit protection within a specific timeframe.
- **Right to Rent Checks:** Landlords must carry out right to rent checks to ensure that tenants have the legal right to reside in the UK.
- **Repairs and Maintenance:** Landlords are responsible for keeping the property in good repair and working order. This includes plumbing, heating, and structural maintenance.
- **Minimum Energy Efficiency Standards (MEES):** Landlords are required to ensure that rental properties meet minimum energy efficiency standards. Properties with low EPC ratings may not be eligible for rental.

3.14 LB Bromley's current corporate strategy 'Making Bromley Even Better' has 5 key ambitions, all of which are in whole or part, relevant to private rented sector residents, and thus, HMOs in LB Bromley, these are:

- 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
- For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence, and making choices
- For people to make their homes in Bromley and for business, enterprise and the third sector to prosper
- For residents to live responsibly and prosper in a safe, clean, and green environment great for today and a sustainable future
- To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

- 3.15 The Bromley Housing Strategy 2019-29 sits alongside other key corporate strategies, in particular the Local Plan. These key strategies and plans are interrelated, requiring the successful delivery of all to achieve the Council's objectives. The current Housing Strategy sets out 4 key priorities, these are:
- More homes – increasing the number of homes in Bromley
 - Better quality, more affordable homes
 - Preventing and tackling homelessness
 - Supporting vulnerable people
- 3.16 All of which are relevant, in whole or part, to the private rented sector and HMOs in Bromley. As the price of accommodation continues to increase relative to income there is an increasing need by Bromley residents for more affordable accommodation. HMOs are an important part of that element of housing provision.

4.0 Assessment for Additional HMO Licensing in Bromley

- 4.1 The requirement for additional HMO licensing, either for the whole borough, or in part, is that the Authority considers that a considerable proportion of HMOs in the borough are:
- i) Ineffectively managed, and
 - ii) Give rise, or are likely to give rise, to one or more problems for occupiers, or members of the public.
- 4.2 In 2022 Bromley put in place a Direction under Article 4 (1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. The effect of the Direction was to remove the permitted development rights to change a single dwelling into a HMO, planning permission is now required for such a change.
- 4.3 As of 27 July 2023 Bromley has 360 HMO's that fall within the mandatory licensing scheme, a breakdown of these by Ward are shown in Appendix C.
- 4.4 Between 1 April 2022 and 31 March 2023 LB Bromley's Public Protection Division received 34 reports regarding HMOs. In the main these were prompted a) by an HMO tenant raising an issue relating to their tenancy or to the repair of the building, or b) by a concerned member of the community. 10 of the 34 reports received related to allegations that the HMOs in question were unlicensed. On investigation, 5 of the 10 were found to be Licensed HMOs, and no substantive evidence was identified to confirm the remaining 5 were HMOs.

4.5 Table 1, below, shows the breakdown of reports/complaints made by the public regarding HMOs, by Ward.

Table 1

Ward	Total Complaints	Issue raised by HMO Tenant	Issue raised by the community
Beckenham Town and Copers Cope	3	3	0
Bickley and Sundridge	1	1	0
Biggin Hill	2	2	0
Bromley Common and Holwood	2	2	0
Bromley Town	3	1	2
Chelsfield	2	2	0
Chislehurst	0	0	0
Clock House	1	1	0
Crystal Palace and Anerley	0	0	0
Darwin	0	0	0
Farnborough and Crofton	1	0	1
Hayes and Coney Hall	0	0	0
Kelsey and Eden Park	1	1	0
Mottingham Ward	0	0	0
Orpington	2	0	2
Penge and Cator	4	2	2
Petts Wood and Knoll	2	2	0
Plaistow	0	0	0
Shortlands and Park Langley	2	1	1
St Mary Cray	3	2	1
St Paul's Cray	4	3	1
West Wickham	1	1	0

4.6 LB Bromley's Public Protection Division received 111 complaints about privately rented properties between 1 April 2022 and 31 March 2023. This accounts for less than 1% of residents of the 21,415 privately rented properties available in the borough. There were no identified concentrations of complaints in any areas or wards and there is a strong indication that the vast majority of Mandatory licensed HMOs are effectively managed.

4.7 As can be seen the levels of reports/complaints regarding HMOs in each ward are objectively very low.

5.0 Assessment for Selective Licensing in Bromley

5.1 To introduce a selective HMO licensing scheme for the private rented sector at least one of the following circumstances must prevail. The area:

- i) Is, or is likely, to become an area of low housing demand
- ii) Has a significant and persistent problem of anti-social behaviour.
- iii) Has a considerable number of privately rented properties in a poor condition.
- iv) Is experiencing an influx of migration from within the country or from overseas.
- v) Has a high level of deprivation.
- vi) Suffers from a high level of crime.

5.2 In accordance with the government guidance³, the following factors have been assessed to establish if Bromley or any areas within it, is, or is likely to become, an area of low housing demand, resulting in properties being empty for long periods of time due to it being less desirable to renters than other areas and determine if a selective licensing scheme would improve the quality and retention of private rented properties.

- The value of residential premises in the area, in comparison to the value of similar premises in other areas which the authority considers to be comparable (for example, in terms of type of housing, local amenities, or availability of transport)
- The turnover of occupiers of residential premises (in both rented and owner-occupied properties) and
- The number of residential premises which are available to buy or rent, and the length of time for which they remain unoccupied

5.3 The most recent data available from the Office of National Statistics (ONS) for house prices⁴, which includes flats and maisonettes, at a Local Authority level is for the period of March 2022. This shows that house sales in Bromley were higher than neighbouring outer London boroughs, as shown in Table 2.

5.4 The average price paid for a property in the 10th percentile, most affordable, was 7.7% higher than the next highest borough, Greenwich. The total number of properties sold in Bromley in the 12 months to March 2022 was 3.5% of the total properties in Bromley.

Table 2

House Sales & Prices	Bromley	Bexley	Croydon	Greenwich	Sutton	Havering
Total households	135,832	95,300	152,946	114,052	82,348	101,277
Total sales	4,776	2,951	4,220	2,830	2,638	3,585
% of properties sold	3.5%	3.1%	2.8%	2.5%	3.2%	3.5%
Lower quartile price (the actual value of the property in the middle of the lowest 25% of house sales)	£365,000	£310,000	£313,000	£350,000	£302,000	£340,000
Mean price (The average price (total values/total sales))	£568,653	£415,115	£446,264	£504,889	£473,072	£440,899
Median price (The actual value of the property in the middle of all house sales)	£497,750	£393,700	£408,250	£440,000	£425,000	£411,500
Lowest 10% Average (10 th percentile) (average for the lowest 10% of properties sold)	£280,000	£243,000	£242,250	£260,000	£247,500	£250,000

5.5 Research⁵ undertaken by London Councils found that ‘The proportion of properties for sale that were previously listed to rent has more than doubled in every London borough from the pre-Covid average to the average for 2022.’ The report highlights

³ [Selective licensing in the private rented sector: a guide for local authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/102222/selective-licensing-in-the-private-rented-sector-a-guide-for-local-authorities.pdf)

⁴ [House price statistics for small areas in England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/house-price-statistics-for-small-areas-in-england-and-wales)

⁵ [London Councils - Supply of PRS Accommodation - Summary Report.pdf](https://www.london.gov.uk/sites/default/files/2022-03/london-councils-supply-of-prs-accommodation-summary-report.pdf)

that borough are finding it increasingly difficult to access any private rented sector housing.

5.6 The number of households⁶ on the waiting list for social housing in Bromley in 2022 was 2,618. Bromley does now have a small stock of accommodation which it owns and rents, having built 60 homes to date with more planned through the Council's Transformation agenda. A large majority of social housing is owned and managed by housing associations and private companies.

5.7 In 2020 the three main causes of homelessness in the borough, as shown in the Housing Strategy, were:

- Loss of private rented accommodation.
- Parents or friends no longer willing to provide accommodation.
- Relationship breakdown and domestic violence.

5.8 Data from the Census 2021 showing the levels of private rented properties by Ward as a percentage of the total households is shown in Table 3.

Table 3

Ward Name	Total Number of Residential Properties (Census 2021)		Census 2021							
			Private Rented				Social Rented			
			Other private rented		Private landlord or letting agency		Rents from Council or other LA		Other Social Rented	
No.	%	No.	%	No.	%	No.	%	No.	%	
Beckenham Town and Copers Cope	8,019	5.9%	200	2.49%	2474	30.85%	55	0.69%	631	7.87%
Bickley and Sundridge	7,149	5.3%	96	1.34%	1098	15.36%	30	0.42%	515	7.20%
Biggin Hill	4,285	3.2%	56	1.31%	294	6.86%	22	0.51%	181	4.22%
Bromley Common and Holwood	7,589	5.6%	117	1.54%	1073	14.14%	133	1.75%	945	12.45%
Bromley Town	6,718	4.9%	170	2.53%	2022	30.10%	53	0.79%	583	8.68%
Chelsfield	4,392	3.2%	61	1.39%	393	8.95%	21	0.48%	222	5.05%
Chislehurst	6,268	4.6%	120	1.91%	825	13.16%	30	0.48%	417	6.65%
Clock House	7,467	5.5%	115	1.54%	1483	19.86%	91	1.22%	781	10.46%
Crystal Palace and Anerley	5,682	4.2%	98	1.72%	1741	30.64%	204	3.59%	1466	25.80%
Darwin	2,287	1.7%	67	2.93%	181	7.91%	14	0.61%	99	4.33%
Farnborough and Crofton	7,053	5.2%	91	1.29%	544	7.71%	32	0.45%	548	7.77%
Hayes and Coney Hall	5,918	4.4%	69	1.17%	439	7.42%	14	0.24%	206	3.48%
Kelsey and Eden Park	5,994	4.4%	103	1.72%	668	11.14%	40	0.67%	500	8.34%
Mottingham Ward	4,633	3.4%	101	2.18%	658	14.20%	179	3.86%	1109	23.94%
Orpington	4,729	3.5%	65	1.37%	492	10.40%	103	2.18%	647	13.68%
Penge and Cator	8,405	6.2%	145	1.73%	1867	22.21%	322	3.83%	2053	24.43%
Petts Wood and Knoll	6,910	5.1%	89	1.29%	746	10.80%	31	0.45%	229	3.31%
Plaistow	5,494	4.0%	90	1.64%	913	16.62%	80	1.46%	803	14.62%
Shortlands and Park Langley	6,703	4.9%	109	1.63%	1368	20.41%	47	0.70%	367	5.48%
St Mary Cray	7,614	5.6%	112	1.47%	885	11.62%	220	2.89%	1393	18.30%
St Paul's Cray	6,814	5.0%	93	1.36%	724	10.63%	355	5.21%	1889	27.72%
West Wickham	5,709	4.2%	78	1.37%	527	9.23%	17	0.30%	252	4.41%
	135,832	100%	2245	1.65%	21415	15.77%	2093	1.54%	15836	11.66%

⁶ [households-on-local-authority-waiting-list.xlsx - Microsoft Excel Online \(live.com\)](#)

- 5.9 According to Council Tax data there are currently around 350 homes in Bromley which are liable for council tax and are recorded as having been empty for two years or longer. This is 0.003% of the total number of residential properties.
- 5.10 During the period 1 April 2022 and 31 March 2023 the Council Public Protection Team received 111 complaints regarding privately rented properties, most relating to matters of disrepair, including mould and damp. Whilst complaints referred to issues which had not been resolved by the landlord in a reasonable timeframe, there was no indication of landlords or properties with repeat complaints. Table 4 shows the complaints by Ward.

Table 4

Ward	Complaint - Private Tenant
Beckenham Town & Copers Cope	5
Bickley & Sundridge	5
Biggin Hill	3
Bromley Common & Holwood	5
Bromley Town	10
Chelsfield	4
Clock House	6
Crystal Palace & Anerley	10
Farnborough & Crofton	4
Kelsey & Eden Park	5
Mottingham	5
Orpington	4
Penge & Cator	16
Plaistow	6
Shortlands & Park Langley	5
St. Mary Cray	9
St. Paul's Cray	7
West Wickham	3

- 5.11 The number of properties available for rent within the borough boundary is not possible to establish with absolute accuracy as the information is collated by postcode and some postcodes have coverage in Bromley but are substantially in neighbouring boroughs.
- 5.12 Data obtained from [home.co.uk](https://www.home.co.uk) shows 431 properties available for rent in postcode areas BR1, BR2, BR3, BR4, BR5, BR6, BR7, SE20 and TN16 on 22 September 2023, a breakdown of the property types and rental values is shown by postcode in Table 5. Rental rates varied from an average of £575 for a room in BR5 to £5,356 for a five-bedroom property in BR3. Appendix B provides full details for all postcodes.

Table 5

	BR1		BR2		BR3		BR4		BR5		BR6		BR7		SE20		TN16	
	Avail.	Ave. Rent																
Total properties for rent on 23/9/23	78		62		102		8		26		52		37		42		24	
Properties listed in the last 14 days	31		27		39		3		6		9		10		10		6	
Under £250	0		0		0		0		0				1		0		0	
rent £250 - £500 pcm	1		0		0		0		1		0		1		0		1	
rent £500 - £1,000 pcm	6		6		6		0		1		5		0		1		5	
rent £1,000 - £2,000 pcm	36		27		62		3		10		25		13		31		11	
rent £2,000 - £5,000 pcm	31		29		31		5		12		21		21		9		6	
rent over £5,000 pcm	5		0		3		0		2		1		1		1		1	
Property type - Room	7	£808	3	£1,227	7	£999	0	£0	2	£575	3	£900	0	£0	1	£775	0	£0
Property type - Flat	37	£1,972	25	£1,831	64	£1,856	3	£1,933	4	£1,363	19	£1,427	14	£1,832	34	£1,917	3	£2,058
Property type - House	30	£2,820	30	£2,525	28	£2,757	5	£2,540	18	£2,224	30	£2,597	20	£2,760	4	£2,906	9	£2,538
one bedroom properties	9	£1,350	6	£1,242	24	£1,438	0		4	£1,375	10	£1,309	7	£1,293	12	£1,469	4	£1,063
two bedroom properties	27	£1,936	17	£1,886	37	£1,831	1	£1,650	4	£1,525	11	£1,622	7	£2,071	16	£1,929	4	£2,556
three bedroom properties	16	£2,366	18	£2,328	13	£2,408	4	£2,150	5	£2,230	13	£2,165	10	£2,525	4	£3,861	1	£1,750
four bedroom properties	7	£2,979	11	£2,825	13	£2,915	3	£2,750	8	£2,648	10	£2,725	7	£2,771	3	£3,400	3	£4,265
five bedroom properties	8	£4,806	1	£4,000	2	£5,356	0	£0	0	£0	3	£2,900	3	£4,217	0	£0	0	£0

5.13 The LB Bromley Housing Strategy 2019-29 identified that ‘The average rent of a two bedroomed home is £1,411 per month (www.home.co.uk). The total benefit that can be claimed for a dwelling of this size is £1,097 per month.’ As shown in the Table above this the prices for a 2-bedroom dwelling in Bromley range from £1,525 to £2,226, showing the affordability gap has increased.

5.14 International migration from mid-2019 to mid-2020 accounted for a net increase of 417 persons and domestic migration accounted for a net decrease of 961, overall net migration in Bromley equates to a net decrease of 544 persons, as shown below.

Area Name	Mid-2018 to Mid-2019				Mid-2019 to Mid-2020			
	Long-Term International Migration	Outflow	Internal (w ithin UK)	Migration	Long-Term International Migration	Outflow	Internal (w ithin UK)	Migration
London	192,920	115,511	255,299	349,291	200,389	115,844	218,902	320,283
Bromley	1,540	1,011	19,250	19,884	1,448	1,031	17,032	17,993

5.15 The National [Index of Multiple Deprivation](#) ⁷(IMD) is the official measure of relative deprivation in England. It follows an established methodological framework measuring 39 separate indicators, organised across 7 distinct domains. The IMD measure deprivation on a ‘relative’ rather than an absolute scale, so a neighbourhood ranked 100th is more deprived than a neighbourhood ranked 200th, but this does not mean it is twice as deprived.

5.16 The seven domains of deprivation are as follows:

- The **Income Deprivation** Domain measures the proportion of the population experiencing deprivation relating to low income. The definition of low income used includes both those people that are out-of-work, and those that are in work but who have low earnings (and who satisfy the respective means tests).
- The **Employment Deprivation** Domain measures the proportion of the working-age population in an area involuntarily excluded from the labour market. This

⁷ [English indices of deprivation 2019 - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

includes people who would like to work but are unable to do so due to unemployment, sickness or disability, or caring responsibilities.

- The **Education, Skills and Training Deprivation** Domain measures the lack of attainment and skills in the local population. The indicators fall into two sub-domains: one relating to children and young people and one relating to adult skills.
- The **Health Deprivation and Disability** Domain measures the risk of premature death and the impairment of quality of life through poor physical or mental health. The domain measures morbidity, disability and premature mortality but not aspects of behaviour or environment that may be predictive of future health deprivation.
- The **Crime** Domain measures the risk of personal and material victimisation at local level.
- The **Barriers to Housing and Services** Domain measures the physical and financial accessibility of housing and local services. The indicators fall into two sub-domains: 'geographical barriers', which relate to the physical proximity of local services, and 'wider barriers' which includes issues relating to access to housing such as affordability.
- The **Living Environment Deprivation** Domain measures the quality of the local environment. The indicators fall into two sub-domains. The 'indoors' living environment measures the quality of housing, while the 'outdoors' living environment contains measures of air quality and road traffic accidents.

5.17 However, when focussing on the IMD deciles for Barriers to Housing, whilst St Pauls Cray remains the Ward with the highest concentration of LSOAs in the 50th percentile, Mottingham, St Mary Cray, and Crystal Palace & Anerley Wards, also have over 70% of their LSOAs in the 50th percentile. A breakdown of each Ward is shown in Table 6 below.

Table 6

Ward	No. Properties	% of borough properties	LSOA's by IMD Barriers To Housing Decile										% Ward LSOA's up to 50%	% Ward LSOA's 60% Decile	
			1	2	3	4	5	6	7	8	9	10			
Beckenham Town & Copers Cope	8,019	5.90%	1	3	1	2	1							100%	0%
Bickley & Sundridge	7,149	5.30%	1	3	2	2	2	1						91%	9%
Biggin Hill	4,285	3.20%		1		2			2	1				50%	50%
Bromley Common & Holwood	7,589	5.60%	2	3	1		1	2						78%	22%
Bromley Town	6,718	4.90%		1	4	3								100%	0%
Chelsfield	4,392	3.20%	1		2	1	1	2	1					63%	38%
Chislehurst	6,268	4.60%	2	1	2	2	2	2	1					90%	10%
Clock House	7,467	5.50%		1	2	4	3					1		91%	9%
Crystal Palace & Anerley	5,682	4.20%	4	2										100%	0%
Darwin	2,287	1.70%	3											100%	0%
Farnborough & Crofton	7,053	5.20%	1	2	2	1	2	2	1					73%	27%
Hayes & Coney Hall	5,918	4.40%		3	3	1	1			2				80%	20%
Kelsey & Eden Park	5,994	4.40%		3	1	1	2	1	1					78%	22%
Mottingham	4,633	3.40%	1	1	1	2	1	1						86%	14%
Orpington	4,729	3.50%		3		2	2	1						88%	13%
Penge & Cator	8,405	6.20%	1	4	4	2	1							100%	0%
Petts Wood & Knoll	6,910	5.10%				1	3	3	1			1		44%	56%
Plaiستow	5,494	4.00%		2	1	2	1							100%	0%
Shortlands & Park Langley	6,703	4.90%		3	3	3								100%	0%
St Mary Cray	7,614	5.60%		3	5	1	2							100%	0%
St Paul's Cray	6,814	5.00%	3	3	4	1								100%	0%
West Wickham	5,709	4.20%		1	2	3	1	3						70%	30%

5.18 The Barriers to Housing and Services Domain measures the physical and financial accessibility of housing and local services. The indicators fall into 2 sub-domains: 'geographical barriers', which relate to the physical proximity of local services, and 'wider barriers' which includes issues relating to access to housing, such as affordability. The sub-domain indicators are:

- Road distance to a post office
- Road distance to a primary school
- Road distance to a general store or supermarket
- Road distance to a GP surgery
- Household overcrowding
- Homelessness
- Housing affordability

5.19 Data relating to crime and anti-social behaviour is obtained from SafeStats and Police.UK. The level of detail available does not provide address information so it is not possible to directly link incidents to specific properties, or tenure types, therefore, information on a Ward basis has been assessed.

5.20 Whilst reported crime increased across London by 6%, in Bromley it reduced by 2% in 2022/23 when compared to the previous year. Biggin Hill, Chelsfield, Farnborough & Crofton, Kelsey & Eden Park and Mottingham Wards saw increases in crime reporting, however, the Ward boundary changes, which took effect on 5 May 2022, means that data at Ward level cannot be accurately compared with the previous year. Bromley Town, St Paul's Cray and Penge & Cator Wards remain the areas with the highest numbers of crime allegations in Bromley. Information by Ward is shown in Appendix C.

5.21 Reported incidents of anti-social behaviour reduced by 16% in Bromley, however, the Ward boundary changes that took effect on 5 May 2022 mean that the data at

Ward level cannot be accurately compared to the previous year. Some wards, Biggin Hill, Chelsfield, Darwin and Kelsey & Eden Park Wards appear to have had increases. Although St Paul's Cray and Penge and Cator Wards had significant reductions in reported ASB, 15.8% and 22.4% respectively, they remain the areas with the highest number and rates per 1,000 population in Bromley. Information by Ward is shown in Appendix C.

- 5.22 Tenants, the Council, the Police and the Fire Brigade have a range of tools available to them should they need to address individual properties or landlords as stated in paragraph 3.13.

6.0 Conclusion

- 6.1 Privately rented properties account for 30% of homes in London, higher than the national average of just over 20%. In Bromley, properties rented through a private landlord or letting agency account for 15.8%. Three Wards, Beckenham Town & Copers Cope, Bromley Town and Crystal Palace and Anerley Ward, have levels of private rented sector properties that are over 30%.
- 6.2 Bromley remains an area with high demand for its properties, both for sale and rent. House sales in Bromley are higher than neighbouring outer London boroughs and the average price paid for a property in the 10th percentile, most affordable, was 7.7% higher than the next highest borough, Greenwich. The total number of properties sold in Bromley in the 12 months to March 2022 was 3.5% of the total properties available and there are low levels of properties being vacant for long periods of time.
- 6.3 Bromley had a net population decrease of 544 when considering international and domestic migration.
- 6.4 In 2022/23 Bromley Council received 111 complaints related to the private rented sector and 34 complaints related to HMO's or possible HMOs. This accounts for less than 1% of the available 21,415 privately rented properties. Most of the complaints relating to matters of disrepair, including mould and damp, however, there were no identified concentrations of complaints in particular areas.
- 6.5 The level of detail about crime allegations and ASB is not available to the Council to directly link them to specific properties or tenure types, therefore, information on a Ward basis has been assessed.
- 6.6 Whilst crime increased across London by 6%, in Bromley it reduced by 2% in 2022/23 when compared to the previous year. However, Biggin Hill, Chelsfield, Farnborough & Crofton, Kelsey & Eden Park and Mottingham Wards saw increases in crime reporting.
- 6.7 Reported incidents of anti-social behaviour in Bromley reduced by 16%. A small number of Wards, Biggin Hill, Chelsfield, Darwin and Kelsey & Eden Park, appear to have had an increased number of reported incidents when compared to the previous year, however, due to Ward boundary changes, which took effect on 5 May 2022, the data at Ward level cannot be accurately compared.
- 6.8 Fifty of the boroughs 191 Lower Super Output Areas (LSOAs) are in Deciles 1 to 5. St Paul's Cray Ward has the highest concentration of these, with no areas above

Decile 5. When focussing on the IMD Barriers to Housing domain St Paul's Cray remains the Ward with the highest concentration of LSOAs in the 50th percentile. Mottingham, St Mary Cray and Crystal Palace and Anerley Wards also have over 70% of their LSOAs in the 50th percentile.

- 6.9 Following a comprehensive review, members should note that currently Bromley does not meet the statutory tests for the introduction of an additional HMO Licensing scheme or a Private Rented Sector Selective Licensing scheme.

Appendix A - Definition of a House in Multiple Occupation (HMO)

A property is a HMO if one of the following applies:

- a) The property is a house or flat occupied as a main residence by three or more persons in two or more households (a household can be an individual, couple or family) where the toilet, bathroom or kitchen facilities are shared by the occupiers.
- b) The building has been converted into self-contained flats where one or more of the flats has its toilet, bathroom or kitchen facilities located outside the flat across a communal hall or landing.
- c) The building was converted into self-contained flats before 1991 (or after 1991 without Building Regulation Approval), is occupied as a main residence by three or more persons living in two or more of the flats and less than two thirds of the flats are owner-occupied.

Certain types of properties are not classed as HMOs for the purpose of the Housing Act 2004 (other than for the Housing Health and Safety Rating System) and, as a result, would not be subject to an Additional HMO licensing scheme. These properties are:

- Buildings owned or managed by a public body (such as the NHS or police), a local housing authority or a registered social landlord
- Student accommodation managed directly by an educational establishment
- Buildings which are already regulated (and where the description of the building is specified in regulations), such as care homes, bail hostels etc. Domestic refuges are not exempt.
- Certain buildings that are controlled or managed by a co-operative society
- Two persons – any building occupied by only two persons in two households
- Owner occupied buildings.
- A building where the residential accommodation is ancillary to the main use of the building, for example, religious buildings, conference centres etc.

All HMOs must comply with the local authority's adopted standards for HMOs and will require a licence if it is occupied by five or more persons from 2 or more households. A household can be an individual, couple or family.

APPENDIX B – All Rental Properties available on 22 September 2023

	BR1		BR2		BR3		BR4		BR5		BR6		BR7		BR8		DA14	
	Avail.	Ave. Rent																
Total properties for rent on 23/9/23	78		62		102		8		26		52		37		10		25	
Properties listed in the last 14 days	31		27		39		3		6		9		10		6		8	
Under £250	0		0		0		0		0		0		1		0		0	
rent £250 - £500 pcm	1		0		0		0		1		0		1		0		0	
rent £500 - £1,000 pcm	6		6		6		0		1		5		0		0		1	
rent £1,000 - £2,000 pcm	36		27		62		3		10		25		13		8		20	
rent £2,000 - £5,000 pcm	31		29		31		5		12		21		21		2		4	
rent over £5,000 pcm	5		0		3		0		2		1		1		0		0	
Property type - Room	7	£808	3	£1,227	7	£999	0	£0	2	£575	3	£900	0	£0	0	£0	1	£850
Property type - Flat	37	£1,972	25	£1,831	64	£1,856	3	£1,933	4	£1,363	19	£1,427	14	£1,832	1	£3,600	16	£1,517
Property type - House	30	£2,820	30	£2,525	28	£2,757	5	£2,540	18	£2,224	30	£2,597	20	£2,760	9	£1,828	5	£2,694
one bedroom properties	9	£1,350	6	£1,242	24	£1,438	0		4	£1,375	10	£1,309	7	£1,293	0	£0	7	£1,392
two bedroom properties	27	£1,936	17	£1,886	37	£1,831	1	£1,650	4	£1,525	11	£1,622	7	£2,071	1	£1,650	11	£1,557
three bedroom properties	16	£2,366	18	£2,328	13	£2,408	4	£2,150	5	£2,230	13	£2,165	10	£2,525	7	£1,771	3	£2,217
four bedroom properties	7	£2,979	11	£2,825	13	£2,915	3	£2,750	8	£2,648	10	£2,725	7	£2,771	2	£3,000	0	£0
five bedroom properties	8	£4,806	1	£4,000	2	£5,356	0	£0	0	£0	3	£2,900	3	£4,217	0	£0	2	£3,535

	CO0		CO3		CO6		SE9		SE12		SE19		SE20		SE26		TN14		TN16	
	Avail.	Ave. Rent																		
Total properties for rent on 23/9/23	417		34		14		46		38		83		42		76		20		24	
Properties listed in the last 14 days	163		11		7		6		12		21		10		18		7		6	
Under £250	2		0		0		0		0		0		0		0		0		0	
rent £250 - £500 pcm	2		1		0		1		0		0		0		0		2		1	
rent £500 - £1,000 pcm	41		3		0		2		0		1		1		5		3		5	
rent £1,000 - £2,000 pcm	246		19		5		22		15		40		31		29		6		11	
rent £2,000 - £5,000 pcm	114		10		7		20		23		41		9		31		9		6	
rent over £5,000 pcm	12		1		2		1		0		1		1		11		0		1	
Property type - Room	31	£762	2	£913	0	£0	2	£680	1	£1,400	1	£700	1	£775	8	£968	1	£450	0	£0
Property type - Flat	301	£1,989	17	£1,654	7	£1,984	21	£2,304	17	£1,857	58	£2,082	34	£1,917	43	£2,864	7	£1,461	3	£2,058
Property type - House	69	£2,288	14	£2,816	6	£4,324	21	£2,215	19	£2,789	22	£3,214	4	£2,906	25	£3,992	11	£2,713	9	£2,538
one bedroom properties	123	£1,453	6	£1,924	0	£0	4	£1,500	5	£1,460	14	£1,636	12	£1,469	8	£1,494	3	£1,450	4	£1,063
two bedroom properties	138	£1,987	12	£1,573	7	£2,147	13	£1,643	12	£1,843	40	£2,278	16	£1,929	21	£2,405	6	£1,648	4	£2,556
three bedroom properties	63	£2,591	5	£2,240	2	£2,125	16	£2,330	9	£2,294	9	£2,250	4	£3,861	23	£3,312	1	£3,100	1	£1,750
four bedroom properties	24	£2,905	0	£0	2	£4,498	4	£4,138	5	£3,160	13	£3,262	3	£3,400	15	£5,523	1	£2,650	3	£4,265
five bedroom properties	6	£3,717	7	£3,553	2	£4,400	1	£1,650	5	£3,350	4	£4,575	0	£0	0	£0	5	£4,000	0	£0

Evidence Analysis - Ward Profile

Ward Name	Total Number of Residential Properties (Census 2021)		MHCL/DLUCH								Census 2021								Electoral Data					Council HMO Register			Complaints to the Council		Police.UK										
			Index of Deprivation 2019								Private Rented				Social Rented				Number of Properties by Number of Adult Tenants Registered to Vote					HMO Register	HMO Applications (in process)		Issue raised by HMO Tenant	Issue raised by community	ASB Reports			Allegations Other Crimes							
			Deciles								Other private rented		Private landlord or letting agency		Rents from Council or other LA		Other Social Rented																						
			No.	%	1	2	3	4	5	6	7	8	9	10	No.	%	No.	%	No.	%	No.	%	5	6	7	8	9	10<	Renewal	New			21/22	22/23	% Change	21/22	22/23	% Change	
Beckenham Town and Copers Cope	8,019	5.9%		1					1	2	4		200	2.49%	2474	30.85%	55	0.69%	631	7.87%	26	3	1	3	0	0	10	0	1			3	0	531	324	-39.00%	1630	1346	-17.40%
Bickley and Sundridge	7,149	5.3%				1	1	1	4	3	1	96	1.34%	1098	15.36%	30	0.42%	515	7.20%	71	16	3	3	0	1	9	2	1			1	0	265	238	-10.20%	1086	1026	-5.50%	
Biggin Hill	4,285	3.2%						1	1	4		56	1.31%	294	6.86%	22	0.51%	181	4.22%	52	9	1	0	0	0	9	0	3			2	0	115	136	18.30%	611	666	9.00%	
Bromley Common and Holwood	7,589	5.6%	1			2	1	1	3	1		117	1.54%	1073	14.14%	133	1.75%	945	12.45%	68	10	2	0	0	1	15	0	4			2	0	308	290	-5.80%	1383	1340	-3.10%	
Bromley Town	6,718	4.9%				1	1	2	2	1		170	2.53%	2022	30.10%	53	0.79%	583	8.68%	45	10	2	0	0	0	18	2	1			1	0	2	467	382	-18.20%	3237	3227	-0.30%
Chelsfield	4,392	3.2%					1	2	1	2	2	61	1.39%	393	8.95%	21	0.48%	222	5.05%	60	7	1	2	1	0	4	0	1			2	0	110	134	21.80%	513	525	2.30%	
Chislehurst	6,268	4.6%			1				3	5	1	120	1.91%	825	13.16%	30	0.48%	417	6.65%	54	5	3	1	0	0	6	0	0			0	0	370	250	-32.40%	1136	1043	-8.20%	
Clock House	7,467	5.5%				1	3	2	3	1	1	115	1.54%	1483	19.86%	91	1.22%	781	10.46%	38	7	1	0	0	0	20	2	7			1	0	227	211	-7.00%	1067	948	-11.20%	
Crystal Palace and Anerley	5,682	4.2%	2	2		1						98	1.72%	1741	30.64%	204	3.59%	1466	25.80%	29	8	1	0	1	0	5	1	3			0	0	463	406	-12.30%	1587	1526	-3.80%	
Darwin	2,287	1.7%				1			2			67	2.93%	181	7.91%	14	0.61%	99	4.33%	23	10	1	2	1	1	2	0	0			0	0	75	96	28.00%	384	322	-16.10%	
Farnborough and Crofton	7,053	5.2%		1						4	6	91	1.29%	544	7.71%	32	0.45%	548	7.77%	71	10	4	0	0	0	5	0	0			0	0	1	174	169	-2.90%	848	903	6.50%
Hayes and Coney Hall	5,918	4.4%						1	2	3	4	69	1.17%	439	7.42%	14	0.24%	206	3.48%	83	14	2	0	0	0	1	0	1			0	0	200	127	-36.50%	876	853	-2.60%	
Kelsey and Eden Park	5,994	4.4%			1				1	1	4	2	103	1.72%	668	11.14%	40	0.67%	500	8.34%	84	10	2	1	1	0	6	2	1			1	0	218	258	18.30%	1452	1505	3.70%
Mottingham Ward	4,633	3.4%	1	1	2	1		1	1			101	2.18%	658	14.20%	179	3.86%	1109	23.94%	36	3	3	2	1	0	10	0	10			0	0	286	244	-14.70%	1008	1072	6.30%	
Orpington	4,729	3.5%	1		1	1		1	2		2	65	1.37%	492	10.40%	103	2.18%	647	13.68%	40	6	4	1	0	0	11	0	5			0	2	431	370	-14.20%	1542	1469	-4.70%	
Penge and Cator	8,405	6.2%	1	2	2	4	1	1	1			145	1.73%	1867	22.21%	322	3.83%	2053	24.43%	70	9	3	0	0	0	25	0	4			2	2	625	485	-22.40%	2483	2422	-2.50%	
Petts Wood and Knoll	6,910	5.1%							1	2	6	89	1.29%	746	10.80%	31	0.45%	229	3.31%	65	8	2	0	0	0	6	0	0			2	0	181	130	-28.20%	676	641	-5.20%	
Plaistow	5,494	4.0%			1			1	4			90	1.64%	913	16.62%	80	1.46%	803	14.62%	50	12	0	0	1	0	20	2	1			0	0	166	159	-4.20%	955	869	-9.00%	
Shortlands and Park Langley	6,703	4.9%							1	1	4	3	109	1.63%	1368	20.41%	47	0.70%	367	5.48%	75	10	2	1	0	1	14	0	0			1	1	273	220	-19.40%	1520	1282	-15.70%
St Mary Cray	7,614	5.6%	2	1	2	1	3	2				112	1.47%	885	11.62%	220	2.89%	1393	18.30%	61	10	2	0	1	0	41	1	13			2	1	401	338	-15.70%	1845	1410	-23.60%	
St Paul's Cray	6,814	5.0%	4	3	2	2						93	1.36%	724	10.63%	355	5.21%	1889	27.72%	59	12	2	1	1	1	39	0	15			3	1	577	486	-15.80%	2623	2575	-1.80%	
West Wickham	5,709	4.2%							2	2	6	78	1.37%	527	9.23%	17	0.30%	252	4.41%	70	13	1	1	1	0	1	0	0			1	0	154	90	-41.60%	721	642	-11.00%	
	135,832	100%										2245	1.65%	21415	15.77%	2093	1.54%	15836	11.66%	1,230	202	43	18	9	5	277	12	71											

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Report No.
ES20317

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker:

**PUBLIC PROTECTION & ENFORCEMENT PDS
COMMITTEE
ENVIRONMENT & COMMUNITY SERVICES PDS
COMMITTEE**

Date: PP&E PDS Committee on Tuesday 14th November 2023

ECS PDS Committee on Thursday 16th November 2023

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

Title: **FLY-TIPPING ACTION PLAN UPDATE (And Fixed Penalty
Notice Charges)**

Contact Officer: Dean Laws, Environmental Investigation Manager

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

Ward: All

1. REASON FOR REPORT

- 1.1 This update report details actions that have been undertaken by Neighbourhood Management since the last annual Fly-tipping Action Plan update.
 - 1.2 This report is being presented to the PPE PDS Committee Meeting to review recent enforcement activities.
-

2. RECOMMENDATION(S)

- 2.1 That Members note and comment on the content of the Fly-Tipping Action Plan, suggesting future activities for consideration by the Fly-Tipping and Enforcement Working Group where applicable.
- 2.2 That the Portfolio Holder be recommended to agree the updated fixed penalty charge amounts.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The reduction of fly-tipping and other associated Enviro-Crime will lead to a positive impact for all service users and has no specific impact on vulnerable adults and children.
-

Corporate Policy

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

Financial

1. Cost of proposal: £250k
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Earmarked Reserve for Members' Initiatives – Fly-tipping and Enviro-crime
 4. Total current budget for this head: n/a
 5. Source of funding: Earmarked Reserves
-

Personnel

1. Number of staff (current and additional): 4
 2. If from existing staff resources, number of staff hours: 144
-

Legal

1. Legal Requirement: A fixed penalty notice may be issued for certain offences. The notice must require payment of a specific amount and the amount must be between the prescribed minimum and maximum. The Council must therefore set the amount.
 2. Call-in: Not Applicable
-

Procurement

1. Summary of Procurement Implications: Procurement of prevention measures and environmental campaign activity will be in line with Contract Procedure Rules and Financial Regulations. Where highway related works cannot be procured through the existing Highways Maintenance contract, these projects will be procured through a mini-competitive tender exercise.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Local residents and visitors
-

Ward Councillor Views

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

3. UPDATE

- 3.1 As part of the Council's Public Protection and Enforcement Portfolio Plan 2023/24, there is a commitment to keeping the borough's streets clean and green and to reduce litter, dog fouling and fly-tipping through programmed contracted works, education and enforcement activity. Targets have been set to reduce the number of fly-tipping incidents in the borough to less than 3000 per annum.
- 3.2 Review of reports received has led to a new focus on targeting hotspots utilizing CCTV. In the past 12 months the Environmental Investigation Team have deployed CCTV at seven locations, securing vital evidence against individuals who choose to fly-tip within the Borough
- 3.3 Details of all vehicles linked to fly-tipping have been shared with neighbouring authorities via Intelligence Reports, allowing legitimate sharing of information between local authorities. This process has led to the receipt of information from colleagues at other authorities that has assisted in effective targeting of several individuals
- 3.4 An example of this approach occurred following receipt of intelligence from colleagues at Sevenoaks District Council and Kent County Council which showed that an area within St Mary Cray was suffering from large deposits of waste blocking country lanes, which was on the border with Sevenoaks who were also seeing a similar issue.
 - Due to a review of this information a cross-border project was agreed, resulting in the creation of 'Operation Terminus'. From October 2022 until January 2023 CCTV cameras were deployed by Kent County Council at locations across the target area which secured vital CCTV evidence that led to a successful prosecution at Bromley Magistrates Court on Thursday 7th September 2023.
- 3.5 On Thursday 7th September 2023 a trial was heard at Bromley Magistrates Court. The case was built entirely on circumstantial evidence relating to deposits at East Hall Road on Tuesday 1st November 2022 and Thursday 8th December 2022. The main evidence used at trial was secured by CCTV which was deployed at East Hall Road by Kent County Council; this was further supported by CCTV from a local store and evidence found within the first fly-tip. The case against the defendant was proved with sentencing adjourned until Wednesday 11th October 2023 whereby the defendant was sentenced to pay a fine of £2,640, victim surcharge of £374.32, compensation for clearance of £681.68, forfeiture of vehicle used in the offence and a Criminal Behaviour Order.
- 3.6 The forfeited vehicle will be sent to auction and revenue generated from the sale will be used to purchase further resources to support the Enviro-crime team's work, investigating fly-tipping offences within the borough.
- 3.7 The Member's Fly-Tipping initiative fund was used to procure Artificial Intelligence (AI) cameras for use in an urban setting and covert cameras for deployment in rural settings. The AI cameras have been deployed at Chislehurst High Street public car park and Oast House Way, St Mary Cray since July 2023. The AI CCTV continually scans landscape, and reports any significant change direct to officers who can review images for potential fly-tipping. This CCTV equipment captured footage of fly-tipping at Chislehurst recycling site on Monday 4th September 2023 which resulted in the seizure of a 3.5 tonne Luton van on Sunday 24th September 2023. A case file is being prepared ready to lay charges at Magistrates Court.
- 3.8 Since September 2022 the team have secured the following enforcement outcomes
 - 13 Verbal Warnings

- 15 Warning Letters
- 83 Community Protection Warnings
- 14 Formal Notices
- 88 Fixed Penalty notices (43 litter FPNs served for low level fly-tip, 24 Duty of Care for waste FPNs, 21 fly-tipping FPNs)
- 8 Vehicle Seizures
- 4 Simple Cautions
- 22 Successful Prosecutions

3.9 As way of comparison the team secured the following enforcement action between 1st September 2021 – 31st August 2022

- 34 Warning Letters
- 6 Formal Notices
- 13 Fixed Penalty Notices (9 litter FPNs served for low level fly-tip, 4 fly-tipping FPNs)
- 2 Vehicle Seizures

4. PENALTY NOTICE CHARGES

4.1 On Friday 7th July 2023, The Government announced details of changes to the upper limit fines for Fixed Penalty Notice levies, with the following changes introduced under the Anti-Social Behaviour Action Plan:

- The maximum amount those caught fly-tipping could be fined will increase from £400 to £1,000
- The maximum amount those who litter, or graffiti could be fined will increase from £150 to £500
- The maximum amount those who breach their household waste duty of care could be fined will increase from £400 to £600

4.2 At present Fixed Penalty Notice fines are set as:

- S87 Environmental Protection Act 1990 Litter £80
- S33 Environmental Protection Act 1990 Fly-tip £400
- S34 Environmental Protection Act 1990 Householder Duty Of Care £200
- S34 Environmental Protection Act 1990 Business Duty Of Care £300 reduced to £180 if paid within 10 days

4.3 Delegated authority is sought from the Public Protection and Enforcement Portfolio Holder to agree the amount payable for each notice to:

- S87 Environmental Protection Act 1990 Litter increase to £100
- S33 Environmental Protection Act 1990 fly-tip increase max penalty to: £1000 tipper load of waste, £800 small van load of waste, £600 car full of waste, £400 boot full of waste and £200 bulky item
- S34 Environmental Protection Act 1990 Householder Duty Of Care £200: no change
- S34 Environmental Protection Act 1990 Business Duty Of Care £300: remove the discount payment only

4.4 The proposed changes provide a sliding scale of enforcement fitting with each individual offence. Change to s33 Environmental Protection Act 1990 removes the 14 days of payment so

it is proposed that the payment timeframe should change to 28 days payment for all FPNs issues under this section.

- 4.5 A Contract Change Notice has been applied to the Parking Services contract held with APCOA. This change has resulted in the creation of a new team within the contract whose focus will be enforcing against littering, Duty of Care, Dog Control and Duty of Care offences. The team will consist of 1 Admin Officer, 1 Senior Neighbourhood Enforcement Officer and 2 Neighbourhood Enforcement Officers. Mobilisation is ongoing with planned commencement of contracted work from late November 2023, which will provide additional frontline officers with delegated authority to issue FPNs on the Council's behalf for enviro-crime offences.

5. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 5.1 The removal and reduction of fly-tipping waste and other associated enviro-crime will lead to a positive impact for all service users and has no specific impact on vulnerable adults and children.
- 5.2 It is necessary to have due regard to the Public Sector Equality Duty (PSED), which sets out the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity, and to foster good relations between people who share a protected characteristic and people who do not share it.
- 5.3 Some individuals may find it more difficult to pay the increased amount of a fixed penalty notice. Some of those people may have protected characteristics (e.g. the young, who may be less likely to have savings and who may be less likely to be in employment due to being in full-time education). As detailed in section 3.9 above, issuing a fixed penalty notice is only one of several outcomes available. Fixed penalty notices are also not targeted at offenders with certain protected characteristics.
- 5.4 As a consequence it is not anticipated that updating the amounts would adversely affect any of the PSED objectives.

6. POLICY IMPLICATIONS

- 6.1 The Corporate Strategy "Making Bromley Even Better" 2021-2031 provides three objectives for the service to meet under Aim 4 "For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future".
- Progress our broader community safety and public protection goals, including tackling nuisance behavior such as noise, fly-tipping and graffiti
 - Sustain a clean, green and tidy environment continuing to improve the street scene across the borough and town centres' for our residents and visitors
 - Protect and improve the environment through effective and responsible enforcement addressing issues, including environmental protection, pollution, planning and parking enforcement

7. FINANCIAL IMPLICATIONS

- 7.1 The annual cost of fly-tip removal is a fixed price sum which is included as part of the Veolia Street Environment Contract, which commenced in April 2019. The set fee is regardless of

quantities and, based on fly-tips cleared to date, is in line with Defra benchmarked costs for other local authorities.

- 7.2 The disposal of the fly-tipped waste is undertaken through the Veolia Waste Disposal Contract via the Council's Waste Transfer Station's. Costs of disposal have been benchmarked and are also in line with the Defra figures.
- 7.3 Activities set out within the Fly-Tipping Action Plan (unless otherwise stated) are funded through the Members' Fly-Tipping Initiative Fund. The fund initially totalled £250k and at the time of writing this report, £155,000 had been spent, with a further £12,135 committed.
- 7.4 There is a remainder of £95,000 within the Members' fund. Future expenditure will be reviewed and prioritised by the Working Group in consultation with the Portfolio Holder for Environment, and Members, with full consideration given according to the impact they are likely to have on preventing and reducing fly-tipping in the borough. Alternative funding will need to be identified for any schemes that cannot be funded through the Fly-tipping Initiative Fund. The financial impact of this cannot be determined at this time.
- 7.5 Under the current Defra guidelines for fixed penalty notices, all generated income must be ring-fenced for enforcement initiatives and in the first instance it is proposed that any sums recovered would be used to procure new equipment/resource to support Bromley's action against fly-tippers.

8. LEGAL IMPLICATIONS

- 8.1 Fly-tipping is defined as the deposit of waste on land otherwise in accordance with an environmental permit, contrary to Section 33(1)(a) of the Environmental Protection Act 1990.
- 8.2 It is a criminal activity which carries a fine of up to £50,000 and/or 12 months' imprisonment upon summary conviction at the Magistrates Court; if indicted to the Crown Court the fine is unlimited and/or a sentence of up to 5 years' imprisonment can be imposed. If a fixed penalty notice is issued and paid in full and in time, the offender can no longer be prosecuted. It is therefore an alternative to taking people to court for generally low-level cases.

9. PROCUREMENT IMPLICATIONS

- 9.1 The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content

10. CUSTOMER IMPACT

- 10.1 Ongoing engagement and enforcement projects will help reduce litter and waste accumulations within the Borough, in line with the ambitions as detailed in section 6.1 above

Non-Applicable Sections:	Personnel, Transformation/Policy Implications, Carbon Reduction/Social Value Implications, Property Implications
Background Documents: (Access via Contact Officer)	Making Bromley Even Better

Report No.
ES20310

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE**

Date: **Tuesday 14th November 2023**

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

Title: **PP&E Contract Register**

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

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

Ward: All Wards

1. Reason for report

- 1.1 This report presents an extract from September 2023's Contracts Register of contracts with a whole life value of £50k or higher, for detailed scrutiny by PDS Committee – all PDS committees will receive a similar report each contract reporting cycle, based on data as at 30th August 2023 and presented to ER&C PDS on 18th September 2023.
- 1.2 The Contracts Register contained in 'Part 2' of this agenda includes a commentary on each contract to inform Members of any issues or developments. A covering report will also be included where additional commentary is required.
-

2. **RECOMMENDATIONS**

That the Public Protection and Enforcement PDS Committee:

- 2.1 Reviews and comments on the Contracts Register as at 30th August 2023.
- 2.2 Note that in Part 2 of this agenda the Contracts Register contains additional, potentially commercially sensitive, information in its commentary.

Impact on Vulnerable Adults and Children

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

Corporate Policy

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

Financial

1. Cost of proposal: - N/A
 2. Ongoing costs: - N/A
 3. Budget head/performance centre: Public Protection and Enforcement Portfolio
 4. Total current budget for this head: £4.2m
 5. Source of funding: Existing controllable revenue budget 2023/24
-

Personnel

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

Legal

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

Procurement

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

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Contracts Register Background

- 3.1 The Contracts Database is fully utilised by all Contract Managers across the Council as part of their Contract Management responsibilities, which includes the updating the information recorded on the database. The Register is generated from the Contracts Database which is administered by Corporate Procurement and populated by the relevant service managers (Contract Owners) and approved by their managers (Contract Approvers).
- 3.2 As a Commissioning Council, this information is vital to facilitate a full understanding of the Council's procurement activity and the Contracts Registers is a key tool used by Contract Managers as part of their daily contract responsibilities. The Contract Registers are reviewed by the Procurement Board, Chief Officers and the Corporate Leadership Team.
- 3.3 The Contracts Register is produced four times a year for members and is a 'snapshot' at the time of each report – though the CDB itself is always 'live'. The quarterly reporting cycle is based on the Executive, Resources and Contracts PDS timetable with reports for each Portfolio prepared and distributed at the same time. There may be a timelag between the quarterly reporting cycle and the next available date of the relevant Policy, Development and Scrutiny Committee for each Portfolio. Report authors for each Portfolio have the opportunity to provide updates on any contracts through the accompanying Part 2 report.
- 3.4 Each PDS committee is expected to undertake detailed scrutiny of its contracts – including scrutinising suppliers – and hold the Portfolio Holder to account on service quality and procurement arrangements.

Contract Register Summary

- 3.5 The Council has 235 active contracts across all Portfolios as of 30th August 2023 for the September 2023 reporting cycle as set out in Appendix 1.
- 3.6 The summary for the Public Protection and Enforcement Portfolio is as follows:

Item	Category	February 2023	May 2023	September 2023
Total Contracts	£50k+	8	8	9
Concern Flag	Concern Flag	0	0	0
Risk Index	Higher Risk	3	2	2
	Lower Risk	5	6	7
Procurement Status for Contracts approaching end date	Red	0	0	0
	Amber	1	0	0
	Green	4	3	3
	Neutral	3	5	6

4. IMPACT ON VULNERABLE ADULTS & CHILDREN

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

5. POLICY IMPLICATIONS

- 5.1 The Council's renewed ambition is set out in [Making Bromley Even Better 2021 - 2031](#) and the Contracts Database (and Contract Registers) help in delivering the aims (especially in delivering Ambition Five – Resources & Efficiencies). For Ambition Five, this activity specifically helps by supporting 'robust and active contract management'.

6. PROCUREMENT IMPLICATIONS

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

7. FINANCIAL IMPLICATIONS

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

8. PERSONNEL IMPLICATIONS

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

9. LEGAL IMPLICATIONS

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

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

Appendix 1 Key Data (All Portfolios)

Item	Category	February 2023	May 2023	September 2023
Contracts (>£50k TCV)	All Portfolios	246	231	235
Flagged as a concern	All Portfolios	1	2	2
Portfolio	Executive, Resources and Contracts	88	79	76
	Adult Care and Health	49	47	48
	Environment and Community Services	23	22	23
	Children, Education and Families	45	40	39
	Renewal and Recreation and Housing	38	35	40
	Public Protection and Enforcement	8	8	9
Risk Index	Higher Risk	74	69	84
	Lower Risk	172	162	151
Procurement Status for Contracts approaching end date	Red	1	2	2
	Amber	18	11	14
	Green	78	73	73
	Neutral	149	145	146

Appendix 2 - Contracts Register Key and Background Information

Contract Register Key

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

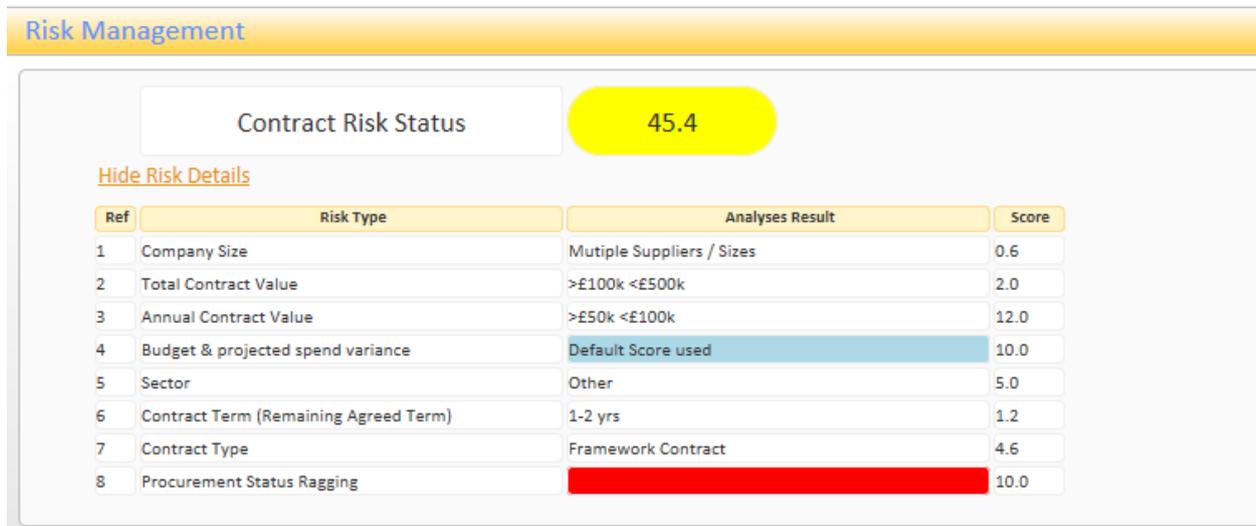
Register Category	Explanation
Risk Index	Colour-Ranking system reflecting eight automatically scored and weighted criteria providing a score (out of 100) reflecting the contract's intrinsic risk – reported as either Higher Risk or Lower Risk
Contract ID	Unique reference used in contract authorisations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

Contract Register Order

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

Risk Index

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



Procurement Status

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

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Report No.
ES20313

London Borough of Bromley

PART ONE - PUBLIC

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

Date: Tuesday 14th November 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: £4.2m
 5. Source of funding: Existing controllable revenue budget 2023/24
-

Personnel

1. Number of staff (current and additional): 47.3 FTE
 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 (now Audit and Risk Management 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 27th September 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 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).

- 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 September 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.

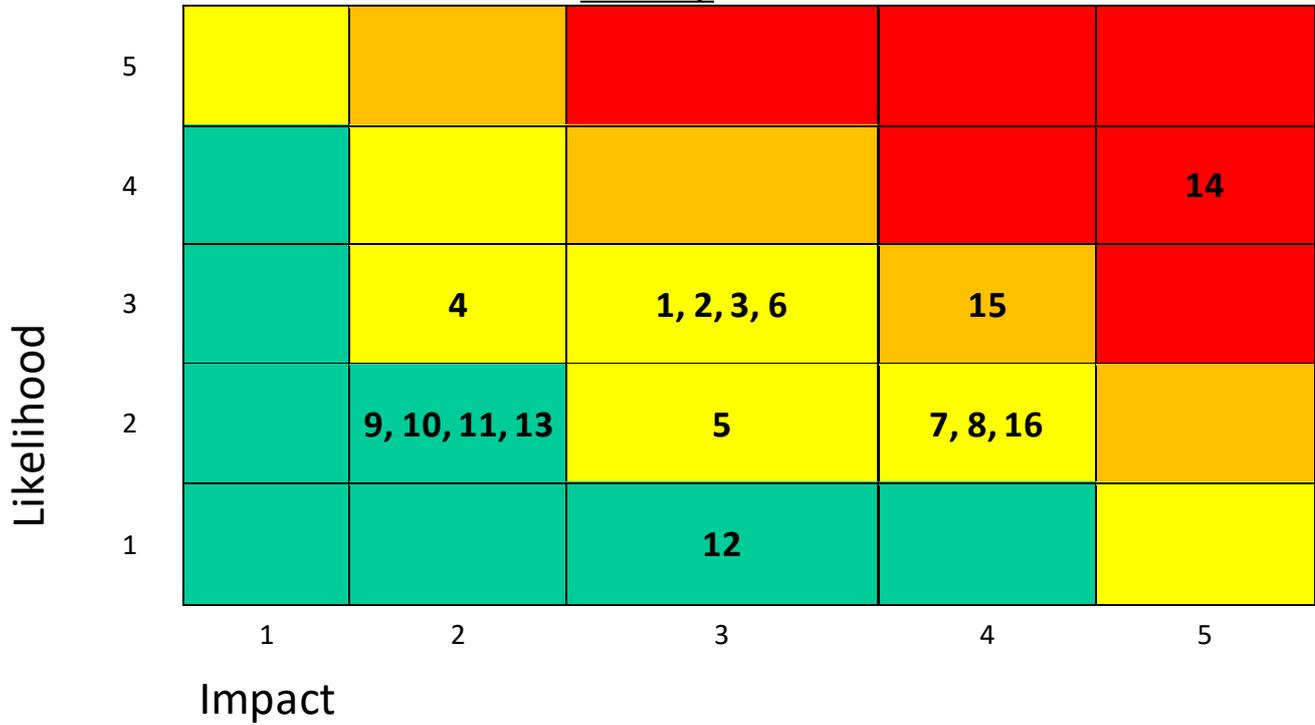
Non-Applicable Headings:	None
Background Documents: (Access via Contact Officer)	None

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.
CSD23141

London Borough of Bromley

PART ONE - PUBLIC

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

Date: 14th November 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: This report does not involve and Executive Decision
-

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
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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
Presentation from 'Change, Grow, Live'. (Formerly BDAS)
London Fire Brigade – Annual Update – New Fire Safety Plan
Portfolio Holder Update
PPE Performance Overview
Budget Monitoring
HMO Licensing Options Appraisal
Fly-Tipping Action Plan
Risk Register Update
Contracts Register
Scrutiny of the Safer Bromley Partnership and previous SBP Minutes
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
Update on progress with the provision of OOH Noise Services
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
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.
POSSIBLE FUTURE VISITS
Bethlem Hospital

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