

Decision Maker: Public Protection and Safety PDS Committee

Date: 5 November 2013

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

Title: PORTFOLIO PLAN UPDATE AND ENFORCEMENT ACTIVITY –
APRIL 2013-SEPT 2013

Contact Officer: Clive Davison, Assistant Director Public Protection
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Chief Officer: Nigel Davies, Executive Director of Environment and Community Services

Ward: All wards

1. Reason for report

To advise Members of the activity undertaken by the Public Protection Division during the periods 1 April 2013 to 30 September 2013 relating to the annual Portfolio Plan and enforcement under delegated powers.

2. **RECOMMENDATION(S)**

Members are asked to:

2.1 Comment on the contents of this report;

2.2 Agree to receive further reports, every six months, on the activity relating to the Portfolio Plan and enforcement under delegated powers.

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Quality Environment Safer Bromley Vibrant, Thriving Town Centres
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Financial

1. Cost of proposal: See total budget – all services have an enforcement element
 2. Ongoing costs: Recurring Cost
 3. Budget head/performance centre: Public Protection and Safety Portfolio Budgets
 4. Total current budget for this head: £3.261m
 5. Source of funding: Existing controllable revenue budgets 2013/14
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Staff

1. Number of staff (current and additional): 59ftes
 2. If from existing staff resources, number of staff hours: Not applicable
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Legal

1. Legal Requirement: Statutory Requirement. Numerous statutes covering Public Health and Safety, Environmental Protection, Licensing, Consumer Protection, Anti-Social Behaviour, Food Safety and Control of Communicable Disease, etc.
 2. Call-in: Not Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All of the Council's customers (including Council tax payers) and users of the service.
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Ward Councillor Views

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

3. COMMENTARY

- 3.1 At the meeting of the Public Protection and Safety, Policy Development and Scrutiny Committee on 15 November 2007 Members agreed they should receive reports of the enforcement activity undertaken by the Public Protection division on a six-monthly basis. On 22 October 2010 the Portfolio Holder of the Public Protection and Safety, Policy Development and Scrutiny Committee requested that this report should also include an update of Portfolio Plan activity.
- 3.2 The enforcement activity for the period 1 April 2013 to 30 September 2013 is set out in Appendix A to this report. This covers Public Protection enforcement (i.e. Environmental Protection, Food Safety, Public Health and Safety, Licensing, Trading Standards and Anti-Social Behaviour).
- 3.3 The Public Protection and Safety Portfolio Plan activity between 1 April 2013 and 30 September 2013 is set out in Appendix B to this report.

4. POLICY IMPLICATIONS

- 4.1 Enforcement activity is undertaken in accordance with the agreed Enforcement Policy:
 - a. The Public Protection Division undertakes its regulatory functions in accordance with risk assessment criteria, ensuring that service resources are focused upon those activities or practices that present the greatest risk to public health, safety or potential economic loss to the customer.
 - b. Consistency of approach aims to ensure that officers are consistent in the exercise of their discretion to achieve similar ends in similar circumstances, irrespective of which officer deals with the matter.
 - c. It is important to the service that people understand what is expected of them and what they should expect from the Council. This includes making it clear between statutory requirements (what they have to do) and, where relevant, what they do not have to do (advice or guidance on good practice).
 - d. Where enforcement action is necessary, officers will take appropriate action dependent upon the seriousness of any breach of the law. The action that they take will be proportionate to the seriousness of any breach of the law relating to the health, safety, quality of life or economic position of the local and business community.

5. FINANCIAL IMPLICATIONS

- 5.1 All enforcement activity is undertaken within existing resources and agreed grant allocation.

6. PERSONNEL IMPLICATIONS

- 6.1 All enforcement activity is undertaken within existing resources and agreed grant allocation.

Non-Applicable Sections:	Legal Implications
Background Documents: (Access via Contact Officer)	Not applicable