

PUBLIC PROTECTION AND SAFETY POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 29 June 2017

Present:

Councillor Alexa Michael (Chairman)
Councillor Chris Pierce (Vice-Chairman)
Councillors Julian Benington, Kim Botting FRSA,
David Cartwright QFSM, Mary Cooke, Ian Dunn,
Hannah Gray and Tom Philpott

Robert Atkin, Terry Belcher and Dr Robert Hadley

Also Present:

Sharon Baldwin, Nigel Davies, Chris Hafford, Dan Jones,
Paul Lehane, Councillor Kate Lymer, Jim McGowan and
Rob Vale, David House, Karen Ryan, Kasia Filipek

STANDARD ITEMS

149 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Katie Bacon and Alf Kennedy. Mr David House attended as a substitute for Mr Kennedy. Councillor Richard Williams sent apologies and Councillor Ian Dunn attended as substitute.

Apologies were also received from Emily Warnham.

150 DECLARATIONS OF INTEREST

There were no declarations of interest.

151 QUESTIONS TO THE CHAIRMAN AND COMMITTEE FROM COUNCILLORS AND MEMBERS OF THE PUBLIC

No questions were received from Councillors or Members of the Public for the Chairman.

152 MINUTES OF THE PUBLIC PROTECTION AND SAFETY PDS COMMITTEE MEETING HELD ON 29th MARCH 2017

The Committee considered the minutes of the meeting of the Public Protection and Safety PDS Committee held on 29th March 2017.

RESOLVED that the minutes of the meeting held on 29th March 2017 be agreed and signed as a correct record.

153 CO-OPTED MEMBERS FOR APPOINTMENT AND RE-APPOINTMENT--2017-2018

CSD 17084

Members considered the nominations for the appointment of new co-opted members, and for the re-appointment of existing co-opted members. The Chairman asked Mr Atkin to say a few words about himself and what he hoped to achieve on the Committee. Mr Atkin duly did so.

RESOLVED

(1) That Mr Terry Belcher, Mr Alfred Kennedy, Miss Katie Bacon and Dr Robert Hadley be re-appointed as non-voting co-opted members

(2) That Mr Robert Atkin and Miss Emily Warnham be appointed as non-voting co-opted members.

154 MATTERS ARISING

CSD 17083

Minute 142 on the Matters Arising report referenced the work of Resilience and Corporate Safety. Members were informed that there would be a full review of Emergency Planning Services.

RESOLVED that the Matters Arising report be noted.

155 CHAIRMAN'S UPDATE

The Chairman informed the Committee that she had recently met with officers to discuss the forward work programme for the Public Protection and Safety PDS Committee.

156 POLICE UPDATE

The Borough Police Commander updated the Committee as follows:

The response to I calls (those requiring a 15 minute response time) was running at 89%.

The response to S calls (requiring a response within 60 minutes) was running at 83%.

The number of ASB related calls had increased by 17%.

The Chairman explained that the main focus of the Police Update would be knife crimes in the Bromley Borough. Members would be able to ask questions on other crime-related matters afterwards.

The Borough Commander updated the Committee with respect to gang and knife crime. In the rolling 12 months, there had been an increase in knife crime offenses from 162 to 314. There did not appear to be a specific area where the offences took place; they occurred in different locations at various times. The offences had peaked in February, but had subsided in the last four months. Proactive operations had been undertaken to combat knife crime.

The Borough Commander commented that previously, there had been a move away from stop and search operations. He expressed the view that this should be changed and that stop and search operations should be increased. He stated that his officers were undertaking daily weapon sweeps. It was noted that the new Mayoral Strategy pertaining to knife crime had recently been published, and the link had been emailed to all councillors.

The Committee heard that two main gangs operated in Bromley, and that 30-40 gang nominals had been identified. Operations had recently been undertaken in Penge, and 30 stop and searches had been carried out—this had resulted in 8 arrests. The main areas for gang and knife crime currently, appeared to be Penge, Cator and Crystal Palace. Bromley Police had contributed to Operation Sceptre, and were also involved in presentations at schools.

The Vice Chairman enquired if a knife amnesty was still in force. The Borough Commander informed that there was a weapons bin outside of Bromley Police Station, and three weapons a week on average were deposited in it.

Councillor Kim Botting noted that knife crime had increased by 80% and expressed concern that aligning with Croydon and Sutton in a BCU (Basic Command Unit) would only make matters worse. The Borough Commander stated that no final decision on BCUs had been taken. It was also the case that the success or otherwise of the two BCU pathfinder sites would need evaluation. The final decisions regarding BCUs would be undertaken by the London Mayor and by the Police Commissioner. The Borough Commander pointed out that all of the surrounding boroughs (except for Bexley) had bigger gang problems than Bromley. Councillor Botting felt that representations should be continued to prevent a BCU alignment with Croydon.

Councillor David Cartwright commented that the newly published Knife Crime Strategy was good, but that it did not appear to have any targets. The Borough Commander confirmed that this was the case, but that nevertheless it would require the allocation of additional resources. It was also the case that other crimes were increasing, and that extra resources were having to be allocated to deal with other matters such as safeguarding. Councillor Cartwright wondered how the police could be held accountable for implementing the Knife Crime Strategy without targets.

The Borough Commander responded that when targets were applied to MOPAC 7, there was criticism of this, and so it was difficult to get the balance right.

Councillor Mary Cooke asked for an explanation as to what was classed as 'knife crime' and what the age range was of those involved. The Borough Commander answered that the main age range was 13-25, and that the definition of knife crime was any crime where a knife or bladed instrument was used.

Councillor Hannah Gray referred to question 2 for the Portfolio Holder. The question asked for data around the number of knife related robberies and possession of a bladed article offences in Bromley since March 1st 2017. She also asked for an explanation concerning outcomes subsequent to arrest, and asked how this trend could be stopped.

The Borough Commander responded that as much prevention and education work in schools should be undertaken, and that the number of weapons searches was increasing. Seventeen individuals had been charged with carrying knives or bladed articles, and 12 individuals had been charged with robbery offences.

The Borough Commander declared that it was the aim of the Police that as far as possible offenders received custodial sentences. However, he expressed the view that this was not the case with other partner agencies; they seemed to operate with KPIs aimed at keeping young people out of the criminal justice system. The Borough Commander cited a gang related incident that had taken place recently in MacDonald's Penge, and had involved youths from Lewisham. This was a serious and frightening incident where a machete and a very long knife were used. However, there was no application from the Youth Offending Service for a custodial sentence. An incident had occurred on the evening before the PPS/PDS meeting--also in Penge. The Police were looking for a robber when two unarmed officers were threatened by a young person brandishing a shotgun. The matter was being investigated by officers from Operation Trident.

Councillor Gray asked if the Police could put forward their wishes to the court in terms of sentencing and bail conditions. The Borough Commander confirmed that the Police would normally ask for bail conditions, but it was the courts that made the final judicial decisions. He felt that it was important that the Police continue to make effective use of social media like Twitter, and increase stop and search activities. In his view, the policy concerning not chasing motorbike offenders should be repealed, and that feed-back from as many partners as possible advocating this, should be communicated to central government, the London Mayor, and the MET.

Councillor Botting asked what resources were available for dealing with crime and disorder associated with pubs and clubs. The Borough Commander informed that Operation Equinox patrols were deployed in Beckenham and

Bromley on Friday and Saturday nights. The patrols would consist of 5-6 officers backed up by special constables.

Councillor Julian Benington asked how many knife offences were committed within close proximity to schools. The Borough Commander did not have this data with him at the meeting. He stated that the provision of data was becoming problematical without the use of crime analysts. It was noted that the peak crime periods for knife related crime were between 3.00pm to 6.00pm (school related), and 9.00pm to midnight (night time economy).

Councillor Cartwright expressed grave concern regarding the number of crimes where motorbikes were involved, and the fact that the Police were not allowed to give chase. He suggested that a cross party letter be sent to the London Mayor, expressing LBB's concerns regarding motorbike crime. This was agreed and passed as a resolution.

The Chairman cited an article in the Evening Standard which stated that schools were not to blame for these problems, but that rather it was the parents that were to blame. She asked what was being done to engage families. The Borough Commander responded that any person aged 17 or younger would need a responsible adult with them at the police station, and that this was normally an older family member. They would be shown the offensive weapon and invited to knife crime workshops.

Councillor Botting enquired if Bromley Police used School Liaison Officers. The Borough Commander confirmed that a Young People's Team of 11 officers existed. They focused on secondary schools and engaged with young people in schools, giving talks and presentations. A series of school visits was planned for the following week.

The Vice Chairman praised the Borough Commander for his excellent use of social media, particularly Twitter—the updates were informative and in real time.

Reference had previously been made to the proposed 12 new commanders of the BCUs ('super boroughs') if the BCU scheme was implemented. Mr Terry Belcher enquired if the Borough Commander was likely to be one of these. The Borough Commander stated that this was unlikely, and that he would assess his options after the new BCU command structure was established.

Councillor Gray wondered if the schools education programme was effective and if not what else could be done. The Borough Commander mentioned the 'Troubled Families' initiative, but he was unclear how this was joined up with other agencies. He added that there needed to be greater networking and integrated working with other agencies across the board.

The Chairman referenced a previous advertising campaign aimed at reducing gun crime. The campaign showed a picture of a corpse in a mortuary accompanied by the words, 'Carrying a gun can get you into the coolest places'. She asked how effective the advertising campaign was. The Borough

Commander stated that he would look into this and get back to the Committee.

Post meeting note:

According to an article dated 14th November 2007 in the Evening Standard, this was part of a three year campaign that helped to reduce gang violence in London by 15%, and increased cooperation with the black community by 86%. The campaign consisted of posters, tv advertising, internet campaigns, petrol pump adverts and an anti-gun rap song.

The Borough Commander concluded by stating that a significant number of officers would be supplied with tasers, but it was still currently the case that plain clothes officers were not allowed to use them.

RESOLVED that a cross-party letter be drafted to the London Mayor. The letter to express the Committee's concerns around motor bike crime and the current restrictions imposed upon the Police which limit how they can respond to crimes where motor bikes are involved.

157 PRESENTATION FROM BRITISH TRANSPORT POLICE

The presentation from British Transport Police (BTP) was given by Station Commander Kasia Filipek.

Ms Filipek explained that the ambition and purpose of the BTP was to provide a first class police force that would help the travelling public to get home safely and on time every day.

The BTP had 4 strategic objectives which were:

- Reduce disruption
- Reduce crime
- Increase confidence
- Deliver value for money

Ms Filipek outlined the 7 BTP priorities:

- Counter terrorism
- Preventing crime
- Protecting vulnerable people
- Supporting the railways
- Supporting and valuing the BTP workforce
- Building confidence and satisfaction
- Improving effectiveness and efficiency

The Station Commander highlighted that with respect to counter terrorism, it was one of her officers that was first on the scene at the recent terrorist

incident at London Bridge. She emphasised the need for public support. More officers were being trained in the use of tasers and firearms.

The Station Commander referred to vulnerable people and explained that in this group, BTP would class children, people who were suicidal and others who had been sexually assaulted. Advertising campaigns had been undertaken to encourage the reporting of offences, discouraging hate crime, and warning young people of the dangers of playing on railway lines. The Committee were informed that a mental health suicide reduction team had been set up.

BTP worked in partnership with industry and other partners to keep the railway running efficiently and on time. They responded quickly to incidents that caused delay in order to safeguard the public and reinstate services as quickly as possible.

Ms Filipek highlighted that BTP supported and valued staff, and that TRIM and Carefirst counselling services had been established to provide support.

The Committee were briefed on the Demand Review that aimed to address how the Force could balance its services in line with the demand of passengers and the rail industry.

The review commenced in 2015 and looked at how BTP could more effectively manage resources, taking in to account the peak times for specialist services.

Proposals indicated how BTP could better align the working arrangements of PCs and PCSOs to the times and days of the week when calls for service were highest. The proposals were based on an examination of crime levels, incidents and other calls for service and public order policing.

The Demand Review was completed and implemented on 9th of April 2017.

The Chairman asked what sort of response was received from the public in terms of providing information and intelligence. The Station Commander advised that BTP received a lot of information that was useful, and which could in some cases be used to prevent future attacks.

Councillor Botting asked the Station Commander how she felt about her officers using tasers. The Station Commander responded that she was from Poland and that in Poland all officers were armed. As far she was concerned, tasers were a tool that was required.

Councillor Benington asked if there were geographical limits to the jurisdiction of the BTP. The Station Commander responded that the BTP had a national power of arrest.

Dr Robert Hadley asked how the BTP was funded. It was explained that funding came from the Home Office and from the train operating companies.

The Chairman enquired about ASB and wondered how the BTP dealt with beggars and people putting their feet on seats. The Station Commander responded that if they saw people putting their feet on seats, they would ask them to take their feet off the seats. They would not normally arrest anyone for this offence as it was not considered a good use of time and resources. The BTP were more likely deal with beggars as in many cases, begging was linked to organised crime.

The numbers to contact BTP were:

0800 405040

Text 61016

In an emergency always call 999.

The Chairman thanked the Station Commander for her very interesting and informative presentation.

158 PORTFOLIO HOLDER UPDATE

The Portfolio Holder had recently attended a meeting and workshops with London Councils. This had incorporated training on how to apply for MOPAC funding going forward. Expressions of interest for the first tranche of funding had to be submitted in August.

The Portfolio Holder informed the Committee that the Public Protection Division had been removed from the Environmental Services tendering process.

The Portfolio Holder would be attending a meeting related to BCUs the following week, and this would include a meeting with the Croydon Borough Police Commander. She was also due to attend a meeting the following week with Bromley Police to discuss 'Stop and Search'.

There had been some good news associated with London Fire Brigade. The Bromley Borough Fire Commander had obtained funding for a significant number of Fire Cadets.

RESOLVED that the Portfolio Holder update be noted.

159 RISK REGISTER INFORMATION ITEM

No questions were received prior to the meeting concerning the Public Protection Risk Register.

Members noted the various risks and in particular the high risk rating that was currently assigned to the Food Safety Service after the Food Standards Agency audit.

Councillor Benington asked if LBB was happy with the level of risk associated with Emergency Planning Services. The Executive Director for Environment and Community Services stated that the Leader had commissioned a full review and that Councillor David Cartwright was assisting with this. Members also expressed concern over the significant risks associated with a reduction in MOPAC funding.

Councillor Dunn asked if there was a timescale set for the proposed actions relating to Health and Safety Risks. The Executive Director clarified that a full inspection programme was scheduled over a three month period. The Director for Environment confirmed that the recruitment process for a full time corporate health and safety advisor was being progressed.

Councillor Benington asked if LBB was happy with the cladding used on North Block, and the Executive Director responded that this issue was being looked at.

RESOLVED that the Risk Register Information Item briefing be noted.

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

160 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS

Three questions had been received from Councillor Nicholas Bennett.

The questions and answers will be attached as an appendix to the minutes.

a BUDGET MONITORING 2017-2018

FSD17403

The Budget Monitoring report (2017/18) was written by Claire Martin—Head of Finance.

The report was drafted to show the latest budget monitoring position for 2017/18 for the Public Protection and Safety Portfolio. This was based on expenditure and activity levels up to 31st May 2017.

It was noted that there was a projected over-spend of £66k. This was due to increased expenditure for the Mortuary Service. The current total budget allocation was £2.34m; it was estimated that the total expenditure in the budget would rise to £2.40m.

Councillor Benington asked why the mortuary service cost had increased. The Executive Director for Environmental and Community Services explained that a big inquest was going to be held, which was going to be costly. It was difficult to factor in costs of this nature as they were unexpected.

RESOLVED that the Portfolio Holder endorse the latest 2017/18 budget projection for the Public Protection and Safety Portfolio.

b PROVISIONAL OUTTURN 2017/18

FSD17044

The Provisional Outturn report (2016/17) was drafted by Clare Martin, Head of Finance.

The purpose of the report was to provide the Portfolio Holder with the provisional final outturn position for 2016/17 for the Public Protection and Safety Portfolio. This showed an underspend of £31k for 2016/17 which would be ploughed back into central reserves.

The Committee was asked to note the report, and the Portfolio Holder was requested to endorse the 2016/17 provisional outturn position for the Public Protection and Safety Portfolio.

RESOLVED that the Portfolio Holder endorses the report.

c DRAFT PORTFOLIO PLAN--2017-2018

The Portfolio Holder referred the Committee to a rag rated document that had been prepared by the Director for Environment. The document was a summary of Portfolio Plan performance for 2016/17. Out of 16 objectives, 12 had been rated as outcomes being achieved, and 4 as partly achieved and the 4 targets which were partly achieved had very good reasons why they weren't quite met.

Councillor Benington asked how the green rag ratings for the Food Safety Service related to the findings that had been identified in the Food Safety Audit report. The Portfolio Holder explained that the green rag ratings in the summary performance document related to high level risk businesses only.

Councillor Gray asked why the rapid response target for responding to service calls for the victims of doorstep crimes and scams had not been achieved. The Portfolio Holder pointed out that they only just missed the target of 50 by 3. The Head of Community Safety and Trading Standards added that 100% of level one complaints had been responded to.

With respect to aim 4.3—developing a computerised system for contaminated land reporting—progress had been hampered as it had not yet been possible to recruit a replacement officer with the correct level of technical expertise.

The Portfolio Holder highlighted the priorities of the Plan

- To support the Safer Bromley Partnership and to co-ordinate the Council's statutory response to its duties under Prevent

- To add in a focus this year of tackling underage knife sales
- To take action against rogue traders, especially those that targeted vulnerable people
- To inspect 100% of high risk food businesses
- To maintain a safe environment in Bromley by providing a CCTV monitoring service for the town centre and other key locations.

RESOLVED that

(1) The Public Protection and Safety Scrutiny Committee note the report

(2) The Portfolio Holder endorse the Portfolio Plan for 2017/18.

**d GATE ZERO REPORT-ANIMAL HEALTH AND WELFARE
SERVICE**

ES 17042

This report was submitted by Mr Paul Lehane, Head of Food Safety and Licensing.

The report outlined why it was not considered economical or necessary to go to market for a tender exercise to re-tender the existing contract with the City of London Veterinary Service, (COLVS) and that the continuation of the current service agreement needed formalising by the Council.

It was noted that the 'Zoo' referenced in the table in section 4.4 was the one at Crystal Palace. It was further noted that Christmas Tree Farm was not licenced as a zoo.

The Chairman referred to section 6.5 of the report and asked what was meant by 'zoonosis'. Mr Lehane explained that this was a term used to refer to the transmission of an animal disease to humans.

RESOLVED that

(1) The Portfolio Holder agree to the contract for the Animal Health and Welfare Service be exempt from the formal tender process for the reasons set out in the report

(2) The Portfolio Holder agree to continue to use the services currently provided to the Council by the COLVS under formal arrangement for a period of three years, with the option to extend for a further two years with authorisation delegated to the Executive Director for Environment and Community Services.

**e FOOD STANDARDS AGENCY AUDIT OF FOOD HYGIENE
SERVICE DELIVERY**

ES17041

The Committee looked at the Food Standards Agency—Audit of Food Hygiene Service Delivery report for April 2017.

The report had been drafted by Mr Paul Lehane, Head of Food Safety, Occupational Safety and Licensing. The purpose of the report was to update Members of the findings of the Food Standards Agency audit of the food safety team that had taken place on 27th April 2017.

The Chairman commented that the Food Safety Team had done an excellent job given the fact that they were understaffed. Mr Lehane informed the Committee that the Food Safety Service needed to recruit 2 full time staff and 3 full time temporary staff to deal with the backlog of inspections.

It was noted that the FSA audit had been prompted by high numbers of overdue and unrated premises. The FSA sent the draft audit report to the Council on 5th June 2017. The Portfolio Holder explained that previously the FSA had adopted a relatively lenient stance regarding having a backlog-as long as Councils had been managing risk, but this had now changed.

Councillor Benington asked for an explanation of what was classed as high and low risk. Ms Karen Ryan (Lead Practitioner--Food Safety Officer) explained that it would depend on what activities were being undertaken, how these activities were being managed, and what process the company was using for handling food. An example of a low risk business would be a home cake making business. Consideration would also be given concerning the recipients of the food. Schools and Care Homes would normally be regarded as high risk.

Councillor Dunn suggested that it should have been easy to predict that there was going to be a backlog of inspections. Mr Lehane responded that the backlog was caused by a combination of losing existing staff, and lack of funding for new staff. The Annual Service Plan set out the staff resource required against the actual resource.

It was noted that there was a shortage of qualified staff and that the employment of agency personnel was very expensive. The last agency person employed cost LBB £1200 per week. Councillor Hannah Gray asked if festivals and events would be classed as high risk. Ms Ryan stated that the Food Safety Service Team would attend as many events as they could, and would check as many traders as possible. Event organisers would normally try and use compliant businesses.

Councillor Botting asked if anyone in Bromley had ever died of food poisoning, and the answer to this was no. It was also asked if the Food Safety Service ever closed premises. Ms Ryan answered that this was rare, but LBB had closed one about a week ago.

The Committee was informed that the Secretary of State did possess interventionary powers and could issue formal directions. It was also the case that they could send someone in to run the service, with consequent reputational damage to the Council. If a death occurred there could be a public inquest.

RESOLVED that

(1) The Portfolio Holder note the findings of the Food Standards Agency Audit

(2) The Portfolio Holder agree the Action Plan to be submitted to the Food Standards Agency

(3) The Portfolio Holder submit a bid for additional resources to the Executive.

f ENFORCEMENT ACTIVITY REPORT APRIL 2016-MARCH 2017

ES17040

The Enforcement Activity Report for April 2016 to March 2017 was drafted by Mr Jim McGowan, Head of Environmental Protection. The report had been presented to the Committee to provide a summary of the activity undertaken by the Public Protection Division during the period 1st April 2016 to 31st March 2017 where enforcement activity had been undertaken under delegated powers.

It was noted that the report highlighted that an increased number of decisions had been made to issue HMO (Houses of Multiple Occupation) licences. This was mainly because most of the licences were due for renewal.

The Vice Chairman asked for an explanation of what constituted a HMO. It was explained that a house in multiple occupation was a property rented out by at least 3 people who were not from 1 'household' (eg a family) but shared facilities like the bathroom and kitchen.

Landlords must have a licence if they were renting out a large HMO. The property would be defined as a large HMO if all of the following apply:

- it's rented to 5 or more people who form more than 1 household
- it's at least 3 storeys high
- tenants share toilet, bathroom or kitchen facilities

Mr McGowan mentioned that going forward it was likely that the definition of a HMO would be expanded to include 2 storey properties.

It was RESOLVED that the report be noted and members agreed to receive further similar reports every six months.

g MOPAC UPDATE

ES17039

The Mopac Update report was written by Mr Rob Vale, Head of Trading Standards and Community Safety. The report was written to update the Committee on the Local Crime Prevention Fund (LCPF) granted by the Mayor's Office for Policing and Crime (MOPAC).

The Committee was informed that the funding allocation for LBB for 2017/18 was £401,731. Unfortunately, the funding for 2018/19 was significantly lower at £241,699. It was the case that the funding could be spent as LBB wished over the 2 year period. The total 2 year funding was £643,430, and LBB had taken the decision to apportion the grant funding over the two years. Table 3.4 in the report explained in the detail how the money would be spent. The Chairman expressed concern over the reduced budget for ASB and noise nuisance. She hoped that some of the deficit could be picked up from within the organisation.

Mr Vale was concerned about the co-commissioning element of funding that would commence during 2019/20, and continue into 2020/21. During these two years, 70% of funding would be direct borough funding, but 30% would need to be sourced from a co-commissioning budget. He felt that the process for obtaining funding from the co-commission pot was complex, and it was possible that an application may not be successful. There were also tight timescales to adhere to. Mr Vale stated that the funding gap could have a negative impact on VAWG projects.

RESOLVED that the MOPAC Update report be noted.

161 WORK PROGRAMME

CSD 17082

The Work Programme was noted.

Two suggestions were put forward for future Committee visits, these were a visit to the Youth Offending Service and to Victim Support.

RESOLVED that the Work Programme be noted.

162 ANY OTHER BUSINESS

No other business was discussed.

163 DATE OF THE NEXT MEETING

The date of the next meeting was confirmed as 27th September 2017.

The Meeting ended at 9.00 pm

Chairman

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