

Decision Maker: PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER

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

Date: Tuesday 3 July 2018

Decision Type: Non-Urgent Executive Key

Title: DRAFT PUBLIC PROTECTION & ENFORCEMENT PORTFOLIO PLAN 2018/19

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Chief Officer: Nigel Davies, Executive Director of Environment & Community Services

Ward: (All Wards);

1. Reason for report

- 1.1 This report provides a summary of the performance against the 2017/18 Public Protection Plan and sets out the priorities for the draft 2018/19 Public Protection and Enforcement Plan for scrutiny by Public Protection and Enforcement PDS Members and subsequent endorsement by the Public Protection and Enforcement Portfolio Holder.

2. **RECOMMENDATION(S)**

2.1 **That the Public Protection and Enforcement PDS Committee:**

- **Considers the draft Portfolio Plan 2018/19 (Appendix 1) and provides comments to the Portfolio Holder:**

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

- **Endorses the outcomes, aims and performance measures set out in the draft Public Protection & Environment Portfolio Plan 2018/19, taking into account the 2018/19 budget and the views of this 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.
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Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Supporting Independence Vibrant, Thriving Town Centres Healthy Bromley:
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Financial

Public Protection & Safety

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Public Protection and Enforcement Portfolio
 4. Total current budget for this head: £2.491m
 5. Source of funding: Existing controllable revenue budget 2018/19
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Personnel

Public Protection

1. Number of staff (current and additional): 50.8 ftes
 2. If from existing staff resources, number of staff hours: Not Applicable
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Legal

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

1. Summary of Procurement Implications: 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 services.
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3. COMMENTARY

- 3.1 The Public Protection and Enforcement Portfolio leads the delivery of the Council's individual and coordinated activity to ensure that Bromley continues to being a safe and healthy place for those who live, visit or work in the borough, now, and for future generations. The scope of the Portfolio is wide and cuts across many of the key areas of work within the authority. Essentially if an enforcement issue affects the health, wellbeing or safety of the public, or the stewardship of our natural or built environment, it is likely that services within the Portfolio will have an active role to play.
- 3.2 In addition to Public Protection, this portfolio plan now encompasses Planning Enforcement, Neighbourhood Management Environmental Enforcement, and Parking Enforcement.
- 3.3 At a local level, the work of Officers within Public Protection, Environmental, Planning and Parking Enforcement is varied, including: protecting people from excessive noise or nuisance, advising businesses on food safety, reacting to outbreaks of food poisoning, acting as an environmental custodian, protecting vulnerable groups from doorstep crime, issuing licences for the selling of alcohol, improving housing standards through inspecting houses in multiple occupation, tackling environmental crimes such as fly-tipping, enforcing confirmed breaches of planning control, and managing on and off-street parking to balance the needs of motorists, residents and businesses.
- 3.4 Due to the inclusion of wider enforcement activities from 2018/19 onwards, a number of additional environmental service initiatives will be undertaken, these are:
- Continuing to deliver service improvements through the parking partnership with APCOA who provide a range of parking related services, including parking enforcement.
 - Implementing further fly-tipping controls and taking intelligence-led enforcement action;
 - Using a wide range of enforcement and regulatory powers in a fair and proportionate manner to protect people and their neighbourhoods, thereby reducing the costs associated with issues such as obstructions of the highway, fly-tipping, littering and graffiti;
 - Determine cases where a breach of planning control may have taken place, using the Council's Planning Enforcement Policy to guide any actions to be taken
 - Monitor the number of notices served and the timescale for responses in keeping with the Planning Enforcement Policy
- 3.5 The work within this portfolio is carried out within a regulatory framework, and much of it is statutory, with standards being set by national regulators such as: the Food Standards Agency, the Health & Safety Executive, Environment Agency, HM Planning Inspectorate and the Health Protection Agency. These standards in turn inform some of the aims and performance indicators within the portfolio. For example, within Outcome 3 (We will support and regulate business), aim 3.2 and performance indicators 3B-3D are designed to ensure the measures within Food Safety Agency action plan are met.

4. 2017/18 KEY ACHIEVEMENTS

4.1 Outcome 1: We will keep Bromley safe

- 12 Community Impact days delivered;
- 165 mentoring relationships forged;
- 100% of domestic abuse victims offered the support of an advocate;

4.2 Outcome 2: We will protect consumers

- 129 training events;
- 41 rapid response interventions;
- 175 test purchase operations undertaken;

4.3 Outcome 3: We will support and regulate businesses

- 100% of high risk businesses (Risk A) undertaken;
- 97% of high risk businesses (Risk B) undertaken;
- Food Action Plan implemented with work ongoing to address backlogs
- 100% of all notified food poisoning and food related infectious disease investigated

4.4 Outcome 4: We will protect and improve the environment

- 115 CCTV evidence packages provided;
- 32 contaminated land reports produced;
- 28 notices served for statutory noise nuisances
- A 5.5% decrease in the number of reported fly tips
- 258 enforcement actions taken against fly-tipping;
- 80% of Environment and Traffic Adjudicators (ETA) cases against PCNs won by LBB.

5 2018/19 PRIORITY OUTCOMES

5.1 The regulation function covering the activities in the Public Protection and Enforcement Portfolio Plan fulfil a number of policy objectives, and assists the Council to deliver against all themes within the 'Building a Better Bromley' vision.

5.2 For 2018/19, the focus of activity will be to continue to achieve positive outcomes for residents and businesses, while ensuring that services provide value for money. In particular, the following outcomes have been highlighted:

5.3 Outcome 1: We will keep Bromley safe

- Tackle anti-social behaviour through the delivery of targeted, intelligence-led operations with the Police. (Community Impact Days).
- Support young people to remain in education, employment and training, through our mentoring service.
- We will support the Safer Bromley Partnership, and co-ordinate the council's response to its statutory duty under PREVENT.
- Coordinate the interim renewal of the Purple Flag Award for Beckenham
- Review and update the Recovery Plan, as part of Emergency Planning,

5.4 Outcome 2: We will protect consumers

- Take action against rogue traders, particularly those who target the vulnerable, through preventative and enforcement activity with banks and adult safeguarding partners.
- Provide a rapid response service to all victims of doorstep crimes and scams.
- Tackle the sale of age-restricted products, particularly alcohol, tobacco and knives, through test purchase operations.

5.5 Outcome 3: We will support and regulate businesses

- Inspect 100% of high-risk food businesses (Risk A and B premises) to ensure food safety standards are met.
- Implement the Action Plan following the Food Standards Agency audit to address the inspection backlog.
- Investigate significant complaints, accident reports and other notifications.
- Work closely with the Orpington and Bromley BID Teams in order to support local businesses.
- Undertake targeted operations to ensure businesses abide by licence conditions.

5.6 Outcome 4: We will protect and improve the environment

- Provide the CCTV monitoring service for town centres and other key areas.
- Develop a computerised system for producing contaminated land reports.
- Work proactively with the community to reduce nuisance, taking enforcement action as necessary.
- Following the installation of the Noise Monitoring Track Keeping System, the Environmental Protection team will continue to monitor noise complaints relating to aviation movements including enforcement for any infringement of the recently adopted Airport Noise Action Plan.
- Issue licenses for Houses in Multiple Occupation in line with statutory timeframes
- Keep the borough's streets clean and green and reduce litter, dog fouling and fly-tipping through a programme of contracted works, education and enforcement activity
- Continue to deliver parking enforcement services through our service provider APCOA
- Ensure that breaches of Planning Control are investigated in accordance with the priorities and approaches set out in the council's Planning Enforcement Policy.

5.7 The 2018/19 draft Portfolio Plan acknowledges the important role played by other agencies, and, in particular, the support for effective partnerships that deliver reductions in offending and anti-social behaviour. As such, the Portfolio Plan within Outcome 1 includes aims relating to these partnerships and the associated priorities for action.

5.8 The draft Portfolio Plan for 2018/19 is attached in Appendix 1 and sets out the 4 Outcomes and the associated issues, aims and performance targets and measures for the coming year. It is intended that the information and activity contained within the draft plan are indicative of a broader approach to: reducing crime and anti-social behaviour, supporting businesses, protecting the natural and built environment, and improving health, wellbeing and life chances.

5.9 Throughout the year, Members will be provided with updates on the targets identified and will receive presentations on the broad range of work that is undertaken in order to maintain the borough's reputation as a safe and healthy environment.

6. IMPACT ON VULNERABLE ADULTS AND CHILDREN

6.1 Vulnerable adults and children are at increased risk from the adverse impacts of issues such as: unfit food, poor housing conditions and being targeted by rouge traders. The enforcement work of all the teams within the Public Protection Division play a vital part in safeguarding the health, safety and wellbeing of vulnerable groups; specific examples from the Food Safety, Housing Enforcement and Trading Standards Teams are given below.

6.2 The Food Safety Team plays a vital part in safeguarding the vulnerable particularly in relation to educational and care homes settings. Good nutrition and safe food are essential to everyone's health and wellbeing which is further enhanced in terms of

vulnerable adults and children. The enforcement of food regulations ensures that food provided in these settings is safe, therefore protecting our vulnerable residents.

- 6.3 The impact of poor housing is exacerbated for vulnerable adults and children, and the Housing Enforcement team works to ensure acceptable standards are maintained and enforcement action is taken if these standards are not met. In addition, the work of the Trading Standards team to tackle rogue traders and doorstep crime directly affects some of our most vulnerable members of the community. Positive results in 2017/18 and already in 2018/19 have meant that unscrupulous individuals have been either fined or face custodial sentences for attempting to defraud individuals out of money and possessions. The work to prevent underage sales of tobacco and alcohol protects vulnerable children from the harmful effects of these products and seeks to educate and enforce against those who flaunt the law.

Officers continue to work in partnership with colleagues from other LBB business units and external agencies as part of the Adult Safeguarding Board

7. POLICY IMPLICATIONS

- 7.1 The attached Portfolio Plan is recommended as a summary of activity and accountability in relation to the Council's role in making the borough a safer and healthier place. Reducing crime and anti-social behaviour continue to be significant priorities for the Council, both in the activities delivered across a wide range of services, and in the Council's leadership of key multi-agency partners.

8. FINANCIAL IMPLICATIONS

- 8.1 The Public Protection and Enforcement Portfolio's priorities will be delivered within the resources identified in the 2018/19 budget, including any further external funding that can be secured.

Non-Applicable Sections:	Legal Personnel and Procurement Implications
Background Documents: (Access via Contact Officer)	