

*DRAFT FOR CONSIDERATION BY ERC  
PDS COMMITTEE ON 24<sup>th</sup> MARCH 2021*



THE LONDON BOROUGH

# **Policy Development & Scrutiny Annual Report 2020/21**

**For submission to Full Council on 19<sup>th</sup> April 2021**

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## 1. Foreword

1. On behalf of all my colleagues who are engaged in Policy Development and Scrutiny Committees in the London Borough of Bromley, I have great pleasure in presenting our Annual Report for 2020/2021, which summarises the work that has been carried out by the Committees during the Council year.

2. The Coronavirus Pandemic has had a major impact on the way in which the Council our partners have carried out our duties over the last year. Including a year of virtual meetings, taking the place of regular in person committee meetings. It also gave a chance for these meetings to be streamed live to members of the public, with a varied amount of success.

3. The response from the Government by increasing support and assisting with Council budgets and the local economy has been gratefully appreciated by this Council residents and businesses alike. Due to the Government's response to the pandemic financial pressures have temporarily been alleviated for this financial year and we have received further support for next year although it is not clear whether that would be sufficient at this stage. However as with all borrowing there always comes a day of reckoning and Government debt, which is now around £2.5trillion, will eventually have to be paid back. Therefore it is likely that in future years the Council can expect further reductions in funding support, as the debt will need to be repaid and the ongoing cost pressures faced by Bromley Council will still leave a long term funding gap. The 2021/22 budget has been balanced, however for future years the outlook is as follows; balanced for 2022/23 providing the growth mitigation strategy is strictly followed. There will be a gap in the following years of £2.6M for 2023/24 and £14.1M for 2024/25. These figures allow for growth pressures of £17.8m which will need to be curtailed to help ensure that 2024/25 gap is met. These figures also assume that the Council tax will increase at the same rate as this year, excluding the Adult Social Care Precept which is 3% for 2021/22 only). The Council has a legal obligation to set a balanced budget, so effort is needed to generate income and find additional savings over this period. The Government should be thanked for the 'rollover plus' funding for this financial year, which has helped ensure that this year and next years budgets should be achievable. However Innovation and initiatives over the next few years will be really important in driving down the budget gap for future years. This will mean investing in IT and Accommodation to ensure the Council is fit for the future. But this strategy is even more important in meeting the net zero carbon dioxide target for direct Council activities by 2029. Over the next year more invest to save and efficiency measures should come forward to help promote these ambitions.

4. Against this tough background 2020/21 has come in on budget subject to the use of some contingency. Over recent years the Council has set balanced budgets, without significantly impairing the delivery of frontline services. However, in light of the challenges ahead, the Council has increased Council Tax this year by a Bromley element of 4.99%, including the 3% increase to fund social care. In addition the Labour London Mayor and GLA also increased their precept, (This has been the Mayor Khan's highest tax hike in 5 years, at 9.5%) making the net overall increase of 5.93% for Bromley residents meaning an increase of approximately £116 per annum for an average band E property. Bromley Council continues to be debt free, meaning our residents Council Tax is spent on services and not on interest payments.

5. The Council continues to promote significant change, both in organizational terms and in its ability to continue to provide services expected by residents. The Council has over 1300 statutory obligations to discharge, which cost several millions of pounds per annum. These take priority over discretionary spending. The funding gap can't be closed without taking some difficult decisions and halting some services all together. Due to prudent financial management, Bromley Council is able to deal with these challenges but needs to ensure that early decisions are taken and adequate reserves are retained and where appropriate invested to maintain sustainable finances.

6. In addition to the financial challenges ahead and the need to become a different organisation with fewer resources, the Council should grasp opportunities for wider integration across public services including health and local government and look at cooperation with other Local Authorities to drive efficiencies. The Council will need to identify new investment opportunities to help protect key services. This might need a new look with an investment and revenue generation sub-committee, to

help grow revenue outside the usual call on tax payer funds. Scrutiny will remain key to ensure that there is adequate control and stability. In the context of these challenges, the Council should review its current structures including the PDS function to ensure that scrutiny can drill down to an appropriate level when looking at opportunities for value for money.

7. The PDS Committees will continue to have an important role over the coming years to formulate acceptable solutions for the reduction in service provision, which has to come, whilst continuing to deliver quality services to the residents of Bromley.

8. Finally, I would like to thank all those involved in the scrutiny process; Committee Chairmen, members, and the dedicated Council officers for their diligence and hard work during last year. Together we have found practical solutions, which have ensured that Bromley Council could formulate a balanced budget and is able to continue to provide essential services, that our important to our residents next year.

**Cllr. Simon Fawthrop**  
**Chairman, Executive Resources and Contracts PDS Committee**

## 2. Policy Development and Scrutiny Chairmen 2019/20



Cllr Simon Fawthrop  
Executive, Resources & Contracts



Cllr Mary Cooke  
Adult Care & Health Services



Cllr Nicky Dykes  
Children, Education & Families



Cllr Will Harmer  
Environment and Community Services



Cllr David Cartwright  
Public Protection and Enforcement



Cllr Michael Rutherford  
Renewal, Recreation & Housing

# 3. Policy Development and Scrutiny in Bromley

## Introduction

- 3.1 Six Policy Development and Scrutiny (PDS) Committees at Bromley discharge the overview and scrutiny functions conferred by sections 21 and 32 of the Local Government Act 2000 and successive legislation. The Executive and Resources PDS Committee has an over-arching, co-ordinating role on behalf of the other five PDS Committees and is required by the Council's Constitution to present Full Council with an Annual Report "on the Policy Development and Scrutiny functions and PDS budget, and amended working methods if appropriate" (Article 6, Section 6.03 (d) of the Constitution).
- 3.2 The PDS Committees mirror the Council's executive portfolios:
- Executive, Resources & Contracts (covering both the Resources, Contracts and Commissioning Portfolio and the Executive)
  - Adult Care & Health Services
  - Children, Education & Families
  - Environment & Community Services
  - Public Protection and Enforcement
  - Renewal, Recreation & Housing
- 3.3 In addition to these Committees there is one PDS Sub-Committee:
- Health Scrutiny Sub-Committee
- 3.4 Although they have no decision-making powers, PDS Committees and Sub-Committees have key roles in contributing to policy development and scrutinising the decisions of the Executive and individual Portfolio Holders.

## Policy Reviews

- 3.5 PDS Committees advise Portfolio Holders, the Executive and Full Council on policies, budgets and service delivery. PDS Committees can commission groups of Councillors to review an issue or policy, so assisting a Portfolio Holder or the Executive to improve a service or function affecting local people. This can be linked to a forthcoming decision by a Portfolio Holder or the Executive or to assist in formulating fresh, new policy. In each case detailed, evidence-based assessments are carried out and recommendations made in a report. In the process, Councillors can speak to a broad range of people to help gather information for their evidence-based reports.

## One-Off Reviews

- 3.6 In addition to in-depth policy reviews, PDS Committees can also review a topical issue at Committee with comments and recommendations referred on to the Portfolio Holder. These reviews are often based around a presentation or an evidence-giving session with expert witnesses.

## **Performance and Budget Monitoring**

- 3.7 PDS Committees monitor the performance of services, functions and contracts within their remit, assessing performance against key performance indicators and policy objectives. Concerns are reported to a Portfolio Holder who can then, if necessary, be called to a PDS Committee meeting to account for the performance of his or her Portfolio.
- 3.8 PDS Committees are also involved in the budget setting process and provide considered comments and recommendations for the Executive to take account of when formulating the Council's annual budget. Similarly, PDS Committees also monitor in-year spend of budgets and raise concerns where there is any possibility of overspend or other issues affecting spending priorities.

## **Call-in**

- 3.9 The call-in process is a key means by which PDS Committees can hold the Executive to account. Any five Councillors can call in a decision and prevent it from taking immediate effect until it has been re-considered by a PDS Committee. The Committee can then interview the Portfolio Holder and officers and consider whether the decision is appropriate, within the Council's policy framework, and whether it should be reconsidered. If the Committee feels that the decision should be reversed or altered, it can make a recommendation to the Executive, which then has to reconsider the matter.
- 3.10 At the time of writing, one call-in has been made in 2020/21. The continued low level of call-in reflects an emphasis given to pre-decision scrutiny leading to better and more robust decisions which are less likely to be challenged.

# **4. Report from Executive, Resources & Contracts PDS Committee**

**Chairman: Cllr. Simon Fawthrop**

**Vice-Chairman: Cllr. Christopher Marlow**

## **1. Introduction**

In 2020/21 municipal year the Committee held 8 scheduled meetings and 2 special meetings. All of these meetings have been via Webex as a result of the Coronavirus Pandemic. These meetings were held whilst other scrutiny committee meetings were in temporary abeyance, as we found our feet as a Council. The regular meetings included the scrutiny of items to be decided at the Executive's meetings, in addition to matters reported to the Committee. I would also like to thank the members of the committee for their contributions and thank the Officer team, for their support across the year, including call overs and agenda setting as well as numerous adhoc meetings and briefings.

## **2. Scrutiny of the Executive and the Resources Portfolio Holder**

The Committee's principal role is to scrutinize the decisions of the Executive, The Resources Portfolio Holder and to hold the Leader of the Council, the Chief Executive Officer and the Resources Portfolio Holder to account. This Committee has discharged its responsibilities diligently and competently during the year. I would like to thank all the above for their valuable contributions. In addition we have also scrutinised the Portfolio Holder Assistants to both the Leader and the Resources Portfolio Holder. The written report introduced last year has been beneficial, to enable members to focus on the key issues that need scrutiny. I would like to particularly like to thank the Chief Executive for his very excellent reports, which can be held up as a standard for scrutiny reports.

## **3. Review of Council Activities**

The Committee has been very conscious of the need to help residents and businesses get through the pandemic and this has been a priority across the year as Government grants have been very generous in helping our residents and businesses. Whilst there has been a lot of pass-porting, we have ensured that a reasonable level of scrutiny is place to ensure that fraud has been kept to a minimum.

On top of this the committee has looked at reigning in growth spending and has diligently scrutinized budget and capital programme reports and measures to bring costs under control, including overspends across some budget headings. The contracts register and the disposal of various surplus assets, the performance of the Council Tax support scheme and issues concerning homelessness and temporary accommodation, Treasury Management performance which continues in the top 10% of Local authority performances, the various invest-to-save projects, as well as details on the growth fund and investment fund initiatives and the risk register were also considered. The committee also considered the best use of assets and has continued its reports on property and management. Lastly the Council is undergoing a transformation programme to help shape the Council's future and change the way it does business, at every stage the programme need to have the ability to roll back if the transformation leads to degradation in service to our residents. That does not mean to say that services cannot or should not be delivered differently to how they are delivered today.

## **4. Scrutiny of Contracts.**

The Committee also reviewed the work of key supplier contracts including the IT Services contract provided by BT (as an employee of BT this was chaired by Cllr Marlow, to avoid any conflict of interest). We also reviewed the work of Liberata and Amey, whilst it has been good to see the Liberata contract performing well and showing both good value for money and a good level of service, The Amey contract has not performed as expected and the Council will be exiting the contract. We have also looked at the Adecco contract and the utilisation of contractors and consultants. This has



helped the drive towards permanent employees which help provide a more consistent service for Bromley's residents.

## **5. Pandemic Risk**

Last year I mentioned the pandemic risk in the Annual scrutiny report. After 3 lockdowns, the Government have turned a corner with a fantastic response with the vaccination programme, which is helping provide a way out of the pandemic lockdowns. I'm pleased the Government didn't listen to those voices calling for us to join the EU vaccine response. Having said that members of the committee were unanimous that anyone who is offered the vaccine should take up the offer.

The early evidence is that the vaccine is working and cases, hospitalisations and deaths are declining. More impressive is that Bromley Council working closely with partners in the NHS seems to be ahead of the rest of Greater London in the roll out programme.

There is still a risk that a new variant, or virus mutation could develop which brings the virus back to prominence. At the time of writing the coronavirus death total was just below 600, which I indicated would be in line with a 2% mortality rate for Bromley last year.

It is also good to report that Bromley has done an excellent job in protecting our staff, particularly those dedicated to front line services. Many have adopted homeworking, and other important measures to help our residents through the pandemic. In a time when finances are tight, it is good that we can reward Bromley's staff with a 2% across the board pay increase, to thank them for the work they have undertaken this year.

## **6. Outlook**

The Government's cost reductions have paused to deal with the coronavirus pandemic. However it is prudent to expect cost reductions to continue in future years, Therefore, as this year, the task to find the savings necessary to balance the Council's budget will be a major factor next year. Keeping on top of the cost pressures which include additional growth items, will be crucial in delivering a balanced budget in future years. The main challenge is closing the funding gap of £14.1 million by 2024/25, a lot of hard work remains to ensure the Council continues to set legal budgets over the coming years.

## **7. Conclusions**

The Council is now into a transformation phase, undergoing significant change, both in organizational terms and in its ability to continue to provide services expected by residents. The era of streamlining, re-organizing and cost cutting, whilst continuing to provide services "as usual" is becoming harder and difficult decisions will now have to be taken about reducing certain service provision. Statutory obligations will have to take precedence over providing discretionary support. Councillors only need to take their eye off the ball for a short while and Bromley could very easily end up debt ridden and severely cutting front line services like Croydon next door.

The challenges for Bromley Council in the coming years are the need to make the wider public fully aware of the Council's financial position of balancing on-going service pressures against a backdrop of less central Tax payer support year on year and to ensure that planning is in place for dealing with the budget gap in future years. This will include both cost reductions and revenue generation within the confines of the Building a Better Bromley, zero carbon target, Clean and Green approach adopted by the Conservative administration.

**Councillor Simon Fawthrop**  
**Chairman, Executive & Resources PDS Committee**

## 5. Report from Adult Care and Health PDS Committee

**Chairman: Cllr Mary Cooke**

**Vice Chairman: Cllr Robert Mcilveen**

The Committee joins me in thanking and congratulating the staff in Adult Services who have accepted COVID-19 responsibilities while continuing with the 'day job' during the pandemic and thus minimising, as far as possible while adhering to COVID-19 regulations, a negative impact on our clients. Staff had to accommodate new ways of working remotely and new IT systems while carrying out assessments both virtually and face to face. Please note that LBB did not introduce Easements which would have allowed relaxation of some of the rules about Care Act responsibilities.

We also thank the staff of Democratic Services who have ensured that not only have papers been compiled and circulated but have run the virtual meetings with skill and good humour.

Of course I would personally thank all the Committee, both Elected and Co-opted Members (Experts by Experience, Carers Forum, Bromley Mental Health Forum and Healthwatch) for their support and the Chief Executives of the PRUH, Oxleas and Bromley Healthcare for their regular attendance and updates at the Health Scrutiny Sub-Committee.

COVID-19 has obviously had a huge impact on the work of the Adult Care Portfolio, the remit of which is wide ranging, and during the year all statutory duties have been fulfilled where Lockdown rules allow. To establish the scale of contribution we note that staff have supported almost 14k people who were identified as clinically vulnerable. A team worked with Public Health colleagues providing advice and training relating to infection control and delivered over one million items of PPE. Another team logged and communicated with the 4.5k community matching them with people needing assistance. Support was also provided in the Test and Trace programme and the establishment of the Vaccination Centre at the Civic Centre.

Finance, Contract Approval and Management - while recognising that Social Care is by definition a demand led service the Committee has carefully considered regular budget reports incorporating future cost pressures, planned mitigation measures and savings from the transformation agenda. It will continue to monitor budgets closely and where there are predicted overspends will ask for robust plans as to how savings can be achieved.

The Committee has scrutinised contracts ranging from Direct Payment Support and Payroll Service to Learning Disability Supported Living to Residential Respite Service and reviewed the annual monitoring report for Domiciliary Care and for the Advocacy Service.

Day Care - a particular concern has been the obligatory closure of day centres and the resultant reduction in respite facilities for carers. The question of day care is being addressed holistically and in December 2020 a workshop was hosted by Community Links Bromley attended by day care providers with an aim of establishing any change in demand for day centres and day activities and to ensure any offer is fit for purpose.

Partnership Working - we have a stronger relationship with Kings and the Discharge to Assess Service run collaboratively has been most successful in freeing up beds in the hospital. The Committee contributed to the Winter Plan working with the CCG and other agencies. Following the setting up of the task and finish group last year to contribute to the

Mental Health Strategy, the Action Plan to support the strategy has been agreed and implementation will be scrutinised as mental health is one of the Committee's key areas of concern. Members will work more closely with other PDS Committees to establish trends in domestic abuse and other issues brought forward by Members.

**Councillor Mary Cooke**

**Chairman, Adult Care & Health PDS and Health Scrutiny Sub-Committee**

## 6. Report from Children, Education & Families PDS Committee

**Chairman:** Cllr. Nicky Dykes  
**Vice-Chairman:** Cllr. Judi Ellis

### Overview

It's been a busy year as the Committee worked to adapt to virtual meetings, working hard to ensure that the appropriate level of scrutiny was delivered. Although not able to meet in person the Committee was able to embark successfully on policy development in addition to scrutiny.

### Covid-19

It would be remiss not to start with the impact of Covid-19 and the focus on ensuring that our most vulnerable young people and families were getting the support they needed during this difficult time. At the beginning of the pandemic the Committee held a special session to hear from the Portfolio Holder and the senior leadership team, how they were responding to these unique circumstances and ensuring service delivery. This meant the Committee was able to ensure that the services that were needed were being delivered and understand how the department was responding to the challenge of the pandemic.

At every committee meeting members have been able to scrutinise the Portfolio Holder and the Department Heads on their response to Covid-19 – whether it be working with schools to ensure that students have the technology they need to learn from home, to supporting families that have children with complex health needs or maintaining access to foodbank vouchers and counselling services. As Chair of the Committee I was keen that the department advertised the support available and was pleased to see the relevant signposting made available on all LBB channels, as recommended by the Committee.

We heard how the Department responded rapidly to the evolving environment providing electronic food vouchers, keeping our 6 children and family centres open in a Covid compliant way (when regulations allowed), dropping off activity packs for children, ensuring it was possible for essential health services to continue safely such as midwife and health visitor checks and maintaining close contact with schools and early years settings to ensure they were supported.

### Meeting structure

The Committee scrutinises many statutory annual reports. Whilst this is important, the Committee felt that data and information was out of date by the time it came to committee. It was therefore recommended that those giving updates on an annual report would provide supplementary information to provide up to date information on the subject area. Going forward the Committee will receive reports every 6 months (evenly spread out over all the committee meetings) to provide a timely update on these important areas before finally receiving the annual report at the end of the year. This allows for timely scrutiny on up to date information whilst ensuring that all annual reports aren't scrutinised in one session.

Whilst setting out this new process, the Committee has also requested the inclusion of a report from the early intervention and family support team that run our children and family centres and provide many important support services to families in the Borough.

This year also saw the Budget Sub-Committee return which allowed members to dedicate the session to detailed scrutiny of the spend of the Department and budget setting going forward.

## **Policy Development**

### Budget

The Committee established a budget task and finish group to closer analyse the budget setting process of the department. The task and finish group met twice and commissioned analysis to compare the per unit costs of Bromley services to other boroughs. This analysis shows that Bromley performs well, and the group found that providing this comparison was a useful tool in scrutiny. The group therefore recommended that this work is done on an annual basis going forward. The group also noted that unlike other departmental budgets there is a high level of volatility which should be noted.

### Youth engagement and representation

The Committee believes that hearing the voice of our young people is crucial, particularly in fulfilling our role as corporate parents. The committee decided to create a youth engagement task and finish group. The group met once and discussed many ways to engage with young people in the borough such as involvement in projects for the community, running their own initiatives and youth facilities in the borough. The group is still to finish this work as some of the work had to be postponed due to the pandemic but will be meeting again next session to take this work forward.

The Committee also recognised that whilst it was very good to have a member of the Bromley Youth Council (BYC) on the Committee, due to the sometimes long agendas and late finishes there may be a better way to ensure that they are engaged in the work of the Committee. Similarly, the Committee wanted to make sure the voice of the children that are in the care of the Council and to who councillors are corporate parents too had their voice heard.

After initial conversations with the Living in Care Council (LinCC) and the BYC it was decided to trial a new approach. For the previous two meetings items have been chosen from the committee agenda for the LinCC and BYC to review and scrutinise. The relevant officer also provides a short and easy to digest accompanying presentation to support this scrutiny. Myself and Cllr Ellis, along with officers, then met with both groups separately to discuss the reports and for our young people to ask their questions. These are held close to the committee meetings so that officers and myself as Chair can relay their views and questions asked to committee members. This has occurred for two committee meetings with our young people providing input on the Virtual School Annual Report and the IRO Annual Report. This has been very useful and the level of scrutiny and questions from our young people has been excellent. We have already taken on board and actioned some of their recommendations such as making a youth friendly version of reports available for LinCC and BYC to share in their forums.

## **Conclusion**

It has been a busy year and the department has needed to respond to the impact of the pandemic quickly, whilst also continuing with business as usual. The committee has been focused on ensuring that our vulnerable young people and families have what they need whilst also ensuring resilience in the department. It has been a tough year and we would like to say thank you to officers for the support they have given to the work of the committee and hard work that has been done through this challenging year.

**Cllr Nicky Dykes**

**Chairman**

**Children, Education and Families PDS Committee**

## 7. Report from Environment and Community Services PDS Committee

**Chairman: Cllr. William Harmer**

**Vice-Chairman: Cllr. Kieran Terry**

This year is a year unlike any other for the Environment and Community Services PDS Committee and for the officers involved in the Portfolio. The impact of COVID-19 on both the work of the Committee and how we have conducted scrutiny and policy development has been significant with the Committee only meeting virtually for the whole year.

Before going into the details of this report, I have to pay tribute to our officers. Many of our services have faced one in a generation pressures and officers have adapted with ingenuity and pace. Not only have they kept critical environment services running during periods of huge uncertainty, but I know also officers have been involved in the wider response to COVID-19, including leading the development of our new vaccination centre, supporting the test facilities and making changes rapidly in the Borough to keep people safe in our town centres so on behalf of my Committee thank you.

The transition to a virtual committee has been successful and I would like to thank our clerk, Mr. Wood and the Council IT team who have ensured we can continue with our scrutiny and policy development function over this period.

I would also like to thank:

- Our committee members whose questioning and contributions have shaped and improved the proposals coming through the committee
- The Director of Environment and Community Services, Mr. Colin Brand and his team for their contributions both to the reports and to the meetings
- Cllr Huntingdon-Thresher for his courteous and knowledgeable responses to the large number of committee questions as Portfolio Holder with his Executive Assistant Cllr. Will Rowlands
- Mrs Philippa Gibbs and Mr Stephen Wood our committee clerks who ensured each meeting ran smoothly and who have adapted to our new virtual meetings.
- The members of the public who in asking their own questions supported the Committee in holding the Executive to account and demonstrated a clear passion for enhancing the neighbourhoods in which they live.

Over the course of the year we held five meetings. This was less than usual as during the early stage of the pandemic I made the decision to allow officers to focus on maintaining delivery of the service. As the Chairman of the Committee I was kept up to date however I am looking forward to the return to normal.

As we look forward, the committee will need to grapple with a number of challenges. COVID-19 has had a significant impact on the finances of the Portfolio with significant reductions in revenue such as parking and with additional pressures put on services such as

waste services. One of the key questions we will be grappling with over the next year will how these changes pan out, how much remains permanent and how much revert back to normal.

## Key PDS Achievements 20/21

**1** Holding our contractors to account: The Committee have kept up with their continual review of the performance of the Portfolio. Using KPIs regularly reported on, the Committee were able to hold contractors and officers to account for their performance. While the year has been exceptional, our performance monitoring plan has enabled us to stay on top of all aspects of the Portfolio.

**2** Securing investment for our High streets, walking and social distancing In a special PDS meeting in June, the Committee met to agree priorities for funding to ensure the successful return of our High Street, schools and to further encourage walking and cycling. The Borough was successful in securing funding for a number of schemes including new zebra crossings, signage and temporary schemes to support residents to return to work, shop and school

**3** Actions to improve air quality: In September the Committee unilaterally agreed its action plan following public consultation. Over 880 responses were received – a record for an Air Quality Action for plan both Bromley and London. We are fortunate to enjoy the best air quality in London, but there is always more that can be done. The plan was commended by the Greater London Authority and the Committee look forward to following up on progress next municipal year.



**Cllr Will Harmer**  
**Chairman, Environment and Community Services PDS Committee**

## 8. Report from Public Protection and Enforcement PDS Committee

**Chairman: Cllr David Cartwright QFSM**  
**Vice-Chairman: Cllr. Christopher Pierce**

### **Introduction**

As we are all aware, the past municipal year has been one of challenge and change. The Covid Pandemic brought with it a multitude of hurdles to overcome both for officers and Members alike. Throughout the year, the Public Protection and Enforcement Department has faced and has dealt with these challenges admirably, demonstrating fortitude, commitment, enthusiasm, and professionalism and an impressive 'can do' attitude. The Public Protection & Enforcement Policy, Development and Scrutiny Committee (PP&E PDS), through its scrutiny, has witnessed the achievements of officers, who have coped incredibly well with the sheer number of changes in legislation and other procedures over the past year and ensured 'business as usual' has continued.  
*David Cartwright – Chairman PP&E PDS*

### **No. of Meetings**

Due to the COVID-19 pandemic, the Urgency Committee (on the 19<sup>th</sup> March 20) considered a report on Decision Making Arrangements During Coronavirus Delay Phase, within which it was decided that all Policy Development and Scrutiny meetings were to be suspended until the new municipal year, but that written or virtual scrutiny of Executive and Portfolio holder decisions would continue to be coordinated by the relevant PDS Chairman.

As a result, where there were items for information only, these were circulated to the committee by email, and virtual committees were held where there were items with a decision attached.

Subsequently the PP&E PDS met virtually 3 times during 2020-21 (the 3<sup>rd</sup> and last meeting for this financial year is scheduled for 16<sup>th</sup> March 21).

### **Portfolio Priorities for 2021**

At the PP&E PDS meeting due to be held on the 16<sup>th</sup> March 21, the Public Protection & Enforcement Portfolio Holder Cllr Kate Lymer will outline her Draft Portfolio Plan priorities for 2021-22.

These fall under the 4 following proprieties:

- 1. We will Keep Bromley Safe**  
We will take an intelligence led and partnership approach; working together with public sector agencies, businesses, and local communities to reduce: envirocrime, crime and to improve safety.
- 2. We Will Protect Consumers:**  
We will maintain our community safety and trading standards and public protection services, to protect elderly and otherwise vulnerable residents in Bromley, and to ensure there is a fair, safe and genuine trading environment, through encouraging compliance and responsible enforcement.
- 3. We will support and regulate businesses**  
We will abide by the approach within our enforcement policy, and embed a risk-based, proportionate, targeted and flexible approach to regulatory inspection and enforcement among the regulators to which it applies. This approach will ensure that regulators are efficient and effective in their work, without imposing unnecessary burdens on those they regulate.



4. **We will protect and improve the environment through custodianship and effective and responsible enforcement.**

We will make a difference to people's lives by promoting a healthier, fairer and safer environment in local homes and within our communities, through appropriate policies and by providing compliance advice, education and through proportionate regulatory enforcement. We will focus on promoting behaviour change, and supporting compliance, working with businesses, the community and volunteer groups, and taking appropriate action to ensure the street environment meets local needs. We will undertake enforcement activity around issues relating to anti-social behavior, illegal incursion, dog attacks and drug abuse in our parks and open spaces; and we will manage parking issues through effective enforcement to balance the needs of motorists, residents and businesses.

### **Success against the 20-21 Portfolio Plan**

Performance and enforcement actions undertaken against the previous Portfolio Plan has been presented to the PP&E PDS committee for scrutiny; below are examples from each service area that demonstrate the support services provide to each other and the diversity of work undertaken within the Portfolio area:

#### **Trading Standards**

Officers from Trading Standards have regularly conducted follow up visits to vulnerable residents who had not responded to contact by the track and trace teams, as well as providing regular updates to warn against several Conflict of Interest Disclosure (COID) related scams and frauds.

#### **Commercial and Domestic Regulation**

To assist in our response to Covid, officers from across the Commercial and Domestic regulation teams supported colleagues in Environment with the implementation and enforcement of new regulations which introduced the temporary Pavement Licensing regime. This allowed licensed premises and some food outlets in certain circumstances to apply for a license to have tables and chairs on the public highway.

The Nuisance and Anti-Social Behaviour Team have added to the Council's investigative capabilities through deploying body worn video cameras during 2020. This addition to the team's processes will enable better evidence gathering, and also ensure both officers and the public are dealt with in a fully professional manner at all times.

#### **Community Safety**

The Community Safety Team produced the Safer Bromley Partnership Board Strategy for 2020-2023. This incorporated the Community Plan and the Crime Reduction Strategy into a single document and sets the direction as to how partners will work together to reduce crime and ASB in the Borough.

The Community Safety Team undertook a review in 2020 of the Public Space Protection Orders (PSPO) within the borough which cover parks in Bromley, Beckenham and Penge in accordance with the need to review the orders tri-annually. The review included a public consultation, and respondents were asked if they wished to see the orders cover the borough in its entirety, and further, whether psycho active substances should be added to the controls. There was overwhelming support for both suggested amendments and an amended PSPO now applies to all land within the Council's borough where the public have access.

#### **Highways and Network Management and Neighbourhood Management**

Throughout the start of the Covid Pandemic as of March 2020 the Street Enforcement team has been working "business as usual" responding to customer complaints, undertaking site and residential visits concerning all matters of highway enforcement. This ranges from the investigation into, the removal of unauthorised traveler encampments onto LBB land, fly tipping, abandoned

vehicles, illegal encroachment of Highway land, overhanging vegetation onto the footway, removal of illegal skips, and other obstructions on the highway.

In addition, the Council's Park Security contractor (Ward Security) has continued to fulfil its contractual obligations and operate 7 days a week, 365 days a year enforcing parks Byelaws and most importantly working in Co-operation with the Police in helping to enforce Covid Regulations.

### **Planning Enforcement**

In the period April 2019 to March 2020, the Council received 768 new complaints concerning alleged breaches of planning control. This compares with approximately 863 complaints registered in the previous year (- 12%).

In terms of enforcement activity, 55 enforcement notices were issued in respect of breach of planning control in the period April 2019 to March 2020. In other cases, negotiation led to matters being resolved before notices were issued.

### **Parking Enforcement –**

As a result of the impact and challenges of COVID, it was necessary to make various operational challenges to the pre - pandemic enforcement operations. These included:

- A shortening of patrol lengths to ensure that proper hygiene standards were maintained
- A focus on main thoroughfares and congestion areas
- A reduction in the number of active patrols as a result of social distancing guidelines having to be followed in the base of operations by the service supplier, and
- Patrols were also lost as a result of several CEOs having to self-isolate, as a result of contracting COVID, or being instructed to self-isolate in accordance with Government guidelines

Unsurprisingly, COVID has impacted on the number of PCNs issued for all types of traffic and parking contraventions; the Team forecasts that the number of PCNs will be reduced by 28%, as a result, income will of course be affected.

### **PP&E PDS Reports and Updates**

**In line with agreed policy priorities, by the end of the year Members will have received detailed written and / or verbal reports on:**

- Budget Monitoring
- Community Impact Days
- Contracts Register and Database
- COVID 19 (Public Protection) Activities
- Enforcement Activity Update
- Emergency Planning and Civil Resilience - Annual Report
- Expenditure on Consultants
- Model London Lettings Enforcement Policy
- MOPAC Updates
- Planning Enforcement Progress and Monitoring
- Portfolio Holder Updates
- Private Rented Sector Housing Enforcement Policy 21 (draft - including Civil Penalties Policy and Statement of Intent Carbon Monoxide Regulations)
- Public Protection & Enforcement Performance Overview
- PP&E Portfolio Plan 2021-22
- Extending Public Space Protection Orders Concerning Alcohol
- Risk Register
- Safer Bromley Partnership Board Progress updates

- The work of the Bromley Youth Council

### **Police and Safer Bromley Partnership Board Scrutiny:**

As part of its role, the PP&E PDS scrutinises the Police as to how they deliver the work of the Safer Bromley Partnership Board (SBPB), and how they fulfil the aims of the Safer Bromley Partnership Strategy. As a result, in addition to scrutinising the Police, the committee now also reviews the minutes of the SBPB. The SBP Board comprises both statutory and non-statutory partners. It brings the organisations together so that they can cooperate at a strategic level to improve community safety outcomes for the residents of Bromley.

The Board has the responsibility for developing the Safer Bromley Partnership Strategy that delivers the priorities determined by MOPAC, as well as those that are important to our residents. The 4 priorities within the new strategy that was launched in March 2020 are:

1. Safer Neighbourhoods (e.g. MOPAC local priorities- ASB, Residential Burglary, and non-domestic violence with injury, and a borough priority of financial abuse of the elderly);
2. Violence Against Women and Girls;
3. Keeping Young, People Safe and
4. Standing Together Against Hate and Extremism.

These priorities were chosen by incorporating the specific priorities within the MOPAC Police and Crime Plan 2017-21, data from the strategic assessment of crime, and also the results of the crime survey undertaken in 2020. The overall aim is to work towards reducing crime and ASB across the borough, but particularly within these sectors.

### **Crime Over the Last Year (February 20- January 21 latest MOPAC figures)**

All PP&E PDS meetings included a comprehensive Police Update presented by Supt Andy Brittain and/or one of his deputies.

PDS Members used the priorities identified above as the basis to scrutinise the work of the Police and to raise questions. As the figures on crime originally presented were not necessarily in the format that could be of greatest benefit to the work of the committee, a new format has now been developed by Supt. Brittain. This has been approved, and the data within this new report will link in with the performance objectives within the Safety Bromley Partnership Strategy.

The table below demonstrates that there were percentage decreases for most areas of crime that are considered under the Safer Bromley Partnership Strategy, as well as the Violence Reduction Action Plan. An increase has been recorded for reports of hate crime, and emerging evidence shows that the Covid-19 pandemic is associated with an increase in hate crime reporting, especially against Chinese and East Asian minorities. With regards to the exponential rise of ASB calls, this again is attributable to the pandemic, as many of the calls were made to report alleged breaches of Covid 19 legislation.

Category	Rolling Year Jan 21 Numbers	% difference Rolling Year	RAG Status
Total Notifiable Offences	21,328	-16% (25481)	Green
Non-Domestic Violence with Injury	1280	-12% (1451)	Green
Total Burglary	1634	-40% (2738)	Green
Theft of Motor Vehicles	950	-8.6 (1040)	Green
Knife Crime Offences	639	-47% (1216)	Green

Gun Crime Offences	89	-27% (123)	Green
Sexual offences	496	-9% (545)	Green
Domestic Abuse Offences	2900	-5% (3054)	Green
Hate Crime	513	+16.3% (441)	Amber
ASB Calls	13110	+94% 6764	Red

With

regard to local 'Crime Hotspots' within Bromley, members of the PDS have requested more detailed information be provided in the future and Supt. Brittain's new information format should provide this, along with the Police strategy to deal with these individual crime centres.

## Work of Public Protection and Enforcement Services Through COVID 1

The local response in Bromley to COVID-19 has been mobilised through the hard work and commitment of Officers, elected members, residents, local businesses, partner organisations, and local voluntary and community groups, who have come together to support the most vulnerable and at risk people in our communities during these unprecedented times.

Throughout 2020/21 Public Protection Officers have enforced the plethora of new Coronavirus regulations, which have placed changing restrictions and obligations on businesses, and provided local authorities with a range of enforcement tools to secure compliance. The purpose of the regulations is to control the spread of the virus, and this was kept in mind when determining enforcement decisions where the law and guidance could be open to interpretation.

Following the introduction of social distancing in March 2020, all services and business continuity plans within Public Protection were reviewed and delivery plans were agreed whereby all services would remain operational, albeit on an amended basis, for example, where possible face to face inspections were replaced with virtual ones.

The table below presents the enforcement activity carried out by Public Protection between the 27<sup>th</sup> March 2020 to 28<sup>th</sup> February 2021 (based on information submitted to Office for Product Safety and Standards (OPSS)).

Interaction required with business to check compliance/respond to non-compliance closure requirements	Businesses checked by drive by surveys to monitor closures	No. of CPNWs & CPNS	Notices
3,240	29,011	111	15

In addition to enforcement, Public Protection continued to work with partners and engage businesses in order to help them navigate a series of government announcements setting out rules for their staff and customers, these included (but were not limited to):

- Working with the LBB Communications team to develop support materials for business premises compliance
- Supporting Public Health with scenario planning
- Developing and sharing protocols on risk e.g. food inspections, PACE interviews on site
- Conducting "COVID patrols" through utilising the party patrol service
- Partnership working with the Licensing Police to target non-compliance of social distancing in licensed premises
- COVID scenario planning also featuring in weekly BCU Community Safety Meetings
- Development of a Metropolitan Police Service Unlicensed Music Events Protocol, in response to COVID tensions in parks
- Working with Planning in relation to applications for the extension of construction hours and adjusting enforcement approach as necessary
- Supporting the National Trading Standards (NTS) Scams Team (Businesses Against Scams), In total around 2300 businesses were contacted in partnership with the Business Improvement Districts (BIDs)
- Contacted 650 food businesses to provide advice on how to operate as a takeaway

- Attended weekly multi agency meetings, which included COVID 19 Tactical Group, BCU Leadership and Heads of Community Safety Partnerships and the South London Coronial Area, and Excess Deaths Steering Group.
- Emergency Planning Team performed the role of Resilience Advisers and supported the Chief Executive, Strategic Co-ordination Group and COVID-19 Tactical group in relation to the Council's collective response. The team have managed the Borough Emergency Control Centre, maintaining the link between the Council and London Resilience

*"I would like to thank all members of the PP&E PDS, for their contribution and support over the past year and I would also like to thank those Council Officers who have worked diligently and hard to ensure the PDS has been able to fulfil its role throughout this difficult year.*

*Finally, I would like to thank the PP&E Portfolio Holder Cllr. Lymer, for her support and guidance and also for her hard work and enthusiasm over a very busy and extraordinary year..."*

**Cllr David Cartwright QFSM  
Public Protection & Enforcement PDS Chairman**

## 9. Report from Renewal, Recreation and Housing PDS Committee

**Chairman: Cllr Michael Rutherford**  
**Vice-Chairman: Cllr Suraj Sharma**

- 1.1 The Committee met seven times this municipal year, including three special meetings. Each meeting has scrutinised the reports for decision by the Renewal, Recreation and Housing Portfolio Holder and considered policy development for key areas across the portfolio. Through this past year, the RR&H PDS Committee has scrutinised a range of proposals and continued to focus on facilitating faster delivery of affordable housing.
- 1.2 It has been a difficult year for many of the service providers and service users of this portfolio. We would like to thank the staff of the London Borough of Bromley and our contractors and partners for keeping services running (where possible) and for doing their best for all residents of the borough.

### 1.3 Topics the PDS Committee have focused on include:

#### Housing

- 1.4 Affordable Housing: The committee continued to help the increased supply of affordable housing within the borough. It supported proposals from Orchard and Shipman and Beehive for acquiring properties for temporary and affordable housing, scrutinising details to ensure that the accommodation would be of sufficient quality and represented value for money. It considered approaches to funding affordable housing to ensure the schemes provided genuinely affordable rents while being cost effective in the long term for the council.
- 1.5 Housing Delivery: Throughout the year, the committee has been actively tracking the progress on the first phase of the Transforming Bromley approach to building homes. It has challenged officers on delivery timelines and met urgently to approve major milestones where required. It has identified potential other sites for new temporary accommodation and raised considerations about others.
- 1.6 Emergency Accommodation: At the outset of the crisis, the committee expressed concern for rough sleepers in the borough, so was pleased to see the success of the "Everyone In" initiative, which brought the vast majority of rough sleepers into homes with some in hotels on a short-term basis. It was impressed with the diligence of officers in keeping in contact with clients in temporary accommodation to check they were ok and whether they had access to support.

#### Town Centres

- 1.7 Bromley: the committee was pleased to support proposals for improvements to Bromley High Street, including a new bandstand and seating.
- 1.8 Orpington: the committee fed comments to the Executive on the continued work with Areli to regenerate Orpington town centre. Particular focus was given to ensuring that town centre library and leisure centre provision remained.
- 1.9 Chislehurst: support was given to the redevelopment of Chislehurst Library into a new, modern library and GP practice. The new library will be more accessible and allow better use of the site with at least the same number of books as at present.

#### Recreation and Digital

- 1.10 In light of the COVID-19 pandemic, the committee analysed the Digital Infrastructure Work Plan with a view to improving the high quality digital connections across the borough.

- 1.11 The committee was pleased to support proposals to bring the Concert Platform in Crystal Palace Park back into active use. It supported proposals for larger events in Crystal Palace Park but challenged officers on how well other council portfolios (specifically Environment and Public Protection and Enforcement) were involved in planning for large-scale events.
- 1.12 The committee scrutinised the re-opening of leisure and library services after the first lockdown, and the plans for re-opening them after the current lockdown. It raised concerns about Biggin Hill leisure centre and the Pavillion not reopening between lockdowns. It supported the temporary new timetables for libraries across the borough, but asked for a consultation with all service users before any permanent changes were made.

### **Planning**

- 1.13 The performance of the planning service was assessed, with a particular focus on the performance of planning appeals. The committee considered appeals received and decided and the costs incurred by the council.
- 1.14 The Committee supported proposals to protect sensitive parts of the borough through Article 4 directions protecting Areas of Special Residential Character, Petts Wood and Bromley's office clusters. It also proposed an Article 4 direction to protect views within the Ravensbourne Valley, which was adopted by the council.

### **Scrutiny of the Portfolio Holder**

- 1.15 The committee scrutinised the portfolio budget, requesting that officers and the portfolio holder explain the certainty of the budget put forward in light of the ongoing lockdowns.
- 1.16 The committee also analysed the contract register throughout the year, challenging on specific contracts to ensure that contracts avoid being managed effectively and there is suitable foresight of where new contracts are required. Similarly it considered the Risk Register on a regular basis, highlighting potential other risks and challenging identified impacts.

### **Thanks**

- 1.17 I would like to thank all the members of the committee for their diligence and hard work throughout the year. A lot of work has been carried out, which has covered a very broad range of subjects. I would also like to thank the officers in the RR&H department for their tireless work at the committee meetings and the ongoing day to day running of the department. I would also like to thank the committee's outgoing clerk Mrs. Lisa Thornley for all of her work over the years I have chaired this committee, her diligence has always been appreciated.

**Councillor Michael Rutherford  
Chairman, Renewal, Recreation and Housing PDS Committee**