

PUBLIC PROTECTION AND ENFORCEMENT POLICY DEVELOPMENT & SCRUTINY COMMITTEE

Minutes of the virtual meeting held at 6.30 pm on 16 March 2021

Present:

Councillor David Cartwright QFSM (Chairman)
Councillor Chris Pierce (Vice-Chairman)
Councillors Kathy Bance MBE, Julian Benington,
Kim Botting FRSA, Mike Botting, Alexa Michael,
Suraj Sharma and Harry Stranger

Sharon Baldwin, Jacob Eyers and Alf Kennedy

Also Present:

Superintendent Andy Brittain, Stuart Baker and Hilary
Williams, James Lowell and Danie Gibbs

STANDARD ITEMS

102 APOLOGIES FOR ABSENCE AND CHAIRMAN'S INTRODUCTORY COMMENTS

Apologies for absence were received from Oscar Seale from Bromley Youth Council.

The Chairman expressed his thanks to committee members and to officers for all their hard work and support over the past year.

The Chairman asked the Committee to mark and note the terrible abduction and murder of Sarah Everard. The Chairman expressed his sincere condolences to Sarah's family and friends. The Chairman stated that the current level of violence against women and girls was totally unacceptable. The Chairman stated that as investigations were ongoing with respect to this awful crime, he would not be opening discussion on the matter in the meeting.

The Chairman said that if anyone had any questions relating to the matter, they should contact the Portfolio Holder for Public Protection and Enforcement outside of the meeting.

103 DECLARATIONS OF INTEREST

There were no declarations of interest.

104 MINUTES OF THE PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE HELD ON 19th JANUARY

The Committee considered the minutes of the meeting of Public Protection and Enforcement PDS Committee that convened on 19th January 2021.

A Member referred to the section in the minutes which read as follows:

'A Member asked why it appeared that the figures with respect to the crime of 'harassment' had increased and she requested that in future a more detailed breakdown of this data be provided. Mr Baker agreed that the figure seemed high. He said that he would look into this further and provide more detail to the Member outside of the meeting.'

The Member asked that a post meeting note be added to the minutes of the meeting on January 19th to point out that she had not received this update as the data was not readily available on the IT systems currently used by the police.

A Member commented on the notes in the minutes which referred to a report going to the Development Control Committee in March regarding HMOs. The Member clarified that it was now anticipated that this report would go to the Development Control Committee in May.

The Chairman referred to the note in the minutes regarding the possible impact of low traffic zones. The Chairman was concerned that the implementation of low traffic zones may in some cases cause delayed attendance by the emergency services. The minutes of 19th January noted that the police were not aware of delayed attendances caused by low traffic zones that had affected police response times. However, the police responded that this was a matter that they could investigate further if required.

The Chairman stated that he had been in contact with both the LAS and LFB who were aware of delayed attendances in some cases. This was a matter that the Chairman wished to pursue and so he asked the police if they would look into the matter further and report back to him with their findings.

RESOLVED that :

- 1) **The minutes of the meeting held on 19th January 2021 be agreed as a correct record.**
- 2) **A post meeting note be added to the minutes of the meeting that was held on 19th January to state that a Member had not received the requested data from the police with respect to harassment.**
- 3) **The police make some investigations with respect to any delays in response times caused by low traffic zones and update the Chairman accordingly.**

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

No questions had been received for the Chairman or the Committee.

106 QUESTIONS FOR THE PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER

No questions had been received for the Portfolio Holder.

107 MATTERS ARISING

CSD21027

The Chairman asked if the police could provide more data with respect to the crime of harassment going forward, so that this data could be monitored. Inspector Baker asked if the Chairman would be happy with a breakdown of this data over a month, as this would be more achievable for the police. After doing this for the first month, then the police would be in a better place to see how realistic it would be for them to provide this data on an ongoing basis, as the provision of this data was resource intensive.

The Chairman asked if the police could see if there was a better way that they could collect the data. Inspector Baker explained that a new IT system was planned to be rolled out, but this was not available yet; in the meantime the police were using an old legacy system which made the data difficult to collate.

The Chairman referred to the matter that had arisen with respect to new trainees from ethnic minorities. He was keen to see how many of those recruited had passed the training and then progressed to full employment. Inspector Baker responded that this was something that his team was working on with their Human Resources Department. He would endeavour to provide an update regarding this at the next meeting.

It was noted that the Food Safety Team was fully staffed and that the update concerning HMOs would be looked at by the Development Control Committee in May.

RESOLVED that:

- 1) The Matters Arising report be noted.**
- 2) The police would endeavour to provide a monthly breakdown of data relating to harassment for the next meeting.**
- 3) The police would endeavour to provide data regarding the number of trainees from ethnic minority backgrounds that had successfully passed the police training course, and then gone on to be selected for service.**

108 UPDATE FROM SLAM

Hilary Williams attended the meeting to provide the update from SLAM (South London and Maudsley NHS Trust) and to answer any questions. Ms Williams was the Service Director for Croydon Behavioural Developmental Psychiatric Services. She was based at the Bethlem Hospital, Monks Orchard Road, Beckenham. Also attending the meeting in support was James Lowell from SLAM's Executive Team.

Ms Williams summarised the main points of the report that she had submitted for the attention of the Committee. She mentioned that an incident had occurred in September 2020, when a patient had gone absent without leave. In this case the relevant protocol had not been enacted. She apologised for this and informed the Committee that the protocol had now been refreshed and a copy had been provided to the LBB Assistant Director for Public Protection and Enforcement.

The Portfolio Holder for Public Protection & Enforcement stated that SLAM had not provided an update to the Committee since 2018, and that previously much more information was provided. The Portfolio Holder was seeking to reboot the relationship and facilitate more open dialogue between SLAM and the Council. She explained that previously, the Committee would be provided with more information concerning targets, breaches of protocol, the mix of patients and the sort of offences that they had committed, together with information around various treatments and programmes that were in place.

Email updates provided by SLAM previously were not always concerning bad news, but would often contain good news stories, which were good for the public to be aware of, and which promoted assurance and confidence.

It was the sincere desire of the Portfolio Holder to improve communications between the two parties and to develop the relationship. Ms Williams agreed with this.

A Member asked what was meant by 'certitude services', and the Committee was informed that 'Certitude' was a voluntary sector provider and they were used to provide 'step forward housing', which was a sort of supported housing scheme designed to help offenders settle back in the community.

The Chairman was keen to arrange another visit to the Bethlem site.

RESOLVED that the SLAM update be noted.

109 POLICE UPDATE

Superintendent Andy Brittan and Inspector Stuart Baker attended on behalf of the Metropolitan Police.

The Vice Chairman asked the following question:

“Can the Police please tell the Committee what proactive steps they are taking to deter and prevent off-road motor bike and quad bike riding in our parks and open spaces that are (a) causing misery for our residents, primarily at weekends, and (b) in clear contravention of the COVID lockdown regulations. By way of example, Pauls Cray Hill Park in my own ward attracts this form of ASB every weekend and the Police appear to be unwilling, or lack a plan for, dealing with this behaviour that is seriously impacting on the quality of life and safety of our residents”.

Inspector Baker responded and said the problems associated with quad bikes were not new. It was often the case that offenders were individuals from outside of the area; in the past they were known to have come from as far afield as Canterbury and the South Coast. One of the tactics that had been employed by the police to deal with this issue was to identify the vans that were used for transporting the quad bikes, and from there, to verify the identity of the companies that owned the vans. In this way, community warnings had been issued to companies and directors had been held to account. In the past this had stopped the problem occurring in Hockenden Lane.

Inspector Baker informed the Committee that recently four quad bikes had been seized because they were not insured. In some cases Section 59 warnings had been issued and the quad bikes seized subsequently.

In cases where local people had been identified, the police would visit their homes with representatives from housing associations and the Council. It was not possible in these cases to search houses, but it was possible to conduct searches of gardens and sheds.

The police did have some off road capability, but this was limited. The police were considering the use of drones and video evidence. It was noted that video evidence had to be of a high quality before it could be accepted as evidence in the courts. Various proactive measures were being considered, along with preventative work.

Superintendent Brittain expressed the view that good work was being undertaken by the police which should be communicated better to provide assurances to the public. He expressed the view that better use should be made of social media to communicate good news stories.

The Vice Chairman thanked the police for their update, but he pointed out that local residents felt abandoned, and that the police should do more. He stated that this problem was the number one issue that was appearing in Councillors' emails and asked if the matter could be escalated upwards in terms of police priorities.

The Chairman asked if a concerted police effort could be undertaken at the relevant hotspots.

A Member referred to problems in her ward of a similar nature—this was with respect to a location that had been identified as ‘Footpath 136’. She said that previously the LBB Neighbourhood Officer had said that he was going to investigate to see if funding was available, so that obstacles could be placed to prevent the footpath being used by motor bikes and quad bikes. She had not received a response.

The Neighbourhood Officer responded and said that it was the case that funding was not available at the time. He promised to resurrect the matter to see if anything could now be done to secure the footway and he would update the Member accordingly.

The Committee was informed that while a landowner was clearing land in Biggin Hill, some human bones had been discovered. It was believed that the bones were 20-30 years old and were probably the remains of an elderly person. Forensic investigations were underway to try to identify the person concerned. Members would be updated as the investigation progressed.

A Member commented that the problem of quad bikes in the borough was long standing. She asked if the police still had specially trained officers that were trained in off road operations. Inspector Baker responded that this was something that he was hoping to achieve going forward, but he was not able to guarantee this. This was because specially trained officers were required, along with the appropriate off road bikes. It was hoped that officers could be sourced from the Traffic section. It was noted that the quad bike gatherings would also in many cases be a breach of lockdown regulations.

Members noted that with reference to the police data on crime types, the issue of ‘revenge sexting’ was included.

A Member asked why there had been a big decrease in the number of individuals found to be in possession of weapons in December 2020, compared with November. The cause of this was not clear. Inspector Baker speculated that this could have been a Covid related phenomenon. During December, the police had been badly affected by Covid, and this had reduced the number of officers on active duty. Resultantly, there would have been a knock on effect in terms of the number of people being stopped and searched for weapons.

The Chairman stated that he was pleased with the document that had been provided by the police for the Committee. He referred to the Crime Map which he said was very helpful. He requested that the police provide some detail going forward on how they would be dealing with crime hotspots—as different areas had different problems.

A discussion took place regarding Community Advisory Panels, and high and low level crime types; it was noted that the crime types were not changing as far as LBB’s priorities were concerned. The Chairman was concerned that local community priorities should match those priorities that had been suggested by MOPAC.

It was agreed that the Chairman should meet outside of the meeting with Superintendent Brittain before the next meeting to agree how the police document should be fine-tuned.

It was agreed that Members could share data as required from the document submitted by the police as the information was not confidential.

The Chairman and the Committee expressed their thanks for the hard work undertaken by the police during the period of the Covid 19 pandemic.

RESOLVED that

1) The police update be noted.

2) The Neighbourhood Manager would check if funding was available so that modifications could be made to 'Footway 136' to prevent said footway from being used by quad bikes. The Neighbourhood Manager to update the appropriate Member accordingly.

3) Members would be updated in due course concerning the police investigation that was underway after human bones had been discovered in the Biggin Hill area.

4) The police should provide some detail in their updates going forward, to show how they were dealing with crime in identified crime hotspots

5) The Chairman would meet with Superintendent Brittain to discuss how the police update document could be fine-tuned going forward.

110 UPDATE FROM BROMLEY YOUTH COUNCIL

Jacob Evers attended the meeting as BYC (Bromley Youth Council) Chairman to provide the BYC update and answer any questions. Also in attendance was Danie Gibbs.

The Chairman thanked BYC for an excellent and comprehensive report. He commented that BYC had undertaken a well-planned campaign as evidenced by impressive outcomes. The Chairman noted that the campaign had focussed on three main areas, and the Chairman said that he was particularly impressed with BYC's involvement in the 'Make your Mark' initiative. It was noted that an area of great concern for BYC members nationally, was the idea to bring back free tuition for University study. A discussion took place as to whether or not this was a good idea, as historically speaking there was some evidence that when the tuition was free in the past, there was a large number of students that dropped out. A Member suggested that the reasons why students dropped out of University would make an interesting study.

The Vice Chairman asked about the possible involvement of BYC members in the 2022 local elections. It was noted that BYC did support the LBB electoral

team, and that where appropriate, BYC members were encouraged to make sure that they were on the electoral roll, and to vote.

Members noted that the best social media platform for contacting young people was Instagram, followed by Facebook.

The matter of self-harming and mental health was discussed. BYC reviewed different Apps that were available and tried to direct young people to sources of mental health support. BYC had updated their young person's mental health survival guide.

The BYC Chairman reported that the main aim with respect with BYC reporting on domestic abuse was primarily to raise awareness. BYC had received some training in this area from BCWA (Bromley and Croydon Women's Aid) and other services.

The Chairman expressed his thanks and congratulations to all of the BYC Team for presenting such an excellent report to the Committee.

RESOLVED that the BYC report be noted.

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

111 PUBLIC PROTECTION AND ENFORCEMENT PERFORMANCE OVERVIEW AND PORTFOLIO HOLDER UPDATE

Members noted that with respect to item 4E on the performance overview document, the rating had been changed from red to amber. This was the rating for the number of HMO licences that had been granted by LBB. Performance with respect to this target was now improving, as LBB was now allowed to issue licences, and then undertake inspections retrospectively.

Members were updated regarding item 4J which concerned the number of traffic enforcement appeals successfully contested by LBB. There had been a backlog as far as this was concerned, but it was reported that performance was now improving.

RESOLVED that the Public Protection and Enforcement Performance Overview update be noted.

112 PUBLIC PROTECTION AND ENFORCEMENT DRAFT PORTFOLIO PLAN

ES20071

Lucy West (ECS Senior Business Performance Officer) updated the Committee regarding the draft Portfolio Plan.

The Portfolio Holder commented that it was a challenging, but nevertheless achievable plan.

Members noted that visits to check if businesses were adhering to policies for selling age restricted products would be re-instated as soon as it was deemed safe to do so. This was regarded as a vital preventative tool.

It was requested that with respect to section 3.15, a note be added to the text to indicate that ASB would fall under the remit of Envirocrime.

RESOLVED that the draft Portfolio Plan be noted and that the Portfolio Holder endorses the outcomes, aims and performance measures set out in the draft 2021-22 Public Protection and Enforcement Portfolio Plan, taking into account the 2021 budget and the views of the Committee.

a BUDGET MONITORING 2020/21

FSD 21022

The Head of Finance (Environment and Corporate Services) informed the Committee that there had been additional underspend identified since Quarter 2--most of this was the result of inactivity in certain areas because of Covid. This had meant that officers had been able to spend more money in upgrading LBB's CCTV system.

The Chairman asked a question regarding community safety, where there had been an underspend of £79k. It was clarified that this amount was related to stray dogs only. Fewer stray dogs had been picked up over the Lockdown period.

A Member noted that the budget appendix detailed an increase in the budget with respect to Community Safety from £170k to £394k and he wondered what the reason was for this. The Head of ECS Finance said that he would look into this and update the Member who had asked the question.

RESOLVED that the Portfolio Holder for Public Protection and Enforcement endorses the latest 2020/2021 budget for the Public Protection and Enforcement Portfolio.

Post Meeting Note:

Regarding the question raised concerning the fluctuations in the community safety budget—an answer was disseminated by the Head of Finance—Environment and Corporate Services the day after the meeting.

b DRAFT PRIVATE RENTED SECTOR HOUSING ENFORCEMENT POLICY 2021

ES20076

Joanne Stowell, (Assistant Director for Public Protection and Enforcement) advised the Committee that the Council had an overarching community safety

enforcement policy. The policy being brought to the attention of the Committee on the night was aimed at outlining the proposed process and protocols going forward for the private rented housing sector and to outline specific enforcement options for the sector that the Council was not currently utilising. It was proposed that civil penalties be used in lieu of prosecutions.

It was explained that the Council had a statutory duty to publish their policies regarding enforcement in the private rented housing sector. It was recommended that the draft policy go out for a six week consultation period, and that an updated report be brought back to the Committee on 22nd June, highlighting the final draft post consultation. The recommendation at that time would be for the policy to be adopted.

The Assistant Director said that there were no additional cost implications for consideration, and that the Community Safety Team would prepare a flowchart that would be provided to Members—this could be used for advising their constituents.

The Vice Chairman suggested that as no decision was being made on the night, Members should avoid discussing the matter further and wait for the final draft to be presented in June.

It was agreed that the consultation would be advertised as widely as possible, using social media as well as the Council's website. This would be overseen by the Council's Communications Executive.

It was noted that currently the service employed four enforcement officers who would be tasked with enforcement in this area, as well as undertaking HMO inspections.

RESOLVED that:

- 1) The Portfolio Holder agreed that the draft Private Rented Sector Housing Enforcement Policy 2021 (PRSEP) attached to the report (Appendix 1), and the subsequent appendices for Civil Penalties Policy, imposing financial penalties under the Housing Act 2004 and the Housing and Planning Act 2016 at Appendix 2 and the Statement of Principles for the determining of financial penalties under the Smoke and Carbon Monoxide Alarm (England) regulations 2015 (Appendix 3) be approved for 6 week public consultation (1st April – 13th May 21).**
- 2) The Portfolio Holder agreed to give delegated authority to the Director of Environment and Public Protection, in consultation with the Portfolio Holder for Public Protection and Enforcement to make any amendments to the policy as required post consultation.**
- 3) The Portfolio Holder agreed that the results of the consultation be presented to the PDS Committee at its meeting on 22nd June.**

- 4) **The draft private rented sector housing policy be recommended for approval on June 22nd**
- 5) **The Portfolio Holder agreed that delegated authority be given to the Director of Environment and Public Protection, in consultation with the Portfolio Holder for Public Protection and Enforcement, to make minor amendments to the policy post adoption should this be required.**

**113 EMERGENCY PLANNING AND CORPORATE RESILIENCE
BUSINESS CONTINUITY SERVICE - ANNUAL UPDATE**

David Tait (Emergency Planning and Corporate Resilience Manager) attended the meeting to provide the annual update regarding Emergency Planning and Corporate Business Continuity. He informed Members that it had been a busy year; he had been involved with the Covid 19 testing programme, and he said that he was very impressed with the way that people across the board had responded to the Pandemic.

The Chairman asked Mr Tait how he had been involved in the police raid on the Travellers site at Star Lane. Mr Tait answered and said that he was the Council's police liaison officer, and the fact that he had formerly worked for the Metropolitan Police made him an obvious choice. Mr Tait had worked closely with the police and various LBB officers, and also with Sara Bowrey who was the LBB Gold Command at the time of the operation. Mr Tait stated that he was very impressed with the local authority response.

At this point Mr Tait lost internet connection and the Chairman requested that if anyone had any further questions for Mr Tait, they should send them in via email.

RESOLVED that the update on emergency planning and corporate resilience business continuity be noted.

114 COVID 19 PUBLIC PROTECTION ENFORCEMENT UPDATE

ES 20084

Mr Rob Vale (Head of Trading Standards and Commercial Regulation) attended the meeting to provide the update concerning the Covid 19 Public Protection Enforcement Update. He outlined the enforcement action that had been taken by the services within Public Protection in response to the COVID19 pandemic and associated Health Protection (Coronavirus, Business Closure) Regulations 2020.

It was noted that some key dates were coming up as part of the Government's plans to take the country out of lockdown restrictions. The 12th April was a key transition date for the country and enforcement when there would be a reopening of all retail shops and outdoor eating would be permitted. Trading

Standards were continuing to monitor new rules and guidelines that would come into force so that businesses would be able to operate properly from April 12th onwards. Safe work place measures would still be in place.

RESOLVED that the Covid 19 Public Protection Enforcement Update be noted.

115 MOPAC UPDATE

ES 20083

Amanda Mumford (Community Safety Officer) attended the meeting to provide the MOPAC (Mayor's Office for Policing and Crime) update and answer any questions. It was explained that the report outlined the various programmes and schemes in the Borough that were funded by MOPAC.

An update was provided regarding the 'Drive' programme at the request of the Vice Chairman. This was a new initiative that was being developed under the broader VAWG scheme of programmes run by the Council. The Community Safety Officer stated that further information regarding the programme would be distributed to the Committee post meeting.

A discussion took place concerning the out of hours noise service. It was noted that more complaints had been made to the service in the summer, and that there had been a rise in complaints during lockdown. Anthony Baldock stated that he would disseminate data to Members regarding the service post meeting.

A Member asked when LBB would know if and when MOPAC funding would be released and would there be sufficient notice provided so that there would be no interruption to service provision. The Member also asked if there was a possibility that jobs would be lost if MOPAC funding was not forthcoming. In response the Community Safety Officer clarified that funding normally ran from March to March each year, and that current funding would expire in March 2022. It was normally the case that LBB was informed in December of each year to advise if funding was likely to be renewed.

A Member enquired as to when the Community Impact Days would get back to running as normal as the country started to emerge out of lockdown. The Community Safety Officer responded that there was going to be a Community Impact Day the next week in Cray Valley West, and that things were gradually getting back to normal.

RESOLVED that the MOPAC update be noted.

116 ENVIRONMENT AND PUBLIC PROTECTION RISK REGISTER

ES 20067

Lucy West (Senior Performance Officer) attended the meeting to present the Risk Register report.

The risk highlighted was risk number 27, which was red and related to the Uniform Information Management System which was currently dysfunctional. The system was temporarily unreliable with respect to the accuracy of data being retrieved. However, despite this there was no backlog in dealing with subject access requests and FOI requests. Talks were being held with IT, and the system was due to be upgraded in May 2021.

The Assistant Director for Public Protection and Enforcement stated that the information that was retrievable currently from the system did not always pair up with the data that was input into the system. Work arounds were in place to mitigate risk until the upgrade was implemented.

RESOLVED that the update on the Risk Register be noted.

117 PUBLIC PROTECTION AND ENFORCEMENT CONTRACTS REGISTER

ES 20069

The Senior Performance Officer informed the Committee that there were contracts to highlight to the Committee on this occasion.

RESOLVED that the Public Protection Contracts Register be noted.

118 WORK PROGRAMME

CSD 21026

RESOLVED that:

- 1) A further report be provided to the Committee in June 2021 with an update regarding the draft private sector housing enforcement policy. This would be provided after the consultation period had expired.**
- 2) End of year reports would be added to the Work Programme with respect to SLAM, BYC and Business Continuity/Corporate Resilience**

- 3) An update report regarding the Model London Lettings Enforcement Policy be added to the Work Programme for the February 2022 meeting.**

The meeting ended at 8.31 pm

Chairman