

PUBLIC PROTECTION AND ENFORCEMENT POLICY DEVELOPMENT & SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 10 November 2021

Present:

Councillor David Cartwright QFSM (Chairman)
Colin Hitchins (Vice-Chairman)
Councillors Kathy Bance MBE, Julian Benington,
Mike Botting, Hannah Gray, Alexa Michael, Chris Pierce
and Pauline Tunnicliffe

Sharon Baldwin and Dr Robert Hadley

Also Present:

Chief Inspector Craig Knight

STANDARD ITEMS

28 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Kim Botting and Councillor Pauline Tunnicliffe attended as substitute. Councillor Botting (as President of the Royal British Legion) had been required to attend a Remembrance Sunday Meeting.

Apologies were also received from Oscar Seal and Alf Kennedy.

The Chairman and the Committee expressed their thanks and appreciation to Joanne Stowell (Assistant Director for Public Protection and Enforcement) for her hard work, professionalism and dedication. Ms Stowell was leaving the Council to take up another high profile role within another organisation. The Chairman hoped that Ms Stowell would return to Bromley at a future date and Ms Stowell received a round of applause from all present.

The Chairman welcomed Sarah Newman to the meeting. Ms Newman had recently commenced work with the Council as the Head of Service for Community Safety, Environmental and Domestic Regulation.

29 DECLARATIONS OF INTEREST

There were no declarations of interest.

30 MINUTES OF THE PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE HELD ON 7th SEPTEMBER 2021

The Committee considered the minutes of the meeting of the Public Protection and Enforcement PDS Committee held on 7th September 2021.

RESOLVED that the minutes of the meeting held on 7th September 2021 be agreed and signed as a correct record.

31 QUESTIONS FROM COUNCILLORS OR MEMBERS OF THE PUBLIC

Members were informed that two written questions from the public had been received. These had been disseminated and published on the Council's website.

32 MATTERS OUTSTANDING

CSD 21115

The Chairman commented regarding the possible return of traffic policing in Bromley. The Portfolio Holder said that she had emailed MOPAC concerning this matter and they had advised that nothing was in the pipeline currently. The Chairman requested that as well as pursuing this issue with MOPAC, it should also be raised with London Councils.

It was noted that the matter of 'crime hotspots' would be dealt with by the Safer Neighbourhood Board (SNB). Members were informed that the meeting between the Assistant Director for Public Protection and Enforcement, the Portfolio Holder and the Chairman to discuss scrutiny of the Safer Bromley Partnership Board had now taken place. It was further noted that the matter of aggressive begging in Bromley would now be referred to the SNB.

Members noted the issues that had been raised previously regarding the Community Impact Day in Penge along with the update in the report. A Member commented on the update which said that councillors were informed by email of the format for the day and that 'no concerns had been raised'. She said that no concerns had been raised because the Impact Day for Penge had not taken place. The issue of concern was that the event that was supposed to be an Impact Day had taken place in Betts Park which was in the Crystal Palace Ward and not the Penge Ward.

The Member made the point that Crystal Palace Ward had submitted a significant bid to MOPAC for funding for a Community Youth Day. Penge Ward Councillors had agreed to not compete for this funding and the funding was indeed awarded to the Crystal Palace Ward. She expressed the view that it was wrong therefore that Community Impact funding that should have been used for the Penge Ward had instead ended up being used in the Crystal Palace Ward.

The Assistant Director replied that Sandra Campbell was now running the Community Impact Days and that this matter had also been noted as a separate matter arising for the SBP (Safer Bromley Partnership).

A Member referred to the issue of motorised scooters and suggested that consideration should be given to confiscating them. A Member expressed concern that motorised scooters could be bought as Christmas presents and that it had been noted on the Biggin Hill Facebook page that this would be ill advised.

RESOLVED that the Matters Arising report be noted and that the matter of increased traffic policing in Bromley be raised with London Councils.

33 POLICE UPDATE

The police update was provided in a new simplified format and the update was provided by Chief Inspector Craig Knight. He expressed his appreciation for the work that had been undertaken by the Task and Finish Group which had looked at how the police and other SBP Board members should be scrutinised. In the light of the news that the Assistant Director for Public Protection and Enforcement was moving to a new role—he expressed his personal thanks to Joanne Stowell and said that it had been an honour and a privilege to work with her.

The revised police briefing document explained the priorities that the police were working to in Bromley; there were two main areas, one was crime and ASB and the other one was satisfaction and perception. The police had plans in place to improve public engagement and awareness. The police were also looking to improve their attendance at SNB (Safer Neighbourhood Board) meetings. If sergeants were not able to attend, then the Chief Inspector said that PCSO's needed to be appropriately briefed.

The document submitted by the police detailed incidents of reported crime over a quarter and was colour ragged. 'Red' meant that the number of reported incidents had gone up and 'green' meant that the number of reported incidents had decreased.

The details were as follows:

- Fall in the number of reported domestic abuse cases
- Total number of sexual offences was broadly the same
- Fall in knife crime offences
- Fall in gun crime offences
- Increase in race hate crime offences
- Non domestic abuse with injury had remained broadly the same
- Total burglary offences had fallen
- Small increase in the theft of motor vehicles
- ASB offences had decreased.

It was noted that 'gun crimes' could include a pepper spray or an imitation firearm.

It was felt that 'race hate crime' needed to be monitored. Chief Inspector Knight had raised this matter with Gill Baker (Borough Inspector) and with CID to see if there was an emerging pattern.

In terms of public satisfaction and perception there were small downward percentages in most areas which seemed to be part of a current nation-wide trend. This had been the result of the actions of a very small number of officers that had lowered confidence in the MET. Another area of concern was the fact that only 28% of respondents knew how to contact Ward Officers. Measures were being planned by the police to address this which included community contact sessions. A Member stressed the importance of residents being aware of and being able to contact their Ward Officers. The Chairman made the point that as team members may change, it was important that details were available for the public to contact the police Safer Neighbourhood Team as a collective. Chief Inspector Knight agreed with this.

A Member said that in her Ward, most of the general public were members of community groups on Facebook which were well followed. However, this seemed not to be the case for the police who were using the 'Next Door' app instead of Facebook. She wondered why this was the case. Chief Inspector Craig Knight explained that the police had to remove most of their Facebook accounts because of the costs involved. This was because Facebook was asking public sector organisations to purchase commercial licences costing the police hundreds of thousands of pounds. Chief Inspector Knight expressed the view that this was a sad indictment upon Facebook. This was an issue that not only affected the Met Police, but it was a national problem. Resultantly, the police were just using one Facebook account per borough and these were limited in terms of usage.

The Chairman of the SNB explained that there were reviews being undertaken by the police and MOPAC in terms of engagement and communication. The 'Ward Panel Framework' was being delivered by the police. This would set out who should be attending the Ward Panels from the police in terms of seniority and also it would be looking at how frequently officers should attend. It was also the case that MOPAC was undertaking a pan London review of communications. The issue with platforms such as 'Next Door' was that it was not monitored and could be subject to disinformation. It was important that information on public platforms was clear, consistent and correct.

Chief Inspector Knight briefed the Committee regarding the Met Police's VAWG Action Plan and stated that this would be disseminated in due course by the Committee Clerk. There was a page at the end of the document to provide feedback which would be welcome.

Post Meeting Note---this was disseminated by the Committee Clerk on 23rd November 2021.

The Chairman mentioned that due to the revised scrutiny arrangements that had evolved out of the work of the Task and Finish Group, the police would next be attending the PP&E PDS Committee in March 2022.

RESOLVED that the police update be noted.

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

34 PORTFOLIO HOLDER UPDATE

The Portfolio Holder (Councillor Angela Page) outlined some of the activities and meetings that she had been involved with as follows:

- June: Introductory meeting with the Community Safety Team.
- August: Attended an event with the Mayor and Chief Superintendent David Stringer where the police were welcoming a police dog (Kaiser) back to duty after he had been stabbed in Orpington during an arrest. This was followed by a meeting with Chief Superintendent David Stringer.
- July: Attended a meeting with MOPAC with respect to youth violence.
- October: Met with the London Fire Commander and spoke on behalf of the Leader at a Bromley Council staff induction meeting.
- The Portfolio Holder had chaired two meetings of the Bromley Mentoring Steering Group.
- The Portfolio Holder had attended various meetings of the Adult Safeguarding Board.
- The Portfolio Holder was in discussions with SLAM regarding the protocols to be followed when a patient absconded; a meeting was being arranged with SLAM for 18th of November.
- Dealing with various day to day Ward issues.

RESOLVED that the update from the Portfolio Holder be noted.

35 PUBLIC PROTECTION AND ENFORCEMENT PERFORMANCE OVERVIEW

It was noted that on the performance overview report there were three areas that were flagged as red and these all related to food hygiene/food inspections. Members were reminded of the report which outlined the Food Safety Action Plan—this Plan had been presented to the Committee in June 2021. The Food Standards Agency had indicated at that time, that they

expected the Council to be back on track in terms of inspections within three years. The Assistant Director for Public Protection and Enforcement reminded the Committee that the Council's Food Safety Action Plan aimed for a more rapid recovery within one year.

It was noted that the Council was using agency workers to help out. There was a shortage of qualified Food Safety Officers and this was a national problem. Because of this it could be the case that the Food Standards Agency may need to amend regulations to make it easier for people to qualify to undertake inspections. The Assistant Director explained that apprentices were currently being used and it was hoped to upskill them and send them on courses to make them competent as soon as possible. This was difficult as generally speaking it took around three years to become fully qualified as a Food Safety Officer. There was no legal requirement for newly qualified people to stay with the Council even if financial penalties were written into the contract to try and prevent them from leaving. In the current market it was the case that a new employer may decide to cover any financial penalties in order to recruit properly qualified Food Safety Officers; so retention was an additional problem.

The Committee discussed the current situation regarding the inspection of HMOs (Houses of Multiple Occupation). A backlog of inspections existed due to the problems that had been imposed by the Covid lockdowns.

The Chairman asked if it was possible that some HMOs may never be inspected because of the backlog. The Assistant Director for Public Protection and Enforcement said that this would not happen and that they would all be inspected within the statutory time scales. At the moment, the Council was making good progress with inspections and currently only 22 HMOs had not been inspected. These were being prioritised on a risk basis. The way that the risk was assessed would be with respect to the number of storeys in the building, the number of tenants, the type of owner, the type of HMO and the complexity of the layout.

RESOLVED that the Performance Overview report be noted.

a BUDGET MONITORING 2021/22

FSD21069

The Committee noted the Budget Monitoring report for 2021-2022

RESOLVED that the Budget Monitoring report be noted.

**36 THE DRAFT PROTOCOL FOR SCRUTINY OF THE SAFER
BROMLEY PARTNERSHIP**

ES20137

Members were updated concerning the report that looked at draft protocols for how the PP&E PDS Committee should undertake scrutiny of the Safer Bromley Partnership Board. A Task and Finish Group had been set up to look at this and this was chaired by the Vice Chairman of the PP&E PDS Committee (Cllr Colin Hitchins). The Task and Finish Group also consisted of Cllr Kathy Bance, Cllr Mike Botting, Sharon Baldwin and the Assistant Director for Public Protection and Safety.

The aim of the Group was to re-define the terms of reference for scrutiny of the Safer Bromley Partnership Board by the PP&E PDS Committee. The Group also looked at the type of data that should be provided by the police. After a review of the work programme of the PDS Committee it had been noted that the Committee had only been scrutinising the police (within the SBP) and not the other partners. It was proposed that going forward the work programme of the PP&E PDS Committee would be revised to allow for specific scrutiny of different partners throughout the year. Partners would be provided with at least 4 week's notice of any proposed intention to scrutinise them.

Members noted that it was further proposed that the police data package be changed and modified and that the police would no longer be required to attend every PP&E PDS meeting, but would attend the first and last meeting of the year. It was proposed that the SBP minutes would be included in all future PP&E PDS agendas. Henceforth, this would form the basis for future police scrutiny by the PP&E PDS Committee.

The Chairman of the SNB gave an update to Members concerning the Safer Neighbourhood Board. There was a SNB in every London borough. Its purpose was to bring the police and the public together so that problems could be solved collaboratively. It was important that the public be involved in any decisions being made that impacted on local community safety. The SNB Chairman informed Members that she had just received an email from MOPAC concerning a new tender process for a revised 'transparent and accessible community engagement programme'. This was about reviewing MOPAC and MPS engagement mechanisms.

The SNB Chairman stated that over the last two years, there had been a directive from MOPAC that allocated funding should be used for smaller scale projects and that SNBs should support the BCU command in the delivery of ward panel improvement plans. MOPAC's aim was that there would be a ward panel in every ward across London by the end of March 2022. The setting up of Ward Panels was a statutory obligation and they allowed scrutiny of policing at a local level. Councillors were welcome to sit on Safer Neighbourhood Panels but would not have voting rights. The SNB Chairman said that she was in receipt of a document that explained how Ward Panels would now be structured and that she would pass this on.

It was explained that SNBs were set up, maintained and scrutinised by MOPAC; the Council was not therefore responsible for the scrutiny of SNBs.

The Assistant Director explained the process of a CCFA (Councillor's Call for Action). This was the means whereby a Councillor could call for certain matters relating to crime and disorder to be looked at by the CDC (Crime and Disorder Committee)—in this case the PP&E PDS Committee. There were certain conditions that were required to be met before this could be done. Councillors should have tried to resolve the matter at other boards or forums in the first instance and should only raise matters with the PP&E PDS Committee as a last resort. This mechanism would not be available during any periods of Purdah. Additionally, CCFAs could not be raised for matters relating to licensing or vexatious complaints. Furthermore, CCFAs could not be raised if the matter was already on the work programme of another scrutiny committee. Councillors would need to evidence what they had done to resolve the matter before raising it as CCFA with a scrutiny committee and that the matter was of genuine local concern.

The Assistant Director offered to provide a flowchart to explain how the CCFA process worked. The Vice Chairman said that CCFA training should be provided and that perhaps this responsibility would rest with Ms Stowell's successor. Ms Baldwin offered to provide support in this matter if it was required.

A Member suggested that instead of this training being offered just to PP&E PDS members, it should be offered across the board to all Councillors—perhaps as part of Councillor Induction Training. The Chairman agreed with this.

A Member pointed out that there was a significant disparity in attendance levels at Ward Panels and he asked what could be done to improve this. The SNB Chairman responded and explained that the SNB was currently working on a structured document that would outline how many people should be on a ward panel, and who they should be. It was clear that representation was required from a variety of sectors. What was required was engagement with potential ward panel members so that the value of joining a Ward Panel could be explained.

The Chairman thanked the Vice Chairman and the members of the Task and Finish Group for their hard work.

RESOLVED that:

- 1) The work programme of the PP&E PDS Committee would be revised so that a variety of SBP partners could be scrutinised and not just the police.**
- 2) The nature of the police data package be changed and that the police would now just attend the first and last meetings of the Committee.**

- 3) **The minutes of the meetings of the Safer Bromley Partnership Board would be included on all PP&E PDS agendas going forward.**
- 4) **The SNB Chairman would disseminate the new document that she had received which outlined how Ward Panels would be structured going forward.**
- 5) **The Assistant Director would draft a flow chart that would explain how the CCFA process worked.**
- 6) **CCFA training should be supplied to all Councillors.**

37 MINUTES OF THE PREVIOUS MEETING OF THE SAFER BROMLEY PARTNERSHIP BOARD.

Members noted the minutes of the previous meeting of the Safer Bromley Partnership Board.

38 ENFORCEMENT ACTIVITY UPDATE 2020-2021

ES20131

The Committee was briefed as follows:

There had been an increase in enforcement in the areas of the private rented sector with respect to Health and Safety.

The Number of Fly Tips had increased over the period. This had been attributed to an increase in the number of people undertaking home improvement schemes during lockdown and then illegally dumping waste. In response, LBB was planning to refresh its Fly Tipping Action Plan.

More detailed responses with respect to all areas of the update were outlined in the relevant appendices.

A Member informed the Committee that at a previous meeting of the DCC, it had been agreed that an Article 4 Direction be agreed for HMOs. This meant that for anyone wanting to set up a new HMO, planning permission would now be required. This was applicable to Darwin and Biggin Hill Wards immediately, but it was not immediate for the other Wards.

The Chairman queried what appeared to be an increase in inadequate fire precautions at HMOs. The Assistant Director responded that in reality there was no significant increase—the figures had resulted from a change in reporting methodology.

It was agreed that a Member would speak to the new Neighbourhood Management Officer outside of the meeting to discuss the Fly-Tipping of oil drums in the Penge Ward.

There was a discussion over what actually constituted a 'fly-tip' and it was suggested that the new Neighbourhood Enforcement Officer (Dean Laws) be contacted to provide clarification.

RESOLVED that the report be noted and that the Committee agree to receive an annual report on the service areas identified within the report.

39 PUBLIC PROTECTION CONTRACTS REGISTER

ES20123

It was noted that the Mortuary Contract was due to be renewed in September 2022. A report was being drafted to extend the contract to September 2025 and was now being looked at by senior officers.

Members were reminded that it had been agreed previously to extend the Dogs and Pest Control contract. Work was underway to prepare for the tendering of a new contract for Dogs and Pest Control.

RESOLVED that the Contracts Register report be noted.

40 PUBLIC PROTECTION RISK REGISTER

ES20121

Members noted the risk with respect to the out of hours noise service. Attempts had been made to increase the voluntary take up of officers participating in this service by increasing the out of hours call payment rate. However, this had not been successful and there seemed to be little appetite to take up the extra work. In view of this, the Head of Service for Community Safety, Environmental and Domestic Regulation was tasked with investigating options for a paid service and the options for this would be presented to the Director of Environment and Public Protection for consideration.

The other red risk was with respect to the Coroner's contract. The Coroner had requested additional resources and additional spend. It was the view of the Council however, that the original memorandum of understanding should be adhered to and other boroughs had taken the same position. Any requests for further spend would need to be transparent, justified and agreed ahead of time.

RESOLVED that the Risk Register report be noted.

41 WORK PROGRAMME

CSD 21116

In the light of the new scrutiny system that had evolved after the work of the Task and Finish Group, it was noted that the work programme would need to

be updated. A Member asked about inviting British Transport Police to the PDS Committee. The Assistant Director responded that it would be more appropriate for them to attend the Safer Bromley Partnership Board. The British Transport Police were separate and external to the MET police. It was agreed that the revised version of the work programme would be disseminated in due course.

RESOLVED that the work programme report be noted and that an updated version of the work programme would be disseminated in due course.

Chairman

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