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| Decision Maker: | PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER | | |
| | For Pre-Decision Scrutiny by the Public Protection & Enforcement PDS Committee on | | |
| Date: | Tuesday 28 March 2023 | | |
| Decision Type: | Non-Urgent | Non-Executive | Non-Key |
| Title: | PUBLIC PROTECTION & ENFORCEMENT DRAFT PORTFOLIO PLAN | | |
| Contact Officer: | Lucy West, Head of Performance Management and Business Support Tel: 020 8461 7726 E-mail: Lucy.West@bromley.gov.uk | | |
| Chief Officer: | Colin Brand, Director of Environment and Public Protection | | |
| Ward: | (All Wards); | | |

1. Reason for decision/report and options

This report presents a draft Public Protection and Enforcement Portfolio Plan for 2023/24 for scrutiny by PDS Members and subsequent endorsement by the Public Protection and Enforcement Portfolio Holder.

2. **RECOMMENDATION(S)**

2.1 **That PDS Committee reviews and comments on the draft Portfolio Plan (Appendix 1) and provide comments to the Portfolio Holder before the final plan is published.**

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

Endorse the outcomes, aims and performance measures set out in the draft 2023/24 Public Protection and Enforcement Portfolio Plan, taking into account the budget and views of the Committee.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Public Protection and Enforcement services are used by all residents, including vulnerable adults and children. Where vulnerable adults or children may potentially be affected by a proposal or contract, the issues would be covered in that particular report, plan or contract rather than this strategic document.

Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority:
 - (1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
 - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
 - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
 - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
 - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Public Protection & Enforcement Portfolio
 4. Total current budget for this head: £2.7m
 5. Source of funding: Existing controllable revenue budget
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Personnel

1. Number of staff (current and additional): 48.3 FTE
 2. If from existing staff resources, number of staff hours: Not applicable
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Legal

1. Legal Requirement: Non-Statutory - Government Guidance
 2. Call-in: Not Applicable
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Procurement

1. Summary of Procurement Implications: Detail of the service contracts to which this portfolio plan relates are maintained on the Council's Contracts Database, summaries of which are reported to this Committee as part of the Contract Register on a bi-annual cycle. Contractor Performance is scrutinised on a regular basis and contracts are procured in line with all applicable legislation and the Council's Contract Procedure Rules.
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Property

1. Summary of Property Implications: Not Applicable
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
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Customer Impact

1. Estimated number of users or customers (current and projected): Not Applicable
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

3.1 General

- 3.1.1 The actions listed in last year's Portfolio Plan were delivered and scrutinised via a report presented to the PP&E PDS Committee for. Below are some examples from each service area that show the support LB Bromley Public Protection teams provide to each other, other LB Bromley services and to our partner public agencies. It also hopes to illustrate the diversity of work undertaken by staff in the Public Protection Division.
- 3.1.2 During 2022/23 the Division will be introducing Idox Cloud as our principal case management system. This new database will replace our 20-year-old software and will allow for faster response times, more efficient and more mobile working, and help staff provide a faster customer experience for Bromley's residents and businesses.
- 3.1.3 Following the corporate website update, the teams in the Division are reviewing and refreshing our website content, to be more informative and useful to those who visit our pages seeking advice, help, and officer contact.

3.2 Trading Standards

- 3.2.1 Trading Standards continue to respond to urgent cases of scams and rogue traders to safeguard vulnerable residents from being defrauded.
- 3.2.2 One case involved a referral from a high street bank, where a victim of doorstep crime had been defrauded of £45,000 for simple preparatory building work. Trading Standards intervened within minutes and helped prevent the victim paying a further £55,000 into a criminal and sophisticated money laundering mechanism. This investigation is continuing with Trading Standards giving support to the victim.
- 3.2.3 Another case involved a referral from LB Bromley tree officers who were concerned about an elderly resident who was being charged nearly £4,000 for ridiculously overpriced tree work. Officers attended and noted the resident lived alone and was vulnerable, but the address where this was happening was just outside the Borough border in Greenwich. Given the vulnerability of the resident, the officers continued with the intervention, liaising with colleagues from LB Greenwich, and got estimates from the LB Bromley tree contractors, who valued the work being done at around £1,000. A call to the trader resulted in a reduced price and a significant saving for the resident. A meeting with Greenwich Trading Standards took place the following day, to hand over the case and make sure safeguarding concerns were shared.
- 3.2.4 The Trading Standards team run a programme of successful Scam Alerts, which continue to go from strength to strength, and are now notified to the public by LB Bromley's Communications team. So far this year 26 Alerts have been sent out to a direct and growing audience of several hundred subscribers which include local and national charities who support the elderly and vulnerable in the Borough. The enforcement focus is currently on scams and doorstep crime but the team have also acted on a range of issues such as used cars, underage sales and illegal vapes.

3.3 Community Safety

- 3.3.1 The Safer Bromley Partnership includes many of LBB's service areas and is organised and administered by the LB Bromley Community Safety team.
- 3.3.2 The Partnership includes other many other public sector agencies such as the MPS (Metropolitan Police Service), particularly the SNTs (Safer Neighbourhood Teams), LFB

(London Fire Brigade), LAS (London Ambulance Service), NHS, MOPAC (Mayor's Office for Policing and Crime), Probation, local Business Improvement Districts and registered social landlords, such as Clarion Housing Association. The team also work with charities and community groups in the 3rd sector, including Neighborhood Watch, local Crime Panels, faith leaders and food banks to keep Bromley residents as safe as possible.

3.3.3 The Community Safety team also work with other services within the council including Neighbourhood Management, Ward Security, Trading Standards, Licensing, CCTV, Social Care, the Youth Justice Service and Highways to name a few.

3.3.4 The Community Safety team recently grew, with the addition of 2 staff, an Interim Team Manager and a Violence Against Women & Girls and Domestic Abuse lead (VAWG & DA). This is in addition to our Serious Youth Violence lead, our Community Safety (offender management) lead and our Community Impact Day Coordinator.

3.3.5 The Community Impact Days (CIDs) continue to be successful with 7 held so far this year. The aims of the CIDs are to a) improve the visual environment, b) reduce recorded anti-social behaviour (ASB), and c) reduce incidents of arson within the target areas. The wards where the CIDs are held include Penge, Mottingham, St Paul's Cray and St Mary's Cray. The CIDs have made a significant difference to community confidence and addressed concerns such as excess fly tipping and the blight of graffiti. They have made a real difference to the number of arson incidents, which have reduced by over a third across the Borough in the last 5 years. The CIDs held so far this year have resulted in:

- 28,896 kgs (almost 3 Tonnes) of waste removed
- 398 m² of graffiti removed
- 192 vehicle stops
- 6 arrests, and
- 38 abandoned vehicles removed

3.3.6 These results refer to the 'hard' elements delivered by the CIDs. The 'softer' elements include community reassurance, information stalls, education welfare and fire safety home visits, drop-in centres, and many other occasional activities such as catalytic converter marking, all of which result in better networking between partners, better service to the public and increasing public confidence in public agencies to keep their neighbourhoods as safe as possible.

3.3.7 The team also work with the CCTV team and Police SNTs, to address locations where regular ASB is reported, such as empty buildings, parks, car parks, woodlands, housing estates, graveyards and small shopping parades.

3.4 Private Rented Sector Housing Enforcement

3.4.1 Following the introduction of a new Private Rented Sector Housing Enforcement Policy and improved amenity standards for Houses in Multiple Occupation (HMOs), earlier in the year, the Article 4 Direction, brought in by Planning Services, went live across the Borough in September 2022. This means that all HMOs must now have planning permission. The teamwork with the Planning officers to make sure that residential developments meet all the new amenity standards as they are built or remodelled.

3.4.2 There are currently 242 licensed HMOs in the borough, with another 142 in the process of being licensed. This is a total of 384 HMO properties in LB Bromley, the number of which has been steadily increasing along with the increased need for affordable housing for single person households. The HMO licensing process ensures minimum standards for fire safety, heating, ventilation and amenities, such as toilets, bathrooms, kitchens, cookers and fridge-space. Making sure these standards are met protects the health and wellbeing of Bromley residents.

Developers who make unapproved alterations or who do not license their HMO properties are now being successfully prosecuted.

- 3.4.3 The team are also working hard to minimise condensation and mould in rented property, which is on the rise due to increasing levels of households falling into fuel poverty.

3.5 Noise & Nuisance and Licensing & Health & Safety

- 3.5.1 The Noise & Nuisance team investigate around 2300 requests for service a year, covering noise and other potential nuisances such as smoke, odour, accumulations, dogs, etc. The team also get involved in filthy and verminous premises, hoarding, and other vermin and drainage concerns. The Noise & Nuisance team have successfully recruited two new staff to replace colleagues who moved on earlier in the year and the team is currently at full strength.
- 3.5.2 The Licensing and Health & Safety enforcement officers oversee the management of over 800 licensed premises and thousands of workplaces across the borough. Licensed premises include pubs, bars, restaurants, clubs, beauty salons and nail bars, wedding venues, riding stables, dangerous wild animal enclosures, cat and dog breeders and scrap metal merchants to name a few.
- 3.5.3 Along with all the static licensed premises, the Licensing and Health & Safety staff work with partners and event organisers to deliver a programme of safe and varied temporary cultural events across the borough, from the Wireless and Souttown festivals to fireworks displays and community fetes, to the hundreds of pubs, parks and community venues holding occasional events outside of their standard licenses using Temporary Event and Time-limited Event Licenses.
- 3.5.4 These teams recently came together under one manager and officers of both teams now work together closely and capitalize on the links between their caseloads, to use the licensing and enforcement powers available to both teams in consort and to best effect. This includes using noise abatement notices and license reviews to clamp down on poorly managed licensed premises and making sure controls are put on all types of licenses, to keep them safe and enjoyable for patrons and any nuisance or disruption to residents is minimised.

3.6 Pollution Control

- 3.6.1 The Pollution Control team are consulted on over 650 planning applications a year. The team work to ensure the developments that get planning permission are environmentally and socially sustainable. They do this by applying planning conditions to control noise transmission, the health and environmental impacts of brownfield land, the protection of indoor and outdoor air quality (e.g., from odours, fumes, and smoke), applying minimum room size standards and ensuring adequate emergency evacuation measures, etc. Also, the team make sure that demolition and construction activities stay within the requirements of national and London environmental standards, to minimise impacts on neighbouring land uses by controlling noise, dirt, dust, the age of plant and machinery on site, the methods of work, and the hours of site operation.
- 3.6.2 So far this year the team has revised the Borough's contaminated land strategy and produced the Annual Status Report (ASR) for air quality. The ASR reports to the UK Government on the Council's progress in delivering our Air Quality Action Plan. The last ASR shows that air quality in the borough has met all the UK air quality targets for the last 2 years and continues its downward trend.

3.6.3 The team are also working with Thames Water to address missed drainage connections. This action mitigates environmental pollution from poorly managed wastewater drains and sewers to protect health, biodiversity and the wider environment.

3.7 Food Safety

3.7.1 The work done by the food safety team is proactive as well as reactive, we prevent problems from occurring, and therefore we are a service that is usually hidden from the public's view. We have a major influence upon everyone's daily life both locally and nationally as we ensure that the food chain is safe, from farm to fork.

3.7.2 There are currently 2,600 registered food businesses operating in Bromley the food team carries out an average of 1,000 inspections a year. The team are responsible for inspecting and risk rating all businesses and organisations involved in the production, storage, preparation and sale of food.

3.7.3 The teamwork with business operators to resolve any hygiene issues and get them trading again as soon as possible. There have been 5 voluntary closures in the last year, one example was the voluntary closure of a brewery which had problems with rats entering the premises due to structural building faults. Officers supported the business in rectifying the structure allowing the business to re-open within a few days.

3.7.4 The food team investigates complaints about food businesses and food purchased in the borough, some complaints trigger a full investigation because of their public health significance, others will receive an advisory response. On a typical day the team could be responding to complaints about alleged food poisoning, it is important to remember that food poisoning is not always caused by the last meal or snack you have consumed, and your illness may be unrelated to food poisoning. Some of the other daily issues are complaints about poor conditions in food premises, infestations of insects and rodents, poor hygiene practices, contamination, foreign bodies found in food, food sold past its 'Use By' date, food allergens, food labelling, and food that is not of the nature, substance or quality expected by the consumer.

3.7.5 The team also seize, test and destroy unfit foods when they are identified, usually by complaint or inspection, and do regular sampling to ensure the foods in the borough is safe to eat. Most of the food premises in the Borough have a Food Hygiene Rating of 5, the best rating on the scale.

3.8 Neighbourhood Management

3.8.1 The Street Enforcement team has been responding to customer complaints, along with undertaking site and residential visits concerning all matters of highway enforcement. This ranges from the investigation and removal of unauthorised traveller encampments on LBB land, fly tipping, abandoned vehicles, illegal encroachment onto highway land, overhanging vegetation onto footways, and the removal of illegal skips, cones, hoarding and other obstructions on the highway.

3.8.2 The Neighbourhood Management realignment which took place in February 2022 resulted in the duties of 3 Highways Enforcement & 1 Street Scene Enforcement Posts merging to create a new Senior Enviro Crime Officer post & 3 Enviro Crime Officers. This coincided with a new Environmental Investigation manager who has placed more emphasis on enforcement of Environmental Crimes. Recent successes include the seizure of two vehicles linked to fly tipping within Bromley and five case files awaiting hearings at local Magistrates Court.

3.9 Parking Enforcement

- 3.9.1 Managing parking across the Borough has now settled since the covid pandemic and officers are beginning to understand the new behaviours of motorists. The Civil Enforcement Officers (CEOs) are patrolling the Borough for both on and off-street enforcement, helping to keep the traffic flowing and ensuring there are parking spaces availability where needed. The CEOs are also actively patrolling to identify Disabled Badges being misused, with dozens of successful cases being prosecuted at court and the badges removed from circulation.
- 3.9.2 Bromley Council continue to enforce moving traffic contraventions (MTCs) such as box junctions and banned turns, with 13 cameras installed in September and October 2021 to enforce such offences. Enforcement of these restrictions helps to reduce congestion on the roads and in turn help to reduce pollution levels.

Draft Portfolio Plan 2023/24

- 3.10 **Appendix 1** sets out the draft Public Protection and Enforcement Portfolio Plan for the 2023/24 financial year. There are 5 priority areas identified within the draft plan.
- 3.11 Committee is invited to comments on the proposed plan and suggest any changes it considers appropriate. The Plan is aligned to the ambitions of the updated, high level and over-arching Corporate Strategy “Making Bromley Even Better 2021 to 2031”.

Priorities

- 3.12 **Priority 1: We will keep Bromley safe.** We will take an intelligence-led, partnership approach, working with public sector agencies, local businesses, and communities. Our aim is to improve public safety and reduce crime and enviro-crime. We will do this through the employment of both reactive and proactive enforcement activity, for regulated activities, processes, and premises and the wider environment.
- 3.13 **Priority 2: We will protect consumers.** We will maintain community safety, trading standards and environmental health services, to protect the residents of Bromley, particularly the vulnerable members of our community. We will ensure there is a fair-trading environment by encouraging commercial compliance with pricing, measurement, and intellectual property rights, including with lettings and landlords. We will achieve this through effective, responsible, and proportionate enforcement.
- 3.14 **Priority 3: We will support and regulate businesses.** We will follow the approach detailed in our Enforcement Policy with a risk-based, targeted, flexible, and proportionate approach to regulatory inspection and enforcement. There will be a graduated approach of advice, education, warning, and proportionate enforcement for all but the most serious of issues. This will ensure that our regulators are efficient, effective, and helpful, and avoid imposing unnecessary burdens on those businesses being brought into compliance.
- 3.15 **Priority 4: We will protect and improve the environment through custodianship and effective and responsible enforcement.** We have developed environmental strategies to improve local air quality and address land contamination. Progress is monitored and the documents are regularly updated. We will respond to residents’ concerns about their locality, we will provide compliance advice and take proportionate regulatory enforcement. We will manage parking issues through effective enforcement, to balance the needs of motorists, residents, and businesses. We will make a difference to people’s lives by promoting healthier, fairer, and safer environments at home, work, leisure and in the wider environment by having appropriate work instructions, policies, and protocols. We will promote behaviour change and support compliance by working with volunteers, business, partners, and the wider community. We will take appropriate action to ensure the street environment meets local needs. We and our partners will

undertake and support enforcement activity, around issues relating to anti-social behaviour, illegal incursion, dog-related nuisance, and drinking and drug abuse in our parks and open spaces.

- 3.16 **Priority 5: We will provide value for money.** We will focus on service outcomes, using rigorous financial evaluation to establish the impact of service programs and their value to the public. We will proactively review external sources of funding, consider activities that provide income, annually review our fees and charges, benchmark our costs and performance against other local authorities, and, through regular review, ensure we are utilizing efficient operating models.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Public Protection and Enforcement services are used by all residents, including vulnerable adults and children. Where vulnerable adults or children may potentially be affected by a proposal or contract, the issues would be covered in that particular report, plan or contract rather than this strategic document.

5. TRANSFORMATION/POLICY IMPLICATIONS

- 5.1 The activities in this report reflect the Council's priorities and aims as set out in:

- [Making Bromley Even Better \(Corporate Strategy\)](#)
- Plans and Policies as specifically referenced within each priority area of the Portfolio Plan.

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| Non-Applicable Sections: | Financial, Personnel, Legal, Procurement |
| Background Documents: (Access via Contact Officer) | Public Protection and Enforcement Portfolio Plan 2021/22 Public Protection and Enforcement Portfolio Plan 2022/23 |

6. FINANCIAL IMPLICATIONS

- 6.1 There are no direct personnel implications.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no direct personnel implications.

8. LEGAL IMPLICATIONS

- 8.1 There are no direct legal implications.

9. PROCUREMENT IMPLICATIONS

- 9.1 Most of the Portfolio Plan's priorities are underpinned by contracts and where these have a Total Contract Value (TCV) greater than £200k, they are reported in the Corporate Contract Register. The procurement status of contracts with a TCV >£50k is also reported to the PDS Committee for detailed scrutiny.
- 9.2 PDS Committee also scrutinises 'Procurement Strategy' and 'Award of Contract' reports and monitors individual contracts and scrutinises the contractors themselves as appropriate.

10. PROPERTY IMPLICATIONS

10.1 There are no property implications.

11. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

11.1 There are no direct carbon reduction/social value implications, but the plan does identify service areas where carbon reduction and social values are reviewed.

12. CUSTOMER IMPACT

12.1 There are no direct Ward Councillor views.

13. WARD COUNCILLOR VIEWS

13.1 There are no direct Ward Councillor views.