

Decision Maker: **PUBLIC PROTECTION & ENFORCEMENT PORTFOLIO HOLDER**
For Pre-Decision Scrutiny by Public Protection & Enforcement Policy Development and Scrutiny Committee on:

Date: 28th June 2023

Decision Type: Non-Urgent Executive Non-Key

Title: **PROVISIONAL OUTTURN REPORT 2022/23**

Contact Officers: Murad Khan, Head of Finance (Environment, PPE & Corporate Services)
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Chief Officer: Colin Brand, Director of Environment & Public Protection

Ward: All Wards

1. Reason for report

1.1 This report provides details of the provisional outturn position for 2022/23 for the PPE Portfolio.

2. **RECOMMENDATION(S)**

2.1 **The Public Protection & Enforcement portfolio holder is requested to:**

- i) **Endorse the 2022/23 final outturn position for the Public Protection & Enforcement Portfolio.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: None directly arising from this report
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Corporate Policy

1. Policy Status: Sound financial management
 2. MBEB Priority: 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: PPE Portfolio Budgets
 4. Total current budget for this head: £3.65m
 5. Source of funding: Existing revenue budget 2022/23
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Personnel

1. Number of staff (current and additional): 47.3 Full time equivalent
 2. If from existing staff resources, number of staff hours: Not applicable
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Legal

1. Legal Requirement: Statutory Requirement: The statutory duties relating to financial reporting are covered within the Local Government Act 1972; the Local Government Finance Act 1998; the Accounts and Audit Regulations 1996; the Local Government Act 2000 and the Local Government Act 2002
 2. Call-in: Applicable
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Procurement

1. Summary of Procurement Implications: Not Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The 2022/23 budget reflects the financial impact of the Council's strategies, service plans etc, which impact on all the Council's customers (including council taxpayers) and users of the services.
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Ward Councillor Views

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

3. COMMENTARY

- 3.1 This report provides the provisional outturn position for the Public Protection & Enforcement Portfolio for 2022/23, which is broken-down in detail in Appendix 1, along with explanatory notes.
- 3.2 The final outturn for the “controllable” element of the Public Protection & Enforcement budget in 2022/23 is a net overspend of £8k compared to the last reported figure of a net overspend of £208k which was based on activity at the end of December 2022.

Carry Forward Requests

- 3.3 On the 5th of July, the Executive will be requested to approve several carry forward requests relating to either unspent grant income, or delays in expenditure where cost pressures will follow through into 2023/24.
- 3.4 Appendix 2 provides a detailed breakdown of all the carry forward requests for the Public Protection & Enforcement Portfolio. Future reports to the Portfolio Holder will be required to approve their release from the 2023/24 Central Contingency.

4. CHIEF OFFICER COMMENTS

- 4.1 The Public Protection and Enforcement service maintained a stable position throughout 2022-23, the key pressure being the Mortuary and Coroners service, which will be reporting a £220k overspend for the year.
- 4.2 The provision of a sustainable mortuary service at an affordable cost in the long term is problematic due to variables in demand and a very limited market with little competition.
- 4.3 Growth has been secured for this service for the forthcoming year however, any high-profile inquests or significant increase in volume of cases could increase the cost of the coroner’s service. There is also still some uncertainty regarding the coroner’s core costs in future years.

5. POLICY IMPLICATIONS

- 5.1 To meet the ambitions for residents, the Council must use available resources deploy its workforce wisely. This is reflected in the “Making Bromley Even Better” ambition of Service Efficiency - ‘To manage our resources well, providing value for money, and efficient and effective services for Bromley’s residents.’
- 5.2 The “2022/23 Council Tax” report highlighted the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised to minimise the risk of compounding financial pressures in future years.
- 5.3 Chief Officers and Departmental Heads of Finance are continuing to place emphasis on the need for strict compliance with the Council’s budgetary control and monitoring arrangements.

6. FINANCIAL IMPLICATIONS

- 6.1 A detailed breakdown of the projected outturn by service area is shown in Appendix 1A with explanatory notes in Appendix 1B.
- 6.2 Overall the provisional outturn position for 2022/23 is an overspend of £8k.
- 6.3 Costs attributable to individual services have been classified as “controllable” and “non-controllable” in Appendix 1A. Budget holders have full responsibility for those budgets

classified as “controllable” as any variations relate to those factors over which the budget holder has, in general, direct control. “Non-controllable” budgets are those which are managed outside of individual budget holder’s service and, as such, cannot be directly influenced by the budget holder in the shorter term. These include, for example, building maintenance costs and property rents which are managed by the Property Division but are allocated within individual departmental/portfolio budgets to reflect the full cost of the service.

Non-Applicable Sections:	Legal, Personnel and Procurement Implications
Background Documents: (Access via Contact Officer)	2022/23 Budget Monitoring files in ECS and ECHS Finance Section

Public Protection & Enforcement Budget Monitoring Summary

2021/22 Actuals £'000	Service Areas	2022/23 Original Budget £'000	2022/23 Latest Approved £'000	2022/23 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	Public Protection							
371	Community Safety	427	479	483	4	1	14	0
161	Emergency Planning	146	148	152	4	2	10	0
548	Mortuary & Coroners Service	603	603	823	220	3	184	0
1,466	Public Protection	1,469	1,471	1,251	-220	4	0	0
2,546	TOTAL CONTROLLABLE	2,645	2,701	2,709	8		208	0
617	TOTAL NON CONTROLLABLE	6	3	3	0		0	0
836	TOTAL EXCLUDED RECHARGES	811	950	950	0		0	0
3,999	PORTFOLIO TOTAL	3,462	3,654	3,662	8		208	0

Reconciliation of Latest Approved Budget

£'000

Original Budget 2022/23

3,462

Carry Forward Requests approved from 2021/22

Central Contingency Adjustments

Electricity budget adjustment

1

Merit Awards (2 EP, 4 CS, 1 PP)

7

8

Other

Provision for agency workers contract savings

-8

Adj to NI budget following reversal of 2022-23 increase in November

-8

Domestic Abuse team moved from CHN services

64

Non-controllable

-3

Excluded Recharges

139

184

Latest Approved Budget for 2022/23

3,654

REASONS FOR VARIATIONS

1. Community Safety Dr £4k

There is a projected overspend of £18k in the costs of the Community Safety & Management Team, partially offset by a small underspend on the Nuisance & ASB Team.

2. Emergency Planning Dr £4k

This projected overspend relates to the anticipated additional cost of emergency response standby allowances for the year.

3. Mortuary & Coroners Service Dr £220k

Major renovations to the mortuary facilities at the Princess Royal University Hospital continue meaning that post-mortems will instead be conducted in Denmark Hill. With finite facilities at this alternative site, a backlog is anticipated. As bodies will remain in storage for longer, the Council will inevitably incur additional costs. Further to this, there has been higher than anticipated demand on the service and higher than expected inflationary increases to service fees.

4. Public protection Cr £220k

There is a significant underspend here due to a couple of key reasons. Firstly, POCA Confiscation orders from court have not been spent in 2022/23, a carry forward request has been made which consists of two confiscation orders that will be used to finance trading standards project work in 23/24, this equates to just over £60k.

Additionally, there was a significant surplus on HMO income, once again a carry forward request has been made to earmark this for HMO License applications costs in 23/24. This equates to a further £78k.

Both the underspends above are the key reasons for the significant improvement in the outturn position for PPE.

Waiver of Financial Regulations:

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempt from the normal requirement to obtain competitive quotations the Chief Officer has to obtain the agreement of the Director of Corporate Services, the Director of Finance and the Director of Commissioning and (where over £100,000) approval of the Portfolio Holder and report use of this exemption to Audit Subcommittee bi-annually. Since the last report to the Executive, no waivers over £50k have been actioned.

Virements Approved to date under Director's Delegated Powers

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, no virements have been actioned.

PUBLIC PROTECTION & ENFORCEMENT PORTFOLIO C/F REQUESTS

Other Carry Forward Requests

1. POCA confiscation orders from the courts £60,637

The amount allocated to Public Protection & Enforcement has not been spent in 2022-2023. This consists of two confiscation orders that will be used to finance Trading Standards project work in 2023-2024.

2. HMO income £78,000

Surplus generated from the housing in multiple occupancy will be carried forward to reserves and will be used in 2023-2024 for HMO License Applications.