

Decision Maker: PUBLIC PROTECTION AND ENFORCEMENT PORTFOLIO HOLDER

For Pre-Decision Scrutiny by the Public Protection & Enforcement PDS Committee on

Date: Thursday 20th June 2024

Decision Type: Non-Urgent Executive Non-Key

Title: PUBLIC PROTECTION & ENFORCEMENT DRAFT PORTFOLIO PLAN

Contact Officer: Lucy West, Head of Performance Management and Business Support
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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 2024/25 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 24/25 (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 2024/25 Public Protection and Enforcement Portfolio Plan, considering 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: £4.2m
 5. Source of funding: Existing controllable revenue budget
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Personnel

1. Number of staff (current and additional): 47.3 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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Impact on the Local Economy

1. Summary of Local Economy Implications: Not Applicable
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Impact on Health and Wellbeing

1. Summary of Health and Wellbeing 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

3.2 Safer Communities

3.2.1 The Community Safety team and key partners have continued to deliver the highly valued monthly Community Impact Days having a positive impact on levels of anti-social behaviour (ASB), arson, public protection against crime and the quality and cleanliness of the public realm. The team also work with partners to provide bespoke solutions to address location based ASB and have commenced consultation work in preparation for a new Community Safety strategy to be finalised soon.

3.2.2 The Trading Standards team have been working hard to protect compliant businesses and shoppers from unfair trading practices. The main areas of work in the last year have included working to prevent underage access to vapes (many thousands seized) and disrupting doorstep crime, scammers, and rogue traders. Officers also supported a scam victim to recover almost all the £140,000 lost in a romance fraud and estimated savings from call blockers units installed in resident's homes at approx. £277,000. Finally, the Team Manager, Graeme Preston, was awarded 'Best Trading Standards Team Leader' by London Trading Standards for his excellent work and commitment to the profession.

3.2.3 The Emergency Planning team have dealt with over 20 civil incidents ranging from fires, to falling masonry and fuel spillages. The most serious incident in the last year was a grass fire near a pre-school nursery. Grass caught alight and spread, causing a full evacuation of all the children and staff. Team members attended to assist the London Fire Brigade (LFB) with road closures and signage. Contact was made with the LBB Education team to provide a child psychologist to assist the children affected by the incident. The team also assisted the LFB and Met. Police Service as over 100 people were evacuated from flats in Orpington, when a vehicle drove into the building, damaging the gas supply main.

3.3 Environmental Health & Licensing

3.3.1 The Statutory Nuisance & ASB team have operated within the targets set for 23/24 and assisted over 2500 residents with noise, odour, smoke, ASB, pest infestation and foul drainage issues, to help make their homes healthy and peaceful again. They have worked with partners to address several badly hoarded, filthy, and verminous homes over the year, to improve the living standards of some of our most vulnerable residents. The team have also reviewed the out of hours noise service and are now working with our contracted partners to provide a safer, more focussed service to the public.

3.3.2 Following improving amenity standards for Houses in Multiple Occupation (HMOs) last year, the Housing Enforcement team considered the extension of the HMO licensing regime to include discretionary licensing this year. On review it was considered that discretionary licensing was not suitable for LB Bromley. Officers have worked hard to ensure that all validated HMO license applications have been dealt with within target. The team have also seen a significant uplift in reports of repair issues due to damp and mould following national media attention.

3.3.3 The Food Safety team have an externally approved Food Plan to ensure that all Food Hygiene Rating inspections for outstanding and new food businesses. Officers have carried out 991 inspections since April 2023, have accepted voluntary closure declarations from 5 premises and have worked with these businesses to improve their compliance. The team have been working with the UK Health Security Agency to address a case of a gentlemen who has been reluctant to co-operate with his Tuberculosis treatment regime and have returned to court several times for Part 2A Orders under the Public Health Act, to encourage his compliance.

There have been no food poisoning outbreaks of note in the Borough this year to date with only isolated cases of reportable infectious diseases. The team is currently meeting all targets for both inspections and responses to infectious disease, as outlined in the Portfolio Plan for this year.

3.3.4 The Licensing, Health & Safety and Environmental Protection teams are all operating within their current performance targets, with the Licensing team deserving a particular mention for their work regulating the impacts and safety of the increasing summer season of festivals, concerts, and outdoor events across the borough.

3.4 Neighbourhood Management

3.4.1 The Neighbourhood Investigation team continue to respond 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.

3.4.2 In the past 12 months the team have focused on increasing enforcement action for Enviro-Crimes and have secured 22 convictions at court. A highlight from these cases relate to a conviction against one individual for two counts of fly tipping. On this occasion the matter proceeded to full day trial whereby the defendant was found guilty and sentenced to pay a fine of £2,640, victim surcharge of £374.32, compensation for clearance of £681.68, forfeiture of vehicle used in the offence and a Criminal Behaviour Order.

3.5 Parking Enforcement

3.5.1 Bromley continues to increase the number of schools supported by the Council with anti-idling enforcement and associated campaigns. Over 40 schools are now engaged with this project. There are 12 CCTV cameras enforcing the School Keep Clear zigzag markings and the Civil Enforcement Officers include school enforcement within their daily patrols, however it is noted that bad and inconsiderate parking around schools is a problem.

Draft Portfolio Plan 2024/25

3.6 **Appendix 1** sets out the draft Public Protection and Enforcement Portfolio Plan for the 2024/25 financial year. There are 5 priority areas identified within the draft plan.

3.7 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

3.8 **Priority 1: We will keep Bromley safer.** 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.

3.9 **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.

3.10 **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.

3.11 **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.

3.12 **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.

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 Public Protection and Enforcement Portfolio Plan 2023/24

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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. IMPACT ON THE LOCAL ECONOMY

12.1 There are no direct impacts.

13. IMPACT ON HEALTH AND WELLBEING

13.1 There are no direct impacts.

14. CUSTOMER IMPACT

14.1 There are no direct customer impacts.

15. WARD COUNCILLOR VIEWS

15.1 There are no direct Ward Councillor views.