

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

**Date:** Thursday 20<sup>th</sup> June 2024

**Decision Type:** Non-Urgent                      Executive                      Non-Key

**Title:** **FINAL OUTTURN REPORT 2023/24**

**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

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1. Reason for report

1.1 This report provides details of the final outturn position for 2023/24 for the PP&E Portfolio.

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2. **RECOMMENDATION(S)**

2.1 **The Public Protection & Enforcement Portfolio Holder is requested to:**

- i) **Endorse the 2023/24 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: £4.28m
  5. Source of funding: Existing revenue budget 2023/24
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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 or customers (current and projected): The services covered in this report affect all Council Taxpayers, Business Ratepayers, those who owe general income to the Council, all staff, Members and Pensioners.
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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 final outturn position for the Public Protection & Enforcement Portfolio for 2023/24, 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 2023/24 is a net underspend of £153k compared to the last reported figure of a net breakeven position which was based on activity at the end of December 2023.

#### **Carry Forward Requests**

- 3.3 On the 22<sup>nd</sup> of May 2024, the Executive will have agreed several carry forward requests relating to either unspent grant income, or delays in expenditure where cost pressures will follow through into 2024/25.
- 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 2024/25 Central Contingency.

### **4. CHIEF OFFICER COMMENTS**

- 4.1 Public Protection maintained a stable position throughout 2023-24, with no significant budget pressures to report.
- 4.2 A key challenge has been overcoming the national shortage of professional officers with the skills required within Public Protection. Agency has been used to backfill with limited success as there is also a shortage of competent temporary staff. To mitigate alternative, commissioned service provision is being piloted within Environmental Protection and Food Safety.

### **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 “2023/24 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 2023/24 is an underspend of £153k.
- 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.

<b>Non-Applicable Sections:</b>	Legal, Personnel and Procurement Implications
Background Documents: (Access via Contact Officer)	2023/24 Budget Monitoring files in ECS and ECHS Finance Section

## Public Protection &amp; Enforcement Budget Monitoring Summary

2022/23 Actuals £'000	Service Areas	2023/24 Original Budget £'000	2023/24 Latest Approved £'000	2023/24 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>Public Protection</b>							
483	Community Safety	540	585	596	11	1	0	0
152	Emergency Planning	157	157	157	0		0	0
823	Mortuary & Coroners Service	939	939	939	0		0	0
1,251	Public Protection	1,592	1,676	1,512	Cr 164	2	0	0
<b>2,709</b>	<b>TOTAL CONTROLLABLE</b>	<b>3,228</b>	<b>3,357</b>	<b>3,204</b>	<b>Cr 153</b>		<b>0</b>	<b>0</b>
3	<b>TOTAL NON CONTROLLABLE</b>	12	2	2	0		0	0
950	<b>TOTAL EXCLUDED RECHARGES</b>	816	924	924	0		0	0
<b>3,662</b>	<b>PORTFOLIO TOTAL</b>	<b>4,056</b>	<b>4,283</b>	<b>4,130</b>	<b>Cr 153</b>		<b>0</b>	<b>0</b>

## Reconciliation of Latest Approved Budget

£'000

## Original Budget 2023/24

4,056

Out of Hours Noise Service in Community Safe

50

## Carry Forward Requests approved from 2022/23

POCA confiscation orders from the courts

61

POCA confiscation orders from the courts

Cr 61

HMO income

78

## Other

Environmental Protection-DEFRA grant

- expenditure

12

- income

Cr 12

Licensing-Home Office grant

- expenditure

10

- income

Cr 10

Food Standards- DEFRA Grant

- expenditure

4

- income

Cr 4

## Memorandum Items:

Insurance

Cr 9

Excluded Recharges

108

## Latest Approved Budget for 2023/24

4,283

**REASONS FOR VARIATIONS**

**1. Community safety Dr £12k**

The overspend in Community Safety is due to the need to use more expensive agency staff to cover vacant posts. Two posts have now been filled and a third is advertised to mitigate the risk of an overspend in 2024/25

**2. Public Protection Cr £164k**

The underspend in Public Protection is due to the overachievement of income from Houses with Multiple Occupancy licenses.

The service will submit a number of carry forward requests for the POCA confiscation orders funding from the court, as well implementation funding for various new burdens. The total value of the carry forward requests is £87k.

**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 £60,737**

The amount allocated to Public Protection & Enforcement has not been spent in 2023-2024. This consists of two confiscation orders that will be used to finance Trading Standards project work in 2024-2025, as this is restricted funding.

#### **2. PPE Funding for New Regulatory Burdens for Implementation £26,000**

Income received to implement new regulatory burdens for pavement licensing, Food Allergen labelling and Environmental Protection under EPA 90 for Smoke Control. The income was received at the end of the financial year; therefore, the service was unable to plan for spend in year. The service intends to carry this income forward in order to implement the changes in the coming year.