



# Public Protection and Enforcement

Portfolio Plan for 2021/22

# Introduction

## Message from Cllr Kate Lymer

Public Protection and Enforcement Portfolio Holder



Whilst work to protect us from the coronavirus has understandably and rightly been at the forefront of our focus, including the Council's response, work to keep us all safe has also continued, often with services adapting their approach to ensure that services nevertheless continue. It has been clear in the pandemic that we have all had a role to play in helping stop the spread of the coronavirus, from the public sector agencies, to the voluntary sector, and businesses and of course residents.

The same approach is true for 'protective work' more generally and it is why the work of the Safer Bromley partnership has continued and remains important. As part of its work leading the Safer Bromley Partnership, the Council also works directly in partnership with the Police, London Fire Brigade and other emergency services and agencies, including Housing Associations and the like.

New initiatives are being brought forward and we are looking to ensure our work is effective and long lasting. This Portfolio Plan outlines what we are setting out to achieve and underlines our priorities and focus in this regard.

Much of our work is carried out within a regulatory framework, and can be statutory, with standards being set by national regulators like the Food Standards Agency, the Health & Safety Executive, Environment Agency, HM Planning Inspectorate and the Health Protection Agency. Therefore, as well as working in partnership with businesses and individuals to ensure compliance with the law in a range of scenarios, we will not hesitate to take action and prosecute where needed, including seeking to assist the most vulnerable.

Finally, there can often be a common misconception that the risk of harm is high and the reality is that Bromley is a safe Borough, which is something we can all be reassured by. Our work to ensure this remains the case is very much continuing, and I thank you for your anticipated support as we all have a part to play.

# Our priorities

This Portfolio Plan is shaped around the delivery of the following priorities:

## **Priority 1 We will keep Bromley safe**

We will take an intelligence led and partnership approach; working together with public sector agencies, businesses and local communities to reduce: ASB related envirocrime, crime and to improve safety.

## **Priority 2 We will protect consumers**

We will maintain our community safety and trading standards and public protection services, to protect elderly and otherwise vulnerable residents in Bromley, and to ensure there is a fair, safe and genuine trading environment, through encouraging compliance and responsible enforcement.

## **Priority 3 We will support and regulate businesses**

We will abide by the approach within our enforcement policy, and embed a risk-based, proportionate, targeted and flexible approach to regulatory inspection and enforcement among the regulators to which it applies. This approach will ensure that regulators are efficient and effective in their work, without imposing unnecessary burdens on those they regulate.

## **Priority 4 We will protect and improve the environment through custodianship enforcement**

We will make a difference to people's lives by promoting a healthier, fairer and safer environment in local homes and within our communities, through appropriate policies and by providing compliance advice, education and through proportionate regulatory enforcement. We will focus on promoting behaviour change, and supporting compliance, working with businesses, the community and volunteer groups, and taking appropriate action to ensure the street environment meets local needs. We will undertake enforcement activity around issues relating to anti-social behavior, illegal incursion, dog attacks and drug abuse in our parks and open spaces; and we will manage parking issues through effective enforcement to balance the needs of motorists, residents and businesses.

**All 4 priorities will be delivered in accordance with our commitment to improving customer service. We will ensure our decision making is transparent and supported by sound governance, contract monitoring and performance management.**

## Priority 1

## We will keep Bromley safe

### Our Ambitions:

The priority aligns to the following *Building a Better Bromley* ambitions:

- For children to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
- For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
- For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
- For Bromley to have a safe, clean and green environment great for today and the future.
- To manage our resources well, individually and collectively, providing efficient and effective services and excellent value for money for Bromley's residents.

### Strategic links:

This priority has links with the following strategic plans and local policies:

- Building a Better Bromley
- Bromley Child Sexual Exploitation Strategy
- Bromley Safeguarding Children Partnership Policies
- Bromley Safeguarding Adults Board Strategy
- Children's and Young Peoples Plan 2018-2021
- Homelessness Strategy
- Police and Crime Plan 2017-2021
- Public Protection Enforcement Policy 2020
- Safer Bromley Partnership Strategy 2020-2023
- Serious Youth Violence Strategy
- VAWG Strategy
- Youth Justice Strategy 2019-2021
- Violence Reduction Action Plan

### What are we going to do?

| ACTION  | DETAIL   | MEASURES OF SUCCESS   | TARGET DATE                     | LEAD  |
|---|--|---|---------------------------------|---|
| <b>Manage high volume and problematic areas of enviro-crime related ASB</b> | Tackle envirocrime related anti-social behaviour through the delivery of targeted, intelligence-led operations with partners (1A)                                      | 1. Community Impact Days (12 per annum)   | 31 <sup>st</sup> March 2022     | Tony Baldock, Head of Service Community Safety, Environmental and Domestic Regulation                   |
| <b>Develop and Deliver the Safer Bromley Partnership Board Strategies</b>   | Deliver to Priority One (Safer Neighbourhoods), –Taking a joint problem solving approach in respect of those crimes that affect our residents and businesses the most. | 2. Safer Bromley Partnership Board to be held quarterly;<br>3. Present quarterly updates to the Safer Bromley Partnership Board on progress | All 31 <sup>st</sup> March 2022 | Tony Baldock, Head of Service Community Safety, Environmental and Domestic Regulation (1-3, 5-9 and 11) |

|   |  |   |  |  |
|---|--|---|--|--|
|   | <p>Deliver Priority Four (Standing Together Against Hate and Extremism) – Working to understand the risks and journey to radicalisation and extremism, and meeting our public protection statutory responsibilities, including our requirements under the Prevent duty; to further recognise that that financial abuse of the elderly (or otherwise vulnerable residents) should also be considered as a hate crime, as perpetrators deliberately choose their victims on the basis of the perceived vulnerability that may be associated with their age (or otherwise).</p> | <p>against the Safer Bromley Partnership Strategy;</p> <ol style="list-style-type: none"> <li>4. Successful scrutiny of the Safer Bromley Partnership action outcomes by the Public Protection &amp; Enforcement Policy Decision Scrutiny Committee;</li> <li>5. Attend the TTCG monthly to track local crime trends;</li> <li>6. Attend the Crime Reduction Action Group and Anti-Social Behaviour Action Groups each ¼ and monthly accordingly to consider appropriate partnership tasking for local crime and ASB issues;</li> <li>7. Attend quarterly Prevent meetings;</li> <li>8. Refresh Prevent Strategy;</li> <li>9. Reduction of Non domestic Violence with Injury;</li> <li>10. Reduction in Residential Burglary;</li> <li>11. Protection of Elderly or otherwise vulnerable people becoming victims of scams;</li> <li>12. Produce annual crime needs assessment;</li> <li>13. Attend weekly meetings with the Police leadership team to track and respond to emerging issues in community safety</li> </ol> |  | <p>Joanne Stowell Assistant Director of Public Protection (4)</p> <p>Rob Vale, (Head of Service Trading Standards and Commercial Regulation (7 and 10)</p> |
| <p><b>Provide a strategic lead to tackle gangs and serious youth violence</b></p> | <p>Provide a strategic lead to tackle gangs and serious youth violence through the delivery of the Violence Reduction Plan.</p>  | <ol style="list-style-type: none"> <li>14. Maintain the Violence Reduction Plan;</li> <li>15. Governance of the Violence Reduction Plan;</li> <li>16. Community Safety representation at the Youth Offending Service Board;</li> </ol>  | <p>Quarterly</p> <p>31<sup>st</sup> March 2022</p> | <p>Joanne Stowell Assistant Director of Public Protection (12-14)</p>  |

|   |   |  |                                   |  |
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| <p><b>Fulfil our duties under the Civil Contingencies Act 2004</b></p>        | <p>Prepare, exercise &amp; update our Civil Contingencies arrangements and ensure that, whilst responding to an incident and / or business interruption, our core essential public services can continue to be delivered.</p> | <p>17. Appropriate Incident Response;<br/> 18. Delivery of ongoing training;<br/> 19. Undertaking of Training Exercises;<br/> 20. Ongoing development of the Resilience Standards for London;<br/> 21. Ongoing maintenance of the Business Continuity Plans;</p> | <p>31<sup>st</sup> March 2022</p> | <p>David Tait Emergency Planning and Corporate Resilience Lead (15-19)</p>   |
| <p><b>Fulfil our statutory duties pertaining to the COVID 19 pandemic</b></p> | <p>Provide a strategic and operational oversight and response, enabling COVID-19 secure behaviour in the public realm and making public spaces safer during the coronavirus (COVID-19) pandemic (1B).</p>                     | <p>22. Complete the COVID statutory returns<br/> 23. Attend Chief Officer Executive COVID Board<br/> 24. Attend Public Health COVID Board<br/> 25. Attend Tactical COVID Board</p>   | <p>31<sup>st</sup> March 2022</p> | <p>Rob Vale, (Head of Service Trading Standards and Commercial Regulation (22 and 25)<br/> Joanne Stowell Assistant Director of Public Protection (23)<br/> Tony Baldock, Head of Service Community Safety, Environmental and Domestic Regulation (24)<br/> David Tait Emergency Planning and Corporate Resilience Lead (25)</p> |

## Priority 2

## We will protect consumers

### Our Ambitions:

The priority aligns to the following *Building a Better Bromley* ambitions:

- For children to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
- For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
- For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
- For Bromley to have a safe, clean and green environment great for today and the future.
- To manage our resources well, individually and collectively, providing efficient and effective services and excellent value for money for Bromley's residents.

### Strategic links:

This priority has links with the following strategic plans and local polices:

- Building a Better Bromley
- Bromley Safeguarding Children Partnership Policies
- Bromley Safeguarding Adults Board Strategy
- Public Protection Enforcement Policy 2020
- Safer Bromley Partnership Board Strategy

### What are we going to do?

| ACTION  | DETAIL  | MEASURES OF SUCCESS   | TARGET DATE                 | LEAD                                     |
|---|---|---|-----------------------------|--|
| <b>Protect the borough's most vulnerable residents from rogue traders</b>                                     | Take action against rogue traders, particularly those who target the vulnerable, through early interventions and enforcement activity with a range of partners (2A) | 26. Number of awareness raising events & training to vulnerable groups & partners (No)*;<br><br>*The ability to deliver the above measures will depend on the Government restrictions around COVID 19 | 31 <sup>st</sup> March 2022 | Graeme Preston Trading Standards Manager |
| <b>Recognise that financial abuse of the elderly (or other vulnerable residents) is akin to a hate crime.</b> | Provide a rapid response service to all victims of doorstep crimes and scams (2B)   | 27. Rapid response interventions responded to within 2 hours (%)*;<br><br>*The ability to deliver the above measures will depend on the Government restrictions around COVID 19                       | 31 <sup>st</sup> March 2022 | Graeme Preston Trading Standards Manager |

|  |  |   |                                   |   |
|--|--|---|-----------------------------------|---|
| <p><b>Keep Our Young People Safe and contribute to public health and wellbeing</b></p> | <p>Tackle the sale of age-restricted products, particularly alcohol, tobacco and knives, through test purchase operations (2C)</p>   | <p>28. Reduction in number of businesses that sell age restricted products*;<br/> 29. Robust enforcement actions taken against businesses that sell age restricted products to children and young people</p> <p>*The ability to deliver the above measures will depend on the Government restrictions around COVID 19</p> | <p>31<sup>st</sup> March 2022</p> | <p>Graeme Preston Trading Standards Manager</p> |
| <p><b>Ensure a safe and competitive trading environment</b></p>                        | <p>Combat those traders who operate illegally, putting consumers at risk and placing reputable businesses at a trading disadvantage. To do this the effective use of all available intelligence and related information will continue to play an essential role in highlighting emerging issues and targeting resources at the areas that will have the greatest impact.</p> | <p>30. Apply the approach within our enforcement policy, and embed a risk-based, proportionate, targeted and flexible approach to regulatory inspection and enforcement among the regulators to which it applies;</p>   | <p>31<sup>st</sup> March 2022</p> | <p>Graeme Preston Trading Standards Manager</p> |



## Priority 3

## We will support and regulate businesses

### Our Ambitions:

The priority aligns to the following *Building a Better Bromley* ambitions:

- For children to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
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- To manage our resources well, individually and collectively, providing efficient and effective services and excellent value for money for Bromley's residents.

### Strategic links:

This priority has links with the following strategic plans:

- Building a Better Bromley
- Food Safety Service Plan
- Public Protection Enforcement Policy
- Public Health

### What are we going to do?

| ACTION  | DETAIL   | MEASURES OF SUCCESS  | TARGET DATE                       | LEAD                                   |
|---|--|--|-----------------------------------|--|
| <p><b>Ensure a minimum standard of hygiene in business to reduce the occurrence of ill health through food borne disease.</b></p> | <p>Ensure that the Food Safety Service is delivered in accordance with the Food Law Code of Practice (FLCoP) (3A). We will inspect 100% of high-risk food businesses to ensure food safety standards are met, and ensure through education and enforcement, that food intended for human consumption which is produced and/or sold in Bromley is safe to eat and complies with food safety requirements (3B &amp; 3C).</p> <p>This will include intelligence-led food sampling and participation in regional sampling programmes for both analysis and examination, and responding to food alerts.</p> | <p>31. Inspections of high-risk food hygiene businesses undertaken (%) (Risk A and B food premises) in accordance with Food Stand Agency (FSA) targets*;</p> <p>32. Inspections of high-risk food standards businesses undertaken (%) (Risk A), in accordance with FSA targets*;</p> <p>33. Zero rated food premises demonstrating improvement on their second inspection (%), in accordance with FSA targets*;</p> <p>34. Through responding to food alerts from the FSA (%)*;</p> <p>35. Through Participation in intelligence-led food sampling and</p> | <p>31<sup>st</sup> March 2022</p> | <p>Karen Ryan Food Safety Manager)</p> |

| ACTION  | DETAIL   | MEASURES OF SUCCESS  | TARGET DATE                 | LEAD   |
|---|--|--|-----------------------------|--|
|   |  | <p>participation in regional sampling programmes for both analysis and examination*;</p> <p>*The ability to deliver the above measures will depend on the Government restrictions around COVID 19</p>  |                             |  |
| <b>Investigate of Outbreaks and Food Related Infectious Disease</b>                 | Ensure that specialist colleagues from Public Health are supported in investigating and managing disease outbreaks.  | 36. Respond to Infectious Disease Notifications (%);   | 31 <sup>st</sup> March 2022 | Karen Ryan Food Safety Manager)  |
| <b>Regulate Licensed Premises, ensuring the licensing objectives are adhered to</b> | Investigate and take appropriate action concerning complaints about licensed premises and those with reported health and safety issues to protect public health (3D) | 37. Respond complaints/enquiries about food and food premises within 5 working days (%);<br>38. Investigate all complaints raised against licensed premises;<br>39. Investigate all complaints pertaining to health and safety that are within the Local Authority remit | 31 <sup>st</sup> March 2022 | Steve Phillips Licensing Manager   |
| <b>Assist businesses with compliance with COVID -19 Regulations</b>                 | Provide advice to educate businesses to operate in a COVID-19 compliant manner, to protect public health (3E)  | 40. Respond to requests for business advice within 7 working days. Keep abreast of changing legislation and provide sector advice where necessary.   | 31 <sup>st</sup> March 2022 | Rob Vale, (Head of Service Trading Standards and Commercial Regulation and Tony Baldock, Head of Service Community Safety, Environmental and Domestic Regulation |

## Priority 4

## We will protect and improve the environment through custodianship enforcement

### Our Ambitions:

The priority aligns to the following *Building a Better Bromley* ambitions:

- For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
- For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
- For Bromley to have a safe, clean and green environment great for today and the future.
- To manage our resources well, individually and collectively, providing efficient and effective services and excellent value for money for Bromley's residents.

### Strategic links:

This priority has links with the following strategic plans:

- Air Quality Strategy 2020-23
- Building a Better Bromley
- Public Protection Enforcement Policy 2020
- Statement of Gambling Policy
- Statement of Licensing Policy

### What are we going to do?

| ACTION   | DETAIL  | MEASURES OF SUCCESS  | TARGET DATE                          | LEAD   |
|--|---|--|--------------------------------------|--|
| <b>Monitor the CCTV system for the purposes of public safety, crime prevention, and crime detection. (It may also be used for the purposes of detecting other offences, such as illegal use of bus lanes).</b> | Keep residents safe through appropriate and proportionate use of CCTV in public spaces (4A)   | 41. Monthly contract meetings with the monitoring and maintenance providers to assess progress against the KPIs;<br>42. Compliance with CCTV evidence requests (%) (4A);<br>43. Review CCTV provision; | 31 <sup>st</sup> March 2022          | Mark Atkinson Nuisance, Community Safety, ASB, Projects and Contracts Manager  |
| <b>Produce an Air Quality Annual Status Report</b>   | Councils are required to undertake a regular review and assessment of the air quality within the borough, and assess levels of air pollution against the air quality objectives. Where levels are found to be in excess of these objectives.<br>An AQAP must be produced as part of Bromley's duty under the London Local Air | 44. The ASR is produced<br>45. The ASR is scrutinised by the Environment PDS Committee annually  | September 2021<br><br>September 2021 | Charlotte Hennessey<br>Manager of Environmental Pollution Regulation and Private Rented Sector Housing Enforcement and HMO Licensing |

|  |   |   |                                   |  |
|--|---|---|-----------------------------------|--|
|  | <p>Quality Management statutory process, and in recognition of the legal requirement on the local authority to work towards air quality objectives under Part IV of the Environment Act 1995. The AQAP was refreshed in 2020 and it outlines the action we will take to improve air quality in the London Borough of Bromley in the next 5 years to 2025. In addition to the AQAP, Councils are required to produce an Annual Status Report (ASR). The purpose of the ASR is to shift the focus towards what is being done to improve air quality locally and therefore, provides an update on monitoring undertaken and progress towards the various actions set out in our action plan.</p> |   |                                   |  |
| <p><b>Investigate and enforce complaints of Nuisance in accordance with the regulatory framework</b></p> | <p>Fulfil the statutory duty to investigate and detect statutory nuisances, taking enforcement action as necessary (4B)</p>   | <p>46. Serve statutory notices where appropriate (nuisance and Outcome based No of Notices Served);</p>   | <p>31<sup>st</sup> March 2022</p> | <p>Mark Atkinson Nuisance, Community Safety, ASB,</p> <p>Tony Baldock, Head of Service Community Safety, Environmental and Domestic Regulation</p> |
| <p><b>Monitor the effectiveness of the Biggin Hill Noise Action Plan</b></p>                             | <p>Continue to monitor noise complaints relating to aviation movements including enforcement for any infringement of the adopted Airport Noise Action Plan</p>  | <p>47. Review the actions of the Safety and Noise Review Board (SANARB) regarding actions taken against those who have failed to abide by published procedures;</p> | <p>31<sup>st</sup> March 2022</p> | <p>Tony Baldock, Head of Service Community Safety, Environmental and Domestic Regulation</p>   |
| <p><b>Monitor development and investigate of potential breaches of planning control.</b></p>             | <p>To ensure breaches of planning control are remedied through appropriate enforcement in accordance with the Council's Planning Enforcement Policy (4C)</p>  | <p>48. Cases where investigations of breaches of planning control are completed (%);</p>  | <p>31<sup>st</sup> March 2022</p> | <p>John Stephenson Development Control Manager</p>   |
| <p><b>Regulate and improve conditions in HMOs</b></p>  | <p>Issue validated licences for Houses in Multiple Occupation (HMO) (4D)</p>  | <p>49. No of applications received and validated licenses for HMO issued;</p>   | <p>31<sup>st</sup> March 2022</p> | <p>Charlotte Hennessey Manager of Environmental Pollution Regulation and Private Rented Sector</p>   |

|   |   |  |                 |   |
|---|---|--|-----------------|---|
|   |   |  |                 | Housing Enforcement and HMO Licensing   |
| <b>Investigate and enforce complaints of enviro-crime in accordance with the regulatory framework</b> | Keep the borough's streets clean and green and reduce litter, dog fouling and fly-tipping through a programme of contracted works, education and enforcement activity (4E, 4F, 4G). | 50. Fly-tipping Enforcement actions undertaken where evidence supports (No);   | 31st March 2022 | Toby Smith Neighbourhood Enforcement Manager  |
| <b>Control parking in the borough for the benefit of all residents</b>                                | Continue to deliver parking enforcement services through the Council's service provider, APCOA (4H & 4I).   | 51. Parking Appeals heard and by adjudicators against no of PCNs issued;<br>52. Parking ETA cases won by LBB (75% of cases heard).   | 31st March 2022 | Chloe Wenbourne Head of Service Shared Parking Services   |
| <b>Enforce COVID -19 Regulations</b>  | Investigate and take appropriate action concerning complaints about alleged non-compliance with COVID-19 Regulations (4J).  | 53. Investigate and enforce having regard to the agreed covid enforcement protocol; engage with local business and complete weekly proactive and reactive visits to encourage compliance and enforce as may be required. | 31st March 2022 | Rob Vale, (Head of Service Trading Standards and Commercial Regulation and<br>Tony Baldock, Head of Service Community Safety, Environmental and Domestic Regulation |

## Performance Indicators

| Number            | Performance Indicators   | 21/22 Target                               |
|-------------------|--|--|
| <b>Priority 1</b> | <b>We will keep Bromley safe</b>   |  |
| 1A                | Number of Community Impact Days (No.)  | 12*  |
| 1B                | Number of meetings attended  | 100%                                       |
| <b>Priority 2</b> | <b>We will protect consumers</b>   |  |
| 2A                | Number of awareness raising events & training to vulnerable groups & partners (No.)  | 70*  |
| 2B                | Rapid response interventions responded to within 2 hours (%)   | 100%                                       |
| 2C                | Compliance with Challenge 25 test purchase operations to detect the sale of age restricted products (No.)  | 100*                                       |
| <b>Priority 3</b> | <b>We will support and regulate businesses</b>   |  |
| 3A                | Inspections of high-risk businesses undertaken (%) (Risk A and B food premises)  | % to be determined by the FSA due to COVID |
| 3B                | Due Food Hygiene Interventions completed (%)   | % to be determined by the FSA due to COVID |
| 3C                | Due Food Standards Interventions completed (%)   | % to be determined by the FSA due to COVID |
| 3D                | Respond to 70% of complaints/enquiries about food and food premises within 5 working days (%)  | 70%  |
| 3E                | COVID-19 Educate – respond to business advice request within 7 working days  | 90%  |
| <b>Priority 4</b> | <b>We will protect and improve the environment through custodianship enforcement</b>   |  |
| 4A                | Comply with 100% of CCTV evidence requests (%)   | 100%                                       |
| 4B                | Serve statutory notices where appropriate (nuisance and pollution) (%) outcome based   | 100%                                       |
| 4C                | Cases where investigations of breaches of planning control are completed (%)   | Outcome                                    |
| 4D                | Issue HMO licenses where valid applications are received (%)   | 100%                                       |
| 4E                | Total Number of Fly-tipping incidents (No.)  | Outcome                                    |
| 4F                | Total Number of open fly-tipping incident investigations (No.)   | Outcome                                    |
| 4G                | % of closed cases where action has been taken (those where evidence was available) (%).  | 50%  |
| 4H                | Parking appeals heard by the Environment and Traffic Adjudicators (ETA) against PCNs issued by LBB (No.)   | 200  |
| 4I                | Parking ETA cases won by LBB (% of cases heard)  | 75%  |
| 4J                | COVID-19 Official Controls and Enforcement – serve statutory notices where appropriate with regard to 4 E's (Engage, Explain, Encourage, Enforce) model and LBB enforcement policy | 100%                                       |

\*The ability to deliver the above measures will depend on the Government restrictions around COVID 19.