

PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 24 November 2020

Minutes of the meeting of the Port Health & Environmental Services Committee held via Microsoft Teams at 11.00 am

Present

Members:

Deputy Keith Bottomley (Chairman)	Anne Fairweather
Jeremy Simons (Deputy Chairman)	Sophie Anne Fernandes
Caroline Addy	Alderman Sir Roger Gifford
Rehana Ameer	Christopher Hill
Alexander Barr	Deputy Wendy Hyde
Adrian Bastow	Deputy Jamie Ingham Clark
Deputy John Bennett	Shravan Joshi
Peter Bennett	Vivienne Littlechild
John Chapman	Deputy Henry Pollard
Deputy Peter Dunphy	Jason Pritchard
Mary Durcan	Deputy Elizabeth Rogula
Deputy Kevin Everett	

Officers:

Rofikul Islam	- Town Clerk's Department
Gemma Stokley	- Town Clerk's Department
Kerry Nicholls	- Town Clerk's Department
Kristina Drake	- Town Clerk's Department
Jon Avern	- Department of Markets & Consumer Protection
Rachel Pye	- Department of Markets & Consumer Protection
Gavin Stedman	- Department of Markets & Consumer Protection
Tony Macklin	- Department of Markets & Consumer Protection
Julie Gibbs	- Department of Markets & Consumer Protection
Gary Burks	- Open Spaces Department
Colin Buttery	- Open Spaces Department
Vincent Dignam	- Department of the Built Environment
Carolyn Dwyer	- Department of the Built Environment
Ian Hughes	- Department of the Built Environment
Joe Kingston	- Department of the Built Environment
Paul Chadha	- Comptroller & City Solicitor's Department
Aqib Hussain	- Chamberlain's Department
Jenny Pitcairn	- Chamberlain's Department

1. **APOLOGIES**

Apologies for absence were received from Tijs Broeke and Alderman Gregory Jones.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

There were no declarations.

3. **MINUTES**

RESOLVED - That the public minutes of the meeting held virtually on Tuesday 22 September 2020 be approved as a correct record.

Matter arising

Cemetery streaming

The Superintendent & Registrar informed the Committee that the BT installation of the fibre connection had now been installed. The Committee were also informed that the Open Spaces Department anticipates that the North and South Chapel should be able to provide live streaming services from the end of the year.

The Deputy Chairman asked if the new cremators were in place. The Superintendent & Registrar confirmed that the cremator project was progressing according to the timescale, and that two new cremators were in operation at present, which allowed for more cremations to take place. At present, 21 cremations are being carried out a day. Furthermore, in terms of the abatement concern, the process had started from November through to February.

The Chairman and Deputy Chairman commented that the project came into effect at the right time between the first and second spike of COVID-19.

4. **OUTSTANDING ACTIONS**

The Committee received a report of the Town Clerk setting out the current list of outstanding actions:

Measurement and mitigation options for operational rail noise from London Underground affecting the Barbican Estate

The Committee was informed that the long-term financial package had now been agreed by the Government at £1.8billion in total and that London Underground Officials are now scrutinizing their individual budgets to see what this will mean for the proposed noise and vibration works. The City of London is yet to find out if the previously agreed works can go ahead. On a more positive note, it was reported that the four lines modernisation programme was set to be funded and could therefore progress with the intention of completing this work by March 2021

The Chairman commented that that this was pleasing progress based on previous conversations with TfL on the matter.

A Member asked if the Committee could place on record its commitment to ensure that that the measurement and mitigation options for operational rail noise from London Underground affecting the Barbican Estate remained on the agenda.

The Chairman assured the Member that the Committee would ensure that this remained an important agenda item. He added that the Committee would continue its high-level engagement with senior TfL representatives' and that the Chairman intended to contact the London Underground Limited (LUL) again in the New Year.

5. UPDATE ON THE IMPACT OF THE UK LEAVING THE EU (BREXIT) ON PORT HEALTH & PUBLIC PROTECTION

The Committee received a verbal update from the Port Health and Public Protection Director on the impact on the UK of leaving the EU (Brexit) on Port Health & Public Protection.

The Committee was informed that things had been moving at pace since the verbal update to their last meeting. The UK Government has published a Border Operating Model that outlines how controls will be phased in at the border from January 2021.

The model contains information on a wide variety of border controls, but the ones relevant to this Committee include:

- From January 2021 – full checks on live animals, organic checks, Illegal, Unreported, and Unregulated (IUU) fishing checks. In addition, goods transiting through the EU to the UK will need to be checked. The transits are high-risk food and feed from the rest of the world that travel via the EU but are not checked by the EU. The Department will also need to check manifests to gain a better understanding of imports through the ports.
- From April 2021, the City of London will need to ensure that it is carrying out 100% documentary checks of high-risk food and feed which enters the UK through the City of London's ports. The latest projections from the UK Government indicate that this could double the workload for the Port Health Service.
- From July 2021, a physical, identification, and sampling checks will be required on 1% of high-risk EU food and feed imports

The Committee was informed that the City of London is in close liaison with various Government bodies, such as the Department for Environment, Food and Rural Affairs, and the Food Standards Agency, as it was felt that some points in the Border Operating Model require further clarification. This included details of how long the 1% checking regime will last as it is out of step with what applied to the rest of the world imports, and any safeguarding measures for Avian and Swine Flu that are to be carried on appropriate products early next year. This is an addition to the checks that the City of London continues to make on high-risk food and feed from the rest of the world.

The Committee was also reminded that the Department had submitted a bid for £474k to the Food Standard Agency under its EU Transition Fund to support the City of London's current preparations, increasing staffing. Although, the City of London was awarded only £150k, the Department for Environment, Food and Rural Affairs, released details of a Port Health Authority Transition Readiness Fund and, following discussions with the Department for Environment, Food and Rural Affairs regarding their revised predictions the City of London had submitted a bid to support its current preparations and increase its workforce by 22 officers; including 3 Port Health Officers, 3 Official Veterinarians, 8 Port Health Technical Officers and 8 Support Assistants. A

funding pot of £714K has been made available until 31 March 21. There is also a commitment that the Department for Environment, Food and Rural Affairs will underwrite the cost of recruitment until 31 March 22 based on their predictions.

The City of London is currently finalising the arrangements with the Department for Environment, Food, and Rural Affairs and it is in discussions with HR and Finance to expedite the recruitment process. The Department is hopeful that it can fill the posts quickly using apprentices and graduates.

The Committee was further advised that the Department is working closely with the various port operators on the River Thames to ensure they are ready for next year.

The Committee was made aware of the forthcoming Members Briefing on Brexit, that would focus on the Port Health Service and Heathrow Animal Reception Centre. Members were informed that the briefing would take place on Monday 14 December, 15:30-16:30.

A Member asked if the Port Health and Public Protection Director could confirm that there were no financial implications on the Port Health Services from the Target Operating Model and the 12% reduction from 2021. The Port Health and Public Protection Director responded that the Port Health function was based on full costs recovery. Staff would be employed on a flexible base, and the Department does not anticipate any legacy impacts.

The Deputy Chairman asked whether London Ports are seeing additional traffic being diverted from Felixstowe as vessels were not able to land their containers. The Port Health and Public Protection Director responded that the City of London has noted that vessels move around from Felixstowe to City of London Gateway Ports, which is well served. The Committee was advised that the City of London has very little influence or control around the vessels' movements and where they go; however, the City of London has been dealing well with diversions.

Another Member questioned whether there would be a longer-term impact as a result of the goods that are coming from the EU being subject to 1% check, as opposed to a higher check on goods that are coming directly from elsewhere. The Port Health and Public Protection Director responded that the City of London has been in contact with the Department for Environment, Food and Rural Affairs to clarify how long the 1% checks will be in place for, as the increase will impact on the resource required to deliver the service.

The Chairman reassured Members that further updates would be provided to the Committee on the impact of the UK leaving the EU (Brexit) on Port Health & Public Protection at future meetings.

RESOLVED - That Members noted the verbal update.

6. **HAZARDOUS WASTE UPDATE**

The Committee were given a verbal update from the Business Improvement & Strategic Group Manager on the Hazardous Waste Update.

The Committee was informed that the City of London acted as a lead authority on the London-wide Hazardous Waste Programme. The Hazardous Waste Programme aims to provide a service to residents, schools, and charities to safely dispose of small quantities of asbestos and chemical waste. A procurement process was followed, and a contract was awarded to Biffa Waste Services in April 2020. Since April 2020, Officers have been working hard to gain support from all the 32 London Boroughs to be part of the Programme.

The Committee was further advised that all the 32 London Boroughs had now signed up to the programme with the exception of the London Borough of Hillingdon, which has its own provision in place; however, they have engaged with the process and agreed to come back to the City of London for further engagement once their current contract comes to an end.

The service has now been up and running since October, with the transition being a smooth process. Officers commented that they were pleased with the contract delivery so far and continued to monitor progress. The Committee were informed that this was an excellent example of the City of London taking the lead on London-wide services.

The Chairman noted that a lot of work had gone into this piece of work and thanked Officers for their hard work.

RESOLVED – That Members noted the verbal update.

7. AMENDMENTS TO THE COMMERCIAL ENVIRONMENTAL HEALTH SERVICE PLAN 2020-2021 WITH RESPECT TO FOOD SAFETY WORK

The Committee considered a report of the Director of Markets & Consumer Protection on the Amendments to the Commercial Environmental Health Service Plan 2020-2021 with respect to Food Safety Work.

The Committee were reminded that, at its July 2020 meeting, it had approved the Commercial Environmental Health Team's Service Plan for the year. The plan was set out in three stages, which the City of London had anticipated the course of the pandemic to run from the initial lockdown in March, to reopen in early July and then to recovery and return to normal; however, this had not been the case. During that period, the Food Standards Agency was encouraging local authorities to do more proactive food work, alongside its statutory duties such as COVID-19 Secure, track, and trace and to inspect businesses once they could reopen in July.

As more restrictions were put in place by September, the Department's focus shifted to ensuring that the safety of the public and customers for local business became a priority. Following the national lockdown on 5 November 2020, the vast majority of the food businesses in the City of London were closed.

The Committee was assured that the few food businesses which decided to remain open were provided with COVID-19 secure advice and that, where appropriate, food safety inspections were carried out. The Department's main priority is now being prepared for the City of London's businesses to reopen safely and in line with any new regulations that may stem from the lifting of the restrictions proposed for 2 December.

The Department will continue to ensure that all the businesses remain COVID-19 secure for public use.

The Chairman noted that this was an annual exercise that needed approval from the Committee, and that a confirmation needed to be provided to the Food Standard Agency.

RESOLVED – that Members approved:

- a) The specific food safety and health & safety activities set out in the Commercial Environmental Health Team Plan 2020-2021; and
- b) The London Port Health Authority Food Service Enforcement Plan 2020-2021.

8. **REVIEW OF PILOT AND FUTURE BRIDGE HOUSE ESTATES FUNDING FOR ENFORCEMENT ACTIVITY AGAINST ILLEGAL STREET TRADING ON AND BY THE BRIDGES**

The Committee considered a report of the Director of Markets and Consumer Protection on the review of the pilot and future Bridge House Estates funding for enforcement activity against illegal street trading on and by the bridges.

The Committee's attention was drawn to the success of the two-year pilot project, which had resulted in a significant reduction of illegal street trading on the bridges. This was attributable to several factors, including a funding package from Bridge House Estates, which had enabled resources to be allocated to deal with the illegal street trading all year round.

The Committee was informed that it had played a significant role in the enhanced enforcement powers, which it had facilitated by the endorsement of section 101 agreement; this had allowed the Department to work across borough boundaries with its counterparts in Tower Hamlets and Southwark. Additionally, agencies such as the National Food Crime Agency, Border Forces, and the City of London bridge control room played a vital role in curbing illegal street trading.

A Member noted that the report had been discussed in the Culture, Heritage and Libraries Committee and was pleased to see that the funding had been extended. He advised the Committee that, should the City of London let its guards down, the traders would return. The Member welcomed the report.

The Deputy Chairman agreed with the Members comment and thanked Officers for the overall success of the work carried out so far.

Another Member also welcomed the report and asked if the lack of presence of the illegal traders were due to the lockdown and the reduced number of visitors to the bridges. The Assistant Director of Public Protection responded that there were no traders on the bridges during the first lockdown; however, in early July the footfall increased, and the Department of Markets & Consumer Protection observed that a number of the illegal traders had returned.

Another Member commented that they were delighted to see that many pickpockets were being disrupted, which is a massive success in itself to be able to achieve, as

this is a big issue within the City of London with many people falling victim to such criminal activities.

Another Member questioned whether the Department of Markets & Consumer Protection was working with other boroughs given that there was likely to be a displacement of the illegal street traders to other areas. The Assistant Director, Public Protection, reported that the Department of Markets & Consumer Protection regularly held meetings with its counterparts from other boroughs and carried out joint operations to tackle illegal street trading.

RESOLVED – that Members approved:

- (a) to extend and maintain additional enforcement capability by the City Corporation as local authority to be directed against illegal street trading on and by the bridges and the public highways which cross them and to authorise the Comptroller and City Solicitor to complete any necessary agreement with Southwark in respect of enforcement by the City Corporation within Southwark's boundary; and
- (b) should it be considered to be in the best interests of Bridge House Estates and its beneficiaries, to those additional costs being met by the charity with a view to preserving and safeguarding the bridges (and those who use them) consistent with the City Corporation's duties and powers as charity trustee to expend the charity's funds on maintaining and supporting the bridges, including to meet reasonable and proportionate costs of policing them.

9. **48TH CITY OF LONDON THAMES FISHERY RESEARCH EXPERIMENT**

The Committee considered a report of the Director of Markets and Consumer Protection on the 48th City of London Thames Fishery Research Experiment.

The Chairman noted that due to COVID-19, the 48th London Thames Fishery Research Experiment was a scaled back event. Nevertheless, the event itself was a success and was well received by the fishing teams. The Chairman informed the Committee that the anglers were grateful that the event took place, this year.

The Deputy Chairman commented that despite a low number of anglers, the total number of fish caught this year was over 500. The social distances were 10/15 meters between each of the anglers. The Deputy Chairman thanked the Officers who were involved in organizing the event.

The Port Health and Public Protection Director informed the Committee that the bars for this year's Fishery Research Experiment had been ordered, and that Members would receive them as soon as possible. He also noted that the bars for 2020 would be a different colour from what we usually have in order to mark it as a different year for the future.

RESOLVED - That Members:

- Noted the content of this report;
- Reviewed and approved the grant from City's Cash to partially fund the 2021 Experiment and;
- Approved the 49th City of London Thames Fishery Research Experiment to take place in 2021 (date to be confirmed).

10. **RESETTING OF DEPARTMENTAL BUDGETS 2020/21**

The Committee received a report of the Chamberlain on the Resetting of departmental Budgets 2020/21.

The Committee was informed that the report was around the resetting of departmental budgets for 2020/21. The impact for the Port Health & Environmental Services Committee is a net increase of £153K, which is made up of an increase of £301K for the Director of Markets and Consumer Protection and a reduction of £148K for the Director of Open Spaces, which were based on the financial forecast from July 2020. The Committee was further advised that this report would be submitted to the Court of Common Council on Thursday, 3 December, for a decision.

The Chairman also noted that a separate report would be provided to the Committee on the budget for 2021/22 at their next meeting in January 2021.

RESOLVED - That Members noted the report.

11. **DBE SENIOR OFFICER RESIGNATION**

The Committee received a report of the Director of the Built Environment on the DBE Senior Officer Resignation.

RESOLVED - That Members noted the report.

12. **REPORT OF ACTION TAKEN**

The Committee received a report of the Town Clerk regarding action taken between meetings.

RESOLVED - That Members noted the report.

13. **QUESTION ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
Climate Action Plan

A Member highlighted to the Committee some of the risks involved in adopting the City of London's Climate Action Plan.

He referred to a report by the Energy and Climate Intelligence Unit on the impact of working from home and the levels of pollutions which affected the environment. He stated that offices remained heated regardless of whether or not they were occupied which caused an increase of NOx by 12% in towns and cities. This was enough to offset the last two years' worth of progress that has been made on traffic emission.

The Air Quality Manager for the City of London responded that gas consumption would increase substantially across the country, as, people are working from and office building are also kept heated.

The City Corporation aimed to discuss the matter with some of the businesses within the City of London on how to overcome the increase in gas consumption in offices. A report will be presented to the Committee at the January 2021 meeting.

A Member of the Committee noted the need for a living document on the Climate Action Plan, which should be guided by a strategy which will allow room for discussions, debates, and implementation as time goes forward. This was followed by another Member who asked if the hidden effects of working from home are considered in the report.

Another Member noted that the Barbican is mentioned as a sizeable polluting area due to the building's design and raised concerns that with 2000+ properties in the estate, many people are working from home. This will undoubtedly affect the increased carbon level within the Estate and if this has been taken into account.

The Air Quality Manager for the City of London responded that the Barbican Estate obtains its gas from Citigen. From an air quality perspective, it is easier to work with the main source in mitigating the pollution. In terms of Barbican, it will not be a significant increase; however, the Air Quality Manager agreed to look further into this.

The Chairman requested that an update to the Committee is provided once the planned business engagement is carried out and noting the Alderman's comment about the long-term solution on a live document on the Action Plan in the Committee's January 2021 meeting.

Free Ports

A Member stated that the Government had announced that Free Ports will be introduced around the country, and it is understood that the City of London will be bidding. He asked if Officers could provide an update on where the City of London stands with its application on the Free Ports.

The Director of Markets and Consumer Protection responded that the City of London is not directly involved as the actual ports will have to apply for Freeport status. However, the City of London is supporting the London Gateway and Tilbury ports in their bid. The Director of Markets and Consumer Protection is part of a working group, and they are arranging a non-disclosure agreement so that information can be shared between different parties. The Committee Chairman and Chair of Policy & Resources will be briefed on the issue soon.

The Director of Markets and Consumer Protection assured the Committee that the Department is involved with the process. The Chairman asked if the Committee can be kept updated with the progress on this.

Electric Vehicle Congress Awards

The Committee was informed of the Electric Vehicle Congress Awards achieved by the Built Environment Department for the fleet electrification strategy of the year. The award recognized the hard work put in place by the Transport team and their collaborative working across departments within the City of London. The Chairman congratulated all those concerned.

The Chairman questioned as to when the City of London was expecting its delivery of the electric cleansing vehicles. The Business Improvement & Strategic Group Manager responded that it was anticipated that these would be delivered by January 2021. As the vehicles are the first of their kind, a number of tests and approvals are required. Officers are working with the Driver & Vehicle Standards Agency to ensure all the tests and approvals are carried out as soon as possible.

The Chairman noted that the City of London would be the first local authority in the country to have a fully electric fleet of waste collection vehicles.

14. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no questions.

15. EXCLUSION OF THE PUBLIC

RESOLVED, that – under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

16. NON-PUBLIC MINUTES

RESOLVED - That the non-public minutes of the meeting held virtually on Tuesday 22 September 2020 be approved as a correct record.

17. PORT HEALTH AND ENVIRONMENTAL SERVICES DEBTORS -PERIOD ENDING 30 SEPTEMBER 2020

The Committee received a joint report of the Director of the Built Environment, the Director of Markets and Consumer Protection, and the Director of Open Spaces.

18. NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were none.

19. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERED URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED

There was no other business.

The meeting ended at 12.15.

Chairman

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