

**Department of Markets and Consumer Protection
Port Health and Public Protection Division**

**Business Plan Progress Summary
Period Two: 1 August – 30 November 2020**

Progress against Operational Performance Indicators

	This indicator is performing to or above the target. (100% of the target or higher)
	This indicator is a cause for concern, frequently performing just under target. (85% - 99% of the target)
	The indicator is performing below the target. (<85% of the target)

		Actual 2019-20		Target 2020-21	Actual 2020-21		Status	
		Period 2	Period 3		Period 1	Period 2		
PI 1	Port Health Proportion of imported food and feed consignments that satisfy the checking requirements cleared within five days.	a) Products of Animal Origin (POAO): Non-fish	80%	85%	85%	79%	72% *1	
		b) Products of Animal Origin (POAO): Fish	89%	86%	85%	81%	86% *2	
		c) Products of Non-Animal Origin (PNAO)	95%	97%	85%	74%	96%	
PI 2	Port Health 85% of imported food and feed consignments (Products of Non-Animal Origin - PNAO) are subjected to mandatory documentary controls within five days.		98%	95%	85%	70%	98%	

*1 The requirement for enhanced checks on Brazilian imports continues to impact clearance rates at London Gateway. During Period 2, at London Gateway: 71% of 2,526 consignments met the target (86% of 942 non-Brazilian and 62% of 1,584 Brazilian); Tilbury: 85% out of 52 consignments met the target; Thamesport: 0% of 1 consignment met the target.

*2 During Period 2, at London Gateway, 77% of 239 consignments met the target; At Tilbury, 93% of 88 consignments met the target.

Appendix 3

		Actual 2019-20		Target 2020-21	Actual 2020-21		Status
		Period 2	Period 3		Period 1	Period 2	
PI 3	Food Safety Over the course of the year, secure a positive improvement in the overall Food Hygiene Ratings Scheme (FHRS) ratings profile for City food establishments compared to the baseline profile at 31 March 2013.	N/A	End of year result: Improved profile	Improved profile	N/A	N/A	-
PI 4	HARC Less than 1% of missed flights for transit of animals caused by the Animal Reception Centre (ARC).	0%	0%	<1%	0%	0%	😊
PI 5	Pollution Team 90% justifiable noise complaints investigated result in a satisfactory outcome.	93%	93.5%	90%	92.9%	89.3% *1	😐
PI 6	Trading Standards Respond to all victims of investment fraud identified to the Trading Standards Service within 5 working days to advise on the risk of repeat targeting, assess the need for safeguarding interventions and initiate the safeguarding process where appropriate.	100%	100%	100%	100%	100%	😊
PI 7	Health & Safety Complete the annual risk-based cooling towers inspection programme in order to ensure that the risk of Legionnaires' disease is being effectively managed by all those responsible.	N/A	End of year result: 100%	100%	N/A	N/A	-

PI 3: Annual indicator. The purpose of this indicator is to show an overall improvement in the FHRS rating profile across all City food establishments by the end of the year. The target cannot be expressed as a specific percentage since any increase will indicate achievement.

PI 5: The percentage of total justified noise complaints investigated resulting in noise control, reduction to an acceptable level and/or prevention measures; complaints may or may not be actionable through statutory action.

PI 7: Annual indicator.

*1 The restrictions that the COVID-19 pandemic has placed on investigations has increased the difficulties of resolving some complaints. The overall performance for the year to date remains above the target value at 91.1%.

	All PH&PP Service areas	Actual 2019-20		Target 2020-21	Actual 2020-21		Status
		Period 2	Period 3		Period 1	Period 2	
PI 8	a) 90% of debts to be settled within 60 days.	82%	95%	90%	43%	82.9%	☹️
	b) 100% of debts settled within 120 days.	96%	98%	100%	78%	89.9%	☹️
<p>PI 8a: This indicator measures the percentage of overall debt that is less than 61 days old.</p> <p>PI 8b: This indicator measures the percentage of overall debt that is less than 121 days old.</p>							

Progress against Port Health & Public Protection key improvement objectives

Ref:	Objective	Progress during Period Two (August – November 2020)
1.	Continue to monitor and evaluate the potential impacts of Brexit upon our services and put in place actions to mitigate them.	<p>Period Two</p> <ul style="list-style-type: none"> • Port Health and HARC continue to provide advice and evidence on, and in response to, UK/EU trade relationships consultations relating to policy and process. <p><u>PORT HEALTH</u></p> <ul style="list-style-type: none"> • FSA £225k of funding and Defra £714k of funding has been secured for 2020/21. Defra underwriting for 2021/22 is based on their predictions of throughput if income is not achieved. Second funding pot to increase staff numbers by 22. • Temporary contracts have now been extended to September 2021. Agreement has been received to recruit the 22 additional staff asap. • Timelines are extremely tight to recruit and train staff for the end of the transition period.
2.	The Air Quality Team will deliver measurable improvements in nitrogen dioxide across the City by implementing the actions identified in the Air Quality Strategy 2019-2024.	<p>Period Two</p> <ul style="list-style-type: none"> • The reduction in concentrations of nitrogen dioxide continued, reflecting the ongoing decline in activity in the City. The annual average for 2020 is likely to be 35 – 40% lower than in 2019. • Levels of particulate matter have also reduced by around 10%, reflecting reduced activity across London and the south east.
3.	The Licensing Team will continue to develop the Safety Thirst Award Scheme, which aims to promote responsible management and reduce crime and anti-social behaviour.	<p>Period Two</p> <ul style="list-style-type: none"> • The COVID-19 pandemic has resulted in most premises remaining closed in the City. Those that are open have limited time for assessments. • Awards granted in 2019 are renewed for 2020; the return is being monitored closely and alternative award delivery is being considered.

Ref:	Objective	Progress during Period Two (August – November 2020)
4.	The Licensing Team will undertake enforcement against illegal street traders, especially on and near City bridges.	<p>Period Two</p> <ul style="list-style-type: none"> • Illegal street trading prosecution cases have resumed after long court delays with a £220 fine; £250 contribution to costs; and £32 victim surcharge and forfeiture of the peanut receptacle. • The two-year enforcement pilot review report has been completed and is supported by all committees • A further Bridge House Estates funding bid has been approved enabling the enforcement work to continue until April 2023. • Annual detailed progress reports will be reported to this committee.
5.	The Trading Standards Team will maintain its focus on disrupting and preventing financial fraud, particularly among vulnerable consumers.	<p>Period Two</p> <ul style="list-style-type: none"> • Ongoing. This continues to be the team's focus, and during the COVID-19 pandemic there has been an increase in consumer complaints about financial fraud generally. Unfortunately, the team has not been able to stage any field deployments to disrupt rogue traders, but illegal and fraudulent websites have been "taken" down.
6.	The Commercial Environmental Health Team will focus on delivery of the food and health and safety interventions and projects in its annual Service Plan, including the further development of Primary Authority and the implementation of a healthy eating strategy grounded in London's Healthier Catering Commitment Scheme.	<p>Period Two</p> <ul style="list-style-type: none"> • As the City has undergone a number of lockdowns and re-openings with the introduction of new legislation and guidance each time, the team has focussed on providing advice and guidance to City businesses. • Approval was given by November's PH&ES Committee to make assisting City businesses with advice and guidance on COVID Secure matters guidance a priority and to only inspect City food businesses which are considered high risk for the immediate future. • This has included the relaunch of our Covid Compliant Accreditation Scheme across all of the City in early December.
7.	The Pollution Team will continue to implement the Action Plan of the Noise Strategy 2016-2026.	<p>Period Two</p> <ul style="list-style-type: none"> • Officers continue to work with London Underground Ltd (LUL) on operational rail noise matters affecting the Barbican Estate. LUL budgets have been severely affected by COVID-19 which has delayed projects. LUL is not able to progress noise matters at present, in particular the planned Temporary Speed Restriction (TSR). • A next phase of the TfL Lane Rental Board Streetworks and Liaison Officer project commenced in September 2020. • The City's infrastructure projects are progressing well with the team working hard to ensure the environmental impacts of Crossrail, Thames Tideway Tunnel and Bank Station Capacity Upgrade are being continuously monitored and managed by the numerous contractors.

Ref:	Objective	Progress during Period Two (August – November 2020)
8.	The Pollution Team will implement the Monitoring Fee requirement of the Code of Practice for Deconstruction and Construction with developers and contractors.	<p>Period Two</p> <ul style="list-style-type: none"> The first Construction Levy Officer has been appointed and will commence the new role in January 2021.
9.	The Port Health Service will strive to become the quickest processor in the UK for consignments of food and feed through the LPHA ports.	<p>Period Two</p> <ul style="list-style-type: none"> The Port Health Service continues to develop solutions to improve the efficiency of the service. Revisions to the auto-manifesting programme need to be made and tested again.
10.	Heathrow Animal Reception Centre (HARC) will explore income generation opportunities and contracts with partner organisations at the airport.	<p>Period Two</p> <ul style="list-style-type: none"> 2020 has proven to be very difficult for the airline industry; although they are still flying a lot of dogs and cats, overall fiscally they are in challenging times. Therefore, this objective is likely to be on hold for some time.

Summary of enforcement activity - Period Two 2020/21

Food Safety	2019-2020 Annual Total	Period 2 2020-21 (Year to date totals are shown in brackets)
Programmed inspections	<u>Food Hygiene:</u> 929 <u>Food Standards:</u> 337	<u>Food Hygiene:</u> 88 (91) <u>Food Standards:</u> 31 (35)
Hygiene Emergency Closures	1	0 (0)
Voluntary closures	1	0 (0)
Complaints & service requests received	750	238 (404)
Notices served	3	0 (0)
Prosecutions	0	0 (0)

Health & Safety	2019-20 Annual Total	Period 2 2020-21 (Year to date totals are shown in brackets)
Programmed Cooling Tower inspections	63	5 (5)
Other H&S Inspections	0	0 (0)
H&S Project visits	0	0 (0)
Accident and dangerous occurrences notifications	110	29 (43)
Complaints & service requests received	519	281 (497)
Notices	5	2 (2)
Prosecutions	0	0 (0)

Period 2 – Commercial Team Highlights (Food Safety and Health & Safety)

- The Team continued to provide a phased approach to delivery of business as usual, but with further changes as the ongoing pandemic and the responses to it developed. This work is outlined in our Service Plan but now with changes driven by the various restrictions and response measures and their respective impacts.
- The Environmental Health Team has remained key in the delivery of some of the important coronavirus responses.
- Contact tracing is a vital component in preventing coronavirus outbreaks. Significant gaps in the national scheme initiated a [City & Hackney local response](#) to work in tandem with NHS Test & Trace. The Commercial Team now help provide this local test and trace response. We were also involved in [the development of standard operating procedures for workplaces and in some of the public health response following coronavirus incidents in workplaces settings](#).
- In Period One, much of our work was achieved with remote interventions but in Period Two we increasingly returned to more regular visits to businesses in line with the requisite advice and assessment. Face to face interventions after the first lockdown were well received and welcomed by many businesses especially food business operators.
- The initial optimism at the start of the period was driven by Government policy and schemes like 'Eat out to help out' helped many local food businesses. As policy shifted towards more restrictive measures, we have tried to help businesses that remained open to comply with changing requirements. Many food businesses closed as the national restrictions were imposed in November, those that stayed open traded as takeaways, but customer numbers were significantly reduced.
- A lot of work focused on further COVID-Secure spot checks and assessments using a combination of newly imposed regulations (which continually evolved) and powers in existing health and safety law.
- We were central to the development and delivery of the pilot [COVID Compliant Accreditation Scheme](#) centred around the Cheapside Business Improvement District.
- We also worked in collaboration with the Health and Safety Executive (HSE) to carry out COVID-Secure spot checks in close-contact service settings in the Square Mile (e.g. hairdressers and spas). The activity (which is ongoing) checked that the selected local businesses and respective duty holders were managing their COVID response and control measures in line with current government guidelines.
- A team member is still undertaking regular fish inspection work at Billingsgate Market.
- We continued to provide an emergency pest control function with some ongoing treatment in a number of City open spaces in a bid to eradicate the surface rat population that had increased during the initial lockdown. This work has been largely successful.
- One of the team is now Chair of the inaugural London Primary Authority Regional Group (1 of 7 such regional groups across the UK). This group is aligned with London's Strategic Regulatory Network and it has proven a useful means of improving lines of communication with the Department of Business, Energy and Industrial Strategy.

Food Hygiene Rating Scheme (FHRS) – profile of food businesses in the City

		Hygiene Rating						Total no. of food businesses in the City included in the FHRS
		5	4	3	2	1	0	
Number (%) of food businesses	30 November 2018	1274 (73%)	261 (15%)	86 (5%)	38 (2%)	26 (1%)	4 (<1%)	1752 (incl. 63 awaiting inspection)
	29 March 2019	1290 (75%)	245 (14%)	76 (4%)	42 (2%)	29 (2%)	2 (<1%)	1730 (incl. 42 awaiting inspection)
	31 July 2019	1310 (75%)	236 (14%)	73 (4%)	48 (3%)	24 (1%)	2 (<1%)	1747 (incl. 54 awaiting inspection)
	29 November 2019	1335 (77%)	232 (13%)	73 (4%)	49 (3%)	20 (1%)	2 (<1%)	1743 (incl. 32 awaiting inspection)
	31 March 2020	1372 (78%)	207 (12%)	71 (4%)	53 (3%)	24 (1%)	2 (<1%)	1751 (incl. 22 awaiting inspection)
	31 July 2020	1352 (78%)	214 (12%)	73 (4%)	48 (3%)	27 (2%)	3 (<1%)	1743* (incl. 26 awaiting inspection)
	30 November 2020	1378 (79%)	200 (12%)	70 (4%)	43 (3%)	18 (1%)	1 (<1%)	1736* (incl. 26 awaiting inspection)

*N.B. In addition to the 1,736 businesses included in these statistics, there are currently a further 53 food businesses in the City of London which are exempt from the FHRS. They are inspected by Environmental Health Officers but are not given a food hygiene rating. These are businesses that are low-risk to public health, for example, shops selling pre-wrapped goods that do not require refrigeration.

'0' rated food businesses in the City

This business was rated '0' on 30 November 2020 (the last working day of the period).

Premises	Details
City Izakaya Retail Unit 46 Moorgate, London, EX2R 6EL	This premises remains closed and subject to a Hygiene Emergency Prohibition Order (HEPO) issued by the Court. The premises has been closed since we served the original HEP Notice (before the initial lockdown in March).

Trading Standards	2019-20 Annual Total	Period 2 2020-21 <i>(Year to date totals are shown in brackets)</i>
Inspections and visits	112	12 <i>(17)</i>
Complaints & service requests received	2,176	962 <i>(1,795)</i>
Acting as a responsible authority for Licensing Applications	96	10 <i>(19)</i>
Prosecutions	2	0 <i>(0)</i>

Period 2 – Trading Standards Team Highlights

- Operation Broadway continues to operate remotely with virtual meetings taking place every two weeks. Trading Standards now participate in a high-level working group looking at investment clones which is coordinated by the National Crime Agency.
- The Team's prosecution against a fraudulent accountancy firm that offered non-existent jobs has now been delayed until July 2021 with a scheduled 4-week trial at the Central Criminal Court.

Pollution	2019-20 Annual Total	Period 2 2020-2021 (Year to date totals are shown in brackets)			
		Total	% Noise complaints resolved	Notices served	Prosecutions
Complaint investigations, noise	624	168 (418)	89.3%	0 (0)	0 (0)
Complaint investigations, other	82	13 (57)	N/A	N/A	0 (0)
Licensing, Planning and Construction Works applications assessed	1,077	198 (302)	N/A	N/A	N/A
No. of variations (to construction working hours) notices issued	1,358	306 (551)	N/A	2 S.60 1 S.61 (7)	N/A

*COPA: Control of Pollution Act 1974. S60: Notice requiring specified controls on construction sites.

**COPA: Control of Pollution Act 1974. S61: Prior consent for work on construction sites.

Period 2 – Pollution Team Highlights

- The Team, with Westminster City Council, successfully bid for a TfL funded project to develop improved control processes for street works on TfL roads with the intention to minimise environmental impact (noise and air quality) and to ensure that Local Authorities and Residents are made more aware of the works. Work has now commenced on this project which will run until October 2022.
- Officers continue to deal with a large number of enquiries. Some operational practices have needed to change in reaction to the COVID-19 situation however officers continue to liaise with contractors and developers to ensure environmental standards are met. The major infrastructure works (Thames Tideway Tunnel, Crossrail and Bank upgrade) have recommenced operations in line with COVID protocols.
- Officers continue to work with London Underground Ltd (LUL) on operational rail noise matters affecting the Barbican Estate. Technical discussions continue following the Temporary Speed Restriction Trial which took place in November. Budgetary impacts on TfL income following the COVID restrictions present additional difficulties in progressing this work.
- Team members continue to predominately work from home but a presence in the City is maintained and officers are also available to travel into the City at short notice if required. Visits within premises are not generally being undertaken but can be if essential, subject to the necessary risk assessments.

Period 2 – Air Quality Team Highlights

During Period Two, the Team:

- Organised and delivered a best practice webinar for facilities managers to minimise emissions of air pollutants from buildings.
- Developed air quality action plans for all City schools.
- Responded to the government's (BEIS) call for evidence on for "Combined Heat and Power (CHP): the route to 2050".
- Issued a permit to operate an energy centre at St Bartholomew's Hospital.
- Applied for Defra funding to work with Barts Health NHS Trust on a programme to assist and reach out to people who are most vulnerable to air pollution.
- Continued to measure air pollution in the City during lockdown.

Animal Health & Welfare	2019-20 Annual total	Period 2 2020-2021 (Year to date totals are shown in brackets)			
		Total	Warning letters	Notices served	Prosecutions
Heathrow Animal Reception Centre					
Throughput of animals (no. of consignments)	16,344 consignments	6,827 (9,378) consignments	21 (23)	0 (0)	0 (0)
Animal Health					
Inspections carried out	437	107 (135)	0 (0)	20 (20)	0 (0)

Period 2 – Animal Health Team Highlights

- The Animal Health team has found carrying out inspections of animal activity licensed premises to be challenging under COVID restrictions and, although all premises have been visited, the work has been adjusted to carry out the documentary checks remotely.
- During the summer months the Animal Health team attempted to catch up on licence inspections that had been suspended during the first lockdown. The team was starting to meet its KPI targets when the second lockdown was put in place in November.
- The team has continued to respond to all animal welfare related complaints and all reports of illegal landing detected in Greater London. Officers have also carried out two warrants of entry with partner local authorities
- During the COVID lockdown, the demand for puppies has increased as has the number of illegal imports coming into the county: during Period Two, the team detained 36 dogs which were placed in quarantine. Officers remain in communication with both Defra and APHA about the growing problem.
- The City of London has been carrying out a joint investigation with the Royal Borough of Kingston-up-on-Thames into a person suspected of illegally moving dogs into the UK from Poland and France to sell here. To date, a total of 17 dogs have been taken into possession from the address on both welfare grounds and as illegal imports. 4 Pigs and 54 Poultry were also taken into possession from the same operator in May 2020. The case for the deprivation of ownership of the animals came to court in November 2020 when the court ruled for the local authority.
- The Senior Animal Health Inspectors continue to deliver the City & Guild level 3 professional certificate in the Licensing of Animal Activity Premises to local authority officers across England. In September 2020, it became a full City & Guild qualification, having been upgraded from a Professional Certificate. The first students have now passed the full qualification and the team continue to support students both during and beyond completion.

Period 2 – Heathrow Animal Reception Centre (HARC) Highlights

- During July & August, Monday to Friday regularly exceeded capacity due to a worldwide backlog of pets waiting to enter the UK. HARC has now introduced an 'ok to forward' system to ensure that maximum capacity is not exceeded. HARC is currently running at maximum capacity during most weekdays.
- Due to COVID-19 and social distancing, many of the control posts to access the airfield had delays or were closed.
- Due to COVID-19 and social distancing, physical inspections of the terminals and cargo sheds have been very limited. A new system of virtual inspection (by telephone) will be used during Period Three.

Port Health	2019-20 Annual total	Period 2 2020-2021 (Year to date totals are shown in brackets)			
		Total	Cautions	Notices served	Prosecutions
Products of Animal Origin Consignments – document checks	8,435	3,166 (5,664)	0 (0)	16 (31)	0 (0)
Products of Animal Origin Consignments – physical checks	5,968	2,022 (3,678)	0 (0)	4 (10)	0 (0)
Number of samples taken	892	217 (444)	N/A	177 (385)	N/A
Imported food Not of Animal Origin -document checks	22,499	11,625 (20,139)	0 (0)	155 (260)	0 (0)
Imported food Not of Animal Origin - physical checks	6,818	662 (1,203)	0 (0)	N/A	0 (0)
Number of samples taken	753	454 (837)	0 (0)	N/A	N/A
Food Safety inspections and revisits	51	27 (29)	0 (0)	0 (0)	0 (0)
Ship Sanitation Inspections and Routine Boarding of Vessels	150	10* (14)	N/A	0 (0)	N/A

* Many berths are not currently allowing officers to board ships. Therefore, Ship Sanitation Certificate extensions are being issued in place of the usual inspections. 18 such extensions were issued during Period 2.

Period 2 – Port Health Service Highlights

- Funding to increase staff resources in preparation for Brexit was received for the current financial year and an underwriting until March 2022.
- Services continued to operate without any reduction in controls despite the ongoing COVID-19 pandemic.
- Port Health Managers continue to liaise with stakeholders, other Port Health Authorities and central government bodies with regard to the post-Brexit border operating model.

Department of Markets & Consumer Protection Local Risk Revenue Budget - 1 April to 30 November 2021
(Expenditure and unfavourable variances are shown in brackets)

	Latest Approved Budget 2020/21 £'000	Budget to Date (Apr-Nov)			Actual to Date (Apr-Nov)			Variance Apr-Nov £'000	Forecast for the Year 2020/21			Notes
		Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000		LAB £'000	Forecast Outturn £'000	(Over) / Under £'000	
Port Health & Environmental Services (City Fund)												
Coroner	(282)	(172)	0	(172)	(165)	0	(165)	7	(282)	(286)	(4)	
City Environmental Health	(2,210)	(1,743)	152	(1,591)	(1,661)	153	(1,508)	83	(2,210)	(2,158)	52	1
Animal Health Services	1,228	(1,895)	3,127	1,232	(1,793)	2,839	1,046	(186)	1,228	1,564	336	2
Trading Standards	(401)	(264)	0	(264)	(282)	0	(282)	(18)	(401)	(384)	17	
Port Offices & Launches	(865)	(2,429)	1,813	(616)	(2,556)	1,780	(776)	(160)	(865)	(1,005)	(140)	3
TOTAL PORT HEALTH & ENV SRV COMMITTEE	(2,530)	(6,503)	5,092	(1,411)	(6,457)	4,772	(1,685)	(274)	(2,530)	(2,269)	261	

Notes:

- 1. City Environmental Health** - underspend to date is mainly due to staff vacancies, which are expected to continue to year end.
- 2. Animal Health Services** - overspend to date is mainly due to the impact of COVID-19 on income, together with costs of adapting and extending premises to meet social distancing requirements. However income has recovered and is now expected to be slightly ahead of target by year end. In addition a £301k budget adjustment as part of the 2020/21 budget re-setting exercise has been included, increasing the forecast underspend.
- 3. Port Offices & Launches** - the projected overspend is mainly due to the impact of COVID-19 on income together with a large projected overspend on staffing costs, due to the extension of temporary contracts for Brexit