

PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 21 November 2017

Minutes of the meeting of the Port Health & Environmental Services Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Tuesday, 21 November 2017 at 11.00 am

Present

Members:

Jeremy Simons (Chairman)	Christopher Hill
Deputy Keith Bottomley (Deputy Chairman)	Deputy Tom Hoffman
Deputy John Absalom	Deputy Wendy Hyde
Alderman Nick Anstee	Vivienne Littlechild
Adrian Bastow	Andrew McMurtrie
Peter Bennett	Andrien Meyers
Peter Dunphy	Deputy Joyce Nash
Mary Durcan	Michael Welbank
Alderman David Graves	Mark Wheatley
Graeme Harrower	Deputy Philip Woodhouse

In Attendance

Officers:

Neil Davies	-	Town Clerk's Department
Sacha Than	-	Town Clerk's Department
Carl Locsin	-	Town Clerk's Department
Julie Smith	-	Chamberlain's Department
Paul Chadha	-	Comptroller & City Solicitor's Department
Carolyn Dwyer	-	Director of Built Environment
Steve Presland	-	Department of Built Environment
David Smith	-	Director of Markets & Consumer Protection
Jon Averbs	-	Markets & Consumer Protection
Peter Davenport	-	Markets & Consumer Protection Department
Tony Macklin	-	Markets & Consumer Protection Department
Colin Buttery	-	Director of Open Spaces
Gary Burks	-	Open Spaces Department
Warren Back	-	City Surveyors

1. APOLOGIES

The Chairman welcomed Alderman Anstee to his first meeting of the Committee.

Apologies were received from Alexander Barr, Tijs Broeke, Henrika Priest, Deputy Elizabeth Rogula, and John Scott.

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 on 19 September 2017 be approved.

Matter Arising

Award for Coffee Cups

The Director of Transportation and Public Realm explained that an award had been received for the Coffee Cup Recycling Campaign from the Chartered Institute of Waste Management for the most successful campaign. The Chairman congratulated all those who made this a success noting that half a million coffee cups had been recycled in a period of one month.

Electric Vehicle Charging

The Chairman explained that a meeting had been held with the General Secretary of the Licensed Taxi Drivers Association and officers had been provided with the opportunity to view a new low emission electric/hybrid taxi, 130-140 of which were expected to be rolled out in early 2018.

The Director of Transportation and Public Realm advised that there would be a delay in installing eight charging points at Baynard House car park, and officers were working with TfL on this. A charging point at Noble Street would be installed and ready to serve taxi drivers by March/April 2018.

Impact of BREXIT

The Port Health and Public Protection Director explained that a meeting with the Local Government Association had taken place and officers were seeking support from a number of organisations and trade association to raise the City Corporation's profile and a full report would be brought before the Committee in 2018.

Draft Code of Practice for Deconstruction and Construction Sites

The Port Health and Public Protection Director explained that counsel's opinion was being sought and an Officers' working party had been set up to progress the questionnaire which would be sent to all relevant parties in relation to Saturday working.

In response, a Member of the Committee raised the following points:

- that they were pleased at the introduction of the Working Party, and this should commence soon, however representation from Members and residents was needed;
- the Chairman of Planning and Transportation has been supportive of initiatives to find resolution in this area including measures such as the Polluter Pays;
- that weekend working was a huge imposition for those living in the City and queried whether other solutions could be sought such as using the

five hours allocated for Saturday working and sharing these across Monday-Friday instead; perhaps through commencing work earlier and finishing later.

In response to the points raised, the Chairman asked officers to clarify the purpose of the working group, whether it would be appropriate to extend the membership and if so, who should be invited to participate in the group.

The Port Health and Public Protection Director advised that following the last meeting of the Port Health and Environmental Services Committee where Members had asked for further evidence before amending the Code of Practice, the Comptroller and City Solicitor had drafted an instruction to counsel, and officers were looking to monitor and scrutinise Saturday working to provide evidence to the Committee.

The Port Health and Public Protection Director advised that the composition of the Working Party was a decision for the Committee and at present comprised of the Comptroller and City Solicitor, the Port Health and Public Protection Director and the Chief Planning Officer and Development Director.

The Comptroller and City Solicitor explained that in seeking advice from counsel, officers were seeking guidance on the consultation process for changing Saturday working, definitions of noisy working, how to approach the issue of exemptions to the restrictions, and how the needs of developers could continue to be met, whilst implementing a new policy.

Once the guidance was received, a questionnaire would be put together, circulated to relevant parties, and approval would be sought from the Committee. The Comptroller and City Solicitor advised waiting on appointing Members to the Working Party until the consultation period was finished and evidence could be presented.

The Chairman summarised that following consultation and a developed questionnaire, a decision would be made on the membership of the Working Party and it was important to consider the evidence for any proposals. The Port Health and Public Protection Director added that officers would continue to monitor Saturday working and any complaints arising.

4. OUTSTANDING ACTIONS REPORT

The Committee received a report detailing the Outstanding Actions of Port Health & Environmental Services.

Noise Pollution from the London Underground

The Chairman advised that he had sent a letter to TfL on 7 November 2017 which had been copied to the Members of the Committee and Ward Members.

5. OPERATIONAL PROPERTY REVIEW - TILBURY DOCK OFFICE

The Committee considered a report of the Director of Markets and Consumer Protection on the Port Health Service Office at the Port of Tilbury. The report explained that while the offices at Tilbury are currently surplus to requirements,

given that the port is expanding and the uncertainties of the UK exit from the European Union a short-term sub-letting arrangement be proposed.

In response to Members' queries, the City Surveyor confirmed:

- the current passing rent is approximately £19,000 pa and the asking rent is approximately £35,000 pa;
- in terms of repair prior to any letting, other than a small rent free period in lieu of redecorations, no monies are anticipated to be spent on this.

RESOLVED – That the Committee agree to declare the Tilbury Dock Office surplus to the Port Health Service requirements for the time being and that it be presented to the Corporate Asset Sub Committee.

6. **STREET TRADING POLICY 2017**

The Committee considered a report of the Director of Markets and Consumer Protection on the Street Trading Policy 2017. The report outlined how the City of London (Various Powers) Act 2013 had changed street trading within the City of London and recommended three specific exemptions to the Policy to reflect these changes.

RESOLVED – That Members agreed the proposed Street Trading Policy.

7. **ILLEGAL STREET TRADING UPDATE**

The Committee considered a report of the Director of Markets and Consumer Protection which updated Members on actions to combat illegal street trading and sought authorisation to enter a s.101 Agreement with the London Borough of Southwark.

The Director of Markets and Consumer Protection confirmed that an agreement was not in place with Tower Hamlets in relation to the north side of Tower Bridge.

Members welcomed the proposals and noted the underlying issues of people trafficking and organised crime associated with those committing illegal street trading.

Members noted that engagement with Southwark would be helpful and recommended if officers were to negotiate a successful agreement with the London Borough of Tower Hamlets, they had the Committee's permission to enter into a S.101 Agreement with the Borough.

RESOLVED – That the Committee:

- authorise the City of London Corporation to enter into an agreement under the provisions of S.101 Local Government Act 1972 with the London Borough of Southwark; and
- authorise in principle for the City of London Corporation to enter into an agreement under the provisions of S.101 Local Government Act 1972 with the London Borough of Tower of Hamlets once a suitable arrangement has been reached.

8. **45TH CITY OF LONDON THAMES FISHERY RESEARCH EXPERIMENT 2017**

The Committee received a report of the Port Health and Public Protection Director which informed the Committee of the outcome of the 45th City of London Thames Fishery Experiment.

In response to a Member's question, the Port Health and Public Protection Director explained that whilst the City of London School had not attended in an official capacity, interested pupils were invited to attend and officers would welcome a full team from the City of London School in future years.

RESOLVED – That the Committee:

- note the content of the report;
- review and approve the grant from City's Cash to partially fund the 2018 event; and
- approve the 46th City of London Thames Fishery Research Experiment to take place in 2018.

9. **INTRODUCTION OF EMISSION BASED TARIFFS FOR ON-STREET PARKING & CASHLESS PARKING**

The Committee received a report of the Director of the Built Environment which recommended the introduction of a new tariff for on-street parking charges based on variable charging according to their emissions.

RESOLVED – That the Committee agree to:
Emission Based Tariff-

- Commence the statutory process for the introduction of a new tariff structure for on-street parking charges based on vehicle type and emissions as outlined paragraph 11 of the report before Members.

Cashless Parking –

- Remove most of the Pay & Display machines for on-street parking payments in the City with the exception of those locations that continue to receive a relatively high level of cash payments, and commence the statutory process to remove the convenience fee of 20p currently applied to each mobile phone parking transaction.
- Delegate to the Director of the Built Environment authority to consider all consultation responses and representations in response to the proposal to introduce a new tariff structure and to determine whether or not to make the necessary Order (subject to being satisfied that no major new issues or significant public concern has arisen during the consultation process). If major new issues or significant public concern have arisen the decision whether or not to introduce the new tariff structure and remove the convenience fee will be brought back to Planning & Transportation Committee.

10. UPDATE TO SCHEME OF DELEGATIONS

The Committee received a report of the Director of the Built Environment which set out minor modifications to the Scheme of Delegations.

RESOLVED – That the Committee note the report.

11. REVENUE AND CAPITAL BUDGETS - 2018/19

The Committee received a joint report of the Chamberlain, the Director of the Built Environment, the Director of Markets and Consumer Protection, and the Director of Open Spaces which set out the revenue budgets overseen by the Committee.

In response to Members' queries, the Chamberlain confirmed that the reversing of brackets within the accounts was at the request of the Finance Committee and would be applied to all accounts presented to Committee to reflect private sector accounting. However, to comply with local government conventions, the brackets would be inversed when reporting to government.

Members queried the implications of the reduction in costs of the City Surveyor's Additional Works Programme noting it was important that this not lead to future maintenance costs. The City Surveyor agreed to provide the Committee with further information in relation to this, including a year by year analysis and details of the work to be carried forward.

The Port Health and Public Protection Director highlighted the increased funds required for the Coroner's office and a report would be brought before the Committee at a later date for decision.

RESOLVED – That the Committee:

- note the latest 2017/18 revenue budget;
- review the provisional 2018/19 revenue budget to ensure that it reflects the Committee's objectives and, if so, approve the budget for submission to the Finance Committee;
- review and approve the draft capital budget;
- note the Building Repairs and Maintenance asset verification exercise being undertaken by the City Surveyor and agree that any minor changes for 2017/18 latest and 2018/19 original budgets arising from this exercise be delegated to the Chamberlain;
- authorise the Chamberlain to revise these budgets for changes to the Additional Works Programme, and in respect of recharges.

12. DRAFT DEPARTMENTAL BUSINESS PLANS 2018/19 - DEPARTMENTS OF: OPEN SPACES, MARKETS AND CONSUMER PROTECTION, BUILT ENVIRONMENT

The Committee received a joint report of the Directors of Open Spaces, Markets and Consumer Protection, and the Built Environment which set out the draft high-level business plans for 2018/19.

RESOLVED – That the Committee note the draft high-level business plans for 2018/19 for the Departments of Open Spaces, Markets and Consumer Protection, and the Built Environment.

13. **DEPARTMENT OF THE BUILT ENVIRONMENT (CLEANSING SERVICES) BUSINESS PLAN PROGRESS REPORT FOR PERIOD 1 (APRIL - JULY), 2017/18**

The Committee received a report of the Director of the Built Environment which set out the progress made during Period One against the 2015-18 DBE Business Plan.

RESOLVED – That the Committee note the report.

14. **PUBLIC SECTOR EQUALITY DUTY PRESENTATION**

The Committee received a report of the Director of Community and Children which provided Members with a brief overview of the City of London Corporation's requirements under the Public Sector Equality Duty, which falls under Section 149 of the Equality Act 2010, and how this applies to the City Corporation's local authority and port health functions.

RESOLVED – That the Committee note the report.

15. **RESOLUTION TO PLANNING AND TRANSPORTATION COMMITTEE**

The Committee received a note of the discussion of the 3 October meeting of the Planning and Transportation Committee which was in response to a resolution submitted from the September 2017 Port Health and Environmental Services Committee in relation to electric vehicle charging.

RESOLVED – That the Committee note the minute.

16. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

A Member asked if an update could be provided on the number of upside down drinking water fountains in the City, both working and in the planning stage.

The Director of Transportation and Public Realm advised that there were seven drinking water taps in total, five of which were in operation and two undergoing repairs. As part of the City Corporation's initiative to reduce plastic, officers had been looking at opportunities to introduce further water points as part of the public realm programme and had been working with local traders to introduce refillable points in stores.

In response to the Chairman's question, the Director of Transportation and Public Realm confirmed that the pipes were turned off in cold weather.

A Member explained that complaints had been received from residents in the Ward of Aldersgate who had been bitten by mosquitoes and asked officers;

“whether environmental services could investigate this”. The Deputy for the Ward added that this was a serious matter for those in Tudor Rose Court and other areas of the Barbican and queried “whether the water from the ponds was causing this issue?”.

In response the Port Health and Public Protection Director confirmed officers would look into this and report back to Members. The Director of Open Spaces added that officers had tested water bodies in the Wildlife Garden and the mosquitoes had been tested for analysis. It was thought that the mosquitoes may have arrived via the London Underground. The Chairman suggested that officers liaise with TfL on this matter.

A Member queried the extent to which resources should be spent on this, in response the Chairman advised that a report should not be brought back before Committee, but an update on the investigation would be helpful.

17. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The Director of Port Health and Public Protection explained that a gold standard award had been received from the RSPCA for work in conjunction with animal licensing establishments.

The Chairman advised that further to the ties advertised at the last meeting of the Committee, there were also broaches available for purchase from the Director of Port Health and Public Protection.

18. EXCLUSION OF THE PUBLIC

RESOLVED – That under Section 100A(4) 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 1 of Schedule 12A of the Local Government Act.

19, 23, 24,26	3
20	1
21, 22	1,3
25	3,5,7

19. NON-PUBLIC MINUTES

RESOLVED – That the non-public minutes of the meeting held on 19 September 2017 be approved.

20. SIGNOR FAVALE'S MARRIAGE PORTION CHARITY (206949) - A DOWRY REQUEST

The Committee considered a joint report of the Comptroller and City Solicitor and the Town Clerk which sought approval of the award of a marriage portion from the Signor Pasquale Favale Bequest.

21. WRITE-OFF OF BAD DEBT

The Committee considered a report of the Director of Markets and Consumer Protection which sought approval for the write-off of bad debt.

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23. PLANNING & REGULATORY SERVICES CASEWORK MANAGEMENT SYSTEM (PRSCMS) PROJECT GATEWAY 1 / 2 COVERING REPORT

The Committee considered a joint report of the Director of Markets and Consumer Protection and the Director of the Built Environment which sought approval for a project to proceed to Gateway Three.

24. WASTE COLLECTION, STREET CLEANSING AND ANCILLARY SERVICES DELIVERY OPTIONS APPRAISAL

The Committee received a report of the Director of the Built Environment which sought approval in relation to Waste Collection, Street Cleaning and Ancillary Services options.

25. DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 30 SEPTEMBER 2017

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 which informed Members of debt arrears.

26. WALBROOK WHARF - MEDIUM TERM STRATEGY

The Committee received a report of the City Surveyor which set out the recommendations that were approved by the Corporate Asset Sub Committee on 5 October 2017 in relation to Walbrook Wharf.

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

There were no questions.

28. 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 12.41 pm

Chairman

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