



## Port Health & Environmental Services Committee

**Date:** TUESDAY, 15 JULY 2014

**Time:** 11.00 am

**Venue:** COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

**Members:**

Wendy Mead (Chairman)	Andrew McMurtrie
Deputy John Tomlinson (Deputy Chairman)	Brian Mooney
Deputy John Absalom	Hugh Morris
Deputy John Bennett	Barbara Newman
Henry Colthurst	Deputy John Owen-Ward
Karina Dostalova	Alderman Dr Andrew Parmley
Deputy Billy Dove	Ann Pembroke
Peter Dunphy	Henrika Priest
Kevin Everett	Deputy Gerald Pulman
Deputy Bill Fraser	Deputy Richard Regan
George Gillon	Delis Regis
Deputy Stanley Ginsburg	Jeremy Simons
Alderman John Garbutt	Deputy James Thomson
Wendy Hyde	Deputy Michael Welbank
Vivienne Littlechild	Mark Wheatley
Professor John Lumley	Philip Woodhouse

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Lunch will be served at the rising of the Committee.

**John Barradell**  
Town Clerk and Chief Executive

# AGENDA

## Part 1 - Public Agenda

1. **APOLOGIES**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **MINUTES**  
To agree the public minutes and summary of the meeting held on 13 May 2014.  

**For Decision**  
(Pages 1 - 8)
4. **WARDMOTE RESOLUTION**  
To note the Wardmote resolution from the Ward of Broad Street.  

**For Information**  
(Pages 9 - 10)
5. **OUTSTANDING ACTIONS**  
Report of the Town Clerk.  

**For Information**  
(Pages 11 - 16)
6. **DEREGULATION BILL**  
Report of the Remembrancer.  

**For Information**  
(Pages 17 - 22)
7. **REVENUE OUTTURN 2013/14**  
Joint report of the Chamberlain, the Director of the Built Environment, the Director of Markets and Consumer Protection and the Director of Open Spaces.  

**For Information**  
(Pages 23 - 30)
8. **DEPARTMENT OF THE BUILT ENVIRONMENT BUSINESS PLAN 2013/16 :  
QUARTER 4 UPDATE AND FINANCIAL OUTTURN REPORT**  
Report of the Director of the Built Environment.  

**For Information**  
(Pages 31 - 44)
9. **THAMES ESTUARY PARTNERSHIP**  
Report of the Director of Markets and Consumer Protection.  

**For Decision**  
(Pages 45 - 48)
10. **AN UPDATE ON ENVIRONMENTAL SCREENING AND SALMONELLA IN  
IMPORTED ANIMALS**  
Report of the Director of Markets and Consumer Protection.  

**For Information**  
(Pages 49 - 52)

11. **AIR QUALITY UPDATE**  
Report of the Director of Markets and Consumer Protection.  
**For Decision**  
(Pages 53 - 62)
12. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
13. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
14. **EXCLUSION OF THE PUBLIC**  
MOTION – 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.

**Part 2 - Non-public Agenda**

15. **NON-PUBLIC MINUTES**  
To agree the non-public minutes of the meeting held on 13 May 2014.  
**For Decision**  
(Pages 63 - 64)
16. **WRITE-OFF OF BAD DEBT**  
Report of the Chamberlain.  
**For Decision**  
(Pages 65 - 66)
17. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
18. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERED URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

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## PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 13 May 2014

**Minutes of the meeting of the Port Health & Environmental Services Committee held at the Guildhall EC2 at 11.00am**

### **Present**

#### **Members:**

Wendy Mead (Chairman)	Professor John Lumley
Deputy John Tomlinson (Deputy Chairman)	Andrew McMurtrie
Deputy John Absalom	Deputy John Owen-Ward
Deputy John Bennett	Alderman Dr Andrew Parmley
Henry Colthurst	Henrika Priest
Deputy Billy Dove	Deputy Richard Regan
Kevin Everett	Delis Regis
Deputy Bill Fraser	Jeremy Simons
Alderman John Garbutt	Deputy Michael Welbank
Wendy Hyde	Mark Wheatley
Vivienne Littlechild	Philip Woodhouse

#### **Officers:**

Katie Odling	Town Clerk's Department
David Arnold	Town Clerk's Department
Jenny Pitcairn	Chamberlain's Department
Julie Smith	Chamberlain's Department
Paul Chadha	Comptroller & City Solicitor's Department
Philip Everett	Director of the Built Environment
Doug Wilkinson	Department of the Built Environment
Steve Presland	Department of the Built Environment
Jim Graham	Department of the Built Environment
David Smith	Director of Markets and Consumer Protection
Tony Macklin	Markets & Consumer Protection Department
Peter Davenport	Markets & Consumer Protection Department
Jon Averbs	Markets & Consumer Protection Department
Sue Ireland	Director of Open Spaces
Gary Burks	Superintendent & Registrar, City of London Cemetery & Crematorium
Jennifer Allott	Open Spaces Department

1. **APOLOGIES**

Apologies for absence were received from Karina Dostalova, Peter Dunphy, George Gillon, Hugh Morris, Barbara Newman, Anne Pembroke, Deputy Gerald Pulman and Deputy James Thomson.

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

There were no declarations of interest received.

3. **APPOINTMENT OF COMMITTEE**

RESOLVED – That the draft Order of the Court of Common Council, 1 May 2014, appointing the Committee be received and its Terms of Reference approved.

4. **ELECTION OF CHAIRMAN**

RESOLVED - That in accordance with Standing Order No 29, Wendy Mead be elected Chairman for the ensuing year.

5. **ELECTION OF DEPUTY CHAIRMAN**

RESOLVED – That in accordance with Standing Order No 30, Deputy John Tomlinson be elected Deputy Chairman for the ensuing year.

Deputy Bill Fraser paid tribute to Deputy John Tomlinson, the past Chairman.

**RESOLVED UNANIMOUSLY:**

*It was the sincere wish of the Members of the Port Health and Environmental Services Committee to place on record their deep appreciation and thanks to Deputy John Tomlinson showed enthusiasm, integrity and professionalism through his Chairmanship of the Port Health and Environmental Services Committee.*

*Deputy Tomlinson put considerable effort into preparations for the 2012 Olympic Games. He was a source of extremely useful constructive challenge but also extremely supportive of our efforts and always recognised hard work and determination of staff.*

*Deputy Tomlinson's commitment to the improvement of street cleansing standards has seen him oversee the introduction of solar powered compacting litter bins and the development and agreement a new Waste Strategy for the City.*

*Deputy Tomlinson has fostered closer working relationships between officers and members and his personal intervention has seen the increase in toilet provision, especially within the innovative Community Toilet Scheme which now boasts some 75 members.*

*Deputy Tomlinson has been a driving force behind limiting the times when waste can be left out on our streets with the innovative 'Time banding' system.*

*His fastidious approach to the delivery of this scheme ensured high compliance and wide spread support of the initiative.*

*Deputy Tomlinson has overseen the introduction of the Food Hygiene Rating Scheme and a record throughput at Heathrow Animal Reception Centre with year-on-year increases in income, again to record levels. He instigated a Health & Safety Information campaign and a revision of the Code of Practice for good practice in construction and deconstruction, focussing on improved consultation with neighbouring residents and businesses.*

*During Deputy Tomlinson's chairmanship, new and specific legislation to control the scourge of ice cream vans in the City has received Royal assent. He has instigated a Health & Safety Information campaign as well as influencing changes to the 'Consumer landscape'. Ongoing issues with scams have led to improved cooperation of Trading Standards with the police over economic crime.*

*Deputy Tomlinson has been a champion for improving air quality in London. He was given a 'Clean Air in Cities Award' in 2013 by Clean Air London and is becoming an Honorary Founder Supporter of Clean Air in London.*

*And so in taking leave of Deputy Tomlinson as their Chairman, Members of this Committee wish to thank him for his service and excellent leadership with which he has conducted the Committee's demanding agendas to decision and to wish him every possible success in the future.*

Deputy Tomlinson responded, thanking Members of the Committee for their support and hard work during his chairmanship.

**6. MINUTES**

RESOLVED – That the Minutes of the meeting held on 11 March 2014 be approved as a correct record.

Pursuant to item 8, it was agreed that a report on the financial incentives for occupied buildings to engage with the sustainability issue of light pollution be provided at the next meeting.

**7. OUTSTANDING ACTIONS**

The list of outstanding actions was noted.

**8. PUBLIC CONVENIENCES**

The Committee received a presentation from Karen Bunt, the Director of TNS, on Public Conveniences and the Community Toilet Scheme (CTS).

Karen Bunt presented an overview of the findings of research into satisfaction with public conveniences, views of public toilets, and awareness and views of the CTS. It was reported that there were low levels of dissatisfaction, with

satisfaction being particularly high amongst existing users of public conveniences. A perceived lack of toilets for public use, signage, and promotion of public conveniences by the City of London Corporation were key reasons for dissatisfaction.

The Chairman thanked Karen Brunt for her interesting presentation and it was agreed to circulate a list of participants in the CTS to the Committee.

9. **APPOINTMENT OF REPRESENTATIVES AND SUB COMMITTEE**

Consideration was given to a report of the Town Clerk which sought approval for the Appointment of Representatives to the various Sub Committees.

RESOLVED – That,

- a) The appointment of a Reference Sub Committee be deferred until one was required; and
- b) Wendy Mead be appointed to the Community and Children’s Services Health and Social Care Scrutiny Sub Committee.

10. **CONSUMER RIGHTS BILL**

The Committee received a report of the Remembrancer in relation to the Consumer Rights Bill.

RESOLVED – That the report be noted.

11. **EXTENDING BURIAL SPACE AT THE CITY OF LONDON CEMETERY (THE SHOOT)**

The Committee received a report of the Director of Open Spaces in relation to extending the burial space at the City of London Cemetery (The Shoot).

Members noted that the redevelopment of The Shoot totalled £504,000 and would provide space for 3,000 new lawn burials, which would achieve income in excess of £14,000,000 in the long-term. The redevelopment cost would be funded through the cemetery reserve fund, details of which would be included in a long-term business plan to follow this report.

In response to a question from a Member, the Superintendent and Registrar advised the Committee that there were planned long-term increases in fees for burial and that the City of London Corporation currently aimed to provide a sustainable burial space.

RESOLVED – That,

- a) the development of the ‘shoot’ area for lawn burial as described in the report and the attached appendix (1) be approved; and
- b) approval be given to allow the cemetery and crematorium service to use its reserve fund to achieve point one above.



12. **2014 BUSINESS PLAN - OPEN SPACES DEPARTMENT**

The Committee received a report of the Director of Open Spaces seeking approval of the Open Spaces Department Business Plan for 2014-17.

RESOLVED – That the Open Spaces Department Business Plan 2014 – 2017 be approved.

13. **ADVERTISING ('A') BOARDS IN THE CITY OF LONDON**

The Committee received a report of the Director of Built Environment on the current practices in relation to Advertising Boards ('A' Boards) on the highway in the City.

Members noted that prior to the decision being taken by the Planning and Transport Committee; comments were being sought from all relevant committees.

In expressing support for the report, the Committee agreed that removal of 'A' Boards should be mandatory and a zero tolerance approach towards obstruction should be implemented. The Assistant Director of Street Scene and Strategy advised that enforcement would be in accord with the City's enforcement policy and that businesses with 'A' Boards would be made aware of the policy position before formal action was taken. This would be the same approach as that taken in the successful enforcement of the time banding of bagged waste being presented on our streets.

RESOLVED – That the Committee supports the recommendations of the report and that comments of the Committee be forwarded to the Planning and Transportation Committee.

14. **2014 BUSINESS PLAN - DEPARTMENT OF THE BUILT ENVIRONMENT**

The Committee received a report of the Director of the Built Environment regarding the Business Plan for 2014-17.

A Member suggested that the target percentage for relevant land and highways from which unacceptable levels of litter, detritus, graffiti and fly-posting were visible should be 0% instead of 2%. The Director of Built Environment advised that the target of 2%, based on random inspections of streets in the City, was the lowest in London and a target of 0% would be unattainable.

In response to a question from a Member, the Director of Built Environment advised the Committee that he was satisfied with the targets for processing major and minor planning applications.

RESOLVED – That the Department of the Built Environment's Business Plan 2013 – 2017 be approved.

15. **MARKETS & CONSUMER PROTECTION BUSINESS PLAN 2013-2016: PROGRESS REPORT (PERIOD 3)**

The Committee received a Progress Report (Period 3) on the Department of Markets and Consumer Protection Business Plan 2013-2016.

RESOLVED – That the Department of Markets and Consumer Protection Business Plan 2013 – 2016 Progress Report (Period 3) be approved

16. **2014 BUSINESS PLAN - DEPARTMENT OF MARKETS AND CONSUMER PROTECTION**

The Committee received the Department of Markets and Consumer Protection Business Plan 2014-2017.

RESOLVED – That the Department of Markets and Consumer Protection Business Plan 2013 – 2017 be approved.

17. **STREET TRADING POLICY**

The Committee received a report of the Director of Markets and Consumer Protection recommending that the Street Trading Policy & Procedure be approved and the Street Trading fees be agreed.

In response to a question from a Member, the Director of Port Health and Public Protection advised the Committee that the issue of ice cream vans trading illegally was being addressed in conjunction with the City of London Police.

A Member raised the issue that a number of ice cream vans from a particular company are still trading in the City. The Director of Port Health and Public Protection advised that from June 2014 the policy would allow for the seizure of both vehicles and items that were trading or being sold illegally.

RESOLVED – That the Street Trading Policy & Procedure and Fees be approved and an oral update would be provided to the next meeting.

18. **MESSAGE & SPECIAL TREATMENT FEES 2014/15**

The Committee received a report of the Director of Markets and Consumer Protection on the Massage & Special Treatment License Fees 2014/15.

RESOLVED – That the Department of Markets and Consumer Protection Massage & Special Treatment License Fees 2014/15 be approved.

19. **HEALTH AND SAFETY INTERVENTION PLAN 2014/15**

The Committee received a report of the Director of Markets and Consumer Protection on the Health & Safety Intervention Plan 2014-2015.

RESOLVED – That the Department of Markets and Consumer Protection Health and Safety Intervention Plan 2014-2015 be approved.

20. **APPROVAL OF THE 2014-2015 FOOD SAFETY ENFORCEMENT PLANS FOR THE CITY AND THE LONDON PORT HEALTH AUTHORITY**

The Committee received a report of the Director of Markets and Consumer Protection on the 2014-2015 Food Safety Enforcement Plans for the City and the London Port Health Authority.

RESOLVED – That the Department of Markets and Consumer 2014-2015 Food Safety Enforcement Plans for the City and the London Port Health Authority be approved.

21. **HOMELESSNESS STRATEGY 2014-2019**

The Committee received a report of the Director of Community and Children's Services on the Homelessness Strategy 2014/2019.

In response to a question from a Member, the Policy Development Manager of Housing and Social Care advised the Committee that the Police were aware of the partnership with Broadway to deliver an innovative programme of week-long 'popup hubs' to provide rapid intervention and support for those sleeping rough in the City.

RESOLVED – That the report be noted.

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

In response to a question from a Member, an Officer of Built Environment advised the Committee of the procedure for donation of surplus food by fresh food outlets in the City.

The Committee were advised that the City of London Corporation encouraged food outlets to make arrangements with local charities through Clean City Awards Scheme (CCAS) best practice meetings, but there were no food banks located in the City. The Clean City Awards team targeted food outlets to promote best practice and encourage redistribution of surplus food.

Officers had visited the food outlet in question the day before this meeting to discuss their procedure on this matter and had established that the company distributed surplus food to its 'hub' stores from where it was given to charities or otherwise disposed of.

A Member responded to a question regarding the issue of a pedestrian crossing at Ludgate Hill. The Committee were advised that a 12 month trial of a signalled pedestrian crossing at Ludgate Hill would begin around September 2014.

23. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**  
There were no items of urgent business.
24. **EXCLUSION OF THE PUBLIC**  
MOTION – 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.
25. **NON-PUBLIC MINUTES**  
RESOLVED – That the non-public minutes of the meeting held on 11 March 2014 be approved.
26. **DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 31 MARCH 2014**  
The Committee received a joint report of the Directors of Built Environment, Markets and Consumer Protection, and Open Spaces on debt arrears in Port Health and Environmental Services for the period ending 31 March 2014.
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 were no items of urgent business.

**The meeting closed at 12.25pm**

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Chairman

**Contact Officer: David Arnold tel. no.: 020 7332 1174  
david.arnold@cityoflondon.gov.uk**

**Woolf, Mayor**



**A Court of Common  
Council holden in the  
Guildhall of the City  
of London on  
Thursday, the twelfth  
day of June, 2014**

### **From the Ward of Broad Street**

“At the last Wardmote very great concern was expressed regarding the level of noise and exhaust pollution local to Lothbury. This occurs both during the day from vehicles which stand with engines idling and also at night time when the street is used for parking. The noise and pollution causes much disturbance to local occupiers, especially those in the residential flats of 7 Lothbury.

Great concern was expressed by Ward voters and residents that despite assurances which had been given in the past by the City of London Corporation that the matter would be investigated, nothing has been done to solve or improve the situation, such that they felt that the City of London Corporation had failed in its duty of care.

The City of London Corporation is therefore asked to confirm:

1. What action will be taken to ensure that the noise level will be reduced to an acceptable level at night time?
2. What action will be taken to raise the awareness of drivers to the prohibition on vehicles idling in pursuance of the City of London’s Air Quality Strategy?
3. That the City of London Police will be encouraged to use its powers under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 to issue Fixed Penalty Notices to drivers of vehicles which are left running unnecessarily in the Lothbury area.”

*Resolved* – That the resolution be referred to the Port Health and Environmental Services Committee for consideration and any necessary action.

*Barradell*

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<i>Date</i>	<i>Action</i>	<i>Officer responsible</i>	<i>To be completed/ progressed to next stage</i>	<i>Notes/Progress to date</i>
<b>8 January 2013</b>	<p><b>Public Conveniences</b></p> <p>TfL who are currently exploring improvements to the Bishopsgate area to make the area more attractive and remove some of the clutter such as the brick planters.</p> <p>An update on the viability of extending the opening hours of the Bishopsgate and Eastcheap toilets will be included in the Public Convenience Strategy planned for November committee.</p> <p>Usage of the Disabled facilities at Monument and signage were also being reviewed and this will form part of the wider review of the public convenience strategy which will be reported back to this committee as above.</p> <p>Improved signage has been commissioned to direct people to the nearby Eastcheap facilities.</p>	Director of the Built Environment	<p>To be presented to the Committee April/May 2014</p> <p>November 2014</p> <p>November 2014</p> <p>TBC</p>	<p><b>May Update</b></p> <p>Due to diaries commitments there has been a slight delay in organising the feedback session to the Member working group. This session is scheduled to take place on the 30<sup>th</sup> April where Members will receive the outcomes of the field work and recommendations.</p> <p><b>July Update</b></p> <p>PHES Committee received a presentation from Karen Bunt of TNS showing the results of the customer satisfaction survey. There were a number of recommendations for officers to consider as a result of the feedback. Currently we are awaiting the outcome of the service based reviews (SBR) which is expected over the Summer; officers will then be able to develop a forward strategy for the public convenience service with an understanding of the SBR and the recommendations of the customer satisfaction survey. With a report coming to PHES later in the year around November 2014.</p>

<p><b>2 July 2013</b></p>	<p><b>Materials Recovery Facility (MRF) in Kent</b> - It was agreed that a visit to this facility would be arranged.</p>	<p>Director of the Built Environment</p>		<p>A very informative visit to the Veolia MRF in Southwark took place on the 23<sup>rd</sup> June with seven members of the PHES committee attended. The tour of the full facility was well received.</p>
<p><b>11 March 2014</b></p>	<p><b>Light Pollution –</b></p> <p>i) That the City Property Advisory Team/Town Clerk be authorised to write to building owners and occupiers in the neighbourhood where residents had been affected by light pollution to alert business owners of the problem and to prompt engagement.</p> <p>ii) the Director of Transportation and Public Realm agreed to speak with the City Planning Officer to discuss the possibility of examining potential light pollution as part of future planning applications.</p>	<p>City Property Advisory Team/Town Clerk</p>		<p>In hand.</p> <p>Under the Planning Acts it is difficult to control the internal operations of specific areas of buildings and conditions could not be applied in relation to internal illumination. However, the City is aware that light spillage from adjoining buildings to residents can be a source of nuisance and in considering applications we do review whether design features could be included which would result in less light spillage where premises are adjacent to residents.</p>



				<p>In addition we do regulate artificial lighting through our Building Control powers. Regulation L of the Building Regulations addresses “The Conservation of Fuel and Power”. Lighting controls must be zoned and operated either from local switches or motion sensors. Coupled with this we require that there should be central controls that ensure that lighting can be switched off centrally or controlled by time switches. One problem is, however, that sensors are of course triggered by people working long hours and by security staff meaning that light maybe on through much of a 24hours period.</p> <p>Finally it should be noted that the Building Regulations require buildings to be constructed to a standard but they do not attempt to control occupier behaviour.</p>
<b>11 March 2014</b>	<p><b>Out of Hours Service –</b></p> <p>i) With regard to noise nuisance in Clothfair from taxis picking up late in the evening - it was agreed to clarify what legislation was in place; and;</p>	Director of Markets and Consumer Protection		<p>To require drivers to turn off their engines and issue Fixed Penalty Notices if the request refused:</p> <p>The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002</p> <p>There is no legislation available to enforce against people making noise in the street or noise from car engines.</p> <p>To tackle loud car stereos: The Control of Pollution Act 1974 or</p>

				Environmental Protection Act 1990.
<b>11 March 2014</b>	<b>Thames Estuary Partnership -</b> Members noted that the appointment process would be clarified at the next meeting.	Director of Markets and Consumer Protection/ Town Clerk		<p>Clarification has been sought regarding the appointment process.</p> <p>As an Outside Body, this appointment falls under the remit of the Court of Common Council.</p> <p>A report will be prepared by the service area and submitted to your Committee in July which sets out the background to the TEP and why a CoL representative is required. The report will also make reference to the Committee's on-going support for a member of the committee or former member with experience of the TEP to serve in this role and a recommendation will be put forward to the Court seeking its approval for the appointment.</p> <p>A Court report would then be submitted on that basis.</p>
<b>13 May 2014</b>	<b>Street Trading Policy</b> The enforcement of seizure of un-licensed traders' goods.	Director of Markets and Consumer Protection	July 2014	Members requested an update on the June 2014 decision to allow the enforcement of seizing un-licensed street traders' vehicles.
<b>13 May 2014</b>	<b>Public Conveniences</b> Findings and recommendations from		July 2014	Members requested a list of participants of the

	field work into Public Conveniences and the Community Toilet Scheme (CTS) were presented to Committee by Karen Bunt, Director of TNS.			CTS. <b>July Update</b> A list of Community Toilet Scheme members has been circulated to Members.

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<b>Committee(s):</b>	<b>Date(s):</b>
Port Health and Environmental Services Committee	15 July 2014
Planning and Transportation Committee	17 July 2014
<b>Subject:</b>	<b>Public</b>
Deregulation Bill	
<b>Report of:</b>	<b>For Information</b>
Remembrancer	
<b>Summary</b>	
<p>This report summarises those provisions in the Deregulation Bill that are most relevant to your committee's interests.</p> <p>In relation to the Bill, the main points of interest include</p> <ul style="list-style-type: none"> <li>• Imposing an obligation on non-economic regulators to have regard to promoting economic growth</li> <li>• Liberalising arrangements relating to certain road safety measures</li> <li>• Changing investigatory powers regarding marine accidents</li> <li>• Removing requirements on authorities relating to energy, waste and air quality</li> <li>• Abolishing the current criminal offence of not complying with an authority's rules on refuse collection</li> <li>• Liberalising licensing rules</li> <li>• Changing the recording of certain rights of way</li> </ul> <p><b>Recommendation</b></p> <p>Your committee is invited to note the contents of this report.</p>	

## Main Report

### Introduction

1. Following the recent legislative trend of publishing legislation in draft, the Government introduced a draft version Deregulation Bill for consideration by a cross-party committee of MPs and peers. The committee considered evidence at the end of 2013. The committee

concluded that the Bill did not go far enough towards “meaningful proposals to really tackle the challenges of deregulation” and expressed the hope that it was the first of several deregulation bills.

2. The Government’s re-crafted Bill received its first reading in the House of Commons on 23 January 2014. Describing the Bill, Local Government Secretary Eric Pickles said that among the measures are ones to “bring common sense back and rein in the town hall bin bullies”. Cabinet Office Minister Oliver Letwin said the measures are part of the “Government’s ongoing drive to remove unnecessary bureaucracy that costs British businesses millions, slows down public services like schools and hospitals, and hinders millions of individuals in their daily lives”. Opposition spokesman Chi Onwurah said the Bill does not tackle the “big issues”, adding that the Bill is “Christmas tree Bill to end all Christmas tree Bills. In fact, Christmas trees are one of the few things that are not covered by this Bill”. She gave support, however, to the “many parts of the Bill” that tackle the “unnecessary burdens on businesses, particularly small and medium-sized enterprises”.

### **Economic Growth Duty**

3. The proposal to place a duty on non-economic regulators to have regard to the desirability of promoting economic growth is one of the most politically high profile of the measures contained in the Bill. It sets out a general duty but does not list those regulators to which this new duty will apply - a later statutory instrument will provide that detail. It is likely that regulators in the fields of health and safety and environment will be covered by the duty and it is conceivable that the regulators of some professions (the Law Society, for example) might fall within the scope of this provision.
4. Where a regulator is brought within the scope of the duty, that regulator will be required to ensure that it considers “the importance of the promotion of economic growth in the way in which it carries out its regulatory activities”. The Bill proposes a two-step process – first that regulatory action is “taken only when needed” and, second, that “any action taken is proportionate”. The Bill does not provide any detail about either of these two requirements but does give ministers the power to issue guidance.

## **Transportation**

5. The Bill proposes some changes to the requirement to obtain approval from the Secretary of State relating to activity on the highway. Arrangements for authorising roadworks in the City, and elsewhere in London, are contained in a permitting scheme introduced in 2010. The scheme, which operates in relation to non-urgent works, provides authorities with greater control over works and gives a power to refuse consent for works considered to have the potential to cause unnecessary disruption. The Bill proposes to extend across England the scheme that applies to London.
6. The Bill proposes the removal of the Secretary of State's power to construct road humps. The current requirement on highway authorities to notify the Secretary of State prior to the creation or removal of zebra, pelican or puffin crossings will be removed if the Bill comes into force. As part of the wider deregulation process, the Department for Transport is consulting on a major amendment to the Traffic Signs Regulations and General Directions. The Government's intention is that local authorities will have much more freedom to determine how signage is used on the public highway. This aspect will be reported on at a later date if appropriate.
7. The Bill sets out plans to change the rules regarding marine accident investigations (during the committee stages, the plans faced considerable criticism from marine transport groups). The Bill proposes the repeal of the requirement on the Secretary of State to order a re-hearing where 'new and important' evidence is discovered. If the measure is brought into force, the Secretary of State will have a discretion to reopen an investigation in such circumstances.

## **Energy and Environment**

8. The Bill proposes the revocation of the criminal sanction (currently by way of a fine) that may be levied against a householder for failing to comply with instructions regarding how to present rubbish for collection. If the Bill becomes law, a new civil penalty will be the sanction against householders where an authority can show there is harm to local amenity.
9. Of interest to the City is the proposal to revoke certain targets and measures relating to energy. For example, the Climate Change and Sustainable Energy Act requires local authorities to have regard to 'energy measures' reports published by the Secretary of State. Only one

report has been published, however, and that was in 2007. The Bill also proposes the repeal of the requirement to comply with micro-generation targets.

10. Currently certain animals, such as musk rats and grey squirrels, should be reported to the Secretary of State as foreign species and, in certain circumstances, destroyed. The Bill repeals these requirements.
11. The Bill revokes an unused power, contained in the Local Government and Public Involvement in Health Act 2007, by which local authorities may apply to the Secretary of State for the creation of ‘joint waste authorities’. Authorities sometimes make informal arrangements in relation to waste management and the Bill allows such arrangements to continue.
12. Under the Environment Act 1995 local authorities, including the City, are required to provide assessments of air quality in areas designated as Air Quality Management Areas. However, further to the results of a consultation in 2013 and the evidence provided to the draft Bill committee, the Bill proposes the repeal of the assessment requirement.
13. The Bill proposes the abolition of local authorities’ powers to create noise pollution zones.

## **Licensing**

14. Details of the measures regarding licensing will be reported to the Licensing Committee. Currently an individual may apply for a maximum of 12 Temporary Event Notices per year - where an event organiser applies to serve or sell alcohol, offer late-night refreshment or provide certain types of entertainment, for less than 500 people. Local police and environmental health officials may object to a TEN application. In the City some temporary events appear to lead to an increase in criminal activity and the Bill’s proposal to increase the maximum number of TENs per year to 15 will, therefore, be of interest to the City Police and licensing officers.
15. Despite significant opposition to the change, the Bill proposes the revocation of the current requirement to renew personal alcohol sales licences every 10 years. In future personal licences will continue indefinitely.



16. The current offence of selling 'liqueur confectionary' to under 16s will be repealed if the Bill is enacted.

### **Rights of Way and Property**

17. These matters will be reported to the Open Spaces Committee. Following proposals put forward by a working group on unrecorded rights of way, led by Natural England, which arrived at a broad consensus, the Bill proposes certain technical changes to the recording of rights of way.

18. Provisions relating to official recording of rights of way were first introduced in 1949 - and have been continually updated since that date - with the intention of ensuring all rights of way are logged on an official definitive map. The Countryside and Rights of Way Act 2000 introduced a cut-off date (1 January 2026) after which unregistered pre-1949 rights will be extinguished. The Government's view now is that the full registration of rights of way is too complex and costly. Therefore, under the Bill, local authorities will only be required to modify the rights of way register if they receive substantial evidence that no pre-1949 right of way existed. The Government's stated intention is to reduce the amount of research and investigation required of authorities.

19. In another technical measure, the Bill proposes that in a case where a private land owner uses a public right of way to access their property and that right of way is extinguished under the 2026 cut off provision a private right of way will spring into existence so as to ensure the private landowner has continued access to their property.

20. If the Bill comes into force, landowners' powers to erect gates or other means of access will be liberalised so that, in the future, landowners will be permitted to erect gates and stiles to improve access for users.

### **Miscellaneous**

21. The Bill proposes the repeal of a variety of local authority duties, including

- a. Sustainable communities strategies
- b. Local area agreements
- c. Multi area agreements

22. Of interest to the City in its capacity as a local authority, under provisions in the Local Government and Public Involvement in Health Act 2007,

where a Best Value Authority decides to consult local people, the authority must demonstrate it provides information about the subject of the consultation, involves local interests and secures input from representatives of relevant interests. In a move supported in the Local Government Association's evidence to Parliament, the Bill proposes the repeal of these requirements.

## **Consultation**

23. The Directors of Built Environment and Markets and Consumer Protection have been consulted in the preparation of the report. Officers dealing with the other aspects of this report have been consulted.

Philip Saunders  
Parliamentary Affairs Counsel  
Remembrancer's Office  
X 1201

<b>Committee(s):</b>	<b>Date(s):</b>
Port Health and Environmental Services	15 Jul 2014
<b>Subject:</b>	<b>Public</b>
Revenue Outturn 2013/14	
<b>Report of:</b>	<b>For Information</b>
The Chamberlain Director of the Built Environment Director of Markets and Consumer Protection Director of Open Spaces	

### Summary

This report compares the revenue outturn for the services overseen by your Committee in 2013/14 with the final agreed budget for the year. Overall total net expenditure during the year was £14.012M, whereas the total agreed budget was £14.494M, representing an underspending of (£482,000) as set out below:

<b>Summary Comparison of 2013/14 Revenue Outturn with Final Agreed Budget</b>			
	<b>Final Approved Budget £000</b>	<b>Revenue Outturn £000</b>	<b>Variation Increase / (Reduction) £000</b>
<b>Direct Net Expenditure</b>			
Director of the Built Environment	6,842	6,671	(171)
Director of Markets and Consumer Protection	2,783	2,617	(166)
Director of Open Spaces	(1,474)	(1,563)	(89)
City Surveyor	584	541	(43)
<b>Total Direct Net Expenditure</b>	<b>8,735</b>	<b>8,266</b>	<b>(469)</b>
<b>Capital and Support Services</b>	<b>5,759</b>	<b>5,746</b>	<b>(13)</b>
<b>Overall Totals</b>	<b>14,494</b>	<b>14,012</b>	<b>(482)</b>

Chief Officers have submitted requests to carry forward underspendings, and these will be considered by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.

### Recommendation(s)

Members are asked to:

- Note the report and the proposed carry forward of underspendings to 2014/15.

## Main Report

### Revenue Outturn for 2013/14

1. Actual net expenditure for your Committee's services during 2013/14 totalled £14.012M, an underspend of (£482,000) compared to the final approved budget of £14.494M. A summary comparison with the final agreed budget for the year is tabulated below. In this and subsequent tables, figures in brackets indicate income or in hand balances, increases in income or decreases in expenditure.

<b>Summary Comparison of 2013/14 Revenue Outturn with Final Agreed Budget</b>				
	<b>Final Agreed Budget</b>	<b>Revenue Outturn</b>	<b>Variation Increase / (Reduction)</b>	<b>Variation Increase / (Reduction)</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>%</b>
<b>Local Risk</b>				
Director of the Built Environment	6,842	6,671	(171)	(2)
Director of Markets and Consumer Protection	2,775	2,617	(158)	(6)
Director of Open Spaces	(1,509)	(1,598)	(89)	(6)
City Surveyor	584	541	(43)	(7)
<b>Total Local Risk</b>	<b>8,692</b>	<b>8,231</b>	<b>(461)</b>	<b>(5)</b>
<b>Central Risk</b>				
Director of Markets and Consumer Protection	8	0	(8)	(100)
Director of Open Spaces	35	35	0	0
<b>Total Central Risk</b>	<b>43</b>	<b>35</b>	<b>(8)</b>	<b>(19)</b>
<b>Capital and Support Services</b>	<b>5,759</b>	<b>5,746</b>	<b>(13)</b>	<b>0</b>
<b>Overall Totals</b>	<b>14,494</b>	<b>14,012</b>	<b>(482)</b>	<b>(3)</b>

2. The main local risk variations comprise:

- **Director of the Built Environment**

- reductions in street cleansing (£43,000) and waste disposal (£45,000) contract costs due respectively to a reduced requirement for additional works as a result of the mild winter, and provision made for a potential change of recycling provider at additional cost which was not required;
- additional income from Fixed Penalty Notices, cleaning of private land and an increase in the Walbrook Wharf management fee

rebate from Cory resulting from reduced waste tonnage throughput, (£92,000).

- **Director of Markets and Consumer Protection**

- an increase in income at the Heathrow Animal Reception Centre from fish imports and the Passports for Pets scheme, (£210,000);
- a reduction in employee costs due to delays in payment of redundancy costs related to the Port Health review, (£107,000);
- additional income from Products of Animal Origin inspection, as an expected drop in the volume of trade did not materialise, (£119,000);
- a reduction in income as a planned transfer from the Products of Animal Origin Reserve was not required due to the underspends/additional income outlined elsewhere, £399,000;
- the balance of the underspend is made up of small variances across a wide range of budgets.

- **Director of Open Spaces** – an increase in income from grave sales and burials, (£53,000).

3. Appendix A provides a more detailed comparison of the local risk outturn against the final agreed budget, including explanation of significant variations. Appendix B shows the gross local risk expenditure and income against budget for each service.

### **Local Risk Carry Forward to 2014/15**

4. The Director of the Built Environment has a local risk underspending of £171,000 on the activities overseen by your Committee. The Director also had local risk underspending totalling £295,000 on activities overseen by other Committees. The Director is proposing that £399,000 of his total eligible underspend of £440,000 be carried forward, of which £167,00 relates to activities overseen by your Committee for the following purposes:

- Purchase and fitting of replacement chassis for Garchey waste disposal system vehicle – £47,000
- Purchase of on-street waste collection information system – £60,000
- Improvements to publicity and signage for public conveniences in light of recent survey feedback – £10,000
- Consultant to assess the value of the City's street furniture as a 'rentable asset' for Wi-Fi aerials – £15,000
- Building and remedial works for office reorganisation – £35,000

5. The Director of Markets and Consumer Protection has a local risk underspending of £158,000 on the activities overseen by your Committee, of which £108,000 is eligible to carry forward to 2014/15. The Director also had

net local risk underspending totalling £490,000 on activities overseen by other Committees. The Director is proposing that the maximum permitted £402,000 of his total eligible underspend of £598,000 be carried forward, of which £137,000 relates to activities overseen by your Committee for the following purposes:

- Replacement of equipment for City Environmental Health and Trading Standards (including upgrade of CityAir app) – £10,000
- Overtime to support night-time economy work – £5,000
- Recruitment of two apprentices within City Environmental Health and Heathrow Animal Reception Centre – £24,000
- Redundancy costs associated with the recent Port Health review – £55,000
- Launch refit required to keep the vessels in working order and operating to their full capacity – £10,000
- Hire of Portakabins at Heathrow Animal Reception Centre for use in provision of onsite training courses – £13,000
- Installation of vivariums to house reptiles etc. (Heathrow Animal Reception Centre) – £20,000

6. The Director of Open Spaces has a local risk underspending of £89,000 on the activities overseen by your Committee. The Director also had net local risk underspending totalling £143,000 on activities overseen by other Committees. The Director is proposing that £217,000 of her total eligible underspend of £232,000 be carried forward, of which £89,000 relates to activities overseen by your Committee for the following purposes:

- Replacement of two essential grave digging vehicles which have reached the end of their useful life – £60,000
- Installation of additional photovoltaic cells to generate sufficient energy to power the offices and staff facilities year round (compared to 6 months currently being achieved) – £29,000

## Appendices

- Appendix A – Port Health and Environmental Services Committee Comparison of 2013/14 Revenue Outturn with Final Agreed Budget
- Appendix B – Port Health and Environmental Services Committee Analysis of Local Risk Revenue Outturn 2013/14 by Service

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**Port Health and Environmental Services Committee**  
**Comparison of 2013/14 Revenue Outturn with Final Agreed Budget**

	Final Agreed Budget £000	Revenue Outturn £000	Variation Increase/ (Decrease) £000	Variation Increase/ (Decrease) %	Reasons
<b>LOCAL RISK</b>					
<b>Director of the Built Environment</b>					
City Fund					
Public Conveniences	914	913	(1)	0	
Waste Collection	100	105	5	5	
Street Cleansing	3,931	3,850	(81)	(2)	1
Waste Disposal	664	576	(88)	(13)	2
Transport Organisation	130	142	12	9	
Cleansing Services Management	356	384	28	8	
Built Environment Directorate	747	701	(46)	(6)	
<b>Total City Fund</b>	<b>6,842</b>	<b>6,671</b>	<b>(171)</b>	<b>(2)</b>	
<b>Director of Markets and Consumer Protection</b>					
City Fund					
Coroner	39	51	12	31	3
City Environmental Health	1,669	1,636	(33)	(2)	
Pest Control	97	84	(13)	(13)	
Animal Health Services	(543)	(785)	(242)	(45)	4
Trading Standards	274	266	(8)	(3)	
Port & Launches	882	1,026	144	16	5
<b>Total City Fund</b>	<b>2,418</b>	<b>2,278</b>	<b>(140)</b>	<b>(6)</b>	
City's Cash					
Meat Inspector's Office	357	339	(18)	(5)	
<b>Total City's Cash</b>	<b>357</b>	<b>339</b>	<b>(18)</b>	<b>(5)</b>	
<b>Total Director of M&amp;CP</b>	<b>2,775</b>	<b>2,617</b>	<b>(158)</b>	<b>(6)</b>	
<b>Director of Open Spaces</b>					
City Fund					
Cemetery & Crematorium	(1,509)	(1,598)	(89)	(6)	6
<b>Total City Fund</b>	<b>(1,509)</b>	<b>(1,598)</b>	<b>(89)</b>	<b>(6)</b>	
<b>City Surveyor</b>	<b>584</b>	<b>541</b>	<b>(43)</b>	<b>(7)</b>	
<b>TOTAL LOCAL RISK</b>	<b>8,692</b>	<b>8,231</b>	<b>(461)</b>	<b>(5)</b>	

## Reasons for Significant Variations

1. **Street Cleansing** – a reduction of (£43,000) in contract costs mainly due to reduced requirement for additional works as a result of the mild winter, together with additional income of (£43,000) from Fixed Penalty Notices and cleaning of private land.
2. **Waste Disposal** – a reduction of (£45,000) in contract costs as a result of provision made for a potential change of recycling provider at additional cost which was not required, together with additional income of (£49,000) due to an increase in the Walbrook Wharf management fee rebate from Cory resulting from reduced residual waste tonnage throughput to Belvedere Energy from Waste facility.
3. **Coroner** – an increase in legal and witness fees due to the volume and complexity of inquests.
4. **Animal Health Services** – this underspend is primarily due to an increase in income of (£210,000) from fish imports and Passports for Pets, together with small underspends across a number of budgets.
5. **Port & Launches** – this overspend comprises:
  - a reduction in income of £399,000 - a planned transfer from the Products of Animal Origin Reserve was not required due to underspends/additional income elsewhere within the Director's local risk budgets; offset by
  - a reduction of (£107,000) in indirect employee costs due to delays in payment of redundancy costs related to the Port Health review;
  - additional income of (£119,000) from Products of Animal Origin inspection, as an expected drop in the volume of trade did not materialise; and
  - small underspends across a number of budgets.
6. **Cemetery & Crematorium** – an increase in income of (£53,000) from grave sales and burials, together with small underspends across a number of budgets.



**Port Health and Environmental Services Committee**  
**Analysis of Local Risk Revenue Outturn 2013/14 by Service**

	Final Approved Budget			Revenue Outturn			Variance Increase / (Decrease)
	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	£'000
<b>Director of the Built Environment</b>							
Public Conveniences	1,296	(382)	914	1,297	(384)	913	(1)
Waste Collection	942	(842)	100	1,015	(910)	105	5
Street Cleansing	4,357	(426)	3,931	4,319	(469)	3,850	(81)
Waste Disposal	1,331	(667)	664	1,292	(716)	576	(88)
Transport Organisation	291	(161)	130	282	(140)	142	12
Cleansing Management	356	0	356	384	0	384	28
Director and Support	759	(12)	747	713	(12)	701	(46)
<b>Total Director of the Built Environment</b>	<b>9,332</b>	<b>(2,490)</b>	<b>6,842</b>	<b>9,302</b>	<b>(2,631)</b>	<b>6,671</b>	<b>(171)</b>
<b>Director of Markets &amp; Consumer Protection</b>							
Comer	39	0	39	51	0	51	12
City Environmental Health	2,085	(416)	1,669	1,997	(361)	1,636	(33)
Pest Control	190	(93)	97	176	(92)	84	(13)
Animal Health Services	2,079	(2,622)	(543)	2,035	(2,820)	(785)	(242)
Trading Standards	304	(30)	274	291	(25)	266	(8)
Port & Launches	2,906	(2,024)	882	2,806	(1,780)	1,026	144
Meat Inspector's Office	412	(55)	357	394	(55)	339	(18)
<b>Total Director of Markets &amp; Consumer Protection</b>	<b>8,015</b>	<b>(5,240)</b>	<b>2,775</b>	<b>7,750</b>	<b>(5,133)</b>	<b>2,617</b>	<b>(158)</b>
<b>Director of Open Spaces</b>							
Cemetery and Crematorium	2,591	(4,100)	(1,509)	2,555	(4,153)	(1,598)	(89)
<b>Total Director of Open Spaces</b>	<b>2,591</b>	<b>(4,100)</b>	<b>(1,509)</b>	<b>2,555</b>	<b>(4,153)</b>	<b>(1,598)</b>	<b>(89)</b>
<b>City Surveyor</b>							
Public Conveniences	55	0	55	90	0	90	35
Street Cleansing	5	0	5	2	0	2	(3)
Waste Disposal	0	0	0	1	0	1	1
Animal Health Services	71	0	71	99	0	99	28
Port & Launches	31	0	31	21	0	21	(10)
Meat Inspector's Office	4	0	4	5	0	5	1
Cemetery and Crematorium	418	0	418	323	0	323	(95)
<b>Total City Surveyor</b>	<b>584</b>	<b>0</b>	<b>584</b>	<b>541</b>	<b>0</b>	<b>541</b>	<b>(43)</b>
<b>TOTAL PORT HEALTH &amp; ENV SRV COMMITTEE</b>	<b>20,522</b>	<b>(11,830)</b>	<b>8,692</b>	<b>20,148</b>	<b>(11,917)</b>	<b>8,231</b>	<b>(461)</b>

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<b>Committee(s):</b>	<b>Date(s):</b>
Port Health & Environmental Services Committee	15 July 2014
<b>Subject:</b> Department of the Built Environment Business Plan 2013/16 : Quarter 4 Update and Financial Outturn Report	<b>Public</b>
<b>Report of:</b> <b>Director of the Built Environment</b>	<b>For Information</b>
<b>Summary</b>	
<p>This report sets out the progress against the 2013/16 Business Plan and the Financial Outturn Report for the Department of the Built Environment. It shows what has been achieved, and the progress made over the last year against our objectives and key performance indicators relative to the work of this Committee. Performance against the 5 relevant departmental performance indicators (KPIs) (Appendix Ai) is good, of these departmental KPIs we missed one, which is being actively managed by the Management Team.</p> <p>The 2013/14 year end outturn position for the Department of Built Environment services covered by Port Health &amp; Environmental Services Committee reveals a net underspend for the Department of £171k (2%) against the overall net local risk budget of £6.8m for 2013/14. Appendix B sets out the detailed position for the individual services.</p> <p>I have requested to carry forward this underspend into 2014/15, along with underspends within other Committees. These requests are currently being prepared for consideration by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.</p>	
<b>Recommendation(s)</b>	
Members are asked to:	
<ul style="list-style-type: none"> <li>• note the content of this report and the appendices</li> <li>• receive the report</li> </ul>	

## **Main Report**

### **Background**

1. The 2013/16 Business Plan of the Department of the Built Environment was approved by this committee on 30<sup>th</sup> April 2013. As agreed, regular progress reports have been provided.
2. The report also takes the opportunity to update Members on achievements made during Period 3 (December 2013 – March 2014).

### **Key Performance Indicators**

3. Performance against the departmental key performance indicators (KPIs) (Appendix A) is good with those not meeting their targets being actively managed; of these 5 departmental KPIs, we missed one, which is discussed below.
4. Regarding KPI NI192 – Percentage of household waste recycled. Our overall year end recycling figure is 39%, which shows a steady improvement from 2011/12 (37.1%) and 2012/13 (37.33%). The current target of 41% was a stretching target in line with the City's new Waste Strategy. A new recycling action plan is being developed in 2014/15 which it is hoped will deliver increased performance required to delivery this target. The team have a number of resident communication and engagement campaigns planned for 2014/15 which have the specific aim of increasing the current recycling rate.
5. It is worth noting there has been an increase of 28% in the volume of Freedom of Information requests being handled by the department, which we have done while maintaining out KPI performance. These relate in equal measure between highways, parking, cleansing and planning (DM7).
6. Performance against the Corporate Service Response Standards (Appendix Aii) continues to be below target; however we are managing performance across the department and are ranked average, in comparison, across the City of London.
7. In relation to SRS A, the reasons for our lower than target performance is due to a high volume of our meetings arranged across all the divisions; regularly, and despite our best efforts we often have more guests than anticipated. Additionally due to the nature of the work done across the department we get a higher volume of unannounced guests.

### **Financial and Risk Implications**

8. The 2013/14 year end outturn position for the Department of Built Environment services covered by Port Health & Environmental Services Committee reveals a net underspend for the Department of £171k (2%) against the overall net local risk budget of £6.8m for 2013/14. Appendix B sets out the detailed position for the individual services covered by this department. The table below details the summary position by Fund.

Local Risk Summary by Fund	Latest Approved Budget £'000	Outturn Position £'000	Variance from Budget (Better) / Worse	
			£'000	%
City Fund	6,842	6,671	(171)	(2%)
<b>Total Built Environment Services Local Risk</b>	<b>6,842</b>	<b>6,671</b>	<b>(171)</b>	<b>(2%)</b>

9. I have requested to carry forward this underspend into 2014/15, along with underspends within other Committees. These requests are currently being prepared for consideration by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub.
10. The reasons for the significant budget variations in the above table are detailed in Appendix B, which sets out a detailed financial analysis of each individual division of service relating to this Committee.
11. The better than budget year end position of £171k (2%) is principally due to Street Cleansing service savings relating to salaries, due to staff vacancies & maternity leave; Waste Disposal service underspends are a result from a prudent provision made for the third party contract with Ideal Waste to cover potential change of recycling supplier at additional cost, however, this was not required in the end and additional income generated as a result of throughput levels; and finally savings on the Directorate budget relating to computer hardware purchases for the planned replacement of scanners which did not materialise.

### Business Risk Management

12. Risks have been reviewed in accordance with corporate policy. The Risk Management register, relevant to this Committee, shows no change to the mitigated or unmitigated likelihood or impact score of any risk. A summary of all risks can be found in Appendix C.
13. There is no change to the mitigated or unmitigated impact or likelihood score of any other risk.

## **Achievements**

14. The 2013 Clean City Awards were presented in January 2014, at Mansion House, by the The Rt. Hon. The Lord Mayor and the then Chairman of Port Health and Environmental Services Committee, John Tomlinson. The City of London Clean City Awards scheme was established in 1994 to promote, share, and encourage best practice of sustainable waste management practices. There are over 600 members of the scheme, ranging from small shops and food outlets to large multi-national companies and financial institutions. These awards continue to recognise those leading the way in recycling and waste management.
15. Keep Britain Tidy awarded the City of London an award for Innovation based on the 'No ifs No butts campaign. The award was won for the holistic approach taken in the campaign to reduce the c.123,000 cigarette butts dropped in the City every day. A number of strands were drawn together to reach as many smokers as possible, including issuing "red cards" to smokers caught dropping litter, installing 780 City of London smart bins across the Square Mile, engaging business in anti-litter activities and working with Boots and the NHS to provide advice on quitting smoking. As part of the campaign, advice on quitting is given to smokers who are caught dropping butts. This campaign also received a Best Practice Certificate in the European Public Sector Awards from the European Institute of Public Administration.
16. To promote Recycling in the City and to celebrate 20 years of the Clean City Awards Scheme, the Cleansing Service entered a float in the Lord Mayors Show parade, complete with a 5m tall robot made from wheelie bins, various recycling mascots and costumes, 2 bin 'trains' and 30 drummers who featured in the London Olympic ceremony, dressed as street sweepers (and with bins for drums of course).

## **Individual Achievements**

17. Vince Dignam received the City of London's Learning and Development award for going the extra mile in relation to his Sustainable Urban Driving programme; he was also commended in the Green Fleet Awards in the Public Sector Manager of the Year category.

## **Annual Assurance Statement**

18. For the financial year 2013/14 I give assurance to Members that my department complies with the corporate Data Quality Policy and Protocol in producing its service and performance data. I confirm that my Department has effective systems and procedures in place that produce relevant and reliable information to support management decision-making and to manage performance.

## **Appendices**

- Appendix A – Progress of KPI's
- Appendix B – Detailed Financial Analysis
- Appendix C – Business Risk Assessment

**Background Papers:**

DBE Business Plan 2013/16

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## Key Performance Indicators

		13/14 Target	Q1	Q2	Q3	Q4	13/14 TOTAL	
<b>Transportation &amp; Public Realm</b>								
NI 191	To reduce the residual annual household waste per household.	508.5kg	88.5kg	94.33kg	97.30kg	91.5kg	371.98kg	😊
NI 192	Percentage of household waste recycled.	41%	39.77%	39.33%	38.81%	38.02%	39.07%	😐
NI 195	Percentage of relevant land and highways from which unacceptable levels of litter, detritus, graffiti and fly-posting are visible.	2%	1.04% (March)	1.21 (July)	0.25% (October)	0.63% (March)	0.70% (July to March)	😊
TPR1	No more than 3 failing KPI's, per month on new Refuse and Street Cleansing contract	<9 per quarter	4	4	2	4	14	😊
TPR2	No more than 3 failing KPI's, per month on new Highway Repairs and Maintenance contract.	<9 per quarter	<9 per quarter	<9 per quarter	1	1	2	😊
<b>Comments</b>	<b>NI 192:</b> Overall YTD recycling figure is 39.3% this demonstrates a steady improvement from 2011/12 (37.1%) and 2012/13 (37.33%). The current target of 41% was a stretching target which we are still striving for. When compared to other inner London boroughs recycling rates we are performing extremely well. We have a number of resident communication and engagement campaigns planned for this quarter which have the specific aim of increasing the current recycling rate.							

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## Corporate Service Response Standards

		13/14 Target	Q1	Q2	Q3	Q4	13/14 TOTAL	
SRS A	All external visitors to be pre-notification via the visitor management system.	100%	66.3%	62.8%	67.1%	70.5%	66.1%	☹
SRS B	Where an appointment is pre-arranged, visitors should be met within 10 minutes of the specified time where Visitors arrive at Guildhall North or West Wing receptions.	100%	95.2%	90.9%	90.3%	94.2%	92.9%	☺
SRS C	Emails to all published (external-facing) email addresses to be responded to within 1 day.	100%	100%	100%	75%	100%	93.7%	☺
SRS D	A full response to requests for specific information or services requested via email within 10 days.	100%	100%	100%	100%	75%	93.7%	☺
SRS E	Telephone calls to be picked up and answered within 5 rings/20 seconds	90%	92.1%	92.3%	93.1%	93.8%	92.8%	☺
SRS F	Voicemail element only target 10%	10%	11.1%	10.7%	10.4%	10.5%	10.7%	☺
DM7	To manage responses to requests under the Freedom of Information act within 20 working days. (Statutory target of 85%)	85%	98%	100%	100%	100%	99.50%	☺
<b>Comments</b>	<p><b>SRS A:</b> This has steadily improved over the year, however due to the number of external people involved in our external meetings inevitably more visitors turn up than we expect.</p> <p><b>SRS C &amp; D:</b> The results are skewed dramatically due to the small volume of email addresses tested.</p> <p><b>SRS F:</b> A large volume of Officers are on site and out of the office as part of their working day, we have set up procedures in teams to ensure, as much as possible callers are given the option to speak to a person, however due to their technical nature callers tend to leave voice mail.</p>							



**Department of Built Environment Local Risk Revenue Budget - 1st April 2013 to 31st March 2014**  
**(Income and favourable variances are shown in brackets)**

Appendix B

	Latest Approved Budget 2013/14			Actuals 2013/14			Variance (Better) / Worse		Notes
	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	£'000	%	
<b>Port Health &amp; Environmental Services (City Fund)</b>									
Public Conveniences	1,296	(382)	914	1,297	(384)	913	(1)	(0)	
Waste Collection	942	(842)	100	1,015	(910)	105	5	5	
Street Cleansing	4,357	(426)	3,931	4,319	(469)	3,850	(81)	(2)	1
Waste Disposal	1,331	(667)	664	1,291	(715)	576	(88)	(13)	2
Transport Organisation	291	(161)	130	282	(140)	142	12	9	
Cleansing Management	356	0	356	384	0	384	28	8	
Director and Support	759	(12)	747	713	(12)	701	(46)	(6)	3
<b>TOTAL PORT HEALTH &amp; ENV SRV COMMITTEE</b>	<b>9,332</b>	<b>(2,490)</b>	<b>6,842</b>	<b>9,301</b>	<b>(2,630)</b>	<b>6,671</b>	<b>(171)</b>	<b>(2)</b>	

**Notes:**

- Street Cleansing** - favourable outturn was mainly due to salary savings due to vacancies and maternity leave and additional PCN income.
- Waste Disposal** - favourable outturn was mainly due to the provision made for the third party contract with Ideal Waste to cover potential change of recycling supplier at additional cost, that was not required; and additional income as a result of throughput levels.
- Director and Support** - the year end underspend was mainly due to savings on computer hardware budgets as a result of the planned replacement of A0 scanners not taking place.

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**Business Risk Management Update (May 2014)**

- 1) All risks have been reviewed in accordance with corporate policy. A summary of all risks is at paragraph 7.
- 2) There is no change to the mitigated or unmitigated impact or likelihood score of any other risk.
- 3) The review of all existing risks, relevant to this Committee, identified one with changes. The following table gives a summary of the changes.

Risk	Change since last report to Members
A major incident, such as flooding or fire, makes Walbrook Wharf unusable as a depot	Existing Business Continuity arrangements reported to Port Heath & Environmental Services Committee. These will be further reviewed and agreed in Summer 2014.

- 4) All risks have been reviewed for the effectiveness of the controls. There are no changes since the last report.

No risks are assessed as Red (*Existing controls are not satisfactory*) and all but one have been assessed as Green (*Robust mitigating controls are in place with positive assurance as to their effectiveness*).

The one risk that is assessed as Amber (*Existing controls require improvement or mitigating controls identified but not yet implemented fully*) is that "A major incident, such as flooding or fire, makes Walbrook Wharf unusable as a depot". Work is in hand to continue the implementation of the controls.

- 5) The Summary of the Business Risks faced by the Department of the Built Environment and relevant to the work of this Committee (in decreasing order of mitigated risk) are:

Risk	Owner	Mitigated Impact	Mitigated Likelihood	Mitigated Risk	Effectiveness of Controls
Major contractor goes into liquidation before selling business as a going concern	Transportation & Public Realm / Cleansing	4	2	17	GREEN
Service failure by major contractor	Transportation & Public Realm / Cleansing	3	2	10	GREEN
Long term disruption to supplies of diesel fuel	Transportation & Public Realm / Cleansing	3	1	6	GREEN
Prohibition notice served on Cleansing fleet	Transportation & Public Realm / Cleansing	3	1	6	GREEN
A major incident, such as flooding or fire, makes Walbrook Wharf unusable as a depot	Transportation & Public Realm / Cleansing	2	2	5	Amber

City Streets/pavements not kept passable during times of snow	Transportation & Public Realm / Cleansing	2	1	3	GREEN
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<b>Committee(s):</b>	<b>Date(s):</b>
Port Health & Environmental Services Committee Court of Common Council	15 July 2014  24 July 2014
<b>Subject:</b> Thames Estuary Partnership – appointment of a Director/Trustee	<b>Public</b>
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Decision</b>
<p><b>Summary</b></p> <p>The City Corporation, in its role as London Port Health Authority, is a partner with the charity the ‘Thames Estuary Partnership’ (TEP) with which it works closely on matters such as shellfish in the estuary and water quality of the river.</p> <p>TEP has invited the City to take on a role of Corporate Director/Trustee, but the City does not accept such appointments. Rather it is the City Corporation’s practice to appoint a Member of the Court of Common Council to serve in an individual capacity and these appointments are normally made by the Court of Common Council.</p> <p>Mr Nigel Challis CC (a member of your Committee between 2008 and 2014) has been acting as the Corporation’s representative and has indicated that he is prepared to continue to do so, subject to this Committee and the Court of Common Council’s consent. The purpose of this report, therefore, is to seek your Committee’s formal endorsement to make an appointment to the TEP Board of Trustees/Directors, and to recommend to the Court of Common Council that Mr Challis be authorised to undertake this outside body appointment.</p> <p><b>Recommendation(s)</b></p> <p>Members are asked to:</p> <ul style="list-style-type: none"> <li>• Recommend to the Court of Common Council that Mr Nigel Challis CC be appointed as a Director/Trustee of the Thames Estuary Partnership.</li> </ul>	

## Main Report

### Background

1. The Thames Estuary Partnership (TEP) provides a neutral forum for local authorities, national agencies, industry, voluntary bodies, local communities

and individuals to work together for the good of the Thames Estuary. It is a charity that provides a framework for the management of the estuary.

2. The City Corporation, in its role as London Port Health Authority is a formal partner with TEP together with other organisations such as the Environment Agency, Port of London Authority and Thames Water.
3. TEP has invited the City Corporation to be a Corporate Director/Trustee of the charitable company. It is not the City Corporation's practice to accept these corporate appointments to outside bodies, but rather to nominate or appoint Members (as the case may be) in their individual capacity. Representation on the TEP Board has been undertaken to-date by Mr Nigel Challis CC; an appointment which was previously approved by your Committee. Normally appointments to outside bodies of this nature are advertised to all Members of the Court and, where necessary, balloted upon. Thus the appointments are formally approved by the Court of Common Council.
4. The Partnership undertakes a range of functions including:
  - Coordination of a projects programme;
  - Facilitation of new projects and forums for Joint working
  - Organisation of events and workshops
5. TEP seeks to balance the interests of local communities, the local economy and the environment. It involves all those who have an interest in the estuary and has established a series of Action Groups to facilitate joint working.
6. London Port Health Authority (LPHA) has been involved with TEP, particularly in relation to Shellfish, and is a member of the Fisheries Action Group. LPHA takes advantage of the neutral stance offered by TEP to discuss sensitive matters with the industry that may not otherwise be covered.
7. As an example of a joint project that is of significance to LPHA, TEP has been working with the environmental charity Thames21 to improve water quality in the Thames. The project covers the tidal area of the River Thames – from Teddington Lock downstream to Haven Point on the north bank of the Thames Estuary in Essex and Warden Point on the south bank in Kent, which is coterminous with the LPHA area.
8. TEP has been instrumental in coordinating a response to the consultation on the Water Framework Directive. They have used their contacts with the wider community interested in the Thames to collate the diverse views and connect with individuals and groups who would otherwise be unlikely to respond to government consultations by setting up “pop up” sessions at River based events. This has led to a new collaborative group – “Your Tidal Thames” Framework Directive Consultation.
9. In addition, TEP's newsletter “Talk of the Thames” has featured a number of articles about the work of LPHA, including the Annual Fishing Experiment and its role at London Gateway Port.

## **Current Position**

10. As indicated above, following the invitation extended to the City Corporation to become a corporate Director/Trustee of the charity, Mr Nigel Challis CC has been representing the City Corporation on TEP with the consent of your Committee. However, outside body appointments, whereby the City Corporation appoints a Member of the Court of Common Council to serve on a specific outside body, would normally be made by the Court of Common Council. This is usually done by ballot where there is more than one expression of interest.
11. The Corporation's usual practice in relation to corporate directorships is to appoint an individual Member who acts in his/her personal capacity. It is therefore necessary for your Committee, having responsibility for matters relevant to the activities of the charity, to consider whether a Member of the Court of Common Council should be appointed to TEP and if so, make such a recommendation to the Court of Common Council.
12. TEP have confirmed that their invitation to the City Corporation to be represented on their Board is also extended in the alternative to a Member nominated or appointed by the City Corporation.
13. Given the close working relationship between LPHA and TEP, it would be advantageous for the City Corporation, to maintain those links by appointing a Member to the TEP Board.
14. Mr Challis, a Member of your Committee until April this year, has indicated that he is prepared to continue on the Board, subject to this Committee and the Court of Common Council's consent. Mr Challis has built up a good understanding of the TEP's work and has made a considerable contribution to the board.

## **Options**

15. On the assumption that the City Corporation's links with the TEP should continue through an appointment to that Board, there are two options available to your Committee:
  - (i) that a vacancy for this appointment be advertised, in the normal manner, ahead of the meeting of the of Common Council where that matter is to be considered; thus inviting expressions of interest from amongst all Members of the Court of Common Council; ;or
  - (ii) endorse Mr Challis as the City Corporation's appointee and recommend to the Court of Common Council that he be formally appointed.

## **Proposals**

16. Given the interest shown by Mr Challis in this position and his first-hand experience of the work of the TEP to date, your Committee is encouraged to endorse his appointment to the TEP Board, and recommend his appointment to the Court of Common Council to obtain formal approval.

## **Corporate & Strategic Implications**

17. The work undertaken by the TEP is of importance to the LPHA, and in line with the City Corporation's vision it assists in providing 'high quality, accessible services benefitting its communities, neighbours, London and the nation.'

## **Implications**

18. There are no financial implications. A Member serving on an outside body has a responsibility to take an active and informed role in the management of the outside body's affairs and to meet their duty of care to that body. Members must behave ethically, report back to the City Corporation where appropriate, and be mindful of the need to manage any conflicts of interest which may arise in undertaking their role on the outside body and as an elected Member of the City Corporation.

## **Conclusion**

19. The City Corporation through its role as LPHA actively supports the work of the TEP, and it would be beneficial to continue to have representation at board level. Mr Nigel Challis CC is prepared to undertake this role, and given his experience the Committee is asked to endorse and recommend, for approval, his appointment to the Court of Common Council.

## **Appendices**

None.

## **Background papers**

- Invitation to Corporation of London to join Thames Estuary Partnership (TEP) as a Trustee letter 2012
- Minute from the PHES Committee meeting held on 18/01/2013: *Members considered appointing a member of the Committee to become a trustee of the Thames Estuary Partnership Board.*  
RESOLVED – *That Nigel Challis be appointed as the Committees trustee on the Thames Estuary Partnership Board and that the appointment be reviewed when appropriate.*
- Email from Executive Director of TEP containing documents for completion dated Wed 07/08/2013 16:17

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<b>Committee(s):</b>	<b>Date(s):</b>
Port Health & Environmental Services	15 July 2015
<b>Subject:</b> An Update on Environmental Screening and Salmonella in Imported Animals.	<b>Public</b>
<b>Report of:</b> Director of Markets & Consumer Protection.	<b>For Information</b>
<b>Summary</b>	
<p>The purpose of this report is to provide interim information to members regarding the most recent sampling results at Heathrow Animal Reception Centre. A second round of environmental screening was carried out in September 2013, following improvements to biosecurity and hygiene protocol as identified by the initial sampling in March 2013. The disinfection of Personal Protective Equipment upon leaving quarantine has been improved, whilst cleaning equipment requires further review.</p> <p>Non statutory testing of Salmonella and Campylobacter is underway, in conjunction with the Animal Health and Veterinary Laboratories Agency (AHVLA). Initial results show approximately 55% of samples sent are positive for Salmonella and include serotypes not regularly found in the UK. Two serotypes of Campylobacter have also been found in dog samples tested.</p>	
<b>Recommendation(s)</b>	
Your Committee is requested to note the content of this report.	

## Main Report

### Background

1. The purpose of this report is to inform members of the most recent sampling results at Heathrow Animal Reception Centre (HARC). Environmental screening of the facilities at HARC was first carried out in March 2013 for the purpose of informing managers of biological risks and assessing the effectiveness of the current biosecurity measures. A number of areas were identified as requiring attention to hygiene and screening was repeated in September 2013 to assess the effectiveness of measures taken.
2. Non-statutory sampling for zoonotic pathogens (those capable of transmission between animals and humans) is beneficial for the assessment of potential risks in imported animals. Previous sampling for Salmonella has identified a high rate of prevalence in imported reptiles. Whilst salmonella infections are commonly contracted from other sources, monitoring the strains of salmonellas occurring in domestic pets, birds and reptiles enables better assessment of risk to HARC staff, students, traders and pet owners. Identification of the bacteria to serotype will enable analysis of the likelihood of transmission and of the potential severity of disease.

3. Campylobacter is also a zoonotic pathogen that is present in mammals, birds and reptiles. HARC has not previously sampled for this before, but is currently undertaking screening in conjunction with the Animal Health and Veterinary Laboratories Agency (AHVLA). Again, identifying the strains of bacteria isolated from various animal groups will lead to a more informed assessment of risk. Should uncommon serotypes, or those that present a significant risk be found, this information can be disseminated to the pet trade and veterinary industry, with positive impact for the City of London.

### **Current Position**

4. Results from the repeated environmental screening undertaken September 2013 showed no significant improvement in hygiene for the refrigerator storing animal feed, cleaning equipment, or the internal surface of a mammal enclosure. It should be noted that a certain level of pathogen count is to be expected in a non-sterile environment, but improvement in these areas was deemed possible. The staff room refrigerator also showed no significant improvement and further measures to improve this are in place,
5. Previous screening showed that the footbath leading out of quarantine was not sufficiently effective at disinfecting boots. The dilution rate was found to be too weak and was corrected; the repeat screening showed a significant improvement. Improved disinfection routines of reptile accommodation also proved effective.
6. Salmonella testing and serotyping recommenced October 2013 and three bird shipments and three reptile shipments have returned positive results, from a total of eleven results returned to date; approximately 55% positive. These eleven tests were of pooled samples collected from shipments containing a total of 2736 individual animals. The serotypes found included unusual ones not normally seen in the UK. Analysis of the impact of these serotypes is to follow.
7. Campylobacter testing and serotyping was also initiated in October 13 and two imported dogs have returned a positive result, from a total of three dogs, two reptiles and one bird shipment returned to date, which represents a total of 312 individual animals.

### **Implications**

8. The cost of environmental screening of the HARC facility is approximately £400 per exercise plus variable costs associated with changing equipment or protocol in response to unfavourable results.
9. Each sample sent for Salmonella and Campylobacter isolation incurs a cost of £49.60, and a further cost of £114.80 for the serotyping of positive returns.

### **Conclusion**

10. Environmental screening not only serves to inform risk assessment but could also provide information for diagnostic purposes when considering the health of resident animals. Many animals held at HARC will arrive in a stressed or otherwise poor state due to transport and so may be immune compromised. An environmental screening

programme will provide confidence that due vigilance is paid to hygiene, thus reasonably reducing the risk of infection.

11. Salmonella and Campylobacter pathogens present a risk to human health and monitoring the serotypes present in imported species will enable a more informed risk assessment. Interpretation of all results will follow completion of the study.

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<b>Committee(s):</b>	<b>Date(s):</b>
Port Health & Environmental Services	15 July 2014
Health and Wellbeing Board	18 July 2014
<b>Subject:</b> Air quality update	<b>Public</b>
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Decision</b>
<p><b>Summary</b></p> <p>This report outlines future key policy areas for the City Corporation in relation to air quality. The suggested policy areas relate to taxis, the proposed Ultra Low Emission Zone, traffic management, local energy generation and public health. These will be developed further, together with additional measures, and the City's Air Quality Strategy will be revised accordingly.</p> <p>Reference is also made to the Annual report that has been submitted to the Department of Environment, Food and Rural Affairs and an update is also provided on the current projects being undertaken in the City.</p> <p>Two events in relation to air quality are being planned, the first of which is a reception at Mansion House on 29 July hosted the Lord Mayor, with the Mayor of London also attending.</p> <p>A range of other developments have led to a Parliamentary Environmental Audit Committee Inquiry, and the response on behalf of the City Corporation is attached at Appendix 1.</p> <p><b>Recommendation</b></p> <p>Members are asked to endorse the actions being taken to address poor air quality in the City and the five key areas (paragraph 3) that have been identified for inclusion in the revised Air Quality Strategy.</p>	

## Main Report

### **Background**

1. At the December 2013 meeting of the Supporting London Senior Officers' group, a presentation was given on the problems associated with poor air quality in London, and what the City is doing to tackle the issue. It was agreed that the City Corporation has a role to play on a London-wide basis, and that a further paper should be submitted within six months to outline key policy areas, and to identify events that the City could lead on to improve air quality in London. This report updates your Committee on these issues.

2. There have been a number of other recent developments. The European Commission published [‘Clean Air Policy Package’](#) proposals in December 2013, which includes possible new air quality targets. In February 2014 the Commission also announced its decision to start [financial penalty action against the UK](#). In April there was a well-publicised smog over London and [Public Health England published data on increased mortality from air pollution](#) — these have led to a new Parliamentary Select Committee Inquiry – see paragraph 25 below.

### **Current Position**

3. [The City Air Quality Strategy 2011 – 2105](#) is under review and five key areas have been identified that will be included in the new document. These will all be developed further, together with a range of additional measures, and be included in the revised strategy, the first draft of which will be prepared and submitted to your Committee by November 2014.
  - I. **Taxis** are the general responsibility of TfL, but we propose to consider what additional action can be taken to reduce emissions from taxis, and how we can support and encourage the take up of low and zero emission taxis in London.
  - II. The proposed **Ultra Low Emission Zone (ULEZ)** for central London: we propose to liaise with the Mayor of London to ensure the proposals for the ULEZ will be sufficient to meet the air quality limits in the city and consider what action the City can take to support the implementation of an effective ULEZ. It is possible that adjoining local authorities will seek to extend the boundaries of the ULEZ and the implications of any such proposal on the City would need to be assessed.
  - III.
  - IV. **Traffic management**: we propose to consider what additional action can be taken to reduce and restrict the amount and type of vehicles in the Square Mile and what additional action can be taken to further increase the number of trips taken by cycle or by walking.
  - V. **Local energy generation**: we propose to develop a policy on the use of standby generators to produce non-emergency electricity and develop a position on the use of combined heat and power and alternative fuels such as biofuel and biomass.
  - VI. **Public health**: we propose to incorporate air quality improvements and reducing public exposure into key plans and policies, and ensure that the joint Health and Wellbeing Profile, and the City Supplement, adequately reflect the recent evidence about the severity of poor air quality as a public health issue.

## Annual Report

4. Each year, the City Corporation must submit a report to the Department of the Environment Food and Rural Affairs detailing current levels of pollution and progress in taking action to reduce levels of pollution, as detailed in the City of London Air Quality Strategy. The full report is available on the City Corporation web site at:  
<http://www.cityoflondon.gov.uk/business/environmental-health/environmental-protection/air-quality/Pages/air-quality-reports.aspx>.
5. The report details pollution levels during 2013, and compares this to previous years. Nitrogen dioxide levels continue to be high in the City, with the annual mean objective during 2013 being exceeded at all automatic monitoring sites. Particularly high levels were seen at Walbrook Wharf and Beech Street roadside sites, with exceedences of the hourly mean objective. Both the annual mean and 24-hour mean objectives for PM<sub>10</sub> were breached at Upper Thames Street. This location has not met the 24-hour mean objective since monitoring started in 2008 and has been close to the annual objective during this time. Beech Street saw a decrease in the number of days the 24-hr average PM<sub>10</sub> objective was exceeded.

## Update on current projects

6. The City Corporation continues to make good progress with actions contained within the air quality strategy, in addition to a number of other actions which have been added since the strategy was published in 2011.
7. Following the success of a trial of additional street washing in Beech Street to reduce the concentration of PM<sub>10</sub> levels, a programme of additional washing was implemented during 2013. The result was to reduce the number of days that PM<sub>10</sub> levels did not meet the 24 hour objective and as a consequence, air quality in Beech Street complied with both the annual average and 24 hour average limit value for 2013. The 24 hour objective had not been met at this location in 2012 or 2011. The reduction in number of days that did not meet the limit value was not reflected at other sites, so it is likely to be as a direct result of the additional washing.
8. The City Corporation is collaborating with Sir John Cass primary school to improve both local air quality and work with the school children to raise awareness. Over 150 air quality plants have been installed, as well as green ivy screens. Detailed monitoring is underway around the school and an entire school engagement programme has commenced. This is part of the Greater London Authority Schools Clean Air Zones Programme.
9. The City Corporation is leading on an air quality engagement project with Bart's Health NHS Trust to improve local air quality, reduce emissions associated with Bart's activity and raise awareness amongst vulnerable people.
10. The City Corporation continues to engage with the business community to get their help for improving air quality and raising public awareness through the CityAir programme. 18 City businesses attended a lunchtime event to receive

certificates outlining their commitment to taking action. The event was hosted by Nomura International plc and your Chairman presented the certificates.

11. The City Corporation is installing new and improved taxi ranks in consultation with the taxi trade to help to reduce the amount of plying for hire by taxis in the Square Mile. The ranks will be publicised locally and taxi drivers encouraged to use them.
12. The City Corporation will be assessing the impact on air quality of local 'timed closure zones' and will roll out if successful.
13. The City Corporation continues to take action to deal with idling vehicle engines. Areas that have a problem with delivery vehicles leaving engines on have been targeted by delivering letters by hand to all businesses in the area asking them to ensure drivers of delivery vehicles turn their engines off. Other drivers are approached as officers see them as they walk around the City. Signs asking drivers to turn engines off have been erected in various areas of concern in the City. Civil Enforcement Officers speak to drivers with their engines running and ask them to turn the engine off.
14. The City Corporation runs a national annual Sustainable City air quality award to recognise organisations that have taken action to improve air quality. The City Corporation also runs an annual Considerate Contractors Environment award to encourage innovation in the construction and demolition industry. In addition to the two awards above, 2013 saw the first Clean City award for air quality awarded to City businesses that are taking action to reduce emissions of air pollutants. This will be an annual award.
15. The City Corporation is working closely with Sir Robert McAlpine's to establish what more can be done within the construction and demolition industry to reduce emissions associated with development, in particular controls over emissions from non-road mobile machinery.
16. An analysis has been undertaken of how the Health and Wellbeing Board can assist in improving air quality and reducing public exposure. A report was presented to the Board in January 2014 and recommendations are being implemented. These include running workshops for staff, which have been completed, carrying out a rapid health impact assessment of the Local Implementation Plan and incorporating public health into the revised Air Quality Strategy.
17. The City Corporation has its own Smart Phone App 'CityAir', which provides advice to users when pollution levels are high. It also recommends action to reduce personal exposure and has a function to guide users along low pollution routes.
18. The City Corporation has been working with a network of residents to monitor local air quality around the Barbican. Over 70 residents are involved in the scheme and they are monitoring nitrogen dioxide, PM2.5 personal exposure and ozone. A similar scheme has commenced with the residents in Mansell Street.

## Events

### Joint air quality event at Mansion House with the GLA, 29 July

19. The Lord Mayor and the Mayor of London will host an early evening air quality event at Mansion House on 29<sup>th</sup> July. The purpose is to:
  - I. Launch the Greater London Authority Cleaner Air Boroughs programme and highlight some of the action being taken across London to improve air quality.
  - II. Raise awareness about air pollution
  - III. Highlight City activity in dealing with air pollution and improving public health, and complementary London wide measures.
20. Senior Members and all those from the Port Health & Environmental Services Committee, and Health & Wellbeing Board will be invited. External guests are likely to include Ministers, London politicians, and European stakeholders.

### Autumn air quality conference

21. The City Corporation intends to hold an air quality conference in mid-October for London borough portfolio holders with responsibility for air quality. The event has 'in-principle' backing from London Councils and through them, the Mayor. It will be organised and funded by the City Corporation, but co-branded with London Councils.
22. The conference would be held at Guildhall as a breakfast/early morning meeting. It is anticipated that in addition to speeches by key politicians there would be presentations on the public health significance of air pollution, the impact of transport, and policy issues.
23. The outcome of the conference will be written up in early November by a pan-London officer group, outlining a map of options on air quality re: health impacts, financial and legal impacts, and transport technology.
24. A further report will be made to seek funding from the Policy Initiatives Fund for this event.

## House of Commons Environmental Audit Committee Inquiry

25. This Inquiry was announced in May with a call for written evidence to be submitted by 5 June. It will provide an opportunity to identify the latest evidence on the health impacts of air pollution. The Committee has written to the Mayor of London requesting him to appear and give evidence to the inquiry.
26. The Committee will re-examine Action on air quality, to identify the state of progress on the recommendations from its [2011 report on Air Quality](#). That report focussed on a need for action in six areas:
  - I. the priority and targets on air quality in Defra's planning,
  - II. strategy and inter-departmental co-ordination, including on transport and planning matters,

- III. support for local authorities in tackling air pollution, and how any European Commission fines might fall on them,
  - IV. the implications of local authorities' enhanced responsibilities for public health,
  - V. Low Emissions Zones and vehicle emissions limits, and
  - VI. Public awareness campaigns
27. It will also examine the role that might be played by new environmental technologies, and the scope for wider transport policies — for example on public transport and cycling and walking — to contribute to cutting air pollution.
28. A submission has been compiled by the Environmental Policy Officer and the Remembrancer that takes into account comments from relevant departments and Members, and can be found as Appendix 1. The City Corporation has also contributed to the submission made by London Councils.

### **Proposal**

29. The above information is provided to update your Committee on current issues relating to air pollution, but Members are requested to endorse the action being taken to address poor air quality in the City and the five key areas (paragraph 3) that have been identified for inclusion in the revised Air Quality Strategy.

### **Corporate & Strategic Implications**

30. The work on air quality sits within key policy priority 3 of the Corporate Plan: 'Engaging with London and national government on key issues of concern to our communities....' Working with the Mayor of London on air quality is specifically mentioned as an example.

### **Conclusion**

31. There is a wide range of activity being undertaken by the City Corporation to address air pollution, and key policy areas have been identified for inclusion in a revised City Air Quality Strategy.

### **Appendices**

- Appendix 1 – House of Commons Environmental Audit Committee: Inquiry into Air Quality

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**HOUSE OF COMMONS ENVIRONMENTAL AUDIT COMMITTEE:**  
**INQUIRY INTO AIR QUALITY**

**Memorandum from the City of London Corporation**

*Submitted by the Office of the City Remembrancer*

1. The City of London Corporation has a strong history of taking action to improve air quality in London. The City Corporation was the first local government authority to introduce a smokeless zone, and later the first authority to obtain powers to stop the burning of sulphurous fuel, achieved through private parliamentary acts passed in 1954 and 1971, respectively. Nevertheless, owing to its central London location and the density of development, poor air quality continues to be an issue for the City. Like other central London boroughs which surround it, the City of London suffers from higher than average levels of air pollution. As a result, the City does not meet health based targets for nitrogen dioxide and fine particles (PM<sub>10</sub>). Although over 90% of those working in the City travel to and from work by public transport, road traffic is the main source of pollution, supplemented by commercial and domestic heating. Construction and demolition activities are also a significant source.
  
2. With its central London location, the City is heavily affected by pollution generated in neighbouring authorities, and across London as a whole. As with other areas in the southeast of England, the City is affected by pollutants (notably fine particulates) thought to originate from continental Europe. The contribution of sources within the boundary of the Square Mile to the NO<sub>x</sub> concentrations measured at background sites is around 30%. At the busiest, most polluted roadside sites it can reach 85%. For PM<sub>10</sub>, emissions from outside the Square Mile are more dominant. Emissions that originate within the City boundary contribute to just 8% of concentrations of PM<sub>10</sub> at background sites, and up to 37% of the concentrations measured at the busiest roadside sites.<sup>1</sup>

***Joined Up Policy***

3. In 2011 the City Corporation adopted an Air Quality strategy, which sets the strategic direction for air quality policy in the City up to 2015. The Corporation aims to ensure that all corporate policies and action plans reflect the importance that the City Corporation has placed on improving air quality in the Square Mile. Workshops have recently been held for the staff responsible for corporate policy across all areas to ensure that the aims and objectives set out in corporate policy contribute to improved air quality, and to prevent conflicts arising.
  
4. The City Corporation uses its position as a planning authority to improve air quality. The City's planning policies include requirements for:
  - Low NO<sub>x</sub> boilers;
  - Low NO<sub>x</sub> combined heat and power technology;
  - Limited car parking spaces;
  - Energy efficient buildings;

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<sup>1</sup> These figures are based on the Greater London Authority's London Atmospheric Emissions Inventory 2008.

- Chimneys that terminate above roof height to aid dispersion of pollutants; and
- Tight control over emissions during demolition and construction.

The use of biomass and biofuels is also deterred, and the Corporation actively works with the construction and demolition industry to minimise emissions associated with development. In addition, air quality is an important consideration in the design of the urban realm, with the aim of reducing local emissions and the public's exposure.

5. Improving air quality is a key component of the City's Local Implementation Plan, which outlines how the Mayor of London's Transport Strategy will be implemented in the City. The plan includes commitments to reduce levels of air pollution caused by transport in the City, and to reduce the adverse health effects of transport in the City on health, particularly those related to poor air quality.
6. In addition to ensuring its own action on air quality is coherent and joined up, the City Corporation aims to work in partnership with other organisations to help shape national and regional air quality policy. For example, the City Corporation provides the chair for the London Air Quality Steering Group, and is an active member of the central London air quality cluster group. The Corporation also works closely with King's College London and University College London on research and air quality improvement projects. In addition, in July the Lord Mayor of the City of London Fiona Woolf will jointly host an event on air quality with the Mayor of London. The event will showcase the work being done on air quality across London, and provide a forum for stakeholders and policy makers to develop the pan-London and national responses on air quality.

#### *Support for local authorities*

7. As much of the air pollution in the City originates from outside of the Square Mile, the City Corporation alone cannot reduce air pollution in the Square Mile to within limit values by the target year of 2020. This requires a more strategic approach, with action at regional and national levels. For example, the City would benefit from pan-London policies such as a requirement to install low NO<sub>x</sub> boilers in urban areas, and national policies to discourage the uptake of diesel vehicles in urban areas.
8. The City Corporation's own response on air quality is also hampered by very limited regulatory powers. Those that are available are not fit for purpose. For example, while the City Corporation is committed to issuing Fixed Penalty Notices for unnecessary idling of vehicle engines, the regulations have so far proved ineffective in dealing with the problem. The response to air pollution would be greatly improved with enhanced powers in this area through an updated Clean Air Act to provide for the effective control of emissions from fuels and technology in use today.

#### *European Commission fines*

9. The UK Government is responsible for ensuring compliance with EU air quality obligations. Local authorities have a statutory obligation under the Environment Act 1995 to 'work towards' air quality objectives. Where local authorities can clearly demonstrate that they have been active in trying to improve local air quality, and much of the pollution does not originate within their boundary, they should not be



held responsible for failure to meet European Union limits. Nor should they be required to shoulder any subsequent fine.

### *Implications of public health responsibilities*

10. Poor air quality can harm human health and increase the incidence of cardiovascular and lung disease. The City of London Health and Wellbeing Board has prioritised action on air pollution in its Joint Health and Wellbeing Strategy. To complement this, the City Corporation has commissioned analysis of how the Health and Wellbeing Board could improve air quality and reduce public exposure. The resultant report was presented to the Board in January 2014, and recommendations are currently being implemented. These include running workshops for staff, carrying out a Rapid Health Impact Assessment of the Local Implementation Plan, and incorporating public health into a revised Air Quality Strategy, which is due to be published this year.
11. Given the importance of air quality to public health, greater clarity and guidance on local authorities' responsibilities in this area would be beneficial. In the public health indicators compiled by the Department of Health, the air pollution measure is based on exposure to PM<sub>2.5</sub>. However, this does not cohere with local authority obligations under the Environment Act 1995, which places no statutory obligations on local authorities in respect of PM<sub>2.5</sub>. The obligation is for PM<sub>10</sub>. Local authorities are no longer implementing measures to reduce PM<sub>10</sub> as compliance with the limit value has been achieved, yet reducing PM<sub>10</sub> concentrations further would have the benefit of reducing concentrations of PM<sub>2.5</sub>.

### *Low emission zones and vehicle emission limits*

12. To date, low emission zones have been based on vehicle Euro Standards. However, it is widely accepted that Euro Standards for NO<sub>x</sub> produced by diesel vehicles have not worked. It is anticipated that Euro VI, which is being introduced from 2014, will be more effective, but this is not guaranteed. Low emission zones should therefore be implemented to encourage alternative fuels and forms of transport. This should be complemented by other measures to reduce vehicle emissions such as pedestrianisation, timed road closures and other forms of traffic restriction. Consideration should also be given to widening the remit of low emission zones beyond restricting access by certain vehicles.

### *Public Awareness Campaigns*

13. Increasing public awareness and understanding of air pollution is an important part of the City Corporation's Air Quality Strategy. It is also key to helping people reduce their own exposure to air pollution. As a result, the City Corporation has introduced a number of measures to raise public awareness of air quality, including:
  - Running two large Citizen Science programmes in which residents are measuring air pollution on a micro scale in their locality to improve their understanding of how pollution varies in an urban environment;
  - Working with Barts Health NHS Trust to provide advice to the groups most vulnerable to the negative health effects associated with poor air quality on how to reduce their exposure;

- Engaging with the City's primary school on air quality and implementing measures around the school to reduce the exposure of the children;
  - Working with King's College London, to develop a free smart phone app, 'CityAir'. The app provides targeted messages on days of high pollution and generates low pollution travel routes allowing users to avoid the most polluted areas; and
  - Running a business engagement programme intended to raise the profile of air pollution with City workers, and enlist the help of businesses to improve local air quality. The engagement programme has revealed that businesses see air pollution as an important issue for the health and wellbeing of their staff, as well as for their own Corporate Responsibility agendas. The City Corporation held an event in March 2014 to mark the efforts of air quality champions, which included major banks, law firms, property companies, food outlets and hotels.
14. Notwithstanding these actions and the recent publicity surrounding the Saharan dust episodes in April 2014, the public appear largely unaware of the impact of London's air quality on health. A national campaign to raise awareness of air quality as an issue and how to reduce exposure would assist local campaigns that have already begun.

***Public transport, cycling and walking***

15. Encouraging people to walk or cycle is unlikely to have a significant impact on air quality in the City. Over 90% of City workers already commute to work using public transport, and only a very small proportion of emissions of pollutants in the City are from private cars. As a result, any additional take-up in cycling or walking is likely to be by those who use public transport, rather than a car. Changes to infrastructure to reduce the number of vehicles on the road would be more effective.
16. Local air quality could be improved if more individuals walked or cycled for short journeys instead of using taxis. The City Corporation is promoting these alternatives through its business engagement programme. The Corporation is also attempting to reduce the number of empty taxis driving around looking for a fare by improving rank provision, and ensuring ranks are used by taxi drivers and the public.

**June 2014**

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