



Port Health & Environmental Services Committee

Date: TUESDAY, 16 SEPTEMBER 2014
Time: 11.00 am
Venue: COMMITTEE ROOM 2, 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 (Chief Commoner)	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

Enquiries: David Arnold
tel. no.: 020 7332 1174
david.arnold@cityoflondon.gov.uk

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 Tuesday 15 July 2014.

For Decision
(Pages 1 - 6)
4. **OUTSTANDING ACTIONS**
To note the list of outstanding actions.

For Information
(Pages 7 - 10)
5. **REPORT OF URGENT ACTION UNDERTAKEN SINCE LAST COMMITTEE**
Report of the Town Clerk.

For Information
(Pages 11 - 12)
6. **CITY OF LONDON CEMETERY AND CREMATORIUM BUSINESS PLAN PROGRESS REPORT**
Report of the Director of Open Spaces.

For Information
(Pages 13 - 20)
7. **DEPARTMENT OF THE BUILT ENVIRONMENT, BUSINESS PLAN PROGRESS REPORT FOR PERIOD 1 2014/17 (APRIL - JULY)**
Report of the Director of the Built Environment.

For Information
(Pages 21 - 30)
8. **CLEAN CITY AWARDS SCHEME REVIEW**
Report of the Director of the Built Environment.

For Decision
(Pages 31 - 42)
9. **CLEANSING SERVICE CAMPAIGNS UPDATE**
Report of the Director of the Built Environment.

For Information
(Pages 43 - 50)
10. **COMINGLED DRY MIXED RECYCLING CONTAMINATION**
Report of the Director of Transportation and Public Realm.

For Information
(Pages 51 - 58)

11. **MARKETS AND CONSUMER PROTECTION BUSINESS PLAN 2014-2017:
PROGRESS REPORT (PERIOD 1)**
Report of the Director of Markets and Consumer Protection.
For Information
(Pages 59 - 80)
12. **PORT HEALTH & PUBLIC PROTECTION SERVICE POLICY STATEMENT ON
ENFORCEMENT**
Report of the Director of Markets and Consumer Protection.
For Decision
(Pages 81 - 102)
13. **THE INCREASE IN ILLEGALLY IMPORTED DOGS AND CATS DEALT WITH BY
THE ANIMAL HEALTH AND WELFARE TEAM**
Report of the Director of Markets and Consumer Protection.
For Decision
(Pages 103 - 108)
14. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
15. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
16. **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.
For Decision

Part 2 - Non-public Agenda

17. **NON-PUBLIC MINUTES**
To agree the non-public minutes of the meeting held on Tuesday 15 July 2014.
For Decision
(Pages 109 - 110)
18. **DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD
ENDING 30 JUNE 2014**
Joint report of the Director of the Built Environment, the Director of Markets and Consumer Protection, and the Director of Open Spaces.
For Information
(Pages 111 - 118)
19. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE
COMMITTEE**
20. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERED URGENT AND
WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE
PUBLIC ARE EXCLUDED**

This page is intentionally left blank

PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 15 July 2014

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

Present

Members:

Wendy Mead (Chairman)	Hugh Morris
Deputy John Tomlinson (Deputy Chairman)	Barbara Newman
Deputy John Bennett	Ann Pembroke
Karina Dostalova	Henrika Priest
Deputy Billy Dove	Deputy Gerald Pulman
Peter Dunphy	Deputy Richard Regan
Deputy Bill Fraser	Delis Regis
Alderman John Garbutt	Jeremy Simons
Wendy Hyde	Deputy James Thomson
Professor John Lumley	Deputy Michael Welbank
Andrew McMurtrie	Philip Woodhouse

Officers:

David Arnold	Town Clerk's Department
Philip Saunders	Remembrancer's Department
Jenny Pitcairn	Chamberlain's Department
Julie Smith	Chamberlain's Department
Paul Chadha	Comptroller and City Solicitor's Department
David Smith	Director of Markets and Consumer Protection
Jon Averbs	Department of Markets and Consumer Protection
Ruth Calderwood	Department of Markets and Consumer Protection
Doug Wilkinson	Department of the Built Environment
Elisabeth Hannah	Department of the Built Environment
Spencer Lee	Department of Open Spaces

1. APOLOGIES

Apologies for absence were received from Deputy John Absalom, Henry Colthurst, Kevin Everett, George Gillon, Deputy Stanley Ginsburg, Vivienne Littlechild, Alderman Dr Andrew Parmley and Mark Wheatley.

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

There were none.

3. **MINUTES**
RESOLVED – That the public minutes of the meeting held on 15 May 2014 be agreed as a correct record.

Matters Arising

Members were advised that a date for the start of the Ludgate Hill pedestrian crossing trial would be circulated once it had been finalised, along with a briefing note outlining the current situation.

4. **WARDMOTE RESOLUTION**

The Committee received a Wardmote resolution from the Ward of Broad Street regarding concerning the level of noise and exhaust pollution local to Lothbury, and the written response from the Department of Markets and Consumer Protection.

In response to a Member's question, the Director of Port Health and Public Protection advised that regulations against idle vehicles were being enforced by signage and Civil Enforcement Officers. The Environmental Health Officer added that the regulations were a deterrent to prevent exhaust pollution from idle vehicles; vehicles had to have been observed by an Officer for at least one minute and drivers had to have refused to shut down the engine before a Fixed Penalty Notice (FPN) could be issued.

RESOLVED – That the resolution from the Ward of Broad Street be noted.

5. **OUTSTANDING ACTIONS**

The Committee received the list of outstanding actions.

Light Pollution

Members were advised by the Assistant Director of Street Scene and Strategy that the City Corporation was not a regulatory body for light pollution but businesses should adhere to industry standards through built-in efficiency systems within their buildings.

The Assistant Director of Street Scene and Strategy advised that the City Corporation would focus on engaging with problem buildings to demonstrate best practice. He added that the Clean City Awards scheme could be used to score businesses energy consumption to reduce light pollution.

Street Trading

The Director of Port Health and Public Protection advised that there were currently 53 convictions against unlicensed ice cream vans and one van had recently become the first to have been seized under the City of London (Various Powers) Act 1987 (as amended by the City of London (Various Powers) Act 2013).

RESOLVED – That the list of outstanding actions be noted.

6. **DEREGULATION BILL**

The Committee received a report of the Remembrancer regarding the provisions in the Deregulation Bill that are most relevant to the Port Health and Environmental Services Committee.

RESOLVED – That the report be noted.

7. **REVENUE OUTTURN 2013/14**

The Committee received a joint report of the Chamberlain, the Director of the Built Environment, the Director of Markets and Consumer Protection and the Director of Open Spaces that compared the revenue outturn for the services overseen by the Port Health and Environmental Services Committee in 2013/14.

In response to a Member's question, the Assistant Director of Street Scene and Strategy advised that the mild winter contributed towards the underspend in Street Cleansing due to, for example, a reduced amount of salt being used over the winter period.

RESOLVED – That the report be noted.

8. **DEPARTMENT OF THE BUILT ENVIRONMENT BUSINESS PLAN 2013/16 :
QUARTER 4 UPDATE AND FINANCIAL OUTTURN REPORT**

The Committee received a report of the Director of the Built Environment which set out the progress against the 2013/16 Business Plan and the Financial Outturn.

Members were advised that the 2013/14 year end outturn position for the Department of the Built Environment services covered by this Committee revealed a net underspend of £171,000. A bid had been made to carry forward much of this sum into 2014/15.

In response to a Member's question, the Assistant Director of Street Scene and Strategy advised the Committee information regarding the nature of the TPR1 Key Performance Indicator (KPI) would be supplied to Members on request. The Assistant Director of Street Scene and Strategy reported that there would be an increase in the number of resident communication and engagement campaigns and events in the second half of the year following detailed analysis of recycling rates and identification of areas where recycling participation was lower.

RESOLVED – That the report be noted.

9. **THAMES ESTUARY PARTNERSHIP**

The Committee considered a report of the Director of Markets and Consumer Protection regarding the appointment of a Director/Trustee to the Thames Estuary Partnership (TEP).

RESOLVED – That Members recommend to the Court of Common Council the appointment of Mr Nigel Challis CC as a Director/Trustee to the TEP.

10. **AN UPDATE ON ENVIRONMENTAL SCREENING AND SALMONELLA IN IMPORTED ANIMALS**

The Committee received a report of the Director of Markets and Consumer Protection regarding environmental screening and salmonella in imported animals. The report provided interim information about the most recent sampling results at the Heathrow Animal Reception Centre.

RESOLVED – That the report be noted.

11. **AIR QUALITY UPDATE**

The Committee considered a report of the Director of Markets and Consumer Protection in relation to air quality.

The Director of Port Health and Public Protection advised the Committee of the five key areas in the City Air Quality Strategy 2011-2015: taxis, Ultra Low Emission Zones (ULEZ), traffic management, local energy generation, and public health. Members were also advised of the joint air quality event with the Greater London Authority (GLA) at Mansion House on 29 July 2014 and the planned autumn air quality conference, which would involve representatives from all London boroughs.

In response to a Member's question regarding the concentration of PM10 on Beech Street, the Environmental Health Officer advised that the additional street washing to reduce levels would continue. Street washing would be considered in other highly pedestrianised and monitored areas.

In response to Members' questions regarding taxis, the Environmental Health Officer advised that new taxis registered with Transport for London (TFL) would be zero emission-capable from 2018 and some private mini-cab firms already had new green-standard vehicles, which supported the strategy of low and zero emission taxis in the City.

In response to a Member's question regarding the traffic management objective to reduce the negative impact of commercial vehicles, the Environmental Health Officer advised that initiatives such as the City Air Business Engagement programme, the Sustainable City Awards and Clean City Awards were in place to encourage best practice and reward compliant businesses.

RESOLVED – That the actions being taken to address poor air quality in the City and the five key areas that have been identified for inclusion in the revised Air Quality Strategy, be approved.

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

There were none.

13. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There was none.

14. **EXCLUSION OF THE PUBLIC**
RESOLVED – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the ground that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act
15. **NON-PUBLIC MINUTES**
RESOLVED – That the non-public minutes of the meeting held on 15 May 2014 be agreed as a correct record.
16. **WRITE-OFF OF BAD DEBT**
The Committee considered a report of the Director of Environmental Health regarding a write-off of bad debt.
17. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were none.
18. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERED URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**
There was none.

The meeting closed at 12.25 pm

Chairman

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

This page is intentionally left blank

Date	Action	Officer responsible	To be completed/ progressed to next stage	Notes/Progress to date
8 January 2013	<p>Public Conveniences 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>Presented to the Committee May 2014</p> <p>November 2014</p> <p>November 2014</p> <p>TBC</p>	<p>May Update 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 30th April where Members will receive the outcomes of the field work and recommendations.</p> <p>July Update 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>2 July 2013</p>	<p>Materials Recovery Facility (MRF) in Kent - 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 23rd June with seven members of the PHES committee attended. The tour of the full facility was well received.</p> <p>September Update A second visit to the Veolia MRF would be arranged to give those Members unable to attend on 23 June 2014 the opportunity to visit the facility.</p>
<p>11 March 2014</p>	<p>Light Pollution –</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</p>

				<p>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. 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>
11 March 2014	Thames Estuary Partnership - Members noted that the appointment process would be clarified at the next meeting.	Director of Markets and Consumer Protection/ Town Clerk	September 2014	<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 was 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 made</p>

				<p>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 was put forward to the Court seeking its approval for the appointment.</p> <p>September Update On 24 July 2014, the Court of Common Council recommended that approval be given to the appointment of Nigel Challis as Corporate Director/Trustee of the Thames Estuary Partnership.</p>
16 July 2014	Ludgate Hill Pedestrian Crossing	Assistant Director of Street Scene and Strategy	September 2014	<p>Members requested a start date for the Pedestrian Crossing trial at Ludgate Hill once it had been finalised, along with a briefing note outlining the current situation.</p> <p>September Update Members received a note from the Department of the Built Environment in August 2014 to advise that TfL considered the City's various feasibility studies to determine the effect of replacing the existing zebra crossing with signal equipment was outdated. In order to proceed with the trial, new traffic modelling should be undertaken to assess the impacts on the Strategic Road Network.</p>

Committee:	Date:
Port Health and Environmental Services Committee	16 September 2014
Subject:	Public
Report of Urgent Action Taken Between Meetings	
Report of:	For Information
Town Clerk	
<p><u>Summary</u></p> <p>In accordance with Standing Order 41(a), this report provides Members with the details of decisions taken since the Committee's last meeting in July 2014.</p> <p>Recommendation</p> <ul style="list-style-type: none"> • That the contents of the report be noted. 	

Main Report

Background

1. Standing Order No. 41(a) provides a mechanism for decisions to be taken between scheduled meetings of the Port Health and Environmental Services Committee by the Town Clerk, where it is urgently necessary for a decision to be made, in consultation with the Chairman and Deputy Chairman.

Decisions Taken Between Meetings

2. An Urgent decision has been taken in respect of the following matter since the last meeting of the Port Health and Environmental Services Committee in July 2014:

Delegation of Powers to the Director of Markets & Consumer Protection regarding the City of London (Various Powers) Act 1987 (as amended by the City of London (Various Powers) Act 2013) and the Scrap Metal Dealers Act 2013.

3. The purpose of the City of London (Various Powers) Act 2013 is to amend the provision for the control of street trading in the City of London; to make provision relating to City Walkways; and for related purposes.
4. The Purpose of the Scrap Metal Dealers Act 2013 is to amend the law relating to scrap metal dealers; and for connected purposes. It amends the Scrap Metal Dealers Act 1964, for which your Committee has previously delegated powers to the Director of Markets and Consumer Protection.
5. Port Health had an urgent need to ask for confirmation of the new powers to remove the risk of any subsequent legal challenge before officers started exercising them. It was proposed that the following powers be delegated to the Director of Markets & Consumer Protection:

City of London (Various Powers) Act 1987 (as amended by the City of London (Various Powers) Act 2013))

1. To issue temporary street trading licences under the provisions of S.11A of the Act;
2. To authorise officers of the Department of Markets and Public Protection and the Department of the Built Environment to exercise the power of seizure under S.16A of the Act;
3. To authorise disposal order applications under the provisions of S.16G of the Act

Scrap Metal Dealers Act 2013

1. To authorise proceedings under S.1 of the Act;
2. To issue and renew licences under S.3 of the Act;
3. To issue notices and apply for closure orders under the provisions of S.9 and Schedule 2 of the Act;
4. To authorise officers to exercise the powers of entry and inspection contained in S.16 of the Act and to apply for warrants of entry where necessary;

Conclusion

Decision

10. Consequently, in accordance with Standing Order No. 41(a), Approval was given under Urgency for the City to delegate the above powers to the Director of Markets and Consumer Protection, and in his absence the Port Health and Public Protection Director, to ensure officers can enforce the requirements of the City of London Various Powers Act 2013 and Scrap Metal Dealers Act 2013, continuing the implementation of a wide range of enforcement powers in the area of Environmental Health, Licensing and Trading Standards.
11. Members are asked to note the contents of this report.

Background Papers

- Report of the Director of Markets and Consumer Protection: Delegation of Powers to the Director of Markets and Consumer Protection (*July 2014*)

Contact:
David Arnold
Tel: 020 7332 1174
Email: david.arnold@cityoflondon.gov.uk

Committee(s):	Date(s):
Port Health and Environmental Services Committee	16 th September 2014
Subject: City of London Cemetery and Crematorium Business Plan – progress report	Public
Report of: Director of Open Spaces	For Information
<p><u>Summary</u></p> <p>The parts of the Open Spaces Departmental Business Plan for 2014-17 which related to the City of London Cemetery and Crematorium were presented to this Committee on the 13th May 2014. This report presents a review of progress on the plan and a summary of financial performance for the four month period up to the 31st July 2014.</p> <p>Recommendation</p> <p>Members note the progress made in implementing the Business Plan and receive the report.</p>	

Main Report

Background

1. The Open Spaces Department Business Plan 2013-16 was approved by the Open Spaces and City Garden Committee on the 8th April 2014. The Committee agreed targets and a set of performance indicators. The parts of the plan relating to the Cemetery and Crematorium were reported to the Port Health and Environmental Services Committee on the 13th May 2014.

Current Position

2. Good progress has been made in delivering the Business Plan at the Cemetery and Crematorium.

3. Three key performance indicators have been developed. Data is available to measure performance until the end of June 2014 for two measures and the end of July for one measure. This data is presented in Annex A. The Cemetery and Crematorium is performing well against these targets. Market share of burials remained at or above the target of 8% in April and June, dipping just under in May (7.8%). Market share of cremations only dipped below the target of 23% in May, with strong performance in April and June. The percentage of cremations taking place in the new abated cremator has been strong through the first four months of the year.
4. The quality of the landscape of the Cemetery and Crematorium was again confirmed with success in the Green Flag and Green Heritage awards.
5. Progress continues with the medium term lawn grave burial space plan. The current provision of new lawn graves will have been exhausted by 2022 with a consequent impact on the income of the Cemetery. A proposal has been developed for an area of the Cemetery known as 'the Shoot', that had previously been used for the storage and disposal of green waste and spoil from grave-digging, to provide a further ten to fifteen years of lawn burial space, with approximately 3,000 graves. This will ensure the availability of this popular choice until existing lawn graves, that have not received a burial in over 75 years, become available for reuse. The Cemetery Reserve Fund is to be used to fund the necessary landscaping and infrastructure works.
6. A planning application was submitted to LB Newham for the Shoot Project Works and a decision is expected in early September. Officers are developing details of a procurement strategy and if the planning application is successful this will be followed by a tendering exercise before approval at Gateway 5, Authority to start work. Works are expected to start on site in early 2015 and in keeping with good industry practice; the site will be allowed to settle for five years before it is used for burials.

Financial implications

7. Appendix B shows a comparison of revenue budget with actual income and expenditure for the Cemetery and Crematorium for the first four months of 2014/15. Commitments as well as actual spend have been considered, where appropriate, and at the end of this period the local risk budget for the site is £33,000 overspent. The Cemetery is expected to meet its local risk budget at the end of the year.

Corporate and Strategic Implications

8. The Business Plan details how the Open Spaces Department supports the City Together Strategy and the City's Corporate Plan through its activities and key projects.

Conclusions

9. This report outlines the good progress that has been achieved in the first four months of the financial year in meeting the objectives and delivering the key projects in the new Open Space Business Plan which relate to the Cemetery and Crematorium. Progress will continue to be monitored in monthly management meetings. Monthly financial reports are produced and regular budget review meetings are held by the Director of Open Spaces with the Superintendent of the Cemetery and Crematorium.

Contact:

Jennifer Allott
Departmental Business Manager
020 7332 3517
jennifer.allott@cityoflondon.gov.uk

Appendices

Appendix A Performance Data
Appendix B Financial Information

This page is intentionally left blank

Cemetery and Crematorium KPI Figures

2012/13	April	May	June	July	Average 1st 4 months	August	Sept	Oct	Nov	Average after 8 months	Dec	Jan	Feb	Mar	Average for the full year
Achieve 8% Market Share of Burials	6.2	8.3	8.5	6.5	7.4	7.2	7.2	6.7	9.1	7.5	5.7	8.3	7.9	7.7	7.42
Achieve 23% Market Share of Cremations	23.3	23.3	24.8	20.5	23	21.6	23.8	21.7	23.2	22.8	20.6	22.2	22.1	26	22.7
Carry out 60% of cremations using the new cremator	58	66	39.7	75.3	59.7	71.5	73.1	63.6	71.5	64.8	63	59.9	59.9	50	60.9

Page 17

2013/14	April	May	June	July	Average 1st 4 months	August	Sept	Oct	Nov	Average after 8 months	Dec	Jan	Feb	Mar	Average for the full year
Achieve 8% Market Share of Burials	7.4	8.0	8.7	7.2	7.8	9.1	9.3	7.5	9.4	8.6	8.2	5.9	6.5	7.5	7.4
Achieve 23% Market Share of Cremations	20.7	27.2	22.4	20.2	22.6	27.8	23.3	22.7	24	24.08	19	24.1	22.4	20.4	22.5
Carry out 60% of cremations using the new cremator	66.9	55.7	61.1	70.7	63.6	62.1	67.1	57.9	61.8	62.5	25.6	53.9	72.4	67.3	56.3

1. Please note that cremation figures suffered slightly in the autumn when the crematorium was out of action for four weekends due to the instalation of PV's and the reline of No1 cremator.
2. Cremation % for the year is shown as 56.1% as this is the mean of the monthly stats. If you take the stats for the whole year as a percentage the figure is 60.3%.

2014/15		April	May	June	July	Average 1st 4 months	August	Sept	Oct	Nov	Average after 8 months	Dec	Jan	Feb	Mar	Average for the full year
Achieve 8% Market Share of Burials		0.1	0.1	0.1	7.7	8.1										
Achieve 23% Market Share of Cremations		0.2	0.2	0.2	23.4	23.7										
Carry out 60% of cremations using the new cremator		69.4	69.9	62.8	68.4	67.6										

Period 4	Latest Approved Budget for full year 2014/15 Net £'000	4 months to 31 July 2014			Forecast for the Year 2014/15		
		Budget Net £'000	Actual plus commitments Net £'000	Variance Net £'000	Latest Approved Budget for Year Net £'000	Forecast Outturn for Year Net £'000	Forecast Over(Under) spend for Year Net £'000
CITY FUND							
City of London Cemetery & Crematorium	(1,426)	(475)	(442)	33	(1,426)	(1,426)	0
Local Risk	(1,426)	(475)	(442)	33	(1,426)	(1,426)	0
Central Risk	0	0	0	0	0	0	0
Total Local and Central Risk	(1,426)	(475)	(442)	33	(1,426)	(1,426)	0

This page is intentionally left blank

Committee(s):	Date(s):
Port Health & Environmental Services	16th September 2014
Subject: Department of the Built Environment, Business Plan Progress Report for P1 2014/17 (April – July)	Public
Report of: Philip Everett, Director of the Built Environment	For Information
<p>This report sets out the progress, relevant to the work of this Committee, made during P1 (April – July) against the 2014/17 Business Plan. It shows what has been achieved, and the progress made against our departmental objectives and key performance indicators.</p> <p>At the end of July 2014 the Department of Built Environment was £133k (5.8%) underspent against the local risk budget to date of £2.3m, over all the services, covering the Port Health & Environmental Services Committee. Appendix B sets out the detailed position for the individual services covered.</p> <p>Overall I forecast a year end underspend position of £20k (0.3%) for City Fund services.</p> <p>Recommendation(s)</p> <p>Members are asked to:</p> <ul style="list-style-type: none"> • note the content of this report and the appendices • receive the report 	

Main Report

Background

1. The 2014-17 Business Plan of the Department of the Built Environment was approved by this committee on 13th May 2014. As agreed, regular progress reports have been provided.

Key Performance Indicators and Departmental Objectives

2. During the period of this Business Plan, my management team are monitoring five Key Departmental Performance Indicators (KPIs) (Appendix Ai) relevant to the work of this committee; and five corporate Service Response Standards (SRS) (Appendix Aii). Performance against the departmental key

performance indicators is good with those not meeting their targets being actively managed.

3. Performance against the Corporate Service Response Standards has improved since the same period last year. My DMT continue to manage performance across the department.
4. We are not on target for KPI NI192 this is due to an increase in the contamination levels of recyclables resulting in these materials having to be sent to the Energy From Waste plant for disposal rather than being recycled. This is necessitating a comprehensive review of materials at source the outcome of which will be reported to a future Committee.
5. Members are advised that we are coming to the end of our contract with our current recycling processor, MRF (Materials Reprocessing Facility). As part of the review and procurement of a new processing service we will be going to the market to ensure VFM and a high quality service. Any new supplier will have to be Environment Agency approved under the soon to be introduced (October 1st 2014) EA permitting scheme. The new standard will be more stringent and current levels of contamination in the recycling waste streams will need to be significantly reduced to avoid rejection and diversion to incineration. Further information will be reported to subsequent Committees.
6. We have been working closely with Network Rail, British Transport Police and individual Station Managers to raise awareness of the problem of smoking related litter around station fronts. This has involved joint on street education sessions followed by targeted enforcement in the same areas. This is in preparation for a renewed push of our "No ifs, no butts" campaign in September.

Public Conveniences

7. Charges were introduced at both Royal Exchange and Eastcheap public toilets in March 2014 following the installation of barriers and significant refurbishment works. Minor snagging works continued into April but these were undertaken outside of opening hours. Part of the refurbishment works included the installation of LED lighting. Not only has this significantly improved light levels, creating a far more pleasant environment at each location, but savings will be made in electricity consumption.
8. The introduction of charges has allowed us to undertake an experiment to extend opening hours at both Royal Exchange, Eastcheap and Paternoster Square since April. A decision on whether to continue with the extended hours will be taken at the end of September but so far income from additional footfall has been insufficient to cover the additional staffing costs.
9. After reviewing the findings of the TNS survey of the public perceptions of the City's toilets, signage at all the attended toilets has been improved and we are now working with the disabled access team to completely review and standardise signage at all locations. Street signage is also being reviewed but this is a long term project. In addition to this we are working with a mobile phone app developer on a City toilet app which uses GPS to show the user

the toilets, attended, community, automatic and urilifts, nearest to their location in both a map and street view.

10. The number of Community Toilets remains constant at 75 with an extremely low turnover of membership

Financial and Risk Implications

11. The end of July 2014 monitoring position for Department of Built Environment services covered by Port Health & Environmental Services Committee is provided at Appendix B. This reveals a net underspend to date of £133k (5.8%) against the overall local risk budget to date of £2.3m for 2014/15.
12. Overall I currently forecast a year end underspend position of £20k (0.3%) for City Fund services. The table below details the summary position by Fund.

Local Risk Summary by Fund	Latest Approved Budget £'000	Forecast Outturn £'000	Variance from Budget +Deficit/(Surplus)	
			£'000	%
City Fund	6,915	6,895	(20)	0.3%
Total Built Environment Services Local Risk	6,915	6,895	(20)	0.3%

13. The reasons for the budget variations are detailed in Appendix B, which sets out a more detailed financial analysis of each individual division of service relating to this Committee.
14. The better than budget position at the end of July 2014 is principally due to the seasonally reduced spend on street cleansing works, there will be increased spend during the winter period and it is expected the budget will be fully utilised by year end.
15. I anticipate this current better than budget position will continue to provide a small projected year end underspend, subject to income activity achieving projected levels.

Risk Management

16. All Business risks have been reviewed in accordance with corporate policy. A summary of those relevant to the work of this Committee can be found in Appendix C.

Achievements

17. All Street Enforcement Officers recently completed a nationally recognised five day course bringing them fully up to date with relevant environmental legislation and practical sessions on enforcement.

Appendices

- Appendix Ai – Q1 KPI results
- Appendix Aii – Q1 SRS results
- Appendix B – Finance Report
- Appendix C – Business Risk

Background Papers:

DBE Business Plan 2014 - 2017

Elisabeth Hannah

Chief Admin Officer

T: 0207 332 1725

E: elisbeth.hannah@cityoflondon.gov.uk

Simon Owen







Group Accountant

T: 020 7332 1358

E: simon.owen@cityoflondon.gov.uk

Departmental Key Performance Indicators

		Target 14/15	P1 April – July 14/15	
	Transportation & Public Realm			
NI 191	To reduce the residual annual household waste per household.	373.4kg	125.03kg	😊
NI 192	Percentage of household waste recycled.	43%	37.31%	😞
NI 195	Percentage of relevant land and highways from which unacceptable levels of litter, detritus, graffiti and fly-posting are visible.	2%	0.58%	😊
TPR4	No more than 10 unresolved 'time banding' queries.	10	0	😊
DM7	To manage responses to requests under the Freedom of Information act within 20 working days. (Statutory target of 85%)	85%	99%	😊
Comments	<p>NI192: This year we have experienced an increase in the contamination levels of recyclables resulting in these materials having to be sent to the Energy From Waste plant for disposal rather than being recycled. This is necessitating a comprehensive review of materials at source the outcome of which will be reported to a future Committee.</p> <p>DM7: 18 FOI requests specific to the work of this Committee were received (22% of the departmental requests)</p>			

	Service Response Standards		April – June 14/15	
SRS A	All external visitors to be pre-notification via the visitor management system.	100%	71%	
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%	
SRS C	Emails to all published (external-facing) email addresses to be responded to within 1 day.	100%	100%	
SRS D	A full response to requests for specific information or services requested via email within 10 days.	100%	100%	
SRS E	Telephone calls to be picked up and answered within 5 rings/20 seconds	90%	93%	
SRS F	Voicemail element only target 10%	10%	10%	
Comments	<p>SRSA: while this is still below the corporate target, it is a significant improvement on Q1 13/14 which was 66%. The department has the highest number of visitors and received over 2,000 visitors during the first quarter. This KPI is being reviewed centrally as the target of 100% is unattainable across the organisation.</p> <p>SRSB: this is broadly in line with the achievements of previous quarters</p>			

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

Appendix B

	Latest Approved Budget 2014/15 £'000	Budget to Date (Apr-Jul)			Actual to Date (Apr-Jul)			Variance Apr-Jul £'000	Forecast for the Year 2014/15			Notes
		Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000		LAB £'000	Forecast Outturn £'000	Over / (Under) £'000	
Port Health & Environmental Services (City Fund)												
Public Conveniences	780	418	(158)	260	448	(136)	312	52	780	900	120	1
Waste Collection	161	336	(282)	54	299	(282)	17	(37)	161	124	(37)	2
Street Cleansing	3,963	1,445	(124)	1,321	1,383	(148)	1,235	(86)	3,963	3,912	(51)	3
Waste Disposal	750	458	(208)	250	423	(219)	204	(46)	750	716	(34)	4
Transport Organisation	133	98	(54)	44	97	(57)	40	(4)	133	128	(5)	
Cleansing Management	369	123	0	123	133	0	133	10	369	382	13	
Built Environment Directorate	759	257	(4)	253	235	(4)	231	(22)	759	733	(26)	
TOTAL PORT HEALTH & ENV SRV COMMITTEE	6,915	3,135	(830)	2,305	3,018	(846)	2,172	(133)	6,915	6,895	(20)	

Notes:

- 1. Public Conveniences** - unfavourable variance is mainly due to additional agency staff costs for extended opening hours worked and a reduction in previously forecast income from new barrier facilities.
- 2. Waste Collection** - favourable variance is mainly due to salary underspends due to vacancies and staff not in the pension fund.
- 3. Street Cleansing** - favourable variance to date is mainly due to contract underspends for additional payments, as this work mostly arises during the winter period and is expected to be utilised by year end. The projected year end underspend is mostly due to pension adjustments on the main contract in relation to savings on TUPE'D employee costs.
- 4. Waste Disposal** - favourable variance is mainly due additional income from contract royalty payments, and savings on the co-mingled waste contract and ideal waste contract.

This page is intentionally left blank

Business Risk Management Update (August 2014)

The review of all existing risks identified one with changes. The following table gives a summary:

Risk Title	Change Summary
A major incident, such as flooding or fire, makes Walbrook Wharf unusable as a depot	Joint (City of London and Amey) proposal regarding Business Continuity arrangements is in draft, awaiting ratification at the Contract Board.

The Summary of the Business Risks, relevant to the work of this Committee, faced by the Department of the Built Environment (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

This page is intentionally left blank

Committee(s):	Date(s):
Port Health and Environmental Services	16 September 2014
Subject:	Public
Clean City Awards Scheme Review	
Report of:	For Decision
Director of Built Environment	

Summary

The Clean City Awards Scheme (CCAS) encourages businesses to adopt sustainable waste management practices within the workplace. Now in its 20th year, the scheme successfully engages with approximately 500 members and currently provides those members with a range of activities to help promote sustainable waste management, including an annual awards ceremony at the Mansion House, free of charge.

Budgetary pressures mean that as part of the Service Base Reviews (SBR) the CCAS has been identified as delivering a potential savings of £25k to reduce the burden on the local risk budget. Consultation with CCAS members indicates that they may be willing to pay a membership fee on a sliding scale, relative to the size of the company where by larger companies pay a higher membership fee than smaller companies. Feedback from members indicates that a clear membership package including the benefits of joining the fee-paying scheme would need to be outlined.

Using information received from the businesses engaged in the consultation process, the following annual membership fees are being proposed: £750 for large companies, £50 for small companies and £250 for facility management companies. The table below summarises the potential income based on three models of active members, including an assumed reduction in members following the introduction of charges.

	Model A	Model B	Model C
CCAS Members	200	60	45
Income	£83,200	£24,900	£18,750

Take-up of membership in line with Models A and B would deliver the required savings; Model C falls short and further review of the scheme would be required in that instance.

A membership package will be developed in line with feedback as shown in the main body of the report.

It is proposed that annual membership fees are introduced with effect from 1 April 2015.

Recommendations

Members are asked to consider and note the contents of this report and agree:

1. To a new model of delivery for the Clean City Awards Scheme whereby an annual membership fee structure is introduced with effect from 1 April 2015 in return for the members' package as outlined in the report with a

view to achieve the £25k savings identified through the Service Based Reviews.

2. A progress report on the scheme to be presented following 6 months of charging being introduced.

Main Report

Background

1. The Clean City Awards Scheme (CCAS) was established in 1994 to encourage businesses within the Square Mile to manage their waste responsibly. At that time good waste management usually meant simply placing your waste in a black bag or other container and having a trade waste agreement with the City. The scheme has subsequently changed and evolved in line with the waste and recycling industry and now the emphasis is placed firmly on sustainability.
2. Of the current membership there are approximately 500 active members. The definition of 'active' being, those that we are regularly able to correspond with via email, our newsletter or social media, of which a number apply for an award each year.
3. Over the years recycling officers have developed a number of activities to engage members to support and promote the principles of sustainable waste management. These include: an inspection visit once a year, a monthly e-newsletter, quarterly best practice meetings, guidance on the City's website on CCAS activities and provision of ad-hoc support and advice.
4. Businesses that are nominated for CCAS awards are also invited to attend an awards ceremony and lunch which has traditionally been hosted by the Lord Mayor at Mansion House.
5. The CCAS is provided free of charge to its members. It is operated by the City of London Corporation's Recycling Team within Cleansing Services and funded from their local risk budget.

Current need for change

6. The City's budgets are under significant pressure and a savings programme is in place to meet the future reductions required to local risk budgets. As part of the Service Based Review the CCAS has been identified as a potential savings opportunity of £25k to be achieved by 2016/17. This could be achieved by either a reduction in the services provided by the scheme or by re-modelling the scheme to generate income by charging a fee for membership.
7. On this basis work has been undertaken to establish the appetite from members of the scheme as to whether they would be willing to pay for membership.
8. An initial consultation with CCAS members (Appendix 1) was carried out using 'Survey Monkey' questionnaires. Based on the findings it is believed that the scheme could operate with a structured membership

package. Feedback from the consultation indicated that members find the scheme to be beneficial to their company and many members would be willing – or potentially willing – to pay a membership fee with a clearly identifiable membership package. Members also stated that they would consider paying to attend the annual awards ceremony in its existing format and would potentially purchase additional seats at the ceremony, if available. Members also stated that although they find the quarterly environmental best practice meetings to be useful, they were unwilling to pay to attend these meetings. The membership fee charged would be on a sliding scale, i.e. large businesses will pay a larger membership fee and smaller businesses will pay a smaller fee.

9. Following on from this consultation, 10 businesses were visited to gather some individual feelings from businesses on the introduction of charging a fee and any other general feedback on CCAS. The outcomes of these meetings were generally very positive: members stated their satisfaction with, and enthusiasm for, the scheme and emphasised the value, support and kudos that membership of the CCAS brings to their company.

Proposals for CCAS review: fee structure modelling

10. It is difficult to determine the level of take up if a membership fee is introduced. To try to gain some understanding of what it might look like this paper sets out models using a number of variables. The following paragraphs shows models using the 'variable' - number of current members, and applies a methodology to estimate possible income levels.
11. There are approximately 500 active members. Officers have considered the following three options in seeking to calculate likely interest in the scheme if a fee was charged.
 - Model A: these are the 500 active members who have registered to receive the monthly CCAS newsletter.
 - Model B: those members that we are aware of that actually open the newsletter and so show a level of interest in the CCAS. There are, on average, approximately 150 members in this category.
 - Model C: those members who applied for an inspection/ award in 2013.

In all of the models businesses range from small shops and food outlets to large multinational companies and financial institutions, which are divided into three categories: Large Sites, Small Sites and Facilities Management.

12. The methodology applied to the modelling assumes a 60% reduction in members on introduction of a fee. Whilst this is a fairly cautious assumption, the actual level of reduction would not be known until a charge is introduced.

13. Table 1 illustrates the potential uptake in CCAS membership in each of the model scenarios.

TABLE1	Model A	Model B	Model C
	500 registered members	150 engaged members (newsletter)	115 inspection/award applications
CCAS Category			
Large Sites	-	-	19*(42%)
Small Sites	-	-	10*(22%)
Facilities Management	-	-	16*(36%)
Members after 60% reduction	200	60	45

*We only know the category and size of those businesses that fill in an application form for the inspection/awards.

14. The intention of the proposal is to create a fee structure which feels fair and proportionate and creates a scheme that is sustainable going forward with at its heart large organisations supporting the smaller ones operating within the City. Applying this principle and using feedback from the sample of 10 business members visited (5 small, 4 large and 1 representative from the Facilities Management category), officers explored what members thought would be a reasonable fee structure.
15. Anecdotal feedback from all members visited suggested that the payment of any membership fee would need to be justified by a clearly defined membership package.
16. Feedback from the large businesses visited was that they were generally already doing or trying to do something around sustainable waste management and energy reduction and therefore already had some sort of sustainability 'budget' or Corporate Social Responsibility budget. They indicated that the introduction of a membership fee was unlikely to cause them to drop out of the scheme as long as it was not too high. When asked to give a suggestion of an acceptable fee level, £500-£1000 was quoted, although with a note of caution if it was to be at the higher end of that range.
17. Feedback from the Facilities Management category was equally positive, in that these types of activities are reasonably well established often with some budgets set aside to promote sustainability.
18. Feedback from small companies indicated that they would be unlikely to be able to justify a membership fee of more than £50.
19. All members that were spoken to also noted that, although recommendations can be made to the budget holder to join the fee-paying scheme, the recommendation may not be accepted by that service manager.

20. The following membership fee structure is proposed:

- Large Sites - £750 per site
- Facilities Management - £250 per site
- Small Sites - £50 per site

21. By way of comparison, Table 2 illustrates the charges for other fee-paying environment related membership schemes or award ceremonies. The proposed CCAS membership fees are generally in line with these other schemes.

TABLE 2	CCAS proposed fees	Best Business Awards	Considerate Constructor Scheme	Green Apple	Green Economy Awards	Guardian awards
Large sites	£750		£850	£600		£850
Small sites	£50 (Small) £250 (FM)		£215	£300-400		£295
General entry		£195			£140	

Potential income for the CCAS

22. In considering the likely income from introducing charges Officers have considered 3 possible outcomes to assess the size of the currently engaged business community and therefore the likely income. In each case it has been assumed that there will be a 60% reduction in take up. The three different models considered are shown below; the first is based upon the current 500 businesses that receive our quarterly newsletter. The second is based upon the 150 businesses that routinely respond to our newsletter and engage with the service and the third is based upon the 115 businesses that actually apply for awards each year. Details are as follows:

Table 3: Model A - Potential income with 60% decrease in active members (500) to 200 members

TABLE 3	Proposed CCAS fee	200 registered CCAS members (assume 1/3 per category)	Estimated income	Using the known breakdown as shown in Table 1
Large	£ 750	84	£63,000	(42%)
Small	£ 50	44	£2,200	(22%)
Facilities Management	£ 250	72	£18,000	(36%)
Total income		200 members	£83,200	

23. Table 3, above, illustrates the “best case scenario”, this is an optimistic and ambitious estimate and may be unlikely that in the CCAS will retain this number of fee-paying members in total. Additionally the apportionment of members across the categories is another unknown factor which will have an impact on the income received.

24. Table 4: Model B - Potential income with 60% decrease in engaged members (150 newsletter) to 60 members

TABLE 4	Proposed CCAS fee	60 Engaged members (newsletter)	Estimated income	Using the known breakdown as shown in Table 1
Large	£ 750	25	£18,750	(42%)
Small	£ 50	13	£650	(22%)
Facilities Management	£ 250	22	£5,500	(36%)
Total income		60 members	£24,900	

25. Table 5: Model C - Potential income based on 60% decrease in actual numbers for the CCAS inspection/ awards, 115 to 45 based on 2013 applications

TABLE 5	Proposed CCAS fee	45 Inspection/award applications from members	Estimated income	Using the known breakdown as shown in Table 1
Large	£ 750	19	£14,250	(42%)
Small	£ 50	10	£ 500	(22%)
Facilities Management	£ 250	16	£ 4,000	(36%)
Total income		45 members	£18,750	

26. Tables 4 and 5 illustrate what may be a more realistic scenario of take up of the new proposed scheme.

Benefits package for membership

27. Feedback from CCAS business visits has shown that being part of the CCAS is good for the company's green credentials and members highly value the association with the City of London Corporation. Many businesses visited had their CCAS trophies and/or certificates on display in public and prominent areas, indicating that they are keen to publicise their participation into the scheme.
28. It is important that if a fee is introduced members can clearly identify what benefits they will get. Members currently receive the following benefits which will continue:
- Monthly e-newsletter containing case-studies, news, updates on legislation etc.
 - Invitation to quarterly environmental best practice meetings
 - Access to mentoring scheme to facilitate best practice
 - Annual inspection of CCAS member site
 - Entry into awards scheme upon receiving application
 - Access to CCAS team for ad-hoc advice, guidance and site visits

- Ticket to prestigious annual awards ceremony hosted by the Lord Mayor in Mansion House (this is normally determined by the number of Gold and Platinum winners which limits attendance, any spare capacity remaining will provide an opportunity to sell tickets for the event)
29. In addition to the above it is proposed to introduce the following benefits:
- Permission to use CCAS logo on members' website and literature to promote their sustainability commitment credentials as a member of the scheme.
 - Access to CCAS member log-in area of website including CCAS blog (pending confirmation from IS Division)
 - Summary report after CCAS inspection
 - Window stickers to promote to public inclusion into scheme and publicise greater awareness of the scheme.
 - Further networking opportunities through increased best practice events and member-only online support chat rooms.
 - Re-branded CCAS scheme logos, to reflect the changing skyline of the City plus a small number of promotional items, e.g. USB sticks, pens etc.
 - Entitlement to buy extra seats, if available, at CCAS ceremony (result of feedback paragraph 8)

Plans for future growth of the scheme

30. If there is the predicted reduction in members as a result of introducing a membership fee, the CCAS team will work on establishing a good product for members, ensure that it becomes embedded and sustainable and then we can consider how the scheme can then be marketed to attract more members and re-grow the scheme in its new format.

Timeline for implementation

31. It is proposed that the CCAS moves to a membership fee model starting on 1 April 2015. This will allow time to communicate the changes to the current members and for officers to set up the benefits package for the new scheme.
32. An implementation time line is shown below for guidance (subject to Committee approval).

On-going	Oversee promotion of CCAS to retain existing members and recruit new members to CCAS
Aug-14	Present proposals for CCAS membership to Senior Management
Sep-14	Confirm charging structure/membership package and inform members
Sept 14 – March 15	Set up administration processes and financial protocols
Apr-15	All membership fees to be received by CoL for 2015/16 scheme year

33. As there is a significant degree of risk attached to the level of take up, it is recommended that if the take up level is considerably lower than the lowest figures shown in this report consideration must be given to the viability of proceeding with this proposal as it will fall significantly short of the £25k saving target identified in the SBR. Officers will then report back to this Committee with further options including the option of terminating the scheme.

Corporate & Strategic Implications

34. This will support the City's Corporate Plan Key Policy Priority, KPP2 Maintaining the quality of our public services whilst reducing our expenditure and improving our efficiency

H.R. Implications

35. HR have been consulted and there are no current HR implications

Legal Implication

36. The Comptrollers and City Solicitor department have been consulted and there are no legal implications.

Financial Implications

37. The Service Based Review has identified a savings target of £25k for the CCAS to be achieved by 2016/17. The cost of delivering the scheme, including the additional benefits outlined in paragraph 30, will continue to be met from the existing budget, so all income generated by charging a membership fee would contribute directly to this savings target. From the potential membership models identified, Model A would generate an income in excess of the £25k target, Model B would meet the target, but Model C would fall short. If this proves to be the case consideration will need to be given to terminating the CCAS.
38. Introducing membership fees in 2015/16 will allow take-up of the renewed scheme to be assessed and if necessary a further review to be carried out in time to meet the 2016/17 savings requirement.

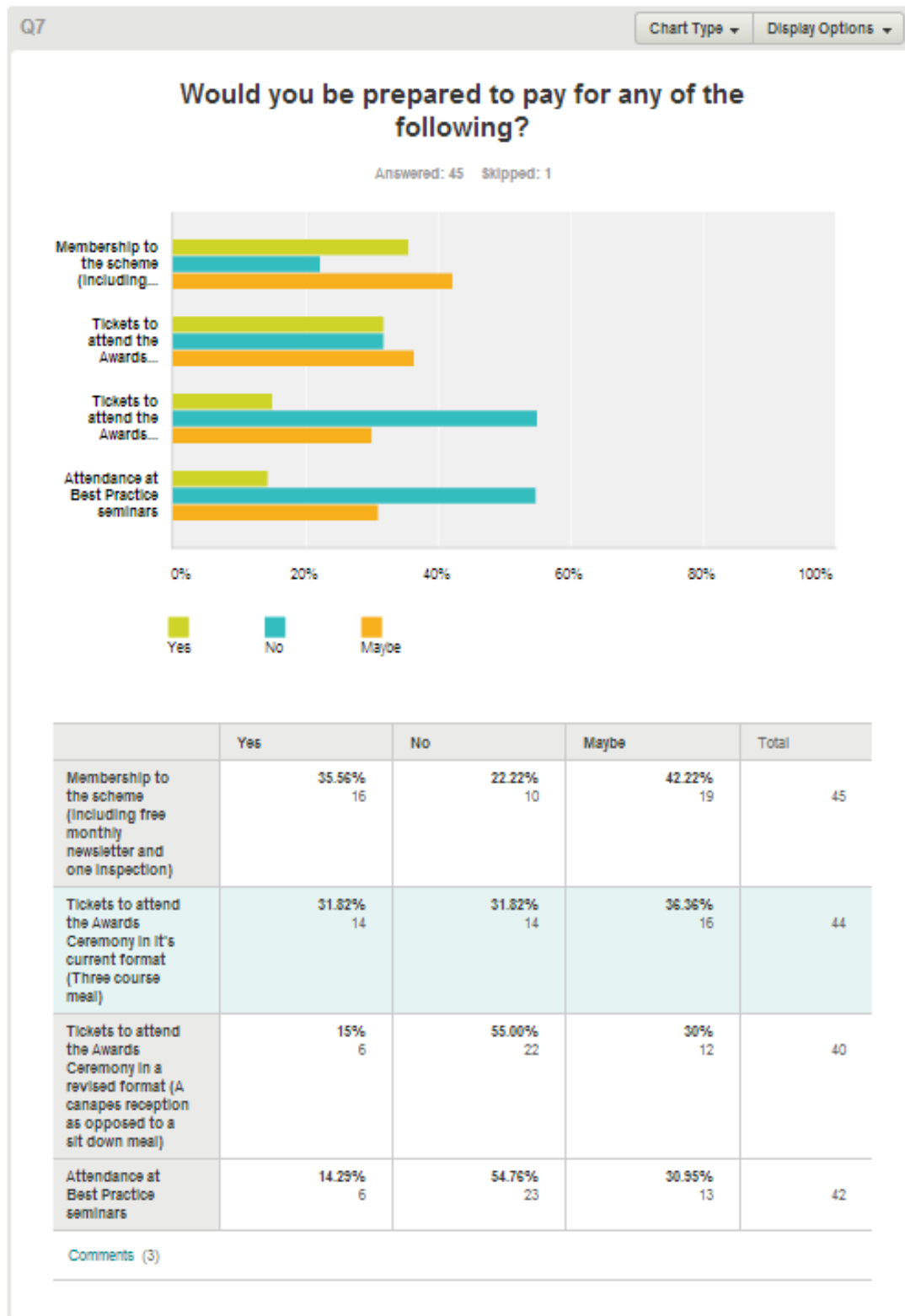
Appendices

- Appendix 1 – Feedback from CCAS members in 2013

Doug Wilkinson MBA CMgr MCM
Assistant Director
Street Scene, Strategy & Safer City Partnership

T: 020 7332 4998 / 07990567275
E: doug.wilkinson@cityoflondon.gov.uk

Feedback from CCAS members in 2013



- 35 of the 45 respondents to this question said 'yes' (16 respondents) or 'maybe' (19 respondents) that they would be prepared to pay for membership to the scheme in its existing format. 10 respondents declared 'no' they would not be prepared to pay a membership fee.

2. When asked whether members would be prepared to pay to attend the Awards Ceremony in its current 3-course meal format, there was no clear preference: 14 respondents said yes, they were prepared to pay, the same number said no, and the remaining 16 respondents indicated they would 'maybe' pay to attend.
3. The majority of respondents (22 and 23 respectively) said 'no' they would not be prepared to pay for tickets to attend the Awards Ceremony if it changed to a canapé style reception, nor would they be prepared to pay to attend the best practice meetings.

	£0	£25	£50	£75	£100	£200	Total
Membership to the scheme (including free monthly newsletter and one inspection)	26.19% 11	16.67% 7	16.67% 7	7.14% 3	28.57% 12	4.76% 2	42
Tickets to attend the Awards Ceremony in it's current format (Three course meal)	32.50% 13	27.50% 11	25% 10	10% 4	5% 2	0% 0	40
Tickets to attend the Awards Ceremony in a revised format (A canapes reception as opposed to a sit down meal)	57.89% 22	28.95% 11	13.16% 5	0% 0	0% 0	0% 0	38
Attendance at Best Practice seminars	86.49% 32	8.11% 3	2.70% 1	0% 0	2.70% 1	0% 0	37

Comments (3)

4. When asked how much members would be prepared to pay for membership to the scheme in its existing format, only 2 of the 42 respondents to this question said they were prepared to pay the highest fee on the questionnaire of £200, however 12 respondents would be prepared to pay £100. Some 11 respondents said they would pay £0 which correlates with the 10 respondents in the previous question who stated they were not prepared to pay for any form of membership. However, as insightful as these responses may be, the answers do not indicate which size company/category the respondents align with and therefore the proposed membership fee they may be charged as indicated in paragraph 20.
5. A total of 21 out of 40 respondents indicated they were prepared to pay either £25 or £50 to attend the 3 course meal awards ceremony, and 13 respondents are not prepared to pay for attendance.

6. The majority of respondents (22) would not be prepared to pay to attend the awards ceremony in a revised format, i.e. canapés reception, however 11 of the 38 respondents indicated they would be prepared to pay £25 and 5 respondents would be prepared to pay £50.
7. There was almost unanimous feedback in that 32 of 37 respondents would be prepared to pay nothing to attend the best practice meetings – only 3 respondents would be prepared to pay £25 and a single respondent would be prepared to pay £50.
8. These results were inconclusive but give a reasonable indication that there is scope in exploring a membership fee model further with businesses on a more direct level to establish views where we are able to identify the size of the organisation and allow some context.

This page is intentionally left blank

Committee(s):	Date(s):
Port Health and Environmental Services - For information	16 September 2014
Subject: Cleansing Service Campaigns Update	Public
Report of: Director of the Built Environment	For Information
Summary	
<p>This report advises the committee on two campaigns being run by the Cleansing Service in partnership with Keep Britain Tidy in September and October. These campaigns will be focusing on smoking related litter and chewing gum litter, both of which have been highlighted in our Local Environmental Quality Survey as high priority problems with the City's street scene.</p> <p>The report also details how the success of these campaigns will be evaluated and reported back to this committee.</p>	
Recommendation(s)	
Members are asked to:	
<ul style="list-style-type: none"> • Note this report. 	

Main Report

Background

1. Smoking related litter is consistently identified as the main litter challenge that the City faces. In the City's 2013/14 Local Environmental Quality Survey it made up 90% of the incidents of litter found. The same survey found that chewing gum was also a major problem with staining found at 98% of the locations that were surveyed. Finding ways to reduce these types of littering before they reach the streets will enable the Cleansing Service to continue to provide a high quality service with the increasing pressure on budgets.
2. In 2009 the Cleansing Service launched the 'No ifs, no butts' campaign aimed at reducing the amount of smoking related litter dropped in the City by raising people's awareness of the possible consequences (a Fixed Penalty Notice of £80 or a criminal conviction and fine of up to £2,500).
3. The campaign has been successful with reductions in smoking related litter seen in the areas where education and enforcement have been targeted. The campaign also won a national innovation award from Keep Britain Tidy for its integrated approach that combined a high level of provision of on street ashtrays with education and enforcement.

4. After five years Officers consider that the campaign needs refreshing with the aim of reinvigorating the message and reinforcing the strong education and enforcement base that has been developed.
5. The revised campaign aims to raise the profile of the extensive smoking related litter work the Cleansing Service carry out in terms of both cost and activity, reinforce the strong and simple message in people's minds that cigarette butts are litter, and direct smokers towards City services where they can get help to quit.
6. To help tackle chewing gum litter the City has successfully applied to be part of Defra's Chewing Gum Action Group Campaign this year, and on the strength of the application has been chosen as the national launch partner, receiving substantial paid-for advertising and support to help reduce chewing gum litter.

Smoking Related Litter Campaign

7. The smoking related litter campaign has been developed in partnership with Keep Britain Tidy and in full consultation with the City's Public Relations Office. The key aims of the campaign are:
 - Reduction in the number of cigarettes on street.
 - Inform the public of how they can dispose of cigarette butts.
 - Increased awareness of the work that Cleansing Service do in the City.
 - To gain local and national TV and media coverage.
 - To receive industry recognition for campaign.
8. Research from Keep Britain Tidy has shown that many people who drop cigarette litter do not consider it be the same as other types of littering, possibly due to the small size of each individual piece of this type of litter. A new simple yet strong message has been created to highlight the size of the problem of cigarette litter in the City. The three variant posters with different City landmarks are intended to have a high visual impactful but also contain our "No ifs no butts" message. They are attached in Appendix A.
9. These posters will be displayed throughout City for two weeks from 01 September 2014. The posters will be viewable on:
 - Big Belly Bins sides (using printed vinyl).
 - Participating pubs and businesses signed up to the Community Toilet Scheme or the Business Environment Charter (beer mats will also available for pubs).
 - A4 signs attached to the posts above our butts bins in high footfall areas.
 - Corporation Information areas for staff and public.
10. In addition to the posters there will be supporting messages for the media, press, and webpage, highlighting:
 - The cost of clearing up litter (£3.8 million per year).

- The number of cigarette ends dropped in the City (estimated 6 million per year based on independent sampling).
 - The damage to the City's image that littering does (9 million of visitors to the City).
 - The number of Fixed Penalty Notices issued for littering (850 since 2013) and the number of successful criminal prosecutions (18 since 2013).
 - Where people can get help to quit.
11. Keep Britain Tidy have produced a City of London branded video for this campaign highlighting the scale of the problem which will be hosted on the City's Youtube channel. This video will be used to raise awareness of the campaign online through both the City and Keep Britain Tidy's extensive social media networks.
 12. To reinforce the message about the size of the problem to the City, Street Environment Officers will use a quantity of oversized prop cigarette butts to catch the public's attention whilst carrying out their education and enforcement activities during the campaign. These activities will be focussed on the main transport hubs and tourist attractions to maximise the number of people who engage with the campaign. This type of publicity event has been used successfully in the past by Keep Britain Tidy in Leicester Square and at an Australian University campus (a photo of which is attached in Appendix B). It is hoped that the strong visual impact of this publicity event in high profile locations will attract significant media and press attention.
 13. During the first two weeks of the campaign the Street Environment Officers will focus on engaging and educating member of the public by distributing the City of London branded portable mini ashtrays and drawing attention to the on-street ashtrays provided, speaking to smokers to ensure they are aware that dropping their cigarette butts is a criminal offence, and giving out advice on where can get help if quit if they wish. During the second two weeks of the campaign they will focus on enforcement activities, returning to the same areas visited the fortnight before and issuing Fixed Penalty notices to people caught dropping litter.
 14. To quantify the success of this campaign and assist in designing any future campaigns, we have commissioned independent surveying before, during and after the campaign in six locations (covering transport hubs, shopping areas and tourist sites) to measure the effect on the number of cigarette butts found on the street. We are also carrying out before and after online surveying to measure how effective the campaign has been at raising awareness of the key messages. The findings of these surveys and any plans for how officers will continue the campaign into 2015 will be reported back to this committee in November.

Chewing Gum Action Group

15. The Chewing Gum Action Group is chaired by Defra and brings together representatives from the chewing gum industry, the charity Keep Britain Tidy, Keep Wales Tidy, the Local Government Association (LGA), the Chartered

Institution of Wastes Management, Keep Scotland Beautiful, Scottish Government, the Welsh Government and the Food and Drink Federation.

16. The Group was established to change the attitudes of people that drop gum and to promote positive behaviour and correct disposal. In 2005 it launched its pilot advertising campaign and since then has worked with councils to develop local initiatives to reduce levels of chewing gum litter.
17. The 12 Local Authorities and BIDs involved in this year's campaign are: City of London, Alloa Town Centre BID, The Highland Council, Basingstoke and Deane Borough Council, Mansfield BID, Craigavon Borough Council, Hull City Council, Blaenau Gwent County Borough Council, Rochford District Council, Liverpool BID Company, Ealing and Broadway BID and Coventry University.
18. 2014's creative campaign uses the slogan 'Bin it your way.' The brightly coloured adverts (Appendix C), which feature professionally choreographed and highly innovative dance moves, encourage gum chewers to responsibly dispose of gum litter in an engaging way or face a fine of up to £80.
19. This advertising campaign will be supported locally by an education programme focussed on distributing chewing gum disposal wraps and "stubbies" (pouches that can be used for disposing of either cigarette butts or gum) at our key hot spots for chewing gum staining. Gum chewers will also be informed about our on-street bin provision and the consequences of littering gum.
20. The success of the campaign is measured using ten survey sites before, during and after the campaign, the result of which will be reported back to this committee in November 2014.

Corporate & Strategic Implications

21. The objective of both of these campaigns supports the City's aim in the Corporate Plan to provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes. They also support the key policy priority of maintaining the quality of our public services whilst reducing our expenditure and improving our efficiency.

Implications

22. The costs of both campaigns have been kept as low as possible. On the smoking related litter campaign, Keep Britain Tidy have provided their considerable marketing and public relations support alongside the creation and design of the campaign's artwork, video and associated promotional material for £9,700. This has been funded with money received from Fixed Penalty Notices issued. The main advertising and promotional materials costs for the Chewing Gum Action Group campaign are covered by companies from the chewing gum industry (Mondeléz International, Wrigley and Perfetti van Melle).

Conclusion

23. These two campaigns aim to raise the public awareness of the problems caused to the City by smoking related litter and chewing gum litter, the costs involved in clearing them from the City's streets and the consequences of causing types of litter.

Appendices

- Appendix A – Smoking related litter campaign poster variants.
- Appendix B – Australian University Campus Publicity Event.
- Appendix C – Chewing Gum Action Group campaign artwork.

Jim Graham

Assistant Director Operations, Cleansing Service

T: 020 7332 4972

E: jim.graham@cityoflondon.gov.uk

Appendix A - Smoking related litter campaign poster variants

Page 48





THE GUM POP
BIN IT YOUR WAY
STEP AWAY FROM A FINE OF UP TO £80
www.facebook.com/ChewingGumActionGroup www.chewinggumactiongroup.com
THINK THICE CHEWING GUM ACTION GROUP

A woman in a black dress and white top is jumping towards a trash bin. She is holding a piece of gum in her hand, and a string is attached to the bin, suggesting she is about to throw it away. The background is yellow.

THE GUM SLAM DUNK
BIN IT YOUR WAY
STEP AWAY FROM A FINE OF UP TO £80
www.facebook.com/ChewingGumActionGroup www.chewinggumactiongroup.com
THINK THICE CHEWING GUM ACTION GROUP

A man in a suit is performing a handstand towards a trash bin. He is holding a piece of gum in his hand, and a string is attached to the bin, suggesting he is about to throw it away. The background is green.

THE GUM STRUT
BIN IT YOUR WAY
STEP AWAY FROM A FINE OF UP TO £80
www.facebook.com/ChewingGumActionGroup www.chewinggumactiongroup.com
THINK THICE CHEWING GUM ACTION GROUP

A man in a suit is strutting towards a trash bin. He is holding a piece of gum in his hand, and a string is attached to the bin, suggesting he is about to throw it away. The background is blue.

Committee(s):	Date(s):
Port Health and Environmental Services	16 September 2014
Subject: Comingled Dry Mixed Recycling Contamination	Public
Report of: Director of Transportation and Public Realm	For Information
Summary	
<p>This report sets out the steady increase in recycling rates in the City over recent years. It advises that our approach to awarding disposal contracts every 2 years has been successful in obtaining a very competitive price for our comingled Dry Mixed Recycling (DMR) which is processed via a Material Recycling Facility (MRF).</p> <p>However it is now necessary to retender the agreement and the service is facing both a worsening in the market for comingled DMR and a previously unexperienced level of contamination of the material. This contamination has recently resulted in waste having to be taken for disposal rather than treatment at a MRF and the report explains that Officers are currently urgently reviewing the various waste streams to establish the cause for this contamination and how it might best be rectified.</p>	
Recommendation(s)	
Members are asked to:	
<ul style="list-style-type: none"> • Note the report and agree to receive a further report once investigation into the causes of contamination of recycled waste has been completed. 	

Main Report

Background

1. The City of London has steadily improved its recycling rate in recent years from 16% in 2005/06 to 36% for 2012/13 and 39% for 2013/2014.
2. This increase in recycling rate has been a result of the introduction of services from including basic comingled DMR (2005), textiles (2007), food waste (2009), Waste Electronic and Electrical Equipment (2011), batteries and light bulbs on estates (2013) with this service being expanded further to private blocks in 2014. Additionally the City of London Recycling team have carried out regular recycling roadshows on City estates, communication campaigns and attended various community events to promote and advise on the recycling service.
3. The City's recycling rate compares favourably (Appendix A) with Inner London Boroughs of similar housing stock of flats and high rise properties.
4. At the PHES Committee in September 2013, Members approved a revised City of London Corporation's Waste Strategy document which places greater focus on reuse and recycling. Contained within this revised waste strategy was the target to achieve a 45% recycling rate by 2015 and 50% by 2020,

which aligns with the Mayor of London's 2011 Strategy "London's Wasted Resource".

5. Currently the City of London sends its comingled Dry Mixed Recycling (DMR) to a Materials Recycling Facility (MRF) operated by Ideal Waste Ltd, where it is sorted into individual recyclable material streams, ready for onward processing. The City's arrangement with Ideal Waste was fixed for two years through a Memorandum of Understanding (MOU) that expires on the 31 October 2014. Given the volatility of the market the City's strategy has been to enter this type of short term arrangement which, over recent years, has seen us benefit from an income from our comingled DMR unlike many London Authorities that entered long term contracts with gate fees of up to £70 per tonne or more. Ideal Waste regularly samples our comingled DMR and to date the quality of our recycled material has generally met their contamination requirements, varying between 5 and 10% with low levels of rejection. However recent sampling has shown significantly higher contamination rates, as high as 57% for household recycling and 21% for street sweeper recycling. A sample of Renew on-street recycling was rejected by Cory, as being so contaminated it was classified as general waste for incineration.

Current Position

6. As the contract with Ideal Waste expires at the end of October 2014 the Cleansing Service are currently going through the procurement process to find the MRF which offers best value for money (in accordance with Objective 9 of the aforementioned revised Waste Strategy). We will also aim to meet the requirements of the new MRF Code of Practice, this comes into effect on the 01 October 2014 and requires all MRFs processing over 1000 tonnes of comingled DMR per year to be permitted by the Environment Agency. Permits will be awarded based on both the quality of input and output from the MRF.
7. As part of our procurement process we have sent sample loads of comingled DMR to two other MRF operators, Cory Environmental and Veolia. This sampling was done at the MRF operators request to enable them to ensure that the waste treated by their facilities will meet the new standards dictated by the MRF Code of Practice. They have confirmed that our comingled DMR is currently experiencing high contamination levels.

Investigating the problem

8. The City's comingled DMR comes from three sources, domestic household recycling, on-street recycling from Renew on-street recycling bins and litter collected by manual street sweepers. Sample loads are being separated into these three separate recycling sources, enabling officers to identify the general sources of contamination. Additionally the recycling team have carried out some initial waste composition audits to verify the MRF sampling and identify specific contamination levels for each source. This has confirmed that contamination levels can on occasion be too high to enable processing.
9. To date the Recycling Team have inspected dedicated loads of comingled DMR (from the Barbican Estate, the 20 most used Renew on-street recycling bins, and a random sample of 10 sweeper barrows). The results from these waste audits have enabled officers to identify where targeted communication can improve householders' awareness of the contamination of recyclables, the need for improved design and signage on the Renew on-street recycling

bins and where further training is required for Amey staff to ensure street cleansing and waste collection operatives only collect the required materials. The action taken to address this contamination from each source is detailed below and in the table in Appendix B.

Household recycling

10. The basic waste audit of household comingled DMR identified contamination issues caused by residents disposing of non-recyclable items in their recycling bags and commercial waste being placed in the communal household recycling containers. There is a possibility that porters and cleaners have also been inadvertently using the incorrect containers to dispose of residents waste and that some residents on some estates are using the recycling bags (supplied free of charge by the City) to dispose of their general waste, (which, with the exception of Barbican, we do not provide free bags for). This incorrectly bagged waste is then being deposited into the estates communal recycling bins and contaminating the household comingled DMR waste stream.

Renew on-street recycling bins

11. Of the three waste sources which make up the comingled DMR this waste source is the most difficult to control contamination levels as this can only be done by changing public behaviour and facilitating correct use of the bins through effective signage, good design and perhaps the provision of general waste bin options.
12. The current signage, provided by Renew, on the bins is discreet and ineffective and as a result the public are using the bins for general, non-recyclable waste. Until recently the City of London has been unable to apply more prominent signage to the on-street recycling bin due to the requirements of the contract for the Renew bins. However, the owners of the recycling bins have gone into administration and the City of London now has permission from the administrator to apply more effective signage.
13. Officers are currently in discussion with the Administrator to establish how best this problem may be resolved and whether the current bin provision remains a cost effective method of collecting recyclable material. It is anticipated the results of these discussions will be reported at this committee's next meeting.

Recycling collected in sweeper barrows

14. Although this source of recyclable waste contributes the smallest amount to the City of London's comingled DMR stream, it is the source over which we have the most control of the quality of the recycling collected.
15. However, samples of sweeper collected recycling has also been rejected by the MRFs owing to its poor quality. Recycling collected in the sweeper barrows should have a near zero contamination rate as this is manually sorted by the street sweeper.

Next steps

16. Appendix B sets out the comingled DMR Contamination Action Plan which details the measures to be taken to reduce contamination in the three sources which collectively make up the comingled DMR stream.

17. In addition to dealing with the contamination issues as detailed in the DMR Contamination Action Plan, there will be on-going engagement and communication to maintain and increase participation in the City's recycling schemes. Officers will continue to engage and communicate with residents and the public via promotional recycling campaigns, increasing recycling service provision, and also run waste minimisation campaigns (such as No Junk Mail and Love Food Hate Waste and the City's recycling roadshows).

Financial Implications

18. The Cleansing local risk budget has provision for the extra cost of recycling comingled DMR where it is estimated costs could be in the region of £50k per annum as opposed to the current contract in which materials attracted a modest income. However if the contamination rate is not resolved disposal costs are likely to significantly exceed the available budget. Officers detailed projections will be reported within the next report to this committee.
19. Whilst the City's MOU with Ideal Waste expires on 31 October 2014 we are able to continue processing our comingled DMR through their MRF on a month by month agreement until the contamination issue is resolved and a new MRF contract agreed. However, this will be subject to Ideal Waste Ltd MRF receiving the necessary permit under the new MRF Code of Practice.
20. In the meantime Officers will be seeking to reduce contamination levels and inviting expressions of interest from MRF providers with a view to obtaining the most economically advantageous arrangement for the City Corporate & Strategic Implications
21. This supports the City's Corporate Plan Key Policy Priority, KPP2 Maintaining the quality of our public services whilst reducing our expenditure and improving our efficiency.

Implications and Conclusions

22. Current costs for the disposal of rejected loads are significant at £118 per tonne as opposed to what we expect to be in the region of £40-£50per tonne if processed for recycling. If the contamination issues are not addressed the City could face a significant additional cost for the approximately 1400 tonnes of comingled recycling currently processed per annum.
23. The City's current recycling rate is 39% and this will be decrease significantly if current contamination levels cannot be reduced.

Appendices

- Appendix A: Inner London Borough Overall Recycling Rates 2012/13
- Appendix B: Comingled DMR Contamination Action Plan

Jim Graham

Assistant Director Cleansing, Operations

T: 020 7332 4972

E: jim.graham@cityoflondon.gov.uk

Appendix A - Inner London Borough Overall Recycling Rates 2012/13

Local Authority	% Recycling Rate
City of London	36.41%
Islington LB	31.43%
Camden LB	30.91%
Southwark LB	30.38%
Tower Hamlets LB	27.65%
R.B. Kensington and Chelsea	26.44%
Hackney LB	24.32%
Lambeth LB	22.76%
Westminster City Council	21.70%
Newham LB	21.04%
Lewisham LB	20.03%

¹ <http://www.letsrecycle.com/councils/league-tables-1/2012-13-overall-performance> - this is the most up to date information available. The next release of data is due November 2014.

Appendix B – Comingled DMR Contamination Action Plan

Co-mingled recycling source	Likely cause of contamination	Actions to be taken
Household recycling	<p>Residents placing non-recyclable items into recycling bags</p> <p>Business/catering waste entering into household bins</p>	<ul style="list-style-type: none"> • Doorstep contamination monitoring on Estates to enable targeted communication with relevant properties, in addition to Estate wide recycling campaigns. • Waste audit on selected private blocks to identify main contaminants and information needs of porters. • Identify training needs of porters to enable effective identification of contaminants within recycling containers and how to deal with contaminated containers. • Create contamination stickers for contaminated recycling bag and leaflets to go through the letterbox to inform residents of the problem. To be applied by porters at point of collection. • Devise City-wide communication campaign to raise awareness of the impact of recycling contamination. • Trial the provision of general waste bags to all properties, in addition to recycling bags, would reduce contamination levels • If common contaminants are present across the City, investigate possibility of introducing new services to residents which remove common contaminants from comingled recycling service. • Identify sources of business/catering waste. Liaise with Enforcement team to enable legislation to be enforced. • Provide 'toolbox talk' to Amey waste collection operatives to undertake visual inspection of recycling bins and remove any easily movable items from the bins (e.g. catering trays) prior to emptying if safe to do so.

Appendix B – Comingled DMR Contamination Action Plan

<p>Renew bin recycling</p>	<p>Public placing non-recyclable items or contaminating materials into Renew recycling bins.</p>	<ul style="list-style-type: none"> • Produce prominent and effective signage to be applied to Renew bins to better promote accepted materials • Undertake regular waste analysis on the 20 most frequently collected Renew bins to assess contamination levels and the effectiveness of the signage on the bins • Trial different aperture types to restrict what can be put in the bin. • Distribute oyster-card holders promoting materials collected in the Renew recycling bins. • Investigate the actions of other Local Authority with on-street recycling bins to reduce contamination levels. • Review removing the bins and ceasing on street recycling
<p>Sweeper barrow recycling</p>	<p>Amey street sweeper not sorting waste appropriately</p> <p>Members of public depositing non-recyclable items in the recycling compartment of the barrow, contaminating the load</p>	<ul style="list-style-type: none"> • ‘Toolbox talks’, with pictorial messages, to remind operatives of the recyclable items to be placed in the compartment of their barrow. • Undertake regular random waste audits on recycling compartments of sweeper barrow and feedback to Amey on commonly collected contaminants to enable effective supervision and training of sweepers. • Instruct sweepers to close the recycling compartment lid when barrow is unattended to prevent contamination by the public. • Create recycling signage to be applied to the sweeper’s barrows.

This page is intentionally left blank

Committee(s):	Date(s):
Port Health and Environmental Services	16 September 2014
Subject: Markets and Consumer Protection Business Plan 2014-2017: Progress Report (Period 1)	Public
Report of: The Director of Markets and Consumer Protection	For Information

Summary

This report provides an update on progress against the Business Plan of the Port Health and Public Protection Division (PH&PP) of the Department of Markets and Consumer Protection (M&CP), for Period 1 (April-July) of 2014-15 against key performance indicators (KPIs) and objectives outlined in the M&CP Business Plan.

The report consists of:

- Performance against our key performance indicators (KPIs) – Appendix A
- Progress against our key objectives – Appendix B
- Enforcement activity – Appendix C
- Key risks – Appendix D
- Financial information – Appendix E

Key points from the report are that:

- At the end of the July 2014, the Department of Markets & Consumer Protection was £157k (17.7%) underspent against the local risk budget to date of £0.9m, over all the services managed by the Director of Markets & Consumer Protection covered by the Port Health & Environmental Services Committee. Appendix E sets out the detailed position for the individual services covered by this department.
- Five voluntary closures of food premises took place due to an imminent risk to public health caused by issues such as pest infestations, sewage leaks and inadequate facilities and procedures.
- The Health and Safety Team delivered 5 income generating training events to other Local Authorities across the country, including 3 in Scotland, in support of a national inspection initiative.
- The Pollution Team took part in the very successful London Air Quality Reception at Mansion House to support a coordinated effort to improve air quality across London and to mark the 60th anniversary of legislation to deal with London smogs.
- The Trading Standards Team is working with several other agencies on 'Operation Broadway', a proactive operation targeting and disrupting boiler room fraud schemes based in The City of London.
- The first four months of 2014-15 has been busy for the HARC in terms of zoo animals. These have included three rare clouded leopards and a consignment of 30 black vultures, all bound for UK zoos.

Recommendation(s)

Members are asked to note the content of this report and its appendices.

Main Report

Background

1. In the 2014-17 Department of Markets and Consumer Protection (M&CP) Business Plan eight Key Performance Indicators (KPIs) were identified to facilitate measurement of performance across the Port Health and Public Protection (PH&PP) Division. The KPIs were selected to be representative of the main elements of work carried out.
2. The Business Plan also sets out six key objectives for the PH&PP Division.

Current Position

3. To ensure that your Committee is kept informed of progress against the current business plan, progress against KPIs (Appendix A) and key objectives (Appendix B) is reported on a periodic (four-monthly) basis, along with a financial summary (Appendix E). This approach allows Members to ask questions and have a timely input on areas of particular importance to them. Members are also encouraged to ask the Directors for information throughout the year.
4. Periodic progress is also discussed by Senior Management Groups to ensure any issues are resolved at an early stage.
5. In order to provide further information on the work carried out by the PH&PP Division, each periodic report includes a summary of the enforcement activity carried out (Appendix C) and the Division's key risks (Appendix D).

Financial and Risk Implications

6. The end of July 2014 monitoring position for Department of Markets & Consumer Protection services covered by Port Health & Environmental Services Committee is provided at Appendix E. This reveals a net underspend to date for the Department of £157k (17.7%) against the overall local risk budget to date of £0.9m for 2014/15.
7. Overall, the Director of Markets & Consumer Protection is currently forecasting a year end underspend position of £130k (4.9%) for the City Fund and City Cash services under his control. The table below details the summary position by Fund.

Local Risk Summary by Fund	Latest Approved Budget £'000	Forecast Outturn £'000	Variance from Budget +Deficit/(Surplus)	
			£'000	%
City Fund	2,340	2,223	(117)	(5.0%)
City Cash	324	311	(13)	(4.0%)
Total M&CP Services Local Risk	2,664	2,534	(130)	(4.9%)

8. The reasons for the significant budget variations are shown in Appendix E, which sets out a detailed financial analysis of each individual division of service relating to this Committee, for the services the Director of Markets & Consumer Protection supports.
9. The better than budget forecast position at the end of July 2014 is principally due to additional income from the Pet Travel Scheme (PETS) and, to a lesser extent, fish imports at the Heathrow Animal Reception Centre.
10. The Director of Markets & Consumer Protection anticipates that this current better than budget position will continue to year end, subject to income activity maintaining its current high performance.

Corporate & Strategic Implications

11. The monitoring of performance indicators across the Division links to all three Corporate Plan Strategic Aims (To support and promote 'The City'; To provide modern, efficient and high quality local services for the Square Mile; and, To provide valued services to London and the nation).

Consultees

12. The Town Clerk and the Chamberlain have been consulted in the preparation of this report.

Appendices

- Appendix A – Performance Management Report Period 1 2014-15
- Appendix B – Progress against Key Objectives Period 1 2014-15
- Appendix C – Enforcement Activity Period 1 2014-15
- Appendix D – Key Risks
- Appendix E – Financial Statements: Department of Markets and Consumer Protection

Background Papers

Department of Markets & Consumer Protection Business Plan 2014-2017 and
Appendix B: Port Health & Public Protection Business Plan 2014-2017
(PH&ES Committee 13 May 2014)

Contacts:




Joanne Hill (*Performance Information*)
Department of Markets and Consumer Protection
T: 020 7332 1301
E: joanne.hill@cityoflondon.gov.uk




Simon Owen (*Financial Information*)
Chamberlain's Department
T: 020 7332 1358
E: simon.owen@cityoflondon.gov.uk



Performance Management Report 2014-15
Period One: 1 April – 31 July 2014

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

Progress against Business Plan Performance Indicators

	This indicator is performing to or above the target.
	This indicator is a cause for concern, frequently performing just under target.
	The indicator is performing below the target.

	All PH&PP Service Areas	Actual 2013-14			Target 2014-15	Actual 2014-15	Status
		Period 1	Period 2	Period 3		Period 1	
PI 1 * ₁	Achieve an overall sickness absence level of no more than 7 days per person by 31 March 2015, and a total of no more than 770 days (<257 days per period) across all PH&PP Service areas.	N/A	N/A	N/A	<257 days per period	287	
PI 2 * ₁	a) 90% of debts to be settled within 60 days.	N/A	N/A	N/A	90%	97%	
	b) 100% of debts settled within 120 days.				100%	97%	
<p>*₁ New indicator for 2014-15</p> <p>PI 1: Target based upon Full Time Equivalent (FTE) members of PH&PP staff at 31 December 2013 (no. 110). During this period there were two long term sickness absences which contributed substantially to the figure. Both these employees have returned to work.</p> <p>PI 2: All debtors with debts more than 120 days old are currently being chased.</p>							

	Port Health and Animal Health	Actual 2013-14			Target 2014-15	Actual 2014-15	Status
		Period 1	Period 2	Period 3		Period 1	
PI 3	Percentage of consignments of products of animal origin (POAO) that satisfy the checking requirements cleared within five days of presentation of documents/consignments.	95.81%	94.03%	93.51%	95%	95.56%	
PI 10	Less than 4% of missed flights for transit of animals caused by the Animal Reception Centre (ARC).	0%	0.1%	0%	<4%	0%	
<p>PI 3: Time elapsed between receipt of documents/presentation of container to release, on electronic cargo handling system. Period 1 2014/15: 97.12% at London Gateway; 94.60% at Tilbury.</p>							

	Public Protection	Actual 2013-14			Target 2014-15	Actual 2014-15	Status
		Period 1	Period 2	Period 3		Period 1	
PI 13 * ₂	Over the course of the year, secure a positive improvement in the overall Food Hygiene Ratings Scheme (FHRS) ratings profile for City food establishments compared to the baseline profile at 31 March 2013.	N/A	N/A	Profile did not improve	Improved profile	N/A	-
PI 15 * ₁	Audit all Cooling Tower sites that are either due an inspection in accordance with HELA LAC 67/2 (rev4), City of London local priorities and local intelligence, or that have other good reason to be audited.	N/A	N/A	N/A	100%	100*	☺
PI 21	90% justifiable noise complaints investigated result in a satisfactory outcome.	95%	99.5%	98.7%	90%	96.9%	☺
PI 24 * ₁ & * ₂	Bring to a conclusion at least two major investigations into investment and commodity fraud out of Operations Addams, Wade and Currie by March 2015.	N/A	N/A	N/A	100%	N/A	-

*₁ New indicator for 2014-15

*₂ Annual indicator

PI 13: The purpose of this indicator is to show an overall improvement in the FHRS rating profile across all City food establishments by the end of the year. The target cannot be expressed as a specific percentage since any increase will indicate achievement.

PI 15: Local Authority Circular (LAC 67/2 (rev4)) is guidance under Section 18 Health and Safety at Work etc Act 1974 (HSWA). It provides LAs with guidance and tools for priority planning and targeting their interventions to enable them to meet the requirements of the National Local Authority Enforcement Code (the Code).

Period One result: 22 cooling towers were due for audit during the period. All 22 audits were completed.

PI 21: The percentage of total justified noise complaints investigated resulting in noise control, reduction to an acceptable level and/or prevention measures; complaints may or may not be actionable through statutory action.

This page is intentionally left blank

Progress against Port Health & Public Protection Key Objectives 2014-2015

Ref:	Objective	Progress to date
1	Implement the Health & Safety Intervention Plan.	<p>Period 1: April – July 2014</p> <ul style="list-style-type: none"> Ongoing. The Plan received Committee approval on 15 May 2014.
2	Ensure a consumer focused food law enforcement program is implemented based upon the FSA's national Framework Agreement and Food Law Code of Practice.	<p>Period 1: April – July 2014</p> <ul style="list-style-type: none"> Ongoing. The Food Safety Enforcement Plans for the City and the London Port Health Authority received Committee approval on 15 May 2014.
3	Prepare for and implement changes arising from Service Based Reviews.	<p>Period 1: April – July 2014</p> <ul style="list-style-type: none"> Port Health - good progress is being made on the tasks agreed by the Assessment Panel which include use of IT for mobile working, review of charges, property matters and shared procurement for Launch fuel and maintenance with other statutory bodies. The full submission for the service has been agreed with the Committee Chairman and Deputy Chairman. The Chief Officer and PH&PP Director attended the Star Chamber and subsequent meetings. Awaiting decision of Policy & Resources Committee in early September.
4	Implement and embed new legislation and adapt to revisions to existing legislation.	<p>Period 1: April – July 2014</p> <ul style="list-style-type: none"> Ongoing in line with the new Regulators' Code. Regular updates made to Imported Food legislation are brought to the attention of Port Health staff so that changes may be implemented and ISO procedures updated. New street trading legislation has been fully embedded within current policies and procedures. Members of staff have received appropriate training. Two ice cream vans have been seized and a further crackdown planned.
5	Prepare for potential implications of new EU Animal Health legislation around importing animals as baggage rather than freight, including the possible requirement for the construction of additional facilities.	<p>Period 1: April – July 2014</p> <ul style="list-style-type: none"> Confirmation is awaited from the Animal Health and Veterinary Laboratories Agency (AHVLA) and the airlines that they have finalised and agreed their new processes for the importation of animals as baggage.

6	Revise the City Air Quality Strategy to reflect the latest evidence of the impact on health, additional action required to meet air quality limit values, and the new public health responsibilities of the City Corporation.	Period 1: April – July 2014 <ul style="list-style-type: none">• An informal consultation is underway regarding additions to the revised Air Quality Strategy. Key aims for the new document have been put to the PH&ES Committee, Health and Wellbeing Board and Supporting London Officers Group. The revised Strategy is due to be submitted to PH&ES Committee for consideration and subsequent consultation during Period 2 (Aug-Nov 2014).• A “London Air Quality Reception” was held at Mansion House on 29 July. The event was addressed by the Lord Mayor and the Mayor of London.
---	---	--

Port Health & Public Protection Enforcement Activity Period 1 (April – July) 2014-15

Food Safety	2014-15 Target (where applicable)	Period 1 Total
Programmed inspections	<u>Food Hygiene:</u> 1011 <u>Food Standards:</u> 372	<u>Food Hygiene:</u> 265 <u>Food Standards:</u> 98
Hygiene Emergency Closures	N/A	0
Voluntary closures	N/A	5
Complaints & service requests received	N/A	103
Notices served	N/A	9
Prosecutions	N/A	0

Period 1 – Food Safety Team Highlights

- Five **voluntary closures** of food premises took place due to an imminent risk to public health caused by issues such as pest infestations, sewage leaks and inadequate facilities and procedures.
- In May, the closure and FHRS 0 rating of a **celebrity chef** butcher shop in the City was reported in the national newspapers.
- In April, responsibility for food hygiene inspections of **river vessels** was transferred from Port Health to the City Food Team.
- Team members are **training** a Port Health Marine Officer to help him complete his log book to achieve a Higher Certificate in Food Premises Inspections.

Port Health & Public Protection Enforcement Activity Period 1 (April – July) 2014-15

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

		Hygiene Rating						Total no. of food businesses in the City included in the FHRS
		5	4	3	2	1	0	
Number (%) of food businesses	March 2013	925 (58%)	345 (22%)	171 (11%)	69 (4%)	61 (4%)	12 (1%)	1583
	August 2013	908 (56%)	378 (23%)	168 (10%)	83 (5%)	67 (4%)	25 (2%)	1629
	29 November 2013	903 (55%)	387 (23%)	172 (10%)	98 (6%)	70 (4%)	24 (2%)	1654
	31 March 2014	880 (53%)	374 (23%)	182 (11%)	104 (6%)	74 (5%)	23 (1%)	1661 <i>(incl. 24 awaiting inspection)</i>
	31 July 2014	898 (54%)	374 (23%)	174 (10%)	102 (6%)	67 (4%)	19 (1%)	1661 <i>(incl. 27 awaiting inspection)</i>

'0' rated food businesses in the City

These businesses were rated '0' at 31 July 2014; some have been since been re-inspected - further information is given in the 'Details' column.

Premises	Details
28-50 Wine Workshop & Kitchen , Retail Unit, 140 Fetter Lane, London EC4A 1BT	The business has been revisited: most issues have been addressed.
Bagelmania , 156 Salisbury House, London Wall, London EC2M 5QD	A Hygiene Improvement Notice was served, issues addressed and ongoing interventions are being taken to ensure continued compliance.
Benjamin's , 61 Cannon Street, London EC4N 5AA	Several revisits have taken place and progress is being made.
Benugo , 1 Great Winchester Street, London EC2N 2DB	A re-inspection has been carried out. Improvements have been made and the business is now rated 3.
Bep Haus , Retail Unit, 40 Bow Lane, London EC4M 9DT	Several revisits have taken place. Significant progress has been made and a re-inspection is due to be carried out in August 2014.
Bob's & Co , Rising Sun Public House, 61 Carter Lane, London EC4V 5DY	The business has been re-inspected and is now rated 2. There are ongoing equipment and structural issues.
Chao!Now , 4 St Andrew's Hill, London EC4V 5BY	Several revisits have taken place and a re-inspection is due to be carried out in August 2014.
Chapters Deli , Retail Unit, 50 Bishopsgate, London EC2N 4AJ	Results of recent samples taken from the premises were poor. Some improvements have been made. The next inspection is due to be carried out in October.
Dukes , 18-22 Houndsditch, London EC3A 7DB	This business is no longer trading.
Fuzzy's Grub , 62 Fleet Street, London EC4Y 1JU	This business has relocated to Fleet Street Temples. An inspection is due to be carried out in August.

**Port Health & Public Protection Enforcement Activity
Period 1 (April – July) 2014-15**

Grab , 68 Queen Victoria Street, London EC4N 4SJ	The business was re-inspected in July 2014 and is now rated 4.
Kirin Restaurant , 10 College Hill, London EC4R 2RP	Several revisits have taken place and great improvements have been made. The business is to request a re-rating and could be awarded a 4 or 5.
Mehek Restaurant & Bar , 45 London Wall, London EC2M 5TE	At the request of the business, a re-rating visit was carried out on 29 July 2014. This resulted in no change to the 0 rating and an improvement notice was served (to take effect from 11 September 2014) based on issues in relation to non-compliance with Food Safety Management practices.
Mumbai Square , 7 Middlesex Street, London E1 7AA	Several revisits have taken place: an improved standard was observed.
My Lunch Box , Retail Unit, 6 Minories, London EC3N 1BJ	Several revisits have taken place: several positive changes were observed.
Royal Kitchen , Retail Unit, Statue House, 53-54 Aldgate High Street, London EC3N 1AL	Several revisits have taken place: a sampling programme has resulted in improved standards.
Rudd's , Retail Unit, 148 Queen Victoria Street, London EC4V 4BY	A further revisit will take place in August 2014 to check progress.
Taylor St Baristas Ltd , 125 Old Broad Street, London EC2N 1AR	Improvement notices have been served. Meetings and revisits have taken place in order to ensure compliance. The business is due to be re-inspected in August 2014.
White Swan , The White Swan Public House, 20 Farringdon Street, London EC4A 4AB	This business is no longer trading.

Port Health & Public Protection Enforcement Activity Period 1 (April – July) 2014-15

Health & Safety	2013-14 Annual Total	2014-15 Target (where applicable)	Period 1 Total
Programmed Cooling Tower inspections	74	90	22
Other H&S Inspections	12	N/A	9
H&S Project visits	8	N/A	0
Accident and dangerous occurrences notifications	245	N/A	87
Complaints & service requests received	193	N/A	50
Notices	3	N/A	0
Prosecutions	0	N/A	0

*MST – Massage and Special Treatment

Period 1 – Health & Safety Team Highlights

- Attended 2 **Coroners Inquests** concerning work related deaths: one related to a window cleaner death in 2012; the other involved the swimming pool death of a member of the public in a Virgin Active premises (City of London provide advice and guidance to Virgin Active under the Better Regulation Delivery Office's Primary Authority Scheme).
- Delivered 5 income generating **training events** to other Local Authorities across the country, including 3 in Scotland, in support of a national inspection initiative.
- Worked with the District Surveyor to provide advice and guidance on safety issues associated with use of the 'Bowler Hat' **City of London Festival** venue.
- Attracted over 500 followers on the City Health & Safety Team's **Twitter** feed.
- Supported the City of London Corporation and Lloyds of London to gather evidence for submission of the **London Healthy Workplace Charter** to the October 2014 verification day.

Period 1 – Pest Control Team Highlights

- Worked with the Barbican Estates Office to develop programmes of treatment and implementation for infestations of clothes moths in the **Barbican**.
- Added the New Street/Bishopsgate area to the Thames Water **sewer baiting** programme.
- Treated 8 **rat infestations**, including a vacant site in Leadenhall Market close to food premises.
- Provided **advice to residents** on pest control at the City Residents' Meeting in June.
- Implemented a baiting programme of **subways** to control reported rat activity.
- Successfully controlled mice activity in **Guildhall North Block** through a programme of underfloor open tray baiting.

Port Health & Public Protection Enforcement Activity Period 1 (April – July) 2014-15

Trading Standards	2014-15 Target (where applicable)	Period 1 Total
Inspections and visits	N/A	49
Complaints & service requests received	N/A	1215
Home Authority referrals	N/A	401
Consumer safety notifications	N/A	2
Acting as a responsible authority for Licensing Applications	N/A	31
Prosecutions	N/A	0

Period 1 – Trading Standards Highlights

- The Team has joined with the City of London Police, National Fraud Intelligence Bureau, the Metropolitan Police, the Financial Conduct Authority and others, in 'Operation Broadway', a proactive operation targeting and disrupting **boiler rooms** based in The City of London.
- Three large **fraud investigations** have continued with the assistance of the City of London and Metropolitan Police.
- Team members have received training on **Adult Safeguarding** which will assist with the management of victims of fraud.
- In May, members of the team attended a **Dementia Awareness Day** at Artizan street library at which they distributed information on scams.

**Port Health & Public Protection Enforcement Activity
Period 1 (April – July) 2014-15**

Pollution	2014-15 Target (where applicable)	Period 1 Total	% Noise complaints resolved	Notices served	Prosecutions
Complaint investigations, noise	N/A	354	97%	1 S80 EPA* 2 S60 COPA*	0
Complaint investigations, other	N/A	52	N/A	0	0
Licensing, Planning and Construction Works applications assessed	N/A	309	N/A	4 S61 COPA*	N/A
No. of variations (to construction working hours) notices issued	N/A	173	N/A	N/A	N/A

* EPA: Environmental Protection Act 1990. S80: Summary proceedings for statutory nuisances.

* COPA: Control of Pollution Act 1974. S60: Control of noise on construction sites. S61: Prior consent for work on construction sites.

Period 1 – Pollution Team Highlights

- Took part in the **London Air Quality Reception** at Mansion House to support a coordinated effort to improve air quality across London and to mark the 60th anniversary of legislation to deal with London smogs.
- Reviewed applicants and selected the winners of the **Considerate Contractors Environment Award**. Keltbray at Mitre Square were selected as the overall award winners with Skanska at St Bartholomew's and Mace at 5 Broadgate receiving highly commended awards.
- **Customer survey** results showed that 90% of respondents felt that the officer dealing with their complaint clearly explained what the customer could expect from the service provided.
- The **Out of Hours service**, which is now using Street Environment Officers from the Department of the Built Environment, is achieving faster response times than it was with Westminster City Council as the supplier. Response and visit times to complainants' calls are usually much faster than the 1 hour target time set.

**Port Health & Public Protection Enforcement Activity
Period 1 (April – July) 2014-15**

Animal Health & Welfare	2014-15 Target (where applicable)	Period 1 Total	Warning letters	Notices served	Prosecutions
Animal Reception Centre					
Throughput of animals (no. of consignments)	N/A	7825	20	0	3
Animal Health					
Inspections carried out*	N/A	157	1	26	0
*Due to the legislation, most of the Animal Health licensing inspections are carried out at the end of the calendar year and figures will, therefore, fluctuate across quarters.					

Period 1 – Animal Health & Welfare Highlights

- General trends in dogs and cats are up for the year, but exotics have declined marginally. It has, however, been a busy period for zoo animals. The HARC received 3 **clouded leopards**: probably the rarest big cats in the world, with only around 200 in captivity world-wide. The leopards have gone to a zoo in the South East.
- A consignment of 30 **Black Vultures** was received for another UK zoo - all for one exhibit. It is very unusual for us to receive such a large number of birds of prey in one shipment.
- Several **rock iguanas**, which were smuggled into the country in February, were kept at the HARC for six months before being flown back to the Bahamas. Animal Health staff entertained the Bahamian Ambassador, showing him around the Centre and how the iguanas were being kept. There are only around 200-300 of these animals left in the wild, and having the responsibility of looking after them for so long made the staff very nervous! The return of the iguanas was filmed for BBC's 'One Show', and includes footage of the HARC.
- Actress **Carrie Fisher**, of Star Wars fame, is currently filming the latest episode of Star Wars at Pinewood Studios and regularly flies in with her French Bulldog called 'Gary' as an emotional support animal.

**Port Health & Public Protection Enforcement Activity
Period 1 (April – July) 2014-15**

Port Health	2014-15 Target (where applicable)	Period 1 Total	Cautions	Notices served	Prosecutions
Food Safety inspections and revisits	N/A	8	0	0	0
Ship Sanitation Inspections and Routine Boarding of Vessels	N/A	26	0	0	0
Imported food Not of Animal Origin -document checks	N/A	5018	0	82	0
Imported food Not of Animal Origin - physical checks	N/A	472	0	0	0
Number of samples taken	N/A	87	N/A	N/A	N/A
Products of Animal Origin Consignments – document checks	N/A	3197	0	9	0
Products of Animal Origin Consignments – physical checks	N/A	1110	0	3	0
Number of samples taken	N/A	83	N/A	26	N/A

Period 1 – Port Health Highlights

- The Port Health Service hosted the **Annual River Inspection** by the Port Health and Environmental Services Committee to London Gateway Port.
- **London Gateway** continues to expand and attract new trade, although much of it to date has been from other London ports.
- The Port Health launch service has continued to take the required number of samples from the 16 **shellfish harvesting sites** (identified by the Centre for Environment, Fisheries and Aquaculture Science (Cefas)) in the mouth of the estuary, for analysis by regional official control laboratories. Each site is sampled 10 times per year in order to retain its classification status.

Port Health and Public Protection Key Risks (July 2014)

Appendix D

The table below shows a selection of our key risks which form part of our Departmental Risk Tracker.

Risk No.	Risk	Gross Risk		Risk Owner / Lead Officer	Existing Controls	Net Risk			Planned Action	Control Evaluation
		Likelihood	Impact			Likelihood	Impact	Risk Status &		
MCP4	Risk of serious injury to staff and service users due to constrained space for vehicle movement which, in the event of a serious accident/fatality could affect the operation and sustainability of the service.	4	4	Market Superintendents and Port Health & Public Protection Director	The TOP X risk priority system and a near miss reporting system is in place. Banksman employed at HARC. All accidents fully investigated and any follow up actions implemented.	3	4	A ↔	Review of traffic management controls currently being undertaken. Where there is specific heightened risk identified at New Spitalfields Market, M&CP is liaising with the Corporate H&S team to address the matter.	G
MCP5	Failure by enforcement officers to act within statutory requirements, leading to reputational risk and potential financial loss.	3	4	Port Health & Public Protection Director	Competent enforcement officers; clear policies, procedures and decision making; monitoring of enforcement officers.	2	4	A ↔		G
MCP6	Failure to meet air quality limit values in the City by the prescribed dates set by the EU which could result in a fine of unknown amount.	4	4	Port Health & Public Protection Director	The current systems in place allow the City to demonstrate that it is taking sufficient effective action to help the government and the GLA to meet air quality limit values.	4	4	R ↑	This has been previously considered by the SRMG & Chief Officer Core Groups and will now be represented as a strategic risk.	A
MCP8	Loss of quarantine licensing due to breach of regulations or legislative change. This would result in the closure of the Border Inspection Post facility to imported animals, causing financial loss and negative publicity for the	3	4	Port Health & Public Protection Director	Current procedures reflect regulatory requirements and are actively managed.	2	4	G ↔		G
MCP9	Outbreak of Legionnaires disease (Legionella sp.) in the City associated with a cooling tower situated within the City of London, the statutory monitoring of which is	3	4	Port Health & Public Protection Director	Regular inspections (frequency dependent upon risk). Independent audit by Environmental Health Officers looking at all aspects of the water risk management	2	4	A ↔		G
MCP12	Inadequate Financial Management in respect of agents' "unsecured" debts.	3	3	Port Health & Public Protection Director	Existing controls in relation to agents require modification.	3	3	A ↔	Additional controls will be put in to minimise the risk. For future agents, a scheme will be developed linked to a security deposit.	A
MCP13	Significant delays to maintenance or repairs of equipment and facilities, causing operational difficulties and risk of reputational damage and financial loss.	5	4	Assistant Director Animal Health & Welfare	City Surveyor's PFMs have been dealing directly with Mitie to address known problem areas. Local management are regular in touch with PFMs to press for remedial action.	5	4	R ↔	Senior Managers in both M&CP and CS have met to discuss suitable arrangements for maintenance. A contractor is scheduled to visit site on 1 September 2014 to deal with the most pressing maintenance item.	R

Ratings	Risk Status	Control Evaluation
R - Red	High risk, requiring constant monitoring and deployment of robust control measures.	Existing controls are not satisfactory
A - Amber	Medium risk, requiring at least quarterly monitoring, further mitigation should be considered.	Existing controls require improvement/Mitigating controls identified but not yet implemented fully
G - Green	Low risk, less frequent monitoring, consideration may be given to applying less stringent control measures for efficiency gains.	Robust mitigating controls are in place with positive assurance as to their effectiveness

This page is intentionally left blank

Department of Markets & Consumer Protection Local Risk Revenue Budget - 1 April to 31 July 2014
(Income and favourable variances are shown in brackets)

Appendix E

	Latest Approved Budget 2014/15 £'000	Budget to Date (Apr-Jul)			Actual to Date (Apr-Jul)			Variance Apr-Jul £'000
		Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	
Port Health & Environmental Services (City Fund)								
Coroner	44	15	0	15	20	0	20	5
City Environmental Health	1,587	595	(66)	529	601	(80)	521	(8)
Pest Control	64	52	(31)	21	44	(31)	13	(8)
Animal Health Services	(517)	701	(874)	(173)	680	(1,013)	(333)	(160)
Trading Standards	292	105	(8)	97	102	(6)	96	(1)
Port Offices & Launches	870	915	(625)	290	923	(616)	307	17
Meat Inspector's Office (City Cash)	324	117	(9)	108	114	(8)	106	(2)
TOTAL PORT HEALTH & ENV SRV COMMITTEE	2,664	2,500	(1,613)	887	2,484	(1,754)	730	(157)

Forecast for the Year 2014/15			Notes
LAB £'000	Forecast Outturn £'000	Over / (Under) £'000	
44	44	0	
1,587	1,607	20	
64	58	(6)	
(517)	(648)	(131)	1
292	292	0	
870	870	0	
324	311	(13)	
2,664	2,534	(130)	

Notes:

1. **Animal Health Service** - the favourable forecast is based on current activity and previous years performance for increased income for passports from the Pet Travel Scheme (PETS) and to a lesser extent fish imports.

This page is intentionally left blank

Committee(s):	Date(s):
Port Health & Environmental Services Committee	16 th September 2014
Subject: Port Health & Public Protection Service Policy Statement on Enforcement	Public
Report of: Director of Markets & Consumer Protection	For Decision
<p><u>Summary</u></p> <p>This report proposes the adoption of an up-dated Policy Statement on Enforcement for all of the regulatory functions of the Port Health & Public Protection Service (PH&PP).</p> <p>The changes to the existing policy statement are required so as to include new statutory guidance introduced since the last updates to the policy were approved 2010.</p> <p>This new guidance is in the form of:-</p> <p>a) <i>The Regulators' Code</i>, a new statutory code of practice made under the Legislative and Regulatory Reform Act 2006 and which places specific duties upon all regulators; and</p> <p>b) a new, up-dated <i>Code for Crown Prosecutors</i> issued by the Director of Public Prosecutions which sets out the general principles for all those prosecuting criminal offences, including local authorities.</p> <p>Recommendations</p> <p>It is recommended that:-</p> <ul style="list-style-type: none"> • a new PH&PP Policy Statement on Enforcement be adopted to replace the existing; and • the policy be publicised accordingly. 	

Main Report

Background

1. In May 2010, the then Director of Environmental Services reported to this Committee and presented an up-dated Policy Statement Enforcement Policy for the department, replacing its earlier predecessor which dated from June 2005.
2. Each of these preceding policies has served the City of London Corporation (CoLC) well, but the current 2010 policy now needs to take account of a range of updates and new documents published by various government departments and

agencies and which now need to be incorporated into all local authorities' statements of regulatory policy.

3. This is in addition to the long-standing requirement by the Food Standards Agency (FSA) and the Health & Safety Executive (HSE) for all food authorities and health & safety enforcing authorities such as the CoLC to have a Policy Statement on Enforcement.

Current Position

4. The primary change has been the introduction of The Regulators' Code, a statutory code of practice made under the Legislative and Regulatory Reform Act 2006 for all regulators, including local authorities and which came into force in April 2014.

5. With respect to the wide variety of regulatory functions exercisable by local authorities this includes the following A-Z selection of regulatory functions carried out by PH&PP:-

- animal health and welfare;
- charities collections;
- consumer and business protection
- environmental pollution;
- estate agents;
- fish, shellfish and fisheries;
- food hygiene and food standards;
- private sector housing;
- imported food ;
- intellectual property;
- licensing;
- public health & safety
- water quality
- weights and measures

as well as functions conferred on local authorities by secondary legislation made under the European Communities Act 1972 in relation to food hygiene, food standards and animal feed, product safety, fair trading etc

6. The Regulators Code' places six main obligations on regulators that they should:-
 - carry out their activities in a way that supports those they regulate to comply and grow;
 - provide simple straightforward ways to engage with those they regulate and hear their views;
 - base their regulatory activities on risk
 - share information on compliance and risk;
 - ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply; and
 - ensure that their approach to their regulatory activities is transparent

7. PH&PP were already complying with most aspects of the code and mechanisms are being put in place including the revision of the Enforcement Policy to ensure that we meet all of its requirements.
8. The second change has been the publishing of a new, up-dated **Code for Crown Prosecutors** issued by the Director of Public Prosecutions and which also applies to local authority prosecutions.
9. It sets out the general principles for all those prosecuting for criminal offences, including local authorities, should follow when they make decisions on cases and these principles are:-
 - a) **Is there enough evidence against the defendant?** - When deciding whether there is enough evidence to charge, prosecutors must consider whether evidence can be used in court and is reliable and credible. They must be satisfied there is enough evidence to provide a "realistic prospect of conviction" against each defendant.
 - b) **Is it in the public interest to bring the case to court?** - A prosecution will usually take place unless the prosecutor is sure that the public interest factors tending against prosecution outweigh those tending in favour.

Conclusion

10. The new PH&PP Policy Statement on Enforcement seeks to up-date our existing policy and place all relevant sources of Government guidance into a single document covering regulatory powers exercised by PH&PP, so as to ensure that all our enforcement powers are exercised appropriately.
11. The policy statement will meet the requirements of all relevant agencies and Government departments, and if the Department is audited by bodies such as the Food Standards Agency or the Health and Safety Executive, this document demonstrates that all current guidance has been taken into account.

Recommendations

12. It is recommended that:-
 - a) the new PH&PP Policy Statement on Enforcement (attached as Appendix A) be adopted as policy, replacing the existing with immediate effect; and
 - b) that such change is publicised accordingly.

Corporate and Strategic Implications

There are no Corporate and Strategic implications associated with this policy

Legal Implications

Failure to comply with statutory guidance in respect of the implementation of enforcement policies relating to the discharge of statutory functions could jeopardise subsequent enforcement action.

Consultees

Comptroller & City Solicitor has been consulted in the preparation of this report and his comments are incorporated in the body of the report.

Appendices

Appendix 1 : PH&PP Policy Statement on Enforcement, (*September 2014*)

Background Papers:

- a) The Regulators' Code (*Business, Innovation & Skills, Better Regulation Delivery Office, April 2014*)
- b) The Code for Crown Prosecutors (*Crown Prosecution Service, January 2013*)

Contact:

Tony Macklin, Assistant Director (Public Protection)
tony.macklin@cityoflondon.gov.uk
020 7332 3377

PH&PP Policy Statement on Enforcement

1. Introduction

1.1. This policy statement covers all the regulatory activity undertaken by the following services in the Port Health & Public Protection Service (PH&PP):-

- a) Environmental Health;
- b) Trading Standards;
- c) Port Health;
- d) Animal Health; and
- e) Licensing.

1.2. The Vision and Strategic Aims of the Department of Markets and Consumer Protection are:-

Vision

The vision of the Department of Markets and Consumer Protection is to support the "City Together" Strategy and the Corporate Plan through the provision of high quality, efficient services to all our customers and stakeholders. In addition, in respect of the two markets outside the Square Mile (Billingsgate and New Spitalfields), to seek to contribute to their host boroughs' Community Strategies.

Strategic Aims

Our strategic aims are:

- To operate the three wholesale food markets in a manner that provides an exemplary trading environment which is environmentally sustainable, well maintained, safe, hygienic, and financially viable.
- To advise, educate, influence, regulate and protect all communities for which the department has responsibility in the fields of Environmental Health, Port Health, Trading Standards, Licensing and Animal Health.
- At all times to seek value for money in the activities we undertake so that the highest possible standards are achieved cost effectively.

1.3. This Policy Statement on Enforcement conforms with the Regulators' Code¹ and the regulatory principles required under the Legislative and Regulatory Reform Act 2006². It sets out the general principles and approach which PH&PP officers in its regulatory services are expected to follow.

1.4. The legislative functions covered by The Regulators Code may be found in The Legislative and Regulatory Reform (Regulatory Functions) Order 2007 (as

¹ www.gov.uk/government/egulatorscode

² www.legislation.gov.uk/LRRA2006

amended) The PH&PP service will comply with the requirements of the code wherever possible for legislation not specifically included

- 1.5. The appropriate use of enforcement powers, including prosecution, is important both to secure compliance with the law and to ensure that those who have duties under it may be held to account for failures to safeguard fair trading, health, safety and welfare.
- 1.6. In allocating resources, regulatory services should have regard to the principles set out below, the objectives published in the current PH&PP Business Plan, and the need to maintain a balance between enforcement and other activities, including inspection sampling and test purchasing.

2. The purpose and method of enforcement

- 2.1. The ultimate purpose of PH&PP's regulatory services is to ensure that those responsible for complying with, environmental health, trading standards, licensing, port health and animal health legislation manage and control risks effectively, thus preventing harm. The term 'enforcement' has a wide meaning and applies to all dealings between PH&PP's regulatory services, those it regulates and those on whom the law places duties.
- 2.2. The purpose of enforcement is to:
 - a) ensure that businesses take action to deal immediately with serious risks;
 - b) promote and achieve sustained compliance with the law;
 - c) ensure that businesses who breach legislative requirements, and directors, employees or managers who fail in their responsibilities, may be held to account, which may include bringing alleged offenders before the courts, in the circumstances set out later in this policy.
- 2.3. From the point of view of our customers and stakeholders who we are here to protect, this can be summarised as:-
 - a) stopping the problem and ensuring that it does not recur;
 - b) ensuring that everything is ok – e.g. food hygiene or when they buy something or a service; and
 - c) helping businesses to trade well – i.e. safely and fairly - and not be disadvantaged by rogue traders
- 2.4. Enforcement is distinct from civil claims for compensation and is not undertaken in all circumstances where civil claims may be pursued, nor is its purpose to assist such claims. It does however include civil sanctions as detailed later in this Policy.
- 2.5. PH&PP's regulatory services have a range of tools at their disposal in seeking to secure compliance with the law and to ensure a proportionate response to

criminal offences and relevant civil breaches. These are detailed in 3:12 below

- 2.6. Educating, giving information and advice, and issuing enforcement letters and notices are the main means which officers use to achieve the broad aim of preventing harm, dealing with serious risks and securing compliance with the relevant legislation. Information on certain types of enforcement notices³ are required to be retained on a public register and reported to the relevant Government agency – e.g. the Health & Safety Executive.
- 2.7. Prosecutions, civil sanctions and, where appropriate, simple cautions are important ways to bring businesses to account for breaches of the law. Where it is appropriate to do so in accordance with this policy, PH&PP's regulatory services will consider the use of one of these sanctions in addition to any enforcement notice(s) to deal with immediate issues.
- 2.8. All issues encountered during inspections and incidents and complaints reported to us will be thoroughly investigated before any decisions are taken in respect of enforcement action and will also take into account the available resources and the likely course of action to be adopted.
- 2.9. In deciding what resources to devote to these investigations, PH&PP's regulatory services will have regard to the principles of enforcement set out in this statement and the objectives published in current PH&PP Business Plan. In particular, in allocating resources, PH&PP's regulatory services must strike a balance between reactive investigations and pro-active, preventative activity, including the provision of advice and education
- 2.10. PH&PP expects its regulatory services officers to use their discretion in deciding when to investigate incidents or complaints and on what enforcement action may be appropriate and these judgements will always be made in accordance with the with the Regulators' Code, and the regulatory principles required under the Legislative and Regulatory Reform Act 2006.

3. The principles of enforcement

- 3.1. PH&PP believes in the firm but fair enforcement of all the legal requirements that it enforces. This enforcement should be informed by the principles of:-
 - a) **proportionality** in applying the law and securing compliance and considering whether prosecution is proportionate to the likely outcome⁴
 - b) maintaining a **consistency of approach**;

³ Environment & Safety Information Act 1988 requires that all notices served under the Health & Safety At Work Act etc. 1974 with any element that might affect the public, are required to be entered on a public register for a period of at least three years irrespective as to whether or not they have been complied with by the recipient.

⁴ Taken from the current [The Code for Crown Prosecutors](#)

- c) **targeting** of all enforcement action where it is most needed;
- d) **transparency** about how we as a regulator operate and what those whom we regulate can expect; and
- e) **accountability** for our actions.

These principles apply both to enforcement in particular cases and to enforcement activities as a whole.

Proportionality

- 3.2. Proportionality means relating enforcement action to the risks⁵. Those who the law protects and those on whom it places duties expect that any action taken by the PH&PP's regulatory services to achieve compliance and/or bring people to account for non-compliance should be proportionate to the seriousness of any breach with respect to:-
- a) any risks to health, safety, environmental damage or economic advantage gained; and
 - b) the severity of any actual or potential harm arising from such; and
 - c) the likelihood of any such harm recurring.
- 3.3. In practice, applying the principle of proportionality means that the PH&PP's regulatory services should take particular account of how far those responsible have fallen short of what the law requires and the extent of the harm or economic disadvantage (or risk of) to others arising from any such failings.
- 3.4. Some duties are specific and absolute whereas others require action 'so far as is reasonably practicable' and PH&PP's regulatory services will apply the principle of proportionality in relation to both kinds of duty.
- 3.5. Deciding what is reasonably practicable to control risks involves the exercise of judgement. Where businesses must control risks so far as is reasonably practicable, PH&PP's regulatory services officers, in considering protective measures taken by businesses, must take account of the degree of risk and balance it with the financial and resource implications involved in the measures necessary to be taken by businesses to avert the risk. Unless it can be shown that there is gross disproportion between these factors and that the risk is insignificant in relation to the cost, businesses are expected to such take measures and incur costs to reduce the risk.
- 3.6. PH&PP expects relevant good practice to be promoted by its officers. Where relevant good practice in particular cases is not expressly defined, the law places the onus on businesses to establish the significance of the risks and to determine what action needs to be taken. Ultimately, the courts will, if so required, determine what is "reasonably practicable" in each particular case.

⁵ In this policy, 'risk' (where the term is used alone) is defined broadly to include any source of possible risk.

Targeting

- 3.7. Targeting means making sure that contacts and interventions, particularly pro-active ones:-
- a) are targeted primarily on those whose activities giving rise to the most serious risks of non-compliance or where the hazards are least well controlled; and that
 - b) action is focused on those who are responsible for compliance and risk control and who are best placed to control it – be they employers, manufacturers, suppliers, or others.
- 3.8. PH&PP's regulatory services have processes in place by which inspections, investigations or other regulatory contacts are prioritised according to the nature and extent of risks posed by each business' operations and any other information and intelligence received regarding the levels of complaints about that business. Their management competence is important because a relatively low hazard business poorly managed can entail greater risk to workers or the public than a higher hazard business where proper and adequate risk control measures are in place.
- 3.9. All enforcement action will be directed against those responsible for such breaches. This may be employers in relation to workers or others exposed to risks; companies, partnerships, sole traders and the self-employed; owners of premises; designers or clients of projects, directors and employees. Where there are several parties who each have responsibilities, PH&PP's regulatory services may take action against more than one when it is appropriate.
- 3.10. In deciding what enforcement action to take against an offender we will have regard to the following aims:
- a) to change the behaviour of the offender; and/or
 - b) to eliminate any financial gain or benefit from non-compliance; and/or
 - c) to be responsive and consider what is the most appropriate sanction for the particular offender and the regulatory issue concerned; and/or
 - d) for the action to be proportionate to the nature of the offence and the harm/potential harm cause; and/or
 - e) to restore the harm caused by regulatory non compliance, where appropriate; and/or
 - f) to deter future non-compliance.
- 3.11. The range of enforcement options available to PH&PP includes the following:
- a) **No action** - in certain circumstances e.g. where the detrimental impact on the community is small, contravention of the law may not warrant any action.
 - b) **Indirect action** - including referral to another authority or agency for information or follow-up action.

- c) **Verbal/written advice or warning** - where an offence has been committed but is not thought appropriate to take any further action, in which case the suggested corrective action and a timescale will be given
- d) **Fixed Penalty Notices (FPN)** - certain offences are subject to FPNs and legislation permits an offence to be dealt with by way of a Fixed Penalty Notice, we may choose to administer a FPN on a first occasion, without issuing a warning. This avoids a criminal record for the offender provided that the offender accepts the FPN.
- e) **Penalty Charge Notices (PCN)** - are prescribed by certain legislation as a method of enforcement by which the offender pays an amount of money to the enforcer in recognition of the breach. Failure to pay the PCN will result in the offender being pursued in the County Court for non-payment of the debt. A PCN does not create a criminal record and we may choose to issue a PCN without first issuing a warning.
- f) **Penalty Notice for Disorder (PND)** - is the fixed penalty option for anti-social behaviour such as the sale of alcohol to a minor.
- g) **Statutory Notice** - these are used as appropriate in accordance with relevant legislation (they usually require offenders to take specific action or to cease certain activities). Examples include improvement notices, prohibition notices and suspension notices.
- h) **Seizure** - some legislation permits our Officers to seize goods and documents that may be required as evidence. When we seize goods, we will give an appropriate receipt to the person from who they are taken. On some occasions, we may ask the person to voluntarily surrender the goods.
- i) **Forfeiture** - some legislation allows us to apply to the court to seek forfeiture of goods, either in conjunction with a prosecution, or separately.
- j) **Undertakings and Injunctive action under the Enterprise Act** - the range of actions under this legislation include the following:
 - *informal undertakings*
 - *formal undertakings*
 - *interim orders*
 - *court orders*
 - *contempt proceeding*
- k) **Review of Licences**- where there is a requirement for a business to be licensed by a local authority e.g. Licensing Act 2003, or other body e.g. Financial Conduct Authority, then a review or revocation of the licence or permit may be sought where the activities or fitness of the license holder is in question.
- l) **Anti-Social Behaviour Orders and Criminal Anti-Social Behaviour Orders** - where the non-compliance under investigation amounts to anti-social behaviour, then, following liaison with the Town Clerk and the Comptroller & City Solicitor, an Anti-Social Behaviour Order (ASBO) or a Criminal Anti-Social Behaviour Order (CRASBO) may be sought to stop the activity.
- m) **Taking animals into possession** - under the Animal Welfare Act 2006, if a veterinary surgeon certifies that 'protected animals' are suffering or are

likely to suffer if their circumstances do not change, we will consider taking them into possession and applying for Orders for re-imbursement of expenses incurred and subsequent disposal.

- n) **Simple Caution** - in accordance with the current Home Office circular is used to deal quickly and simply with less serious offences and to avoid unnecessary appearances in criminal courts. A formal or 'Simple' caution is an admission of guilt but it is not a form of sentence, nor is it a criminal conviction – though it may be cited in court in certain circumstances. A record of the caution will be sent to other agencies that are required to be notified.
- o) **Prosecution** - will only be undertaken when the evidence passes the 'Evidential Test' and when it is in the public interest to do so – we will have regard to the Crown Prosecution Service Code of Practice.
- p) **Proceeds of Crime Actions** - purpose is to recover the financial benefit that the offender has obtained from his criminal conduct. Applications may be made under the Proceeds of Crime Act for confiscation of assets in serious cases. Proceedings are conducted according to the civil standard of proof. Applications are made after a conviction has been secured.

We will continually review our position regarding the use of enforcement options and additional sanctions under the Regulatory Enforcement and Sanctions Act 2008.

3.12. Where it is necessary to carry out a full investigation, the case will be progressed without undue delay. All investigations into alleged breaches of legislation will be conducted in compliance with statutory powers and all other relevant legislation (and relevant Codes of Practice), including the requirements of:

- a) Police and Criminal Evidence Act (PACE)
- b) Criminal Procedure and Investigations Act (CPIA)
- c) Regulation of Investigatory Powers Act (RIPA)
- d) Human Rights Act (HRA).

3.13. As part of the investigation process, persons suspected of breaching legal requirements will, wherever possible:-

- a) be formally interviewed in accordance with PACE;
- b) be given the opportunity to demonstrate that a statutory defence is available; and
- c) have the opportunity to give an explanation or make any additional comments about the alleged breach.

3.14. Before a decision to prosecute is taken, the alleged offence(s) will be fully investigated, a Report compiled by the Investigating Officer and the file reviewed by a Senior Manager. We will take into account the views of any victim, injured party or relevant person to establish the nature and extent of

any harm or loss, including potential harm and loss and its significance in making the decision. Where one of the other forms of enforcement is proposed, the decision to take a particular form of enforcement action will lie the case officer in discussion with their team manager.

Consistency

- 3.15. Consistency of approach does not mean uniformity. It means taking a similar approach in similar circumstances to achieve similar ends.
- 3.16. Businesses are entitled to expect a consistent approach from officers in the same regulatory service in the advice they tender, their issue of enforcement notices, their decisions on whether to prosecute and in the response to incidents.
- 3.17. PH&PP recognises that in practice, consistency is not a simple matter and its officers are faced with many variables including the degree of risk, the attitude and competence of management, any history of incidents or contraventions involving the business, any previous enforcement action, and the seriousness of any breach, which includes any potential or actual harm arising from a breach of the law.
- 3.18. Decisions on enforcement action are discretionary, involving judgement by the officer and PH&PP has arrangements in place to promote consistency in the exercise of discretion, including effective arrangements for liaison and Continuous Professional Development (CPD) amongst professional peer groups across the range of regulatory services.

Transparency

- 3.19. Transparency means helping businesses to understand what is expected of them and what they should expect from PH&PP's regulatory services. It also means making clear to businesses not only what they have to do but, where this is relevant, what they don't. That means clearly distinguishing between statutory requirements and advice or guidance about what is desirable but not compulsory.
- 3.20. Transparency also involves PH&PP's regulatory services in having arrangements for keeping employees, their representatives, and victims of incidents or their families and complainants informed whenever possible as to the latest developments in their particular case. However such arrangements must have regard to legal constraints and requirements concerning the non-disclosure of evidence or matters prior to any court appearance or hearing.
- 3.21. This policy statement sets out the general policy framework within which PH&PP's regulatory services operate. The public, businesses, employees, their representatives and others also need to know what to expect when an officer

calls and what rights of complaint are open to them and for this our complaints procedures are set out on City of London Corporation's website.

- 3.22. When officers offer businesses or the public information, or advice, face-to-face or in writing, including any warning, they will tell the business or individual what to do to comply with the law, and explain why. Officers will write to confirm any advice, and to distinguish legal requirements from best practice advice.
- 3.23. In the case of enforcement notices, the officers will discuss the notice and, if possible, resolve points of difference before serving it. Many notices have a statutory right of appeal to a court in the event that the recipient does not accept the requirements of the notice or feels that it should have been served on some other person/business and so it is imperative that the details are correct and clear and in accordance with the principles of this Policy Statement.
- 3.24. The notice will specify what needs to be done, why, and by when, and that in the officer's opinion a breach of the law has been committed. In the case of any prohibition type notice which have the effect of immediately stopping activity or operations, the notice will explain why the prohibition is necessary.
- 3.25. If regulatory compliance can be achieved by the procurement of services of which the City of London Corporation currently provides, those being regulated will be directed to the appropriate Department or Service, whilst advising them the City of London Corporation is not the only provider and that they have no obligation to procure any services provided by the City of London Corporation over any other provider – e.g. refuse collection services, commercial waste.

Accountability

- 3.26. Regulators are accountable to the public for their actions as outlined in the Regulators' Compliance Code. This means that local authorities such as the City of London Corporation have policies and standards (such as the five enforcement principles above) against which they can be judged, and have an effective and easily accessible mechanism for dealing with comments and handling complaints.

4. Investigation

- 4.1. PH&PP's regulatory services undertake investigations in order to determine:
- a) sources of complaint – e.g. statutory nuisance, unfair trading
 - b) causes of accidents and potential risks to prevent them recurring;
 - c) whether action has been taken or needs to be taken to prevent a recurrence and to secure compliance with the law;
 - d) lessons to be learnt and to influence the law and guidance; and

- e) what response is appropriate to a breach of the law.
- 4.2. To maintain a proportionate response, most resources available for investigation of incidents and complaints will be devoted to the more serious circumstances.
- 4.3. Complaints or reports of environmental nuisance, unfair trading, work-related deaths, injuries or occupational ill-health are all investigated but in deciding the level of resources to be deployed, the regulatory service in question will take account of the following factors:
- a) the severity and scale of potential or actual harm;
 - b) the existence of any continuing risk or breach of the law;
 - c) the business's past performance in complying with relevant legal responsibilities;
 - d) the current enforcement priorities of the relevant PH&PP regulatory service;
 - e) the practicality of achieving results including any evidential gap;
 - f) the wider relevance of the event, including serious public concern and interest.
 - g) the vulnerability of any group affected

5. Prosecution

- 5.1. The final decision to proceed with prosecution rests with the Director of Markets & Consumer Protection acting upon the recommendation of the PH&PP Service Director with the Comptroller & City Solicitor's advice with PH&PP's decision on whether or not to prosecute being taken in accordance with the principles set out in this Policy Statement.
- 5.2. The decision whether to prosecute should take account of the evidence obtained and the relevant public interest factors set down by the Crown Prosecution Service in their current Code for Crown Prosecutors⁶. No prosecution may go ahead unless the Comptroller and City Solicitor believes there is sufficient evidence to provide a realistic prospect of conviction, and decides that prosecution would be in the public interest.
- 5.3. While the primary purpose of the regulatory services is to ensure that businesses manage and control their risks effectively and in preventing harm, prosecution is an essential part of enforcement. Where in the course of an investigation, a regulatory service collects sufficient evidence to provide a realistic prospect of conviction and has decided, in accordance with this policy and taking account of the Code for Crown Prosecutors, that it is in the public interest to prosecute, then that prosecution should go ahead.

⁶ CPS Code for Crown Prosecutors www.cps.gov.uk/publications/code

- 5.4. The Code for Crown Prosecutors requires the decision to prosecute to be kept under continuous review, so that any new facts or circumstances, in support of or conversely, undermining the prosecution's case, are taken into account in the decision to continue or immediately terminate the proceedings. Where the circumstances warrant it and the evidence to support a case is available, regulatory services may prosecute without prior warning or recourse to alternative sanctions first.
- 5.5. The City of London Corporation expects that, in the public interest, its regulatory services should normally prosecute, or recommend prosecution, where, following an investigation or other regulatory contact, one or more of the following circumstances apply. Where:
- a) death was a result of a breach of the legislation;
 - b) the gravity of an alleged offence, taken together with the seriousness of any actual or potential harm, or the general record and approach of the offender warrants it;
 - c) there has been reckless disregard of legal requirements;
 - d) there have been repeated breaches which give rise to significant risk, or persistent and significant poor compliance;
 - e) activities or trade have been carried out without or in serious non-compliance with an appropriate licence, permission or sanction;
 - f) a business's standard of operation is found to be far below what is required by law and/or is giving rise to significant risk;
 - g) there has been a failure to comply with an enforcement notice; or there has been a repetition of a breach that was subject to a Simple Caution;
 - h) false information has been wilfully supplied, and/or there has been an intent to deceive, in relation to a matter of non-compliance and/or one which gives rise to significant risk; and
 - i) officers have been intentionally obstructed in the lawful course of their duties.
- 5.6. Where its officers are subject to, or threatened with, physical assault regulatory services will always seek police assistance, with a view to seeking the prosecution of offenders.
- 5.7. PH&PP also expects that, in the public interest, its regulatory services will consider recommending prosecution, where following an investigation or other regulatory contact, one or more of the following circumstances apply:
- a) it is appropriate in the circumstances as a way to draw general attention to the need for compliance with the law and the maintenance of standards required by law, and conviction may deter others from similar failures to comply with the law; and
 - b) a breach which gives rise to significant risk has continued despite relevant warnings.

6. Prosecution of individuals

- 6.1. Subject to the above, PH&PP's regulatory services will identify and recommend the prosecution of individuals if they consider that a prosecution is warranted.
- 6.2. In particular, we will consider the management chain and the role played by individual directors and managers, and will take action against them where an inspection or an investigation reveals that the offence was committed with their consent or connivance or to have been attributable to any neglect on their part and where it would be appropriate to do so in accordance with this policy.
- 6.3. Where appropriate, regulatory services should seek disqualification of directors under the Company Directors Disqualification Act 1986.

7. Disseminating Information

- 7.1. The Crime and Disorder Act 1998⁷ recognises that there are key stakeholder groups who have responsibility for the provision of a wide and varied range of services to and within the community. In carrying out these functions, the Act places a duty on them to do all it can do to reasonably prevent crime and disorder in their area.
- 7.2. Each regulatory service will fulfil its responsibilities by sharing information regarding its regulatory investigations with other such services both within PH&PP and with other external agencies including, though not exhaustively, the City of London Police, BIS, the Financial Conduct Authority, the Health & Safety Executive, the Environment Agency, the Marine & Coastguard Agency and HM Customs & Revenue.
- 7.3. If there is a shared enforcement role with other agencies - e.g. the Financial Conduct Authority, Animal Health, HM Revenue & Customs, other COL Services or the Police - we will consider co-ordinating with these agencies to minimise unnecessary overlaps or time delays and to maximise our overall effectiveness.
- 7.4. Finally, all disclosures will be in accordance with the provisions of the Data Protection Act 1998.

8. Publicity

- 8.1. PH&PP's regulatory services will also consider in all cases drawing the media's attention to factual information about charges which have been laid before the courts, but great care must be taken to avoid any publicity which could prejudice a fair trial.

⁷ Section 17 www.opsi.gov.uk/acts/acts1998

8.2. We will also consider publicising any successful conviction which could serve to draw attention to the need to comply legislation requirements, or deter anyone tempted to disregard their duties under UK law.

9. Action by the courts

9.1. PH&PP's regulatory services will continue to seek to raise the court's awareness of the gravity of any offences and of the full extent of their sentencing powers and draw to the court's attention all the factors which are relevant to the court's decision as to what sentence is most appropriate whilst still recognising that it is ultimately for the courts to decide whether or not someone is guilty and what penalty if any to impose on conviction.

10. Representations to the courts

10.1. In cases of sufficient seriousness, and when given the opportunity, PH&PP will consider indicating to the magistrates that the offence is so serious that they may wish to consider sending it to be heard or sentenced in the higher court where higher penalties can be imposed. In considering what representations to make, regulatory services should have regard to current case law and guidance

11. Conclusion

11.1. Compliance with this Policy Statement on Enforcement will ensure that PH&PP strives to be fair, impartial, independent and objective and is not influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender.

11.2. Decisions will not be influenced by improper or undue pressure from any source.

12. Appendices

12.1 Appendix A: Port Health and Public Protection Service

FURTHER INFORMATION

Regulatory Enforcement and Sanctions Act 2008

Regulators' Code www.gov.uk/government/publications/regulators-code

Code for Crown Prosecutors (Crown Prosecution Service) www.cps.gov.uk

Port Health & Public Protection Service

1. Our Decision Making Processes

When deciding whether to investigate any matter further, the Port Health & Public Protection Service will follow the current guidance and information of Government agencies and departments and other relevant regulatory sources:-

- the Food Standards Agency
www.food.gov.uk/enforcement/enforcework/

- the Health & Safety Executive

National Local Authority Enforcement Code

www.hse.gov.uk/lau/la-enforcement-code.htm

Enforcement Guide - www.hse.gov.uk/enforce/enforcementguide/index.htm

Enforcement Management Model - www.hse.gov.uk/enforce/emm.pdf

Incident Selection Criteria Guidance www.hse.gov.uk/lau/lacs/22-13.htm

- the Department of the Environment, Farming & Rural Affairs
Defra - Department for Environment, Food and Rural Affairs
- Trading Standards services' NTSB, Regional Intelligence Officers , Scambusters plus the City of London Police, HMRC and any other regulatory sources
- City of London Licensing Policy www.cityoflondon.gov.uk/licensing

2. Home Authority and Primary Authority

1. The Home Authority Principle means that City of London based businesses, where they trade or provide services that impact beyond the city, are able to get advice and support from us on matters such as legal requirements, changes to the law and so forth. This usually takes the form of a semi-formal relationship and we support the Home Authority Principle, which has been developed over many years to promote good enforcement practice and reduce burdens on business.
2. In April 2009, the Regulatory and Enforcement Sanctions Act 2008 introduced the Primary Authority Principle which in contrast to the Home Authority Principle, this is a more formal relationship including for the first time, the ability to re-charge the business .
3. A Primary Authority is a local authority registered by the Better Regulation Delivery Office (BRDO) as having responsibility for giving advice and guidance to a particular business or organisation that is subject to regulation by more than one local authority. As such any advice given to that business or organisation is nationally applicable and all other local authorities must follow it.
4. Our objective is to create full Primary Authority partnerships whenever possible which will provide increased positive benefits to both parties. PH&PP will give due consideration to any business, based in or associated with the City of London who wishes to enter into such an arrangement.
5. As part of any Primary Authority partnership we will therefore:
 - a) provide businesses for whom we are the 'Primary' with appropriate guidance and advice
 - b) maintain records of our contacts with such businesses in the BRDO's required format;
 - c) support efficient liaison between local authorities dealing with such businesses; and
 - d) provide a first point of contact for the resolution of any problems and disputes.

3. Death at work

1. Where there has been a breach of health & safety law leading to a work-related death in premises for which the City of London Corporation is the enforcing authority, the City of London Police (CoLP) will first have to consider whether the circumstances of the case might justify a charge of manslaughter or corporate manslaughter and they take primacy in any joint investigation.
2. To ensure decisions on investigation and prosecution are closely co-ordinated following a work-related death, the HSE, the Association of Chief Police Officers (ACPO), the British Transport Police, the Crown Prosecution Service (CPS), the Local Government Association (LGA) and the Office of Rail Regulation (ORR) have jointly agreed and published the current *Work-related deaths: A protocol for liaison*⁸.
3. Other non-signatory organisations, such as the Maritime and Coastguard Agency (MCA), Civil Aviation Authority (CAA) and the Chief Fire Officers Association (CFOA), have agreed that they will take account of the protocol when responding to work-related deaths.
4. The CoLP are responsible for deciding whether to pursue a manslaughter or corporate manslaughter investigation and whether to refer a case to the CPS to consider such possible charges. The EH&PP Service of PH&PP are responsible for investigating possible health and safety offences.
5. If in the course of their health and safety investigations, they find evidence suggesting manslaughter or corporate manslaughter, they will pass it on to the CoLP. If they or CPS decide not to pursue a manslaughter or corporate manslaughter case, then the City of London Corporation will then consider bringing a prosecution for any health and safety offences in accordance with this policy statement.

⁸ *Work-Related Death - A protocol for liaison* was published in 2003
www.hse.gov.uk/pubns/misc491.pdf

This page is intentionally left blank

Committee(s):	Date(s):
Port Health & Environmental Services	16 September 2014
Subject: The increase in illegally imported dogs and cats dealt with by the Animal Health and Welfare Team	Public
Report of: Director of Markets & Consumer Protection	For Decision
<p>Summary</p> <p>The purpose of this report is to provide information to Members regarding the work carried out by City Corporation officers in dealing with illegally imported dogs and cats as part of their statutory duties under the Animal Health Act, and the increase in workload and costs incurred since the changes to the Regulations on 1 January 2012.</p> <p>Proposals are provided on actions that could be taken to strengthen controls at the borders, which would reduce the costs to Animal Health Authorities such as the City Corporation, as they would not need to detain the animals inland.</p> <p>Recommendation(s)</p> <p>Members are asked to:</p> <ul style="list-style-type: none"> • Note the continuing problem will the illegal importation of pets, and the increasing costs of enforcement • Endorse the proposals contained in paragraphs 30 – 35, and agree to officers pursuing the suggestions with government departments and agencies. 	

Main Report

Background

1. The aim of this Report is to alert Members to the growing problem of illegally imported puppies, to outline actions being taken with Defra and to explain the line being taken by City Officers in seeking improved controls.

2. The Animal Health Act 1981 places a statutory duty on the City of London Corporation with regards to imported animals for the whole of the Greater London Area. Officers from the Animal Health and Welfare team investigate all

reports of suspected illegally imported animals into Greater London. The City Corporation also has contracts to investigate any suspect illegal landings in the Royal Borough of Windsor and Maidenhead, Bracknell Forest Borough Council and Reading Borough Council.

3. In 1999 the UK ran a pilot trial allowing dogs and cats arriving from Europe to be exempt from quarantine if they met strict requirements. They were required to be identified by a microchip and then vaccinated against rabies. They were then required to have a blood sample taken, and six months after a satisfactory test result could enter the UK without undergoing a six month quarantine period in quarantine kennels on arrival in the U.K. Prior to arrival they also had to be treated for ticks and the tapeworm, *Echinococcus multilocularis*.
4. The EU adopted the UK trial and introduced the Pet Travel Scheme in legislation in 2003. The legislation allowed for certain derogations for the U.K., Ireland, Malta, Finland and Sweden. Thus, the UK still used the six months quarantine for 'higher risk' countries, those 'unlisted' in the EU regulations.
5. On 1 January 2012 the UK harmonised with the rest of the EU which then allowed dogs and cats that complied with the scheme to enter the UK without quarantine from any country in the world. Dog and cats entering the UK from Europe and 'listed' third countries could do so after being identified by a microchip and vaccinated against rabies and then waiting 21 days before entering the UK. A dog or cat arriving from an 'unlisted' third country has additional requirements of receiving a blood test no sooner than 30 days after the rabies vaccination and then waiting 3 months (if the blood test shows a titre higher than 0.5IU/ml) before entry – a total of four months.
6. The requirement for tick treatment was abandoned as the ticks it was protecting against have been found in the Member States that previously required the treatment. The *Echinococcus multilocularis* treatment is continued for the UK, Malta, Ireland and Finland. (Sweden found the tapeworm in its territory in 2011 and so can no longer require the treatment).
7. In 2011, prior to harmonisation of the legislation on 1st January 2012, nationally, 127 dogs were identified as having been illegally imported into the UK.
8. In 2010 the City Corporation's Animal Health and Welfare Team dealt with 17 illegal cases (consignments that can comprise more than one animal) with 19 animals being detained. This increased in 2011 to 20 illegal cases, which led to 21 animals being detained.

9. After harmonisation there was a large increase in the reported numbers of animals, mainly puppies, entering the UK in non-compliance with the regulations, hence illegally. Nationally, during 2012, 417 dogs and cats that had entered the UK illegally were put into quarantine. This increased to 459 in 2013.
10. In 2012 the Animal Health and Welfare Team dealt with 38 cases, leading to the detention of 78 animals, a rise of 90% in cases, but an increase of 350% in the number of animals detained.
11. In 2013 the Team investigated 45 cases resulting in 49 animals being detained.

Current Position

12. Until the end of May 2014, 29 animals had been detained, and there is likely to be an overall increase on 2013's workload of around 50%.
13. Due to the concerns expressed to Defra and the Animal Health and Veterinary Laboratories Agency (AHVLA) by City Corporation Officers and the Local Authorities' National Animal Health and Welfare Panel, (on which an Officer sits), AHVLA has introduced a reporting system so that data can be gathered. This data is used to enable the Chief Veterinary Officer for England to write to countries where their vets or processes are not consistent with the legislation. The information passed on by Officers has resulted in several letters and an approach to the U.S. Government via the U.S. Embassy regarding issues the Corporation Officers have raised.
14. Defra have also implemented a working group to look at the problem. A Corporation officer has been invited to be on this working group.
15. The Officer's investigations reveal that most of the trade comes through Dover and on Eurotunnel. There are two types of trade: firstly, the puppy trade from Eastern Europe. It is this trade that causes most problems in London. Secondly, there is also a trade in 'rescue' dogs, mostly from Romania.
16. The puppy trade is predominantly run by Eastern Europeans. Hungary and Lithuania are currently the countries that are supplying the most puppies, but this can change and most Eastern European countries are involved to a degree.

17. The 'rescue' dog trade is predominantly run by UK nationals who drive to Romania to collect stray dogs and bring them back to the UK for fostering, for a 'fee' of around £250. The Corporation's Officers have had minimal involvement with this, and AHVLA and the local authorities have worked hard to make most of these organisations compliant with the rules. This has been made easier as they are dealing with organisations based in this country.
18. The puppies that are supplied from Eastern Europe are usually non-compliant as they are too young to have been vaccinated so do not meet the requirements of the Pet Travel Scheme, hence they also have fraudulent passports.
19. Nearly 100% of all the puppies reported to the Corporation's Officers come from veterinary practices. The puppies have been bought off the internet and when the purchaser takes the puppy to their vet it is then that the vet realises the puppy is not compliant with the regulations and informs Animal Health.
20. Therefore, it is the end user from whom the dog is detained and not the dealer who imported the animal. As a result, the number of prosecutions taken is still fairly low, as it is only when the actual importers are traced and evidence found that a prosecution can be put forward.
21. To raise public awareness of the issues of buying puppies from the internet, the Animal Health and Welfare Team have taken part in the following documentaries, The BBC "Fake Britain", Channel 4 "Dispatches" and ITV "Tonight". Officers also sit on the Pet Advertising Advice Group (PAAG), which in 2013 had a set of standard conditions approved and signed by Lord de Mauley, Parliamentary Under Secretary of State for natural environment and science, who has visited the Heathrow Animal Reception Centre. Officers have spoken at various events including the British Small Animal Veterinary Association Congress.

Implications

22. The cost of fulfilling statutory duties in relation to the (illegal) import of animals in 2013 was circa £36,000, i.e. an average of £800 for each of the 45 cases. This includes all costs such as transport and out-of-hours charges.
23. 2014 is on target to cost approximately 50% more than 2013.
24. The cost of quarantine for those dogs where the owner has disappeared was only £2000 in 2013. This is mainly down to the efforts of the officers and their forcefulness in dealing with the offenders and innovative solutions to re-homing abandoned animals.

25. As long as the Eastern European puppies are cheaper than home produced puppies, it seems unlikely that there will be a diminishing of the problem of non-compliant animals entering the UK and the cost, nationwide, for all local authorities is a significant one.

Next steps

26. There is new EU legislation being implemented on 29 December 2014 which tightens up some aspects of the Pet Travel Scheme but it will not stop the trade. For instance, it specifies that a puppy/kitten must be at least 12 weeks old at vaccination. Thus, following the 21 day wait, prior to import, the animal would be around 15 weeks old. Most buyers of puppies want them at 8 weeks of age.
27. It is hoped that the new working group Defra are setting up will be able to influence Ministers to have a dialogue with their colleagues in the source countries.
28. The government recently announced the creation of the Animal and Plant Health Agency which will begin on 1 October 2014. Its aim is to equip the government better to prevent the spread of animal and plant diseases, and to respond to emergencies. The Chief Executive of the new agency is due to visit the Heathrow Animal Reception Centre on 4 September.

Proposals

29. In order to tackle this issue, there are actions that could be taken to improve controls, and reduce costs to Animal Health Authorities, as they would not need to detain animals inland. The proposals are outlined below and it is recommended that officers pursue the suggestions with government departments and agencies.
30. As the vast majority of non-compliant animals are entering the EU via the Dover ferries and Eurotunnel, natural pinch points, it would seem eminently sensible that government use these as points of first control. Currently ferry and Eurotunnel staff only check what is presented to them so it is very easy for unscrupulous people to avoid the checks.
31. There is no formal agreement between Border Force and AHVLA with regards this issue and no organised intelligence gathering. Both should be addressed as a matter of urgency.
32. Some of the illegally imported animals that have been dealt with in London have undergone a check by ferry staff who have not noticed that the puppies are too young to comply with the regulations. Government should ensure that the pets checkers are properly competent to be able to carry out checks to ensure compliance with all parts of the regulations. There is a legal basis for this arrangement.

33. The two most relevant pieces of legislation are due to be reviewed soon. It is suggested that offences be included that are relevant to the current issues present with penalties commensurate to the possible outcome.
34. Defra have been giving out mixed messages. On the one hand their line appears to be that the risk of the introduction of rabies to the UK is extremely low, but on the other hand they want Local Authorities to enforce the legislation as a priority and are critical of those that do not. It is suggested that Defra would present a consistent message if they insist Local Authorities enforce the regulations.
35. Any non-compliant dogs or cats that enter the U.K. through Dover or the Tunnel will also have been non-compliant in France. It seems that the ferry companies, Eurotunnel and AHVLA do not report such non-compliance to the French authorities. It is suggested that the government should seek French co-operation in this matter.

Conclusion

36. Illegal importation of pets, particularly puppies, is a continuing and growing problem for the City Corporation, with costs increasing year on year. Controls could be improved at borders, so the suggested changes should be proposed to government departments and agencies.

Robert Quest

Assistant Director - (Animal Health)

T: 020 7332 2401

E: Robert.quest@cityoflondon.gov.uk

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3, 5, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3, 5, 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3, 5, 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank