

## PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 18 November 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)	Barbara Newman
Deputy John Tomlinson (Deputy Chairman)	Ann Pembroke
Peter Dunphy	Henrika Priest
George Gillon	Deputy Gerald Pulman
Deputy Stanley Ginsburg	Deputy Richard Regan OBE
Alderman John Garbutt	Delis Regis
Vivienne Littlechild	Jeremy Simons
Professor John Lumley	Deputy James Thomson
Andrew McMurtrie	Mark Wheatley
Hugh Morris	Philip Woodhouse

#### **Officers:**

David Arnold	Town Clerk's Department
Neil Davies	Town Clerk's Department
Jenny Pitcairn	Chamberlain's Department
Julie Smith	Chamberlain's Department
Paul Dudley	Chamberlain's Department
Paul Nagle	Chamberlain's Department
Paul Chadha	Comptroller and City Solicitor's Department
Philip Everett	Director of the Built Environment
Doug Wilkinson	Department of the Built Environment
Steve Presland	Department of the Built Environment
Jim Graham	Department of the Built Environment
Vincent Dignam	Department of the Built Environment
David Smith	Director of Markets and Consumer Protection
Jon Averbs	Department of Markets and Consumer Protection
Ruth Calderwood	Department of Markets and Consumer Protection
Sue Ireland	Director of Open Spaces
Gary Burks	Superintendent & Registrar, City of London Cemetery & Crematorium
Tony Halmos	Director of Public Relations
Andrew Buckingham	Public Relations Office
Greg Williams	Public Relations Office

1. **APOLOGIES**

Apologies were received from Deputy John Absalom, Deputy John Bennett, Henry Colthurst, Karina Dostalova, Deputy Billy Dove, Deputy Bill Fraser, Wendy Hyde, Sheriff & Alderman Dr Andrew Parmley, and Philip Woodhouse.

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 previous meeting held on Tuesday 16 September 2014 be agreed.

4. **OUTSTANDING ACTIONS**

**RESOLVED** – That the outstanding actions be noted.

**Matters Arising**

A Member noted that the ground floor West Wing toilets in Guildhall were a positive addition to the Community Toilets Scheme. She added that some of the signage in local businesses' windows could be larger to increase public awareness of the service.

5. **PUBLIC RELATIONS UPDATE**

The Committee received a report of the Director of Public Relations that highlighted the activities of the PR Office, in the period October 2013 to October 2014, in support of the services for which this Committee was responsible.

In addition to the media highlights detailed in the report, Members were also advised of a recent newspaper story regarding the re-use of graves at the City of London Cemetery and Crematorium.

Members expressed their thanks to the Director of Public Relations and his team for supporting the work of the Committee through the media and other communications work.

**RESOLVED** – That the PR activities during the period October 2013 to October 2014 be noted.

6. **RISK MANAGEMENT STRATEGY**

The Committee received a report of the Chamberlain that introduced the new Risk Management Strategy, which was approved by the Audit and Risk Management Committee 13 May 2014.

Members were advised that the key risks in the Department of Markets and Consumer Protection, the Department of the Built Environment, and the Open Spaces Department's risk registers would be reported to this Committee periodically.

The Head of Audit and Risk Management also advised that the Department of Markets and Consumer Protection risk review had been postponed until early 2015.

**RESOLVED** – That the new Risk Management Strategy and plans for the phased roll-out of the strategy within Departments and City of London Corporation institutions, be noted.

**7. REVENUE AND CAPITAL BUDGETS 2015/16**

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 sought approval to the provisional revenue budget for 2015/16.

Members were advised that the budget for recycling costs was originally reduced from £50,000 to £30,000 but it was identified as a high risk item. Changes in the market since that proposal was put forward had increased the forecast recycling costs to £72,000, however the market remained unpredictable.

**RESOLVED** – That:-

- a) The provisional 2015/16 revenue budget be approved for submission to the Finance Committee;
- b) The draft capital budget be approved;
- c) The Chamberlain be authorised to revise the budgets to allow for further implications arising from potential budget developments including developments in the Port Health service relating to changing trade, changes to Additional Works Programme and changes in respect of recharges; and
- d) If other Committees request that further Service Based Review proposals be pursued, that the substitution of other suitable proposals for a corresponding amount is delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman. If the substituted saving is not considered to be straightforward in nature, then the Town Clerk shall also consult the Chairman and Deputy Chairmen of the Policy and Resources Committee prior to approving an alternative proposal(s).

**8. HEALTH AND WELLBEING BOARD ACTION PLAN**

The Committee received a report of the Director of Community and Children's Services regarding the action plan to deliver the Joint Health and Wellbeing Strategy.

**RESOLVED** – That the Joint Health and Wellbeing Strategy action plan be noted.

**9. CITY OF LONDON AIR QUALITY STRATEGY 2015 - 2020**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval of the draft air quality strategy, which was for consultation until 31 January 2015.

Members were advised that the strategy was a revision to the 2011 strategy that contained 59 actions grouped into 10 key policy areas for improving air quality and reducing the impact of air pollution on public health until 2020. Members requested that the final version be presented back to Committee in 2015.

**RESOLVED** – That:-

- a) the draft air quality strategy for consultation until 31 January 2015, be approved; and
- b) delegated authority be granted to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to consider the responses from the Greater London Authority and Transport for London to the Ultra-Low Emission Zone proposals for central London.

**10. ECONOMIC DEVELOPMENT AND LOCAL AUTHORITY REGULATION**

The Committee received a report of the Director of Markets and Consumer Protection that informed Members of the outcome of the investigation that followed the publication of the report titled Economic Development and Regulation by the Better Regulation Delivery Office in October 2014.

**RESOLVED** – That the report be noted.

**11. 42<sup>ND</sup> CITY OF LONDON THAMES FISHERY RESEARCH EXPERIMENT 2014**

The Committee considered a report of the Director of Markets and Consumer Protection that informed Members of the outcome of the 42<sup>nd</sup> City of London Thames Fishery Experiment held in September 2014 and sought approval for the 43<sup>rd</sup> City of London Thames Fishery Experiment to be held on 10 October 2015.

**RESOLVED** – That:-

- a) The outcome of the 42<sup>nd</sup> City of London Thames Fishery Experiment be noted; and
- b) The 43<sup>rd</sup> City of London Thames Fishery Experiment on 10 October 2015 be supported and approved.

**12. NEW ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 - DELEGATED POWERS**

The Committee considered a report of the Director of the Built Environment regarding the provisions of the Anti-Social Behaviour, Crime and Policing Act 2014, which received Royal Assent on 13 March 2014 and came into effect on 20 October 2014.

Members were advised that, in adopting the Act, it would be necessary to amend the City of London Corporation's Scheme of Delegation and would also require close and coordinated working with partner organisations.

In response to a Members question, the Assistant Director of Street Scene, Strategy and Safer City Partnership advised that the City of London Corporation would have greater flexibility to deal with situations relating to Anti-

Social Behaviour. In response to a further question, the Director of the Built Environment advised that a meeting would be taking place with the Chairman and Deputy Chairman of the Licensing Committee in early 2015 to discuss the Anti-Social Behaviour issues that arise from large groups of people congregating on walkways. He added that there was currently no highways legislation that gave powers to the City of London Corporation regarding people congregating on walkways but options to prevent it would be looked into.

**RESOLVED – That:-**

- a) delegated authority for the Director of Built Environment and the Director of Markets and Consumer Protection or their authorised Deputy to seek an Injunction to Prevent Nuisance and Annoyance in accordance with Part 1 of the Anti-Social Behaviour, Crime and Policing Act 2014, be approved;
- b) delegated authority for the Director of Built Environment and the Director of Markets and Consumer or their authorised Deputy to apply for Closure Orders and to authorise their officers to issue Closure Notices and in accordance with Part 3 of the Anti-social Behaviour, Crime and Policing Act 2014, be approved;
- c) delegated authority for the Director of Built Environment and the Director of Markets and Consumer Protection to authorise Officers to serve Community Protection Notices, and Fixed Penalty Notices in the event of a breach, in accordance with Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014, be approved;
- d) the Director of Built Environment and the Director of Markets and Consumer Protection having the ability to designate Registered Social Landlords to issue Community Protection Notices, in accordance with Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014, be approved;
- e) the Director of Built Environment and the Director of Markets and Consumer Protection having the ability to authorise Police Community Support Officers and other Police staff to serve Community Protection Notices and Fixed Penalty Notices, in accordance with Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014, be approved; and
- f) delegated authority for the Director of Built Environment and the Director of Markets and Consumer Protection or their authorised Deputy to seek Criminal Behaviour Orders, in accordance with Part 2 of the Anti-Social Behaviour, Crime and Policing Act 2014, be approved.

**13. HOUSEHOLD RECYCLING SERVICES AND THE REQUIREMENTS OF THE WASTE REGULATIONS 2011 (AMENDED 2012) "TEEP"**

The Committee received a report of the Director of the Built Environment regarding the revised EU Waste Framework Directive (rWFD) that included a requirement for all collectors of waste to take measures to promote high quality recycling, which was transposed into English legislation by the Waste (England and Wales)(Amendment) Regulations 2012.

Members were advised it would be necessary for the City of London Corporation to review the way municipal recycled material was collected and to complete a formal assessment to ascertain whether it was technically,

environmentally or economically practicable ('TEEP') to collect source separated recycling material. A report detailing the outcome of this assessment would be presented to the next appropriate Committee meeting.

**RESOLVED** – That:-

- a) The report be noted; and
- b) A further report specifying the outcome of the assessment and the detail of any changes in service required, if any, to achieve full compliance with the regulations, be presented to a future Committee meeting.

**14. FIVE YEAR EXTENSION OF LONDON WIDE HAZARDOUS WASTE COLLECTION AND DISPOSAL SERVICE**

The Committee considered a report of the Director of the Built Environment regarding the London-Wide Hazardous Waste Collection and Disposal Service. Members were advised that the current five-year contract commenced on 1 October 2010 and included an option to extend. The report sought approval for a five-year extension to this contract.

In response to a Member's question, the Assistant Cleansing Director advised that being the lead authority for the Service came at no cost to the City of London Corporation. He added that this contract provided a London-wide service that would otherwise be too fragmented and inefficient that being the lead authority was seen as a good opportunity for the City.

**RESOLVED** – That:-

- a) The City of London Corporation continue to act as lead authority for the provision of a London-Wide Hazardous Waste Collection and Disposal Service; and
- b) A formal agreement with PHS Waste Management for a five-year extension to the existing contract be approved, subject to such amendments as may be agreed by the Comptroller and City Solicitor and to the participating Borough's agreement of the contract extension.

**15. ITEMS PLACED ON THE HIGHWAY (STREETS AND PAVEMENTS)**

The Committee received a report of the Director of the Built Environment regarding the adoption of a policy to enable the safe management of footpaths and the street environment in a proportionate manner.

The Assistant Director of Street Scene and Strategy advised that comments received from Members following a recent report indicated the issues being experienced on the City's streets were wider than just 'A' Boards, which was agreed with by Members of this Committee.

Members then discussed the following issues relating to items placed on streets and pavements:

- Tables, chairs, pots and plants outside businesses often caused obstructions on walkways that prevented people, particularly the elderly, partially sighted and disabled, from walking past. The Assistant Director of Street Scene and Strategy advised that the Access Team and the

Health and Wellbeing Board would be consulted regarding items on the highway causing difficulties for disabled people.

- Small businesses required better signage in their area to advertise their location to customers, which would prevent the need for them to deploy 'A' Boards on the walkway at their entrance.
- In relation to the City of London Footway Guidance, a Member noted that the requirement for a minimum of 2 metres of unobstructed width may still have been too narrow for busy City streets. The Assistant Director of Street Scene and Strategy advised that this distance was a requirement for the narrowest point but the Guidance note could be reviewed.
- In relation to the walkway outside Barbican Station, a Member noted that obstructive items had been removed only to be replaced by a large bin. The Assistant Director of Street Scene and Strategy would meet with the Member to observe this particular bin.
- A Member, also the Deputy Chairman of the Licensing Committee, noted that the issue of people obstructing walkways could be dealt with by entering into voluntary agreements with business owners to ensure that their customers only gathered on one side of the walkway. Staff would come outside regularly to collect glasses and at the same time ask customers to move to an area that would not obstruct the walkway.
- Another Member added that he would approach owners of a business in the Ward of Cheap regarding a potential agreement to reduce obstructions outside their entrance.

**RESOLVED** – That:-

- a) the report be noted; and
- b) Members' comments be presented to the Health and Wellbeing Board, Streets and Walkways Sub Committee, Policy and Resources Committee, and the Planning and Transportation Committee.

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

In response to a question raised by a Member who was not present, the Director of Port Health and Public Protection (PHPP) advised that the Food Standards Agency (FSA) would be making it mandatory for food outlets to display their Food Standards score. He also advised that the City of London Corporation would be promoting a 'Look before you Book' campaign during the Christmas period.

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

The Committee were shown a video to advertise the new Community Toilet Scheme app by Mick Hurst, the developer. Members were advised that the app was still under development so other languages may be able to be added to benefit tourists in the City. The app could eventually be expanded to other formats to enable people to locate the nearest museums or police stations using the same technology. In response to a Member's question, the Assistant Cleansing Director advised that he would consult with the Visitors Centre to establish whether the app could be incorporated into existing similar apps for local galleries and theatres.

The Chairman advised new Members of the Committee to contact the Director of Port Health and Public Protection if they wished to purchase a Port Health tie.

18. **EXCLUSION OF THE PUBLIC**

**RESOLVED** – That under Section 100a(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

<b>Item No.</b>	<b>Paragraph No.</b>
19	3
20–21	3 & 4
22	4
23	3

19. **NON-PUBLIC MINUTES**

**RESOLVED** – That the non-public minutes of the meeting held on 16 September 2014 be agreed as a correct record.

20. **SERVICE BASED REVIEW PROPOSALS - DEPARTMENT OF THE BUILT ENVIRONMENT**

The Committee considered a report of the Director of the Built Environment regarding the Service Based Review proposals for the Department of the Built Environment.

21. **SERVICE BASED REVIEW PROPOSALS - DEPARTMENT OF MARKETS & CONSUMER PROTECTION**

The Committee considered a report of the Director of Markets and Consumer Protection regarding the Service Based Review proposals for the Department of Markets and Consumer Protection.

22. **PUBLIC CONVENIENCES STRATEGY - UPDATE & PROPOSED SAVINGS OPTIONS**

The Committee considered a report of the Director of the Built Environment regarding the Public Conveniences Strategy 2014 – 17.

23. **DEBT ARREARS – PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 30 SEPTEMBER 2014**

The Committee received a joint report of the Director of the Built Environment, the Director of Markets and Consumer Protection, and the Director of Open Spaces regarding debt arrears for the period ending 30 September 2014.

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

There were none.



**25. 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 12.55 pm**

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Chairman

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