



Port Health & Environmental Services Committee

Date: TUESDAY, 22 NOVEMBER 2016
Time: 11.30 am
Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

Members:

Wendy Mead (Chairman)	Professor John Lumley
Jeremy Simons (Deputy Chairman)	Alderman Julian Malins
Deputy John Absalom	Andrew McMurtrie
Keith Bottomley	Brian Mooney
Dennis Cotgrove	Hugh Morris
Karina Dostalova	Barbara Newman
Peter Dunphy	Ann Pembroke
Deputy Kevin Everett	Henrika Priest
Deputy Bill Fraser	Deputy Richard Regan
Anne Fairweather	Delis Regis
George Gillon	John Scott
Deputy Stanley Ginsburg	Deputy James Thomson
Graeme Harrower	Deputy John Tomlinson
Alderman Peter Hewitt	Michael Welbank (Chief Commoner)
Wendy Hyde	Mark Wheatley
Vivienne Littlechild	Philip Woodhouse

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Lunch will be served in Guildhall Club at 1PM
NB: Part of this meeting could be the subject of audio or video recording

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 20 September 2016.

For Decision
(Pages 1 - 8)
4. **OUTSTANDING ACTIONS**
To note the current list of Outstanding Actions.

For Information
(Pages 9 - 12)
5. **REVENUE AND CAPITAL BUDGETS 2017/18**
Joint report of the Chamberlain, Director of Open Spaces, Director of the Built Environment, and Director of Markets and Consumer Protection.

For Decision
(Pages 13 - 30)
6. **UPDATE TO SCHEME OF DELEGATIONS**
Report of the Director of the Built Environment.

For Decision
(Pages 31 - 48)
7. **MIDDLESEX STREET AREA ENHANCEMENT - PHASE 2**
Joint report of the Director of the Built Environment and the Director of Markets and Consumer Protection.

For Decision
(Pages 49 - 62)
8. **AIR QUALITY ANNUAL STATUS REPORT**
Report of the Director of Markets and Consumer Protection.

For Decision
(Pages 63 - 76)
9. **CONSULTATION ON THE CITY OF LONDON CORPORATION'S AIR QUALITY SUPPLEMENTARY PLANNING DOCUMENT**
Report of the Director of Markets and Consumer Protection.

For Decision
(Pages 77 - 126)
10. **44TH CITY OF LONDON THAMES FISHERY RESEARCH EXPERIMENT 2016**
Report of the Director of Markets and Consumer Protection.

For Decision
(Pages 127 - 134)

11. **COST RECOVERY: FOOD HYGIENE RATING SCHEME RE-INSPECTION REQUESTS**
Report of the Director of Markets and Consumer Protection.

For Decision
(Pages 135 - 140)
12. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
13. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
14. **EXCLUSION OF THE PUBLIC**
MOTION – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

Part 2 - Non-public Agenda

15. **NON-PUBLIC MINUTES**
To agree the non-public minutes of the meeting held on 20 September 2016.

For Decision
(Pages 141 - 142)
16. **DEPARTMENT OF THE BUILT ENVIRONMENTAL SERVICE BASED REVIEW PROGRESS REPORT**
Report of the Director of the Built Environment.

For Information
(Pages 143 - 146)
17. **PORT HEALTH OFFICES, RIVERSIDE ROAD, CHARLTON - NEW LEASE**
Joint report of the City Surveyor and the Director of Markets and Consumer Protection.

For Decision
(Pages 147 - 154)
18. **DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 30 SEPTEMBER 2016**
Joint report of the Director of Open Spaces, Director of the Built Environment, and Director of Markets and Consumer Protection.

For Information
(Pages 155 - 164)
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**

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PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 20 September 2016

Minutes of the meeting of the Port Health & Environmental Services Committee held at the Guildhall EC2 at 11.30 am

Present

Members:

Wendy Mead (Chairman)	Wendy Hyde
Jeremy Simons (Deputy Chairman)	Vivienne Littlechild
Deputy John Absalom	Professor John Lumley
Dennis Cotgrove	Barbara Newman
Karina Dostalova	Ann Pembroke
Anne Fairweather	Henrika Priest
George Gillon	John Scott
Deputy Stanley Ginsburg	Deputy John Tomlinson
Alderman Peter Hewitt	

Officers:

David Arnold	-	Town Clerk's Department
Jenny Pitcairn	-	Chamberlain's Department
Julie Smith	-	Chamberlain's Department
Paul Chadha	-	Comptroller & City Solicitor's Department
Carolyn Dwyer	-	Director of the Built Environment
Jim Graham	-	Department of the Built Environment
Steve Presland	-	Department of the Built Environment
Richard Steele	-	Department of the Built Environment
Jon Averbs	-	Department of Markets & Consumer Protection
Esther Sumner	-	Open Spaces Department
Nia Morgan	-	City Surveyor's Department

1. APOLOGIES

Apologies for absence were received from Keith Bottomley, Peter Dunphy, Deputy Bill Fraser, Graeme Harrower, Andrew McMurtrie, Hugh Morris, Deputy Richard Regan, Delis Regis, Deputy James Thomson, Michael Welbank (Chief Commoner), 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 and summary of the meeting held on 19 July 2016 be approved.

Matters Arising

Responsible Procurement

The Committee was advised that Officers had met with the only processor in the UK that was currently capable of recycling plastic lined cardboard coffee cups. A proposal was being drawn up for a campaign in late Autumn to encourage businesses to provide collection points in City of London offices for coffee cups to be collected for processing. The campaign would also seek support and funding from the major coffee retailers to promote the scheme and provide some infrastructure. Several large coffee retailers had already expressed a positive initial interest in supporting such a campaign. Conversations were also being held with Keep Britain Tidy and other national environmental charities to gain their support and advice.

4. OUTSTANDING ACTIONS

The Committee received the current list of Outstanding Actions and were advised by the Director of Port Health and Public Protection that a further meeting with Transport for London (TfL) regarding noise complaints from the London Underground was taking place after the Committee meeting. Details about the outcome of this meeting would be provided at the next Committee meeting.

In response to Members' questions, the Director of Transportation and Public Realm advised that charge points for electric vehicles would be installed in car parks from early 2017 through TfL funding. The provision of rapid charge points at taxi ranks was currently being investigated but there were currently no plans for on-street facilities across the City due to concerns about the increasing traffic congestion. The Deputy Chairman added that the electricity supply for charge points should not be provided using emergency generator power as this would cause an increase in air pollution emitted from those generators. The Director would provide further details about the proposals for charge points across the City at a future Committee meeting.

RESOLVED – That the Outstanding Actions be noted.

5. APPOINTMENT OF A REPRESENTATIVE TO THAMES21

The Committee considered an outside body appointment to Thames21, a charity who aimed to deliver tangible and measurable improvements to London's rivers by working alongside communities and stakeholders. Members agreed to appoint Ann Pembroke as the Committee's representative, subject to confirmation from the Town Clerk whether the Court of Common Council were required to appoint the representative.

6. OPEN SPACES DEPARTMENTAL BUSINESS PLAN 2016-19 - QUARTER 1 2016/17 PROGRESS REPORT

The Committee received a report of the Director of Open Spaces that provided an update regarding the performance of the Cemetery and Crematorium from April – July 2016. Members noted that the Cemetery and Crematorium continued to perform well and was meeting or exceeding its targets, with income currently 6% ahead of target. The Chairman added her thanks to the

Superintendent and his staff for a recent successful Committee visit to the Cemetery and Crematorium.

RESOLVED – That the report be noted.

7. **DEPARTMENT OF THE BUILT ENVIRONMENT BUSINESS PLAN 2016-19 - QUARTER 1 2016/17 PROGRESS REPORT**

The Committee received a report of the Director of the Built Environment that provided details of the progress made during Period 1 (April – July 2016) against the 2016-19 Departmental Business Plan for Public Conveniences, Waste Collection, Street Cleansing, and Waste Disposal. Members noted that deductions had been made from the Street Cleansing and Refuse Collection contract as the contractor's performance had failed to reach a satisfactory level. The outcome of meetings with the contractor would be provided at the next Committee meeting.

In response to a Member's question, the Assistant Director of Cleansing Operations advised that the City Corporation's waste collection contractor, along with the other top six collection companies operating with the City, had been contacted to encourage them to collect any loose litter on top of bags out for collection as well as the bags themselves. The importance of this would be reemphasised to the City Corporation's contractor, however there were around 29 collection companies in total operating within the City of London so it was difficult to enforce but the Assistant Director would continue to target as many collectors as possible to ensure that loose litter on top of bags out for collection was also removed. The Assistant Director would also remind the City Corporation's cleansing contractor that they must remove any visible loose litter placed on bags. The Chairman added that Fixed Penalty Notices could be issued to collection companies for moving and not removing the loose litter in extreme cases. A Member also noted that City businesses should take responsibility for the cleanliness of their waste collection areas and ensure loose litter was also collected alongside bags.

In response to a Member's question regarding food waste, the Director of Port Health & Public Protection advised that City business' food waste within its use by date was sent to food banks to be re-used. The Chairman added that the Evening Standard were starting a Food For London campaign to collect food waste from businesses and give it to the hungry.

RESOLVED – That the report be noted.

8. **DEPARTMENT OF THE BUILT ENVIRONMENT RISK MANAGEMENT UPDATE**

The Committee received a report of the Director of the Built Environment regarding the risk management procedures in place within the Department relative to the work of the Committee.

RESOLVED – That the report and the actions taken in the Department of the Built Environment to monitor and manage effectively risks arising from the Department's operations, be noted.

9. **NOVATION OF HAZARDOUS WASTE COLLECTION AND DISPOSAL CONTRACT**

The Committee considered a report of the Director of the Built Environment that sought approval to the novation of the Hazardous Waste Collection and Disposal Service contract to Biffa Waste Services Limited following its acquisition of PHS Chemical Waste Ltd (formerly PHS Waste Management).

In response to Member's question regarding the original change of the contractor's company name, the Assistant Director of Cleansing Operations undertook to provide the Member with clarification about any changes to the original contract.

RESOLVED – That approval be given to the contract originally let to PHS Waste Management Ltd being novated to Biffa Waste Services Ltd.

10. **PORT HEALTH AND PUBLIC PROTECTION BUSINESS PLAN 2016-19 - QUARTER 1 2016/17 PROGRESS REPORT**

The Committee received a report of the Director of Markets and Consumer Protection that provided an update regarding the progress made against the key performance indicators and improvement objectives outlined in Port Health and Public Protection Division's Business Plan for Period 1 (April – July 2016). The Director of Port Health and Public Protection advised that a leaflet promoting the Food Standards Agency's National Food Safety Week would be circulated to Members after the meeting. He added that Operation Broadway had been implemented more widely across London and that the consultation period for the 2016-2026 Noise Strategy was ending on 17 October 2016, so comments from Members would be welcomed before that date.

In response to a Member's question regarding air pollution caused by increase traffic congestion, the Director of Transportation and Public Realm advised that congestion, particularly within the Eastern City, was currently being taken seriously by the Planning and Transportation Committee and Streets and Walkways Sub-Committee. He added that discussions were ongoing with TfL regarding a reduction in bus movements and other measures to reduce traffic congestion.

RESOLVED – That the report be noted.

11. **DEPARTMENT OF MARKETS AND CONSUMER PROTECTION RISK MANAGEMENT UPDATE**

The Committee received a report of the Director of Markets and Consumer Protection that provided Members with assurance that risk management procedures in place within the Department were satisfactory and that they met the requirements of the risk management framework. Members noted that the departmental risks relevant to the work of this Committee included air quality, IT systems failures, traffic management, and any risks relating to the Heathrow Animal Reception Centre (HARC). He added that the City Surveyor's Department had recently visited the HARC to consider required maintenance to equipment and facilities due to be carried out under the corporate repair and maintenance contract. The Director of Port Health and Public Protection added

that progress with the repairs and maintenance would be reported at Committee meetings where possible.

RESOLVED – That the report and the actions taken in the Department of Markets and Consumer Protection to monitor and manage effectively risks arising from our operations, be noted.

12. **FUNDING FOR A LOW EMISSION NEIGHBOURHOOD**

The Committee received a report of the Director of Markets and Consumer Protection that advised Members of the award of £990,000 in funding over three years from the Mayor of London's Air Quality Fund to implement a Low Emission Neighbourhood (LEN). Members noted that the 17 measures included in the bid document, which had been circulated electronically by the Town Clerk, outlined what actions the funding was being spent on.

In response to a Member's question regarding the LEN being implemented in the Barbican area, the Director of Port Health and Public Protection advised that substantial consultation had taken place and the outcome was to include Beech Street (one of the most highly polluted areas within the City of London), Barts Hospital and Guildhall. There was positive engagement and interest from local residents within the proposed LEN area. The Chairman added that the success of the LEN could be used as a model for future proposals to create a clean air zone across the City of London. The Member who asked the initial question then requested that air pollution should be monitored around the Aldgate roadworks as they had been causing increased traffic congestion. Other Members noted their concerns that local residents in the Beech Street area should still be able to access taxis and buses during those hours dedicated to limited traffic.

RESOLVED – That the report be noted.

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

In response to Members' concerns regarding the recent noise at weekends caused by police and camera-crew helicopters above City residences, the Director of Port Health and Public Protection advised that enquiries could be directed towards the Civil Aviation Authority and National Air Traffic Control Service, who were responsible for allowing air travel over London. The City Corporation's film unit were responsible for liaising with the CAA regarding helicopter's filming above the City, so their contact details would be circulated to Members for further information.

In response to a Member's question regarding recent permission given for a large diesel liner to moor at a new terminal in Greenwich, the Director of Port Health and Public Protection advised that planning permission was granted by the London Borough of Greenwich and it was the responsibility of the Thames Maritime Service to continue to monitor emissions levels from vessels on the river. In response to further questions, he added that the Port of London Authority had included the reduction of emissions as a top priority in its recent

20 year strategy and that the City Corporation could report any concerns about particularly polluting vessels.

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

The Director of Transportation and Public Realm advised Members of a proposal to vary the existing lease arrangements to the City Corporation's Refuse Collection Vehicle contract.

It was **RESOLVED** that – authority be delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to consider the variations to the lease.

15. **EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act.

16. **NON-PUBLIC MINUTES**

RESOLVED – That the non-public minutes of the meeting held on 19 July 2016 be approved.

17. **OUTSTANDING ACTIONS**

The Committee received the current non-public list of Outstanding Actions.

RESOLVED – That the Outstanding Actions be noted.

18. **WAIVER: APPOINTMENT OF URBAN MOBILITY SOLUTIONS FOR THE LOW EMISSION NEIGHBOURHOOD PROJECT**

The Committee received a report of the Director of Markets and Consumer Protection regarding a waiver in relation to the appointment of a contractor to assist in delivering the Low Emission Neighbourhood project.

RESOLVED – That the report be noted.

19. **DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 30 JUNE 2016**

The Committee received a joint report of the Director of the Built Environment, the Director of Open Spaces, and the Director of Markets and Consumer Protection regarding the arrears of invoiced income.

RESOLVED – That the report be noted.

20. **REPORT OF ACTION TAKEN BETWEEN MEETINGS**

The Committee received a report of the Town Clerk that advised Members of a decision taken under Urgency procedures by the Town Clerk, in consultation with the Chairman and Deputy Chairman, since the last meeting of the Committee.

RESOLVED – That the action taken by the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Committee, in accordance with Standing Order No. 41(a), be noted.

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

There were none.

22. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERED URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED

The Chairman advised the Committee of the following upcoming event dates:-

- Saturday 15 October 2016 – Thames Fishery Experiment
- Tuesday 10 January 2017 – Committee Dinner (venue to be confirmed)
- Friday 30 June 2017 – Annual River Inspection

The meeting closed at 12.35 pm

Chairman

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Port Health & Environmental Services Committee – Outstanding Actions

Item	Date	Action	Officer(s) responsible	To be completed/ progressed to next stage	Progress Update
1.	7 July 2015	Mobile Shredding Vehicles	Director of Transportation and Public Realm / Director of Port Health & Public Protection	Ongoing	<p>As reported previously, the City of London takes the environmental impact of shredding companies on residents and other City users very seriously and is committed to helping companies to reduce their pollution and noise levels within the Square Mile.</p> <p>Over the last 10 months, City Officers have met regularly with Shred-It, the main operator within the City, to look at the issues and potential solutions. These discussions have generally gone very well and a set of joint aims has been established.</p> <p>November Update The outcome of the last meeting with Shred-It held at the end of September 2016 will be provided at the Committee meeting.</p>
2.	23 May 2016	Noise Pollution from the London Underground	Director of Port Health and Public Protection	Ongoing	<p>The Chairmen of the Port Health & Environmental Services and the Planning & Transportation Committees wrote to TfL in July to request that the issue of noise in the City of London from the London Underground be looked into as a priority and this was circulated for all Committee Members' information.</p> <p>September Update A positive reply was received from the new Managing Director of London Underground, Mark Wild, and that will</p>

Item	Date	Action	Officer(s) responsible	To be completed/ progressed to next stage	Progress Update
					<p>be circulated separately for the information of Committee Members.</p> <p>A further meeting between officers and TfL was held on 21 July 2016 and a series of quarterly meetings going forward are scheduled to progress matters. It was proposed that a meeting should also be arranged between London Underground, officers and the Barbican Association in September. This meeting will also be attended by three (Barbican) Committee Members on 20 September at TfL's offices where TfL will be explaining how they intend to address the concerns raised particularly in relation to their communications, on-going and proposed project work at the stations (Moorgate and Barbican) and operating noise from the tube affecting the Barbican Estate.</p> <p>November Update The current situation is outlined at Appendix 1.</p>
3.	20 July 2016	Provision of charging facilities for electric vehicles	Director of the Built Environment	January 2017	The provision of charging facilities for electric vehicles in car parks and at taxi ranks across the City of London from 2017 would be reviewed and reported back the Committee.

Noise from London Underground - Operational noise and noise from maintenance activities

This was a matter raised by residents on Minories (Stephanie Zarach, Chris Murphy, Barry Carpenter) and the Barbican Association and particularly two lead residents in the Association (Tim Holloway and Richard Collins).

The City has been meeting with TfL representatives since autumn 2015 in a bid to encourage better working practices from them. At these meetings, a number of issues have been raised which include details about the **operational railway (Met, District and Circle Lines)** affecting Minories and Barbican, and also about **ongoing maintenance and construction** related works affecting Barbican residents. A number of questions have been posed and answers and commitments from TfL have been partially forthcoming. I've provided a shortened summary of the main points we are working towards with TfL, and that we continue to pursue below:

1. One operational railway noise source is the crossover beneath Barbican. TfL have advised that some maintenance work was carried out on 8 December 2015 which has assisted and additional noise monitoring has been carried out at Defoe House. There are currently no plans for the removal of the crossover.
2. Noise measurements have been taken in Minories flats (Circle and District Lines) in 2016 and compared with 2013. They have been deemed not unduly high and lower in 2016 than in 2013. Subsequently, rail grinding was completed on Aldgate East to Tower Hill West Bound was ground between 350 and 660m (7 passes) on the night of 22nd March 2016. The property at 136-138, The Minories at 420m is within the ground section. The Minories section was re-railed in October 2015 and may have had an impact on noise. Nevertheless, complaints were made after this date and monitoring is necessary.
3. All works at Moorgate station are supposed to be 'red flagged' which means that all potential noisy works (lasting more than 3 days) should be passed through the Community Relations Team who can then notify residents. Despite promises from TfL, examples remain where this is not happening. Not all contractors are aware of the procedures and existing arrangements are being improved through briefings.
4. The liaison process with residents and Members has been requested to be strengthened. A monthly newsletter will be sent from November 2016. Copies of letters to residents have been reviewed and contact details for complaints promoted to residents. The Barbican Estate Office has agreed to forward notifications to their email database. TfL advise that residents should contact them on 0343 222 1234 or on 0343 222 2424 (24 hour number), where all correspondence is logged and responded to according to TfL's Customer Service Charter.
5. We identified a training need for Station Managers at Moorgate Station which has been acknowledged and training implemented by TfL who have now provided briefings for these staff members.

6. A co-ordination role has been created to co-ordinate the major projects underway e.g. 4LM (Four Lines Modernisation), ISP (Station improvement works), and SWIP (Small Works Programme).
7. To better understand upcoming works a 4-6 week and 2 week look ahead has been promised.
8. An acoustic survey has been undertaken at Barbican station (for the newly planned PA upgrade). Dates for the station upgrade works TBC.
9. Night tube concerns have been raised. This will not affect the Barbican for the next few years at least. There are only 5 lines which are to be running 'night tube' service. The only one servicing the City will be the Central Line which will not affect the Barbican. We are pressing for LuL to deal with noise issues at the Barbican in advance of any consideration of the lines running under (and indeed closer to the surface at many London locations) during the night. We have been told that is at least 5 years away. Night tube tests commenced on the 5th August and night tube itself commenced on the 19th August <https://tfl.gov.uk/campaign/tube-improvements/what-we-are-doing/night-tube?cid=nighttube>
10. A meeting was held at Palestra on 20th September for Barbican Association and key Members to meet senior TFL colleagues to discuss the issues detailed above.
11. The Chairmen of PHES and Streets and Walkways Committees have written to Mike Brown at TFL requested cooperation on the stated issues. The letter has been passed to the new LU MD; Mark Wild for action, TFL have responded to advise they are aware of and taking action on the noise issues.

The City does not have regulatory powers to ensure compliance but we are keen to persuade LUL to make improvements on existing arrangements.

Committee(s)	Dated:
Port Health and Environmental Services Committee	22 November 2016
Subject: Revenue Budgets – 2017/18	Public
Report of: The Chamberlain Director of the Built Environment Director of Markets and Consumer Protection Director of Open Spaces	For Decision
Report author(s): Jenny Pitcairn & Simon Owen, Chamberlain’s Dept.	

Summary

This report is the annual submission of the revenue budgets overseen by your Committee. In particular it seeks approval to the latest revenue budget for 2016/17 and provisional revenue budget for 2017/18, for subsequent submission to the Finance Committee. The budgets have been prepared within the resources allocated to each Director.

Business priorities for the forthcoming year include:

Director of the Built Environment

- continuing to deliver high quality waste and recycling collections and street cleansing services;
- maximising the quality and amount of waste residents and visitors reuse and recycle, and promoting best practice amongst City businesses via the Clean City Awards Scheme;
- engaging with City businesses through the Clean Streets Partnership;

Director of Markets and Consumer Protection

- investigating the potential for growth through rental income and other services at the Heathrow Animal Reception Centre, and reviewing the Animal Health Service to ensure that income is maximised;
- maximising grant funding for Air Quality projects and utilising the Community Infrastructure Levy to support improvements to Air Quality via future projects;

Director of Open Spaces

- supporting the ongoing Service Based Reviews to deliver savings for 2017/18 and beyond;
- revising the Cemetery & Crematorium Conservation Management Plan;
- completing the planting and landscaping works at the Shoot.

Table 1 Summary Revenue Budgets 2016/17 and 2017/18	Original Budget 2016/17 £'000	Latest Budget 2016/17 £'000	Original Budget 2017/18 £'000
Expenditure	20,520	21,034	20,694
Income	(12,438)	(13,040)	(12,863)
Support Services and Capital Charges	5,526	5,521	5,730
Total Net Expenditure	13,608	13,515	13,561

Overall, the 2016/17 latest budget is £13.515m, a decrease of (£93,000) compared to the original budget. Main reasons for this decrease are:

- Approved carry-forwards of £310,000
- A reduction in the cost of street cleansing primarily due to contract penalties for performance failure, (£229,000)
- New costs related to the Future Cities strategy, £190,000
- Changes to phasing of the City Surveyor's Additional Works Programme, (£339,000)

The 2017/18 provisional budget is £13.561m, a decrease of (£47,000) compared to the original budget for 2016/17. Main reasons for this reduction are:

- A net increase in pay costs due to provisions for pay award, incremental and career grade progression, additional posts and deletion of other vacant posts, £297,000
- A net increase in central and departmental recharges, £204,000
- Changes to phasing of the City Surveyor's Additional Works Programme, (£207,000)
- Anticipated additional income at the Heathrow Animal Reception Centre (£202,000), London Gateway port (£70,000), and from waste collection and recycling (£79,000).

Recommendation(s)

Members are asked to:

- Note the latest 2016/17 revenue budget.
- Review the provisional 2017/18 revenue budget to ensure that it reflects the Committee's objectives and, if so, approve the budget for submission to the Finance Committee.
- Authorise the Chamberlain to revise these budgets for changes to the Additional Works Programme, Building Repairs and Maintenance contract and in respect of recharges.

Main Report

Background

1. This report sets out the latest budget for 2016/17 and the proposed revenue budgets for 2017/18. The revenue budget management arrangements are to:
 - Provide a clear distinction between local risk, central risk and recharge budgets.
 - Place responsibility for budgetary control on departmental Chief Officers.
 - Apply a cash limit policy to Chief Officers' budgets.
2. The budget has been analysed by service expenditure and compared with the original budget for 2016/17. The budget is further analysed between:
 - Local Risk budgets – these are budgets deemed to be largely within the Chief Officer's control.
 - Place responsibility for budgetary control on departmental Chief Officers for Central Risk budgets – these are budgets comprising specific items where a Chief Officer manages the underlying service, but where the eventual financial outturn can be strongly influenced by external factors outside of his/her control or are budgets of a corporate nature (e.g. interest on balances and rent incomes from investment properties).
 - Support Services and Capital Charges – these cover budgets for activities provided by one service to another. The control of these costs is exercised at the point where the expenditure or income first arises as local or central risk.
3. The report also compares the current year's budget with the forecast outturn.
4. In the various tables, income and favourable variances are presented in brackets. Only significant variances (generally those greater than £50,000) have been commented on.

Business Planning Priorities

Director of the Built Environment

5. The Cleansing service will be focusing on a range of business priorities during 2017/18 to ensure we continue to direct our resources effectively. Our priorities will be to:
 - Continue to deliver high quality waste and recycling collections and street cleansing services.
 - Use our recycling action plan to maximise the quality and amount of waste residents and visitors reuse and recycle, whilst effectively promoting best practice amongst City businesses using a sustainable, self-funding Clean City Awards Scheme.

- Use our Clean Streets Partnership to ensure we engage with City businesses to encourage them to work with us to keep the Square Mile clean.
- Direct our Street Environment Officers who will continue to run anti-littering campaigns to promote a strong message to educate residents, visitors and businesses and where necessary use enforcement legislation to deal with environmental crime in the Square Mile.

Director of Markets and Consumer Protection

6. London Gateway: trade at London Gateway has continued to increase (up by 40% for Apr-Sep 2016 compared to the same period in 2015), although this has been at the expense of Tilbury (down by 50%). The increase in trade predicted by the operator has not materialised as quickly as anticipated, but with new business announced from January 2017 further increases are still expected.
7. HARC: income from the HARC continues to increase and there is potential for further growth through rental income on site, and this is being investigated as well as the possibility for other income streams. Additionally, the Animal Health Service is under review to ensure that income is maximised and unnecessary expenditure is minimised.
8. Environmental Health: a new dedicated Air Quality Team within City Environmental Health continues to attract grant funding for Air Quality projects and there is potential for considerable income in this area. In addition, the Community Infrastructure Levy will support improvements to Air Quality via future projects.

Director of Open Spaces

9. Service Based Review: the cemetery and crematorium achieved its SBR savings target for 2016/17 of £66k and is on target to achieve its £51k target for 2017/18. The service will meet its required savings by increasing income as there is a risk to the business from any further reductions in staffing at the site.
10. Revising the Cemetery & Crematorium Conservation Management Plan: The Cemetery Conservation Management plan was completed in 2004 and agreed by your Committee in 2005. The plan was updated in 2010 and will be reviewed in 2017 to measure the cemetery's success in achieving its short, medium and long term objectives over the last 10 years.
11. Completing the planting and landscaping works at the Shoot: The Shoot project was completed in January and received sign-off by LB Newham in August. Some of the landscaping has now been carried out and 2017/18 will see the completion of the soft landscaping and the further settlement of the site.
12. Continuing to progress works on the new fully abated cremators ready for an options appraisal in 2018/19: Work is underway to cost the replacement of four of the cremators at the modern crematorium with two larger, fully abated cremators.

This work will consider purchase against leasing costs and will be the subject of a Gateway report in early 2017.

Latest Revenue Budget for 2016/17

13. Overall there is a decrease of (£93,000) between the Committee's original and latest budget for 2016/17. Table 2 below summarises the movements between the original and latest budgets comprising this decrease. A further analysis of the local and central revenue budgets by service is provided in Appendix 1.

14.

Table 2 Latest Revenue Budgets 2016/17	Local or Central Risk	Original Budget 2016/17 £'000	Latest Budget 2016/17 £'000	Movement Increase/ (Decrease) £'000	Variance Reference (Table 3)
EXPENDITURE					
Employees	L	10,703	10,968	265	1a, 4, 6, 7, 11
Employees	C	8	8	0	
Premises Related Expenses	L	898	902	4	
City Surveyor – Premises Related Expenses	L	1,301	902	(399)	8
Transport Related Expenses	L	427	503	76	1b
Supplies & Services	L	1,719	2,446	727	1c, 3, 12
Supplies & Services	C	0	40	40	2
Third Party Payments	L	5,461	5,262	(199)	1d, 10
Contingencies	L	3	3	0	
Total Expenditure		20,520	21,034	514	
INCOME					
Government Grants	L	0	(35)	(35)	5
Other Grants, Reimbursements and Contributions	L	(124)	(656)	(532)	3, 4
Customer, Client Receipts	L	(12,214)	(12,249)	(35)	9
Transfer from Reserves	L	(100)	(100)	0	
Total Income		(12,438)	(13,040)	(602)	
TOTAL LOCAL & CENTRAL RISK EXPENDITURE / (INCOME)					
		8,082	7,994	(88)	
SUPPORT SERVICES AND CAPITAL CHARGES					
Central Support Services and Capital Charges		3,929	4,056	127	
Recharges within Fund		1,186	1,095	(91)	
Recharges across Funds		411	370	(41)	
Total Support Services and Capital Charges		5,526	5,521	(5)	
TOTAL NET EXPENDITURE/ (INCOME)					
		13,608	13,515	(93)	

15. The significant movements are explained in Table 3 below.

Table 3 Significant Variances between 2016/17 Original Budget and 2016/17 Latest Budget			
Reason for Variance	Movement Original to Latest Budget 2016/17		
	Expenditure £'000	Income £'000	Net Movement £'000
One-off items:			
1) Approved carry-forwards from 2015/16:			
a) Employees	132		132
b) Vehicles	75		75
c) Supplies & Services	68		68
d) Third Party Payments	35		35
2) Provision for consultancy re HARC trading review	40		40
3) Consultants' fees and associated costs for Air Quality projects, fully funded by grant and other contribution income	492	(492)	0
4) Staff costs for work related to the Thames Tideway Tunnel, fully offset by other contribution income	45	(45)	0
5) FSA grants for feed and food sampling		(35)	(35)
6) Allocation for contribution pay funded from the central pot	58		58
7) A reduction in employee costs due to the deletion of the vacant Assistant Director (Street Scene & Strategy) post	(43)		(43)
8) Changes to phasing of the City Surveyor's Additional Works Programme	(339)		(339)
9) An increase in income from waste collection and recycling		(30)	(30)
10) An reduction in the cost of street cleansing due mainly to contract penalties for failure to achieve required KPIs together with provision for price uplifts that was not required	(229)		(229)
11) New costs associated with the Accommodation and Ways of Working pilot project within DBE	53		53
12) New costs related to the development and implementation of the Future Cities strategy by DBE	190		190
Minor variations	(63)	0	(63)
Total Movement Local and Central Risk	514	(602)	(88)

16. The reduction of (£5,000) in support services and capital charges between the original and latest budgets shown in Table 2 reflects the net impact of changes in the budgets of central departments and their apportionment between committees, as shown in Appendix 3.

Proposed Revenue Budget for 2017/18

17. The provisional 2017/18 budgets being presented to your Committee, and under the control of the Directors of the Built Environment, Markets and Consumer Protection, and Open Spaces, have been prepared in accordance with the guidelines agreed by the Policy and Resources and Finance Committees. These include a 1% cash limit allowance for pay and price increases, as well as the previously approved Service Based Review savings. The budget has been prepared within the resources allocated to each Director.

18. Overall there is a decrease of (£47,000) between the Committee's 2016/17 and 2017/18 original budgets. Table 4 overleaf summarises the movements comprising this decrease. A further analysis of the local and central revenue budgets by service is provided in Appendix 2.

Table 4 Provisional Revenue Budgets 2017/18	Local or Central Risk	Original Budget 2016/17 £'000	Original Budget 2017/18 £'000	Movement Increase/ (Decrease) £'000	Variance Reference (Table 5)
EXPENDITURE					
Employees	L	10,703	11,000	297	1a, 3-6
Employees	C	8	8	0	
Premises Related Expenses	L	898	947	49	1b, 7
City Surveyor – Premises Related Expenses	L	1,301	1,088	(213)	9
Transport Related Expenses	L	427	475	48	
Supplies & Services	L	1,719	1,737	18	6
Third Party Payments	L	5,461	5,436	(25)	8
Contingencies	L	3	3	0	
Total Expenditure		20,520	20,694	174	
INCOME					
Government Grants	L	0	0	0	
Other Grants, Reimbursements and Contributions	L	(124)	(109)	15	
Customer, Client Receipts	L	(12,214)	(12,754)	(540)	1b, 10-13
Transfer from Reserves	L	(100)	0	100	2
Total Income		(12,438)	(12,863)	(425)	
TOTAL LOCAL & CENTRAL RISK EXPENDITURE / (INCOME)					
		8,082	7,831	(251)	
SUPPORT SERVICES AND CAPITAL CHARGES					
Central Support Services and Capital Charges		3,929	4,184	255	
Recharges within Fund		1,186	1,166	(20)	
Recharges across Funds		411	380	(31)	
Total Support Services and Capital Charges		5,526	5,730	204	
TOTAL NET EXPENDITURE/ (INCOME)					
		13,608	13,561	(47)	

19. The significant movements in the local and central budgets are explained in Table 5 below.

Table 5 Movements between 2016/17 Original Budget and 2017/18 Original Budget			
Reason for Movement	Movement 2016/17 to 2017/18		
	Expenditure £'000	Income £'000	Net Movement £'000
1) Provision for pay award and price uplifts has been included in the 2017/18 budget (assumed at 1%). a) Employees b) Other	108 45	(86)	108 (41)
2) A one-off transfer from reserves in 2016/17 that is not required in 2017/18.		100	100
3) An increase in employees at the Ports due to the increase in trade from London Gateway	141		141
4) Provision for pay increases due to incremental and career grade progression	112		112
5) A reduction in employee costs due to deletion of posts previously held vacant, partly offset by an additional post within the DBE Directorate	(85)		(85)
6) An increase in employee and equipment costs due to the creation of a dedicated Air Quality team	30		30
7) An increase in premises costs for increased office space at London Gateway port	25		25
8) A reduction in provision for recycling costs reflecting anticipated market prices	(35)		(35)
9) Changes to phasing of the City Surveyor's Additional Works Programme.	(207)		(207)
10) An increase in income from waste collection and recycling, reflecting current throughput		(79)	(79)
11) An anticipated increase in income at the Heathrow Animal Reception Centre, in line with current throughput and as a result of planned price increases		(202)	(202)
12) An anticipated increase in Port Health income as a result of increasing trade at London Gateway		(70)	(70)
13) Delivery of Service Based Review savings at the Cemetery and Crematorium		(51)	(51)
Minor variations	40	(37)	3
Total Movement 2016/17 to 2017/18	174	(425)	(251)

20. The increase of £204,000 in support services and capital recharges reflects the net impact of changes in the budgets of central departments and their apportionment between committees, as shown in Appendix 3.

21. Budgets have provisionally been included for the 2017/18 Additional Works Programme based on bids considered by the Corporate Asset Sub Committee in June 2016. However, a decision on funding of the programme is not due to be made by the Resource Allocation Sub Committee until December 2016. It may

therefore be necessary to adjust budgets to reflect the Resource Allocation Sub Committee's decision.

22. The corporate Building Repairs and Maintenance contract is currently being re-tendered and the new contract will commence on 1 July 2017. Original estimates for 2017/18 are based on the latest available asset price from the current contractor. Any changes to these budgets arising from the new contract will be reported to your Committee in due course.

23. The main reason for the decrease in the Additional Works Programme is that the value of work identified in the City Surveyor's 20 year programme for 2017/18 has reduced in comparison with the combined value of various programmes in the 2016/17 original budget.

Table 6 City Surveyor Local Risk	Original Budget 2016/17 £'000	Original Budget 2017/18 £'000	Movement 2016/17 to 2017/18 £'000
Repairs and Maintenance			
Additional Works Programme			
Public Conveniences	36	24	(12)
Heathrow Animal Reception Centre	193	140	(53)
Cemetery and Crematorium	691	549	(142)
Planned and Reactive Works			
Public Conveniences	48	32	(16)
Heathrow Animal Reception Centre	55	48	(7)
Port and Launches	18	19	1
Cemetery and Crematorium	208	225	17
Total Repairs and Maintenance	1,249	1,037	(212)
Facilities Management	52	51	(1)
Total City Surveyor	1,301	1,088	(213)

24. A summary of the movement in manpower and related staff costs is shown in Table 7 below.

Table 7 Manpower Statement	Original Budget 2016/17		Original Budget 2017/18	
	Manpower Full-time Equivalent	Estimated Cost £'000	Manpower Full-time Equivalent	Estimated Cost £'000
Public Conveniences	4.0	174	3.0	129
Public Conveniences – Agency Staff	-	360	-	366
Waste Collection	10.0	571	9.5	547
Street Cleansing	6.9	414	6.9	423
Waste Disposal	5.6	310	5.6	327
Transport Organisation	1.0	55	0.0	4
Cleansing Services Management	4.4	337	4.0	303
Built Environment Directorate	5.2	563	6.3	611
Coroner	1.0	26	1.0	26
City Environmental Health	24.8	1,614	24.8	1,642
Animal Health Services	35.2	1,669	37.2	1,694
Trading Standards	4.0	274	5.0	298
Port and Launches	42.9	2,264	45.6	2,454
Cemetery and Crematorium	63.0	2,080	63.0	2,184
Total Port Health and Environmental Services	208.0	10,711	211.9	11,008

Potential Further Budget Developments

25. The provisional nature of the 2017/18 revenue budget recognises that further revisions may be required, particularly in relation to:

- Decisions on funding of the Additional Works Programme by the Resource Allocation Sub Committee;
- Tender of the new corporate Building Repairs and Maintenance contract; and
- Central and departmental recharges

Forecast Outturn 2016/17

26. The forecast outturn for the current year is £12.753m, an underspend of £762,000 compared with the latest budget. The main reasons for this forecast underspend are:

- Staff vacancies, lower than anticipated costs of agency staff, and staff not in the pension scheme
- Additional income at the Heathrow Animal Reception Centre, London Gateway port, and the Cemetery and Crematorium.

Appendices

- Appendix 1 – 2016/17 Latest Local and Central Risk Revenue Budget: Analysis by Service
- Appendix 2 – 2017/18 Original Local and Central Risk Revenue Budget: Analysis by Service

- Appendix 3 – Support Service and Capital Charges from/to Port Health and Environmental Services Committee

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APPENDIX 1a

2016/17 Latest Budget Analysis by Service: Local and Central Risk Budgets	Original Budget 2016/17			Latest Budget 2016/17			Movement £'000	Variance Reference (Table 3)
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000		
DIRECTOR OF THE BUILT ENVIRONMENT								
Public Conveniences	1,009	(435)	574	1,046	(435)	611	37	1d
Waste Collection	1,073	(924)	149	1,035	(954)	81	(68)	9
Street Cleansing	4,256	(460)	3,796	4,069	(460)	3,609	(187)	1b, 10
Waste Disposal	1,409	(679)	730	1,405	(679)	726	(4)	
Transport Organisation	267	(141)	126	267	(141)	126	0	
Cleansing Services Management	382	0	382	348	0	348	(34)	7
Built Environment Directorate	735	(6)	729	994	(6)	988	259	11-12
TOTAL DIRECTOR OF THE BUILT ENVIRONMENT	9,131	(2,645)	6,486	9,164	(2,675)	6,489	3	
DIRECTOR OF OPEN SPACES								
Cemetery and Crematorium	2,783	(4,482)	(1,699)	2,821	(4,482)	(1,661)	38	1b
TOTAL DIRECTOR OF OPEN SPACES	2,783	(4,482)	(1,699)	2,821	(4,482)	(1,661)	38	
CITY SURVEYOR								
All Services	1,301	0	1,301	902	0	902	(399)	8
TOTAL CITY SURVEYOR	1,301	0	1,301	902	0	902	(399)	

APPENDIX 1b

2016/17 Latest Budget Analysis by Service: Local and Central Risk Budgets	Original Budget 2016/17			Latest Budget 2016/17			Movement £'000	Variance Reference (Table 3)
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000		
DIRECTOR OF MARKETS AND CONSUMER PROTECTION								
Coroner	64	0	64	64	0	64	0	
City Environmental Health	1,766	(99)	1,667	2,461	(636)	1,825	158	1a, 1c, 3-4
Animal Health Services	2,078	(2,935)	(857)	2,119	(2,935)	(816)	41	2
Trading Standards	306	(19)	287	342	(19)	323	36	1a
Port & Launches	3,091	(2,258)	833	3,121	(2,293)	828	(5)	
TOTAL DIRECTOR OF MARKETS AND CONSUMER PROTECTION	7,305	(5,311)	1,994	8,107	(5,883)	2,244	230	
COMMITTEE TOTAL	20,520	(12,438)	8,082	21,034	(13,040)	7,994	(88)	

APPENDIX 2a

2017/18 Original Budget Analysis by Service: Local and Central Risk Budgets	Original Budget 2016/17			Original Budget 2017/18			Movement £'000	Variance Reference (Table 5)
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000		
DIRECTOR OF THE BUILT ENVIRONMENT								
Public Conveniences	1,009	(435)	574	987	(432)	555	(19)	
Waste Collection	1,073	(924)	149	1,028	(911)	117	(32)	2, 5, 10
Street Cleansing	4,256	(460)	3,796	4,296	(460)	3,836	40	1
Waste Disposal	1,409	(679)	730	1,415	(668)	747	17	
Transport Organisation	267	(141)	126	240	(130)	110	(16)	
Cleansing Services Management	382	0	382	352	0	352	(30)	5
Built Environment Directorate	735	(6)	729	792	(6)	786	57	5
TOTAL DIRECTOR OF THE BUILT ENVIRONMENT	9,131	(2,645)	6,486	9,110	(2,607)	6,503	17	
DIRECTOR OF OPEN SPACES								
Cemetery and Crematorium	2,783	(4,482)	(1,699)	2,889	(4,656)	(1,767)	(68)	13
TOTAL DIRECTOR OF OPEN SPACES	2,783	(4,482)	(1,699)	2,889	(4,656)	(1,767)	(68)	
CITY SURVEYOR								
All Services	1,301	0	1,301	1,088	0	1,088	(213)	9
TOTAL CITY SURVEYOR	1,301	0	1,301	1,088	0	1,088	(213)	

APPENDIX 2b

2017/18 Original Budget Analysis by Service: Local and Central Risk Budgets	Original Budget 2016/17			Latest Budget 2017/18			Movement £'000	Variance Reference (Table 5)
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000		
DIRECTOR OF MARKETS AND CONSUMER PROTECTION								
Coroner	64	0	64	64	0	64	0	
City Environmental Health	1,766	(99)	1,667	1,815	(65)	1,750	83	1a, 4, 6
Animal Health Services	2,078	(2,935)	(857)	2,153	(3,165)	(1,012)	(155)	1a, 4, 11
Trading Standards	306	(19)	287	315	(19)	296	9	
Port & Launches	3,091	(2,258)	833	3,260	(2,351)	909	76	3, 7, 12
TOTAL DIRECTOR OF MARKETS AND CONSUMER PROTECTION	7,305	(5,311)	1,994	7,607	(5,600)	2,007	13	
COMMITTEE TOTAL	20,520	(12,438)	8,082	20,694	(12,863)	7,831	(251)	

APPENDIX 3

Support Service and Capital Charges from/to Port Health and Environmental Services Committee	Original Budget 2016/17 £'000	Latest Budget 2016/17 £'000	Original Budget 2017/18 £'000
Support Service and Capital Charges			
Admin Buildings	418	476	589
City Surveyor's Employee Recharge	163	163	163
Insurance	181	162	164
IS Recharges - Chamberlain	556	577	572
Capital Charges	1,307	1,470	1,532
Support Services -			
Chamberlain (including CLPS)	632	477	473
Comptroller and City Solicitor	91	101	97
Town Clerk	472	548	512
City Surveyor	109	82	82
Total Support Services and Capital Charges	3,929	4,056	4,184
Recharges Within Funds			
Corporate and Democratic Core – Finance Committee	(33)	(33)	(33)
Walbrook Wharf Depot – Finance Committee	1,932	1,986	1,977
Charity Collection Licensing - Police Committee	(18)	(18)	(18)
Directorate Recharge – Planning and Transportation Committee	(695)	(840)	(760)
Recharges Across Funds			
Directorate Recharge – Markets Committee	292	285	293
Directorate Recharge – Open Spaces Committee	119	85	87
TOTAL SUPPORT SERVICE AND CAPITAL CHARGES	5,526	5,521	5,730

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Agenda Item 6

Committee(s):	Date(s):
Port Health & Environmental Committee Planning & Transportation Committee Court of Common Council	22 November 2016 28 November 2016 8 December 2016
Subject: Update to Scheme of Delegations	Public
Report of: Director of the Department of the Built Environment	For Decision
Report author: Elizabeth Hannah, Department of the Built Environment	

Summary

The Court of Common Council has delegated some functions to Planning & Transportation Committee and Port Health & Environmental Services Committee. To facilitate the carrying out and administration of these functions, some of them have been delegated down to Chief Officers as set out in the Scheme of Delegations previously approved by the Court of Common Council on 1st May 2014, updated in December 2014 and June 2015.

Minor modifications to legislation and responsibilities have taken place, and these have been reflected in the revised Scheme of Delegations at Appendix A.

Recommendation(s)

Members are asked to:

- Note the Report
- Approve the new and updated delegations to Chief Officers set out in the updated Scheme of Delegations at Appendix A for onward approval by the Court of Common Council.

Recommend that the Court of Common Council appoints the District Surveyor, and in his absence, the Assistant District Surveyors, and in the absence of the Assistant District Surveyors, the Director of the Built Environment, to be the “appointing officer” pursuant to the Party Wall etc. Act 1996 to exercise the power to select a third surveyor under section 10(8).

Main Report

Background

1. The Court of Common Council has delegated the exercise of various statutory functions to Port Health & Environmental Services Committee (including responsibility for environmental health) and to the Planning and Transportation Committee. To facilitate the carrying out and administration of

these functions, some of them have been delegated down to Chief Officers as set out in the Scheme of Delegations approved by the Court of Common Council on 1st May 2014, updated in December 2014 and June 2015.

2. Modifications to legislation and responsibilities have taken place, and these have been reflected in the revised Scheme of Delegations document, Appendix A.

Current Position

3. Principally to take account of updated legislation, changes to post titles and identification of additional functions it would be beneficial to delegate to Chief Officers, revisions to the scheme have been made.. All changes have been noted in the table on the front two pages of the appendix document.
4. Key changes include updating references to legislation such as the Town and Country Planning (General Permitted Development) Order 1995 (now 2015) and new delegations to the District Surveyor (Nos 94 and 95) including under the Party Wall etc Act 1996. As functions under the Party Wall etc. Act 1996 have not been delegated to either committee this report will be referred on to the Court of Common Council. [NB: You might also wish to explain the changes to the delegations concerning trees as consultation/notification of the Chairman is to be omitted.]

Proposals

5. Committee members are asked to note the changes and endorse this report, and Appendix A, for onward approval by the Court of Common Council.

Corporate & Strategic Implications

6. Regular review of delegations is required to keep them up to date and to ensure that the Department of the Built Environment (DBE) can continue to carry out functions effectively..

Implications

7. Failure to review and update delegations may render the Department less effective in performing its statutory functions and unable to take advantage of new legislative powers including those relating to enforcement .

Consultees

8. The Town Clerk, the Chamberlain and the Comptroller and City Solicitor have been consulted in the preparation of this report and their comment incorporated.

Recommendation

9. That the Committee agrees to the amendments to the Scheme of Delegations for onward approval by the Court of Common Council.

Appendices

- Appendix A – DBE Revised Scheme of Delegations

Background Papers:

Previous Delegated Powers updated Committee Report.

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DEPARTMENT OF THE BUILT ENVIRONMENT

DIRECTOR OF THE BUILT ENVIRONMENT

The following powers are delegated to the Director of the Built Environment.

Authority

1. To authorise duly appointed officers to act under any enactments, regulations or orders relating to the functions within the purview of the Committee and of the Department.
2. To sign the necessary warrants of authorisation for the above officers.

Charges

3. Setting miscellaneous hourly-based charges subject to agreement with the Chamberlain.

REVISIONS

Date	Details
20/5/15	Readdressed delegations for PP director Number updating
14/04/16	Para 44 split to make new para 45 - following paras renumbered
14/04/16	Alteration at new para 46 (old para 45) was 'same criteria as 41' now reads 'same criteria as 43'.
14/04/16	Alteration at new para 48(old 47) 'and conservation area consents' deleted.
14/04/16	Alteration at para 51 'Town and Country Planning (General Permitted Development) Order 1995' now 2015
14/04/16	Alteration at para 53 'Town and Country Planning (Development Management Procedure) Order 2010' now 2015 - Article 4 now Article 5
14/04/16	Alteration at para 75 – and circular 02/99 replaced by (as amended)
14/04/16	Alteration at para 89 'Delegations to Officers' – Chief Planning Officer & Development Director F-H changed to F-G
14/04/16	Deletion at para 89 – Delegations to Officers 'Assistant Director (Change Management) - Sections A to E' - text deleted
14/04/16	Deletion at para 89 - Statutory Authorities – changes made at para (a.) 214B(1)(3) now reads 214b(1), 214b(3).
16/05/16	Sections 225A, 225C and 225F removed. Extra text 'and exercise other enforcement remedies' added at 63
16/05/16	2000 [and 2013] altered to 2015 at Para 73
16/05/16	(England and Wales) removed at Para 75
16/05/16	Para 78 'of London Corporation' added
16/05/16	Para 84 'of London Corporation' added
16/05/16	Para 89 'of London Corporation' added
26/05/16	Para 66section 106BA of the Town and Country Planning Act 1990 - deleted
26/05/16	Old para 72 (renumbered 71) - subject to the agreement of the Chairman of the Planning & Transportation Committee (or the Deputy Chairman in his or her absence – text removed

26/05/16	Old para 73 (renumbered 72) - subject to notification to the Chairman or Deputy Chairman of P&T except in urgent cases - text removed
26/05/16	Para 78 (renumbered 77) deleted -
26/05/16	After para 77 text 'Policy and Performance Director' deleted replaced by – Planning Policy Director
26/05/16	Delegations to other officers Town Planning - following added In addition and para 85 Assistant Directors, Development Management The following deleted - Transportation and Public Realm Director – Section H - Deleted
26/05/16	New Para 94 – To sign and serve any notices and consents required to be given by the City of London Corporation under the London Building Acts (Amendment) Act 1939, Part IV, Section 30 relating to special and temporary structures etc. erected within the City of London.
26/05/16	New Para 95 - In accordance with the Party Wall etc. Act 1996, Section 10 (8) select the third surveyor if required to do so.
27/9/16	Para 64 updated to reflect updates 15/12/2014
19/10/16	Added Assistant Director (City Transportation) to para 18

Transportation & Public Realm

4. To implement, waive or vary charges relating to traffic management and /or the Public Highway and/or pipe subways such as parking dispensations, private apparatus in the highway, temporary road closures and traffic orders, scaffolding, hoarding and fencing licences, and charges for pipe subways (including under S.73 of the London Local Authorities Act 2007) .
5. To grant permission or consent with or without conditions or refusing to grant permission or consent as the case may be with respect to applications made to the City of London Corporation:
 - a. under Part II of the Road Traffic Act 1991, relating to dispensations from, or, the temporary suspension of, waiting and loading regulations or parking places regulations made in accordance with the Road Traffic Regulation Act 1984;
 - b. under Section 7 of the City of London (Various Powers) Act 1973, relating to new buildings;
6. To sign appropriate notices indicating that consent or refusal has been given, as the case may be under (a) above.
7. To sign and serve notices or granting of consents under the Highways Act 1980, City of London (Various Powers) Act 1900 and the City of London Sewers Act 1848 relating to the management and maintenance of streets within the City.
8. To exercise powers under the Road Traffic Regulation Act 1984 in respect of temporary traffic orders.
9. To issue notices and, as necessary discharge the City of London Corporation's obligations under Part III of the New Roads and Street Works Act 1991, relating to the co-ordination and execution of street works by public utility companies and other licensed operators.
10. To enter into agreement with companies and statutory companies to allow the placement of plant within the pipe subways inherited from the Greater London Council in accordance with the London County Council (General Powers) Act 1958 and to determine applications for consent to place electricity substations in the street pursuant to the Electricity Act 1989
11. To enter into agreements with other traffic authorities to jointly exercise the City of London Corporation's traffic order making functions or to delegate those functions to them or to accept their delegations of those functions in accordance with S.101 Local Government Act 1972.
12. To enter into agreements with other highway authorities under section 8 of the Highways Act 1980.

Water and Sewers

13. The requisition of sewers under Sections 98 to 101 inclusive of the Water Industry Act 1991 (relating to the powers to exercise and discharge the functions of the Undertaker within the City to provide and adopt sewers).
14. The adoption of sewers under Sections 102 to 105 inclusive of the Water Industry Act 1991 (relating to the powers to exercise and discharge the functions of the Undertaker within the City to adopt sewers).
15. To authorise and/or approve works under Section 112 of the Water Industry Act 1991 (relating to the power to exercise and discharge the requirements of the Undertaker within the City).
16. The closure or restriction of sewers under Section 116 of the Water Industry Act 1991, relating to the powers to exercise and discharge the functions of the Undertaker within the City to close or restrict the use of a public sewer.
17. The alteration or removal of pipes or apparatus of the Undertaker under Section 185 of the Water Industry Act 1991, relating to the power to exercise and discharge the functions of the Undertaker within the City to alter or remove any relevant pipe or apparatus.

Highways and Transport

18. To make all Traffic Orders under sections 6, 9, 10, 23 and 45 of the Road Traffic Regulation Act 1984, and to make modifications to or to revoke any experimental Traffic Regulation Order (following consultation with the Commissioner of Police for the City of London) where deemed necessary in the interests of safety, convenience or the expeditious movement of traffic.
19. To exercise powers under Part V of the Highways Act 1980 dealing with highway improvements.
20. To make representation or lodge objection, as appropriate, to applications for a Public Service Vehicle Operator's Licence, under Section 14A of the Public Passenger Vehicles Act 1981 or for a London Local Service Licence, under section 186 of the Greater London Authority Act 1999 and authorising in writing the appropriate officers in his Department to put forward objection or recommendation on behalf of the City of London Corporation at any Inquiry or Appeal arising out of an application for either of the recited licences.
21. To agree details of railway works in the City of London under the Transport and Works Act 1992.
22. To issue projection licences on, over or under streets pursuant to schemes where planning permission has already been agreed or renewing existing licences.

23. To be responsible for all functions under the Traffic Management Act 2004 and Regulations made thereunder that relate to the City of London Corporation as a local highway and local traffic authority.
24. To agree consents for temporary highway activities pursuant to the Crossrail Act 2008.
25. To exercise through Civil Enforcement amongst other things, parking management and parking enforcement functions, under the Road Traffic Regulation Act 1984, the Road Traffic Act 1991, the London Local Authorities Acts 1995 – 2012 (LLAA), and the Traffic Management Act 2004 (TMA).

City Walkway

26. Power to licence the temporary hoarding or enclosure of City Walkway pursuant to Section 162 of the City of London Sewers Act 1848 and Section 21 and Schedule 2 Part II to the City of London (Various Powers) Act 1967.

Cleansing

27. The institution of proceedings and other enforcement remedies in respect of offences under the Environmental Protection Act 1990, Part II, Part III and Part IV.
28. To institute proceedings and other enforcement remedies in respect of the Health Act 2006, section 6, 7, 8, 9 and 10.
29. To institute proceedings and other enforcement remedies in respect of offences under the Refuse Disposal (Amenity) Act 1978.
30. To institute proceedings and other enforcement remedies in respect of offences under the City of London (Various Powers) Act 1987.
31. To institute proceedings and enforcement remedies in relation to Part VI of the Anti-Social Behaviour Act 2003.
32. To institute proceeding and enforcement remedies in relation to Part I-IV of the Anti-social Behaviour, Crime and Policing Act 2014.
33. To serve notices and institute enforcement remedies in relation to the Town and Country Planning Act 1990 sections 225A - 225K.
34. To institute proceedings in relation to the Regulation of Investigatory Powers Act 2000.
35. To institute proceedings in relation to the Control of Pollution Act 1974.
36. To issue notices under section 6 London Local Authorities Act 2004 (abandoned vehicles). [See my previous comments.]

37. To institute proceedings in relation to the Environment Act 1995.
38. To institute proceedings in relation to the London Local Authorities Act 1995.
39. To institute proceedings in relation to the London Local Authorities and Transport for London Act 2003.
40. To institute proceedings in relation to the Local Government (Miscellaneous Provisions) Act 1976.
41. To institute proceedings in relation to the Highways Act 1980.

Delegations to other Officers

The following authorities are also delegated to the specified Deputies or Assistants:

Transportation and Public Realm Director – Items 4 - 41

Assistant Director (Highways) – Items 5 -17 and Items 23 – 26

Assistant Director (City Transportation) – Item 18

TOWN PLANNING

The following functions are delegated to the Chief Planning Officer & Development Director:

A) Development Management

42. To determine applications for outline, full and temporary planning permission under Part III of the Town and Country Planning Act 1990 subject to the applications being in accordance with policy, not being of broad interest and there being no more than 4 planning objections.
43. To make non-material changes to planning permission pursuant to Section 96A of the Town and Country Planning Act 1990.
44. To determine applications for Listed Building Consent under the Planning (Listed Buildings & Conservation Areas) Act 1990; subject to the applications not being of broad interest and there being no more than 4 relevant objections.
45. To advise the Secretary of State for Communities and Local Government of what decision the City of London Corporation would have made on its own applications for listed building consent if it had been able to determine them, subject to the same criteria as 43.
46. To determine submissions pursuant to the approval of conditions, under the Town & Country Planning Act 1990 and the Planning (Listed Buildings & Conservation Areas) Act 1990 and in relation to clauses set out in approved Section 106 Agreements.
47. To make minor changes to conditions in respect of planning permissions and listed building consents which have been conditionally approved by the Planning & Transportation Committee.
48. To determine applications for planning permission and listed building consent to replace an extant permission/consent granted on or before 1st October 2010, for development which has not already begun with a new permission/consent subject to a new time limit pursuant to Article 20 of the Town and Country Planning (Development Management Procedure) Order 2015 and Regulation 3 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 as amended and provided no more than 4 planning objections have been received.
49. To determine applications for Certificates of Lawfulness of existing and proposed use or development in accordance with sections 191 and 192 of the Town and Country Planning Act 1990.
50. To determine applications for Advertisement Consent pursuant to Regulations 12, 13, 14, 15 and 16 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

51. To determine applications for prior approval under the Town and Country Planning (General Permitted Development) Order 2015.
52. To make observations in respect of planning and related applications submitted to other Boroughs, where the City of London Corporation's views have been sought and which do not raise wider City issues.
53. To serve notices under Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015.
54. To determine the particulars and evidence to be supplied by an applicant for planning permission pursuant to section 62 of the Town and Country Planning Act 1990.
55. To serve Planning Contravention Notices under Section 171C of the Town and Country Planning Act 1990.
56. To issue and serve Enforcement Notices under Section 172 of the Town and Country Planning Act 1990 and Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
57. To issue a letter of assurance under Section 172A of the Town and Country Planning Act 1990.
58. To serve notices under Section 215 of the Town and Country Planning Act 1990.
59. To serve Breach of Condition Notices under Section 187A of the Town and Country Planning Act 1990.
60. To decline to determine a retrospective application for planning permission under Section 70C of the Town and Country Planning Act 1990.
61. To seek information as to interests in land under Section 330 of the Town and Country Planning Act 1990, and as applied by Section 89 of the Planning (Listed Buildings & Conservation Areas Act) 1990, and Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
62. To institute proceedings pursuant to Section 224 of the Town and Country Planning Act 1990.
63. To serve Notice of Intention to remove or obliterate placards and posters pursuant to Section 225, of the Town and Country Planning Act 1990. [This has been amended as the other enforcement remedies contained in sections 225A to K are the subject of a separate delegation.]
64. To agree minor variations to agreements pursuant to sections 106 and 106A of the Town and Country Planning Act 1990 and to authorise section 106 covenants in respect of planning applications (and where the planning application is such that it may be determined by the Chief Officer (or other appropriate officer authorised by them) under this Scheme of Delegation).

65. To agree minor variations to agreements pursuant to section 278 of the Highways Act 1980.
66. To make payments to other parties where required by the terms of an agreement made under section 106 of the Town and Country Planning Act 1990 or section 278 of the Highways Act 1980.
67. To determine City Community Infrastructure Levy contributions pursuant to the Community Infrastructure Levy Regulations 2010 (as amended).
68. To pass Community Infrastructure Levy contributions to other parties pursuant to section 216A of the Planning Act 2008 and regulations made thereunder.
69. To determine applications to discharge requirements and approve details pursuant to the Thames Tideway Tunnel Development Consent Order and other similar Development Consent Orders, and to discharge conditions and approve details pursuant to deemed planning permission granted by Transport and Works Act Orders and statutes in respect of infrastructure projects subject to the applications being in accordance with policy, not being of broad interest, and there being no more than 4 planning objections.

B) Trees

70. To authorise works, including their removal, to trees in Conservation Areas and works in relation to a tree the subject of a Tree Preservation Order (T.P.O.)
71. To determine applications made under sections 206 (2) and 213 (2) of the Town and Country Planning Act 1990, to dispense with the duty to plant replacement trees

C) Churches

72. To respond to consultation made under the provisions of the Mission and Pastoral Measure 2011, the Faculty Jurisdiction Rules 2015, the Care of Churches and Ecclesiastical Jurisdiction Measure 1991, the Care of Cathedrals Measure 2011 and the Code of Practice relating to exempted denominations procedures agreed by the Secretary of State.
73. The City of London Corporation's functions under the City of London (St. Paul's Cathedral Preservation) Act 1935.

D) Environmental Impact

74. To carry out the following functions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) :
 - a. formulating "screening opinions" under Regulation 5;
 - b. requiring developers to submit an environmental statement to validate an application under Regulation 10;

- c. formulating “scoping opinions” under Regulation 13;
- d. providing relevant information to developers who propose to prepare an environmental statement under the provisions of Regulation 15 (4);
- e. requiring the submission of further information pursuant to regulation 22
- f. requiring the local authority to submit an environmental statement in respect of applications for local authority development under Regulation 25;
- g. formulating a “screening opinion” in matters of planning enforcement under Regulation 32.

E) Crossrail

- 75. To agree Crossrail contributions, agree viability assessments and instruct the Comptroller & City Solicitor to secure any necessary planning obligations in respect of Crossrail contributions pursuant to Section 106 of the Town and Country Planning Act 1990.
- 76. To make payments of Crossrail contributions received by the City of London Corporation to the Mayor and/or Transport for London on the basis of the Implementation Protocol between the Mayor, Transport for London and the local planning authorities, subject to such payment being agreed by the Chamberlain.

The following functions are delegated to the Policy & Performance Director:

F) Local Plans, Naming and Numbering

- 77. To carry out sustainability appraisal of Local Development Documents under Section 19(5) of the Planning and Compulsory Purchase Act 2004 and to exercise functions under the Environmental Assessment of Plans and Programmes Regulations 2004 including carrying out strategic environmental assessment (including assessments under the Habitats Directive (Council Directive 92/43/EEC)), preparing, publishing and consulting upon screening reports, scoping reports, sustainability commentaries and sustainability appraisal reports.
- 78. To carry out public consultation in the preparation of Local Development Documents in accordance with the Statement of Community Involvement and the duty to cooperate in Section 33A of the Planning and Compulsory Purchase Act 2004.
- 79. To carry out surveys under Section 13 of the Planning & Compulsory Purchase Act 2004.
- 80. To provide any documents necessary to support consultations on Local Development Documents and submission of Local Plans.

81. To prepare and publish monitoring reports on an annual basis in accordance with Section 35 of the Planning & Compulsory Purchase Act 2004
82. To make observations on consultation documents issued by central and local government, statutory bodies etc., where the observations are in accordance with the City's general policy position.
83. To carry out public consultation in the preparation or revision of the Community Infrastructure Levy, in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and the Statement of Community Involvement.
84. To exercise powers under the London Building Acts (Amendment) Act 1939 – Part II relating to street naming and numbering of property.

G) Land Charges

85. To maintain a register and index of Local Land Charges pursuant to section 3 of the Local Land Charges Act 1975, including the amendment and cancellation of registrations pursuant to the Local Land Charges Rules 1977 and to set search fees pursuant to Section 8 of the Local Land Charges Act 1975 and Section 150 of the Local Government and Housing Act 1989 and relevant Rules and Regulations made there under.
86. To make searches and issue search certificates pursuant to section 9 of the Local Land Charges Act 1975.

H) Lead Local Flood Authority

87. To exercise the City of London Corporation's functions as Lead Local Flood Authority in relation to the Flood and Water Management Act 2010 (other than the functions delegated to the District Surveyor).

Delegations to other Officers

In addition the following functions are also delegated to the following Officers:

Director of the Built Environment – Section A to H

Chief Planning Officer & Development Director - Sections A to E and Paragraph 85 of this document

Sections F-H in the absence of the Policy & Performance Director

Assistant Director (Development Management) - Sections A to E

Policy & Performance Director – Sections F- H and in the absence of the Chief Planning Officer and Development Director; and Assistant Director (Development Management), Sections A to E

Statutory Authorities

Officers of the department are authorised to exercise the following powers in accordance with the responsibilities of the post:

- a. Sections 178(1), 196A(1), 196B, 209(1), 214B(1), 214B(3), 214C, 219(1) and 225, 324 and 325 of the Town and Country Planning Act 1990 (as amended),
- b. Sections 42(1), 88(2), (3), (4) and (5) and 88(A) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)
- c. Sections 36 and 36A of the Hazardous Substances Act 1990.

DISTRICT SURVEYOR

The following functions are delegated to the District Surveyor:

88. To grant permission or consent, with or without conditions or, refuse to grant permission or consent, as the case may be, with respect to applications made to the City of London Corporation under the London Building Acts 1930-1982, The Building Act 1984 and The Building Regulations 2010 (as amended).
89. To sign and serve any notices required to be given by the City of London Corporation under the London Building Acts (Amendment) Act 1939, Part VII, Section 62 relating to dangerous structures within the City of London.
90. To exercise the City's Lead Local Flood Authority function as a statutory consultee to the local planning authority on surface water drainage issues.
91. To sign and serve any notices and consents required to be given by the City of London Corporation under the London Building Acts (Amendment) Act 1939, Part IV, Section 30 relating to special and temporary structures etc. erected within the City of London.
92. In accordance with the Party Wall etc. Act 1996, Section 10 (8) select the third surveyor if required to do so.

Delegation to other Officers

The functions of the District Surveyor are also delegated to the Director of the Built Environment and the Deputy District Surveyor

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Committees:		Dates:
Streets and Walkways Sub Committee		27 September 2016
Projects Sub Committee		11 October 2016
Port Health and Environmental Services		22 November 2016
Report Subject:	Issue Report	Public
Middlesex Street Area Enhancement - Phase 2		
Report of:		For Decision
Joint report of the Director of the Built Environment and the Director of Markets and Consumer Protection		
Report authors:		
Helen Kearney, Department of the Built Environment and Steve Blake, Department of Markets and Consumer Protection		
<u>Summary</u>		
Dashboard		
(i) Project status: Green		
(ii) Timeline: Gateway 1 /2 was approved in 2012		
(iii) Total project estimated cost:		
Phase 2: c £2-4m cost range, for public realm enhancements and market improvements.		
(iv) Phase 2 spend to date: £0 (costs accounted for in Phase 1 as part of wider Middlesex Street Area Enhancement project)		
(v) Estimated cost to reach next Gateway: £50,000		
(vi) Overall project risk: low		
Last Gateway approved		
Gateway 1/2 for the Phase 2 element of the works.		
This Progress Report relates exclusively to Phase 2 of the Middlesex Street Area works; Phases 1 and 3 have been reported to committee separately.		
For information, Phase 1, comprises public realm and enhancement works at the northern end of Middlesex Street, Widegate Street, Sandys Row and Rose Lane, and was last reported at Gateway 5. Works began on site in August 2016 and are scheduled for completion in June 2017. Phase 3 comprises the removal of Middlesex Street Estate ramps and new landscaped space at Artisan Street, and has been approved at Gateway 4. Works are expected to commence in late 2016.		
Progress to Date		
This report advises Members of progress to Phase 2 of the Middlesex Street Area project, and sets out a strategy for progressing the project to Gateway 3.		
The project aims to enhance Petticoat Lane Market and the central section of Middlesex street between Sandys Row and St Botolph Street, celebrating the character and history of the area whilst improving the visitor experience. The project will require working in partnership with the London Borough of Tower Hamlets, and in consultation with market traders and other local stakeholders.		
To date, following Gateway 2 approval the City has commissioned two studies: one of potential environmental improvements and one on the market offer and operations. The recommendations of both studies are informed by extensive stakeholder and market trader consultation undertaken in 2013 and 2015. Subject to Member approval these		

recommendations will form the basis of a consultant brief to develop public realm enhancement design proposals for Middlesex Street and a strategy/ delivery plan for changes associated with the market operation.

Recommendation

It is recommended that Members approve the funding required to reach Gateway 3 of £50,000, to be funded from Section 106 contributions relating to the 5 Broadgate development (Section 106 agreement dated 29th July 2011).

Main Report

1. Reporting Period	2012-current
2. Progress to Date	<ol style="list-style-type: none"> 1. This report relates to Phase 2 of the Middlesex Street Area project, which is concerned with public realm improvements in the central section of Middlesex Street between Sandys Row and St. Botolph Street, alongside the enhancement of Petticoat Lane Market located in Wentworth Street (in the London Borough of Tower Hamlets). See the map at Appendix 1 for the project area. 2. Middlesex Street and adjacent streets are on the eastern fringe of the City. The area is well-known due to its central London location and the fame of the historic Petticoat Lane Market. However, both Middlesex Street and the market are in need of improvement. To the north, Spitalfields Market is an attractive visitor destination, whilst to the south, Aldgate is currently being redeveloped to create significant new public spaces. Middlesex Street could form an enhanced pedestrian route between these two key areas. 3. The enhancement of the Middlesex Street area is a high priority project of the Liverpool Street Area Enhancement Strategy (adopted in 2013). With the opening of Liverpool Street and Whitechapel Crossrail stations, the number of pedestrians in the area is anticipated to significantly increase. 4. The project area is along the border with the London Borough of Tower Hamlets (LBTH). LBTH manage the middle and southern parts of the Petticoat Lane Market, and the eastern side of Middlesex Street lies in Tower Hamlets. The need for an improved setting for the market and local retail offer has been endorsed through a public consultation exercise carried out with LB Tower Hamlets. <p><u>Background</u></p> <ol style="list-style-type: none"> 5. In March 2012 a Gateway 1/ 2 report initiating the Middlesex Street Area enhancement project was agreed by Members.

	<p>6. A public consultation and a traffic study were carried out from January to March 2013 and highlighted the need to provide an enhanced environment and improve traffic movement in the area. In October 2013 Members considered an Options Appraisal (Gateway 4) report, and approved splitting the project into two phases: Phase 1 being enhancements to the northern end of Middlesex street; and Phase 2 being enhancements to the central section of Middlesex Street and the enhancements to Petticoat Lane Market. A third phase was later added that incorporated enhancements to Middlesex Street Estate/ Artisan Street. See Appendix 2 for an overview of Phases 1 and 3.</p> <p>7. Phase 1 of the project has recently been approved at Gateway 5 (April 2016). Works began in August 2016, in Middlesex Street (northern end), Widegate Street, and Sandys Row. They include transforming two traffic islands into pedestrian spaces, raising carriageways, improvement the streetscape, rationalising parking and loading arrangements, and experimental traffic changes.</p> <p>8. This progress report now updates Members on the work that has been undertaken specifically on the Phase 2 elements of the work.</p> <p><u>Consultant work to date</u></p> <p>9. A Traffic study was undertaken by Atkins in April 2013. The study presented findings relevant to the operation of Petticoat Lane Market, including the pedestrian numbers entering the market on Sundays and their direction of travel – largely entering and exiting the area from Bishopsgate. It also detailed the parking and loading peak periods for vehicles on market day.</p> <p>10. Architects ‘The Facility’ were commissioned in 2013 to recommend measures to improve the Middlesex Street area. As part of their work they undertook a consultation of local stakeholders including market traders, market users, shopkeepers, residents, local freeholders, leaseholders and lessees, local groups and organisations, visitors to the area, and the wider public (via a website).</p> <p>11. In addition, in-depth work relating specifically to the operation of the market was required. In 2014 market consultants The Retail Group completed a review of the market operation in both the City and Tower Hamlets. This included surveys of traders and visitors, alongside peer reviews, and identified a number of issues in the area.</p>

Consultants' findings:

12. The consultants identified a number of issues, including:

- Poor presentation of stalls
- Lack of sense of arrival at the market
- Inappropriate stall structures being used and often left on the public highway when not in use
- Lack of facilities such as toilets
- Lack of branding
- Lack of diversity in terms of the merchandise on sale
- Clear divergence of the overall quality of the market with the retail offer in the area
- A key issue on market day was a need to strengthen the enforcement policy of both stall layout and parking.

13. The consultants made a number of recommendations specific to the operation of the Market, including:

- Facilities and public amenities including covered spaces for use in poor weather, more and better located seating, cycle parking, temporary seating on pavements, and new public toilets
- Improving Market operations, including new market stalls/rigs, the reorganisation of layout, storage, and management of stalls, road closures at certain times, and proper consideration of trader car/ van parking.
- New market offer including food
- New management structure for ongoing market operations, and clear enforcement policies
- Petticoat Lane Market Development Group to be formed, to suggest and promote improvements to the Market.
- Better trader engagement
- Additional events including visiting or temporary markets
- Offers and collective promotions introduced
- Public realm works including improved paving and widened pavements, more planting, better lighting, commissioning public art
- Conservation work to improve the local shopfronts
- Raising the profile of the market and a branding strategy which highlights the history of the area
- Signage/ wayfinding including improved signage and visibility from Bishopsgate, and new signs and maps on Middlesex Street

A more comprehensive list of the recommendations from the various reports is provided in Appendix 3.

14. In order to make the suggested changes, the consultants outlined a process that included: partnership with Tower Hamlets (LBTH) throughout; development of design for the enhancement of the area; establishment of a Working Group focused on Petticoat Lane Market with Ward Members, local

	<p>traders, businesses, residents, and landowners; and exploring funding options. The aim would be to revitalise the local economy and develop Petticoat Lane Market as a destination.</p> <p>15. Then in October 2015, The Retail Group organised a day of stall trials with market traders. New stall types were erected and traders were consulted on them, with a variety of responses. The responses focused on a number of themes:</p> <ul style="list-style-type: none"> - Ownership of and responsibility for the stalls - Payment for the stalls - Security and storage - Branding of stalls - The timetable for the introduction of the new stalls - Other general comments about the market: need for public toilets, need for better signage, better food offer <p>16. The findings of these consultants' reports will be the basis for officers' work in the next stage of this project.</p> <p><u>Context: Aldgate and other related developments</u></p> <p>17. Works are underway to create significant new public spaces and increased amenities for residents, workers, and visitors in the Aldgate area. The enhanced area of Aldgate is adjacent to the southern end of Middlesex Street, and would form an attractive gateway to the market. The enhancement of Petticoat Lane Market therefore would align closely with the improvements in Aldgate, and local businesses represented by The Aldgate Partnership business group have expressed their desire for Market improvements.</p> <p>18. The journey from Spitalfields to Aldgate, via Middlesex Street and Petticoat Lane Market has been identified as a potentially important route for visitors and locals in the area, which would bring together the area's historic market places.</p> <p>19. As part of the Phase 1 works, officers have been liaising with the market traders, local businesses and other stakeholders in the area. It is timely to progress with the phase 2 project now given that these relationships have been built and the expectation among stakeholders is for the works to continue.</p>
<p>3. Next Steps</p>	<p>20. Phase 2 of the Middlesex Street Area enhancement project will include both improvements to the public realm in the area, as well as measures to enhance Petticoat Lane Market.</p> <p>21. A Project Team will be set up to manage the project, with the City Public Realm team in partnership with colleagues from the Markets and Consumer Protection Team and the London Borough of Tower Hamlets.</p>

	<p>22. A key next step will be to set up a Working Group to set the project's aims, guide the project through its various stages, and promote community consultation, comprising:</p> <ul style="list-style-type: none"> - City of London Ward Members - Tower Hamlets Ward Members - Market traders representatives - the East End Traders Guild - local residents - local businesses - Widegate Traders Association - East Anglia University - Local landowners - Other key stakeholders <p>23. Appoint the following specialist consultants:</p> <ul style="list-style-type: none"> – Market consultants to undertake second stage of work, to create Action Plan and guidance on delivering changes to the market – Landscape architects/designers commissioned to design public realm improvements in the area (possibly including a separate graphic design/branding consultant to advise on signage and area branding) <p>24. Legal advice will be sought in relation to the bye laws and primary legislation that governs the operations and siting of the market. In addition, relevant policies – for example, those which relate to trading hours or positioning of stalls within the area – will be reviewed.</p> <p>25. Traffic movement and servicing of local areas will be considered, updating the traffic survey already undertaken in light of recent and upcoming changes to the area.</p> <p>26. Subsequent to this work, an overview of options for the enhancement of the market and associated costs will be reported to Members at Gateway 3 in early 2017.</p> <p>27. Other relevant departments and stakeholders will be consulted including Open Spaces, City Surveyors, Chamberlains, Access Team, Planning and historic environment, highways, cleansing.</p> <p><u>Financial Implications</u></p> <p>28. The enhancement of the Middlesex Street area is a high priority of the Liverpool Area Enhancement Strategy (adopted in 2013). It is proposed to be part funded from the Section 106 contributions relating to the 5 Broadgate development, with other sources of funding including from the LBTH. Funding sources to be confirmed at Gateway 3.</p>

	<p>29. The resource estimated to be required to reach the next gateway is:</p> <ul style="list-style-type: none"> - £40,000 fees - £10,000 staff costs

Appendices

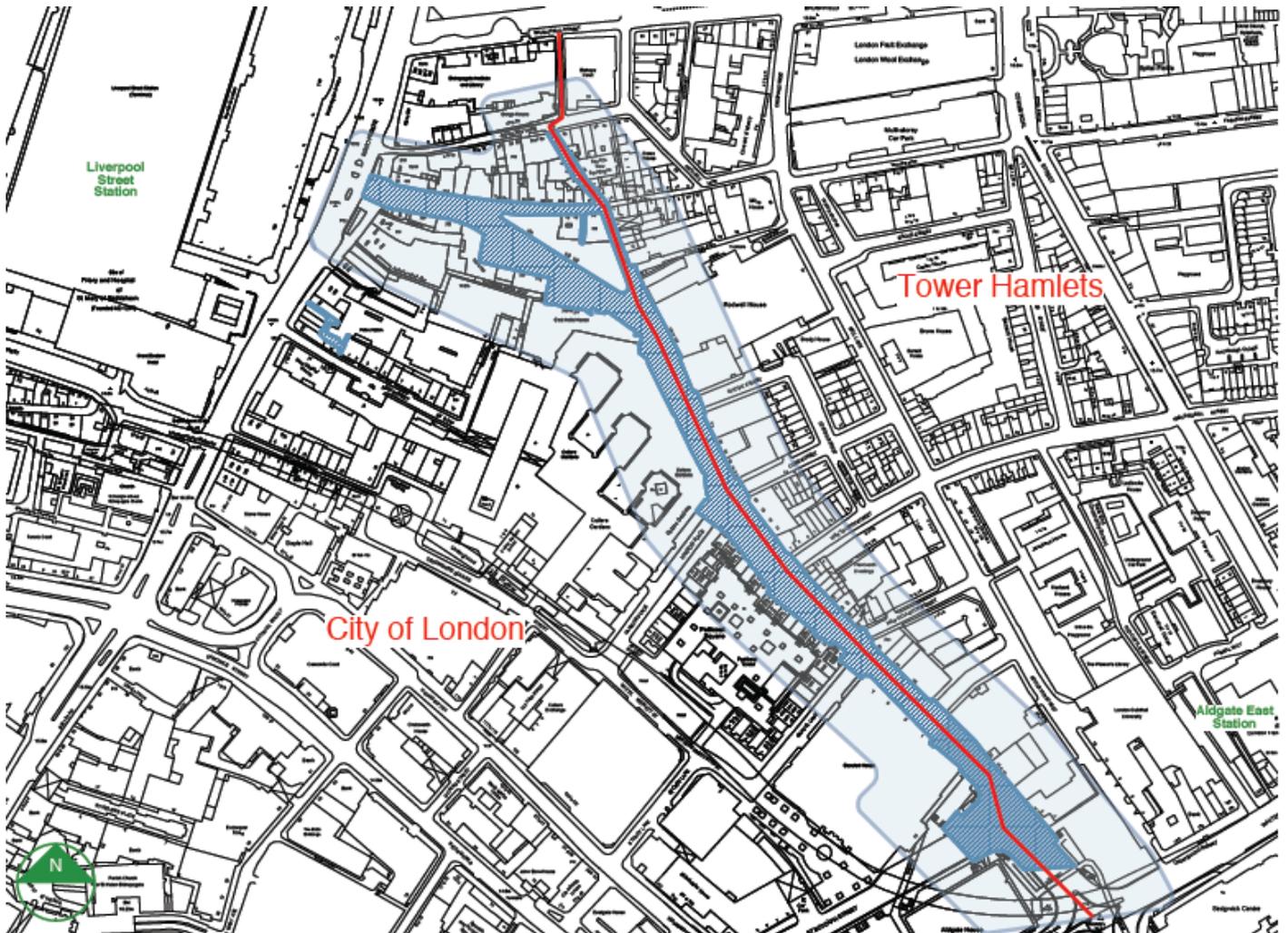
Appendix 1	Plan of project area
Appendix 2	Middlesex Street phases 1 and 3
Appendix 3	Recommendations from consultants' reports

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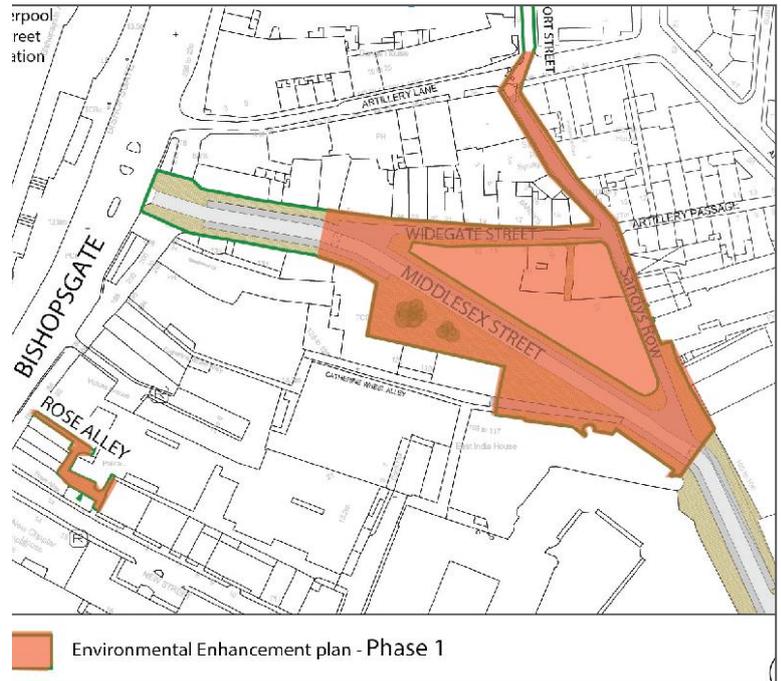
Middlesex Street, showing boundary between City and Tower Hamlets



Appendix 2 Phases 1 and 3, Middlesex Street Area

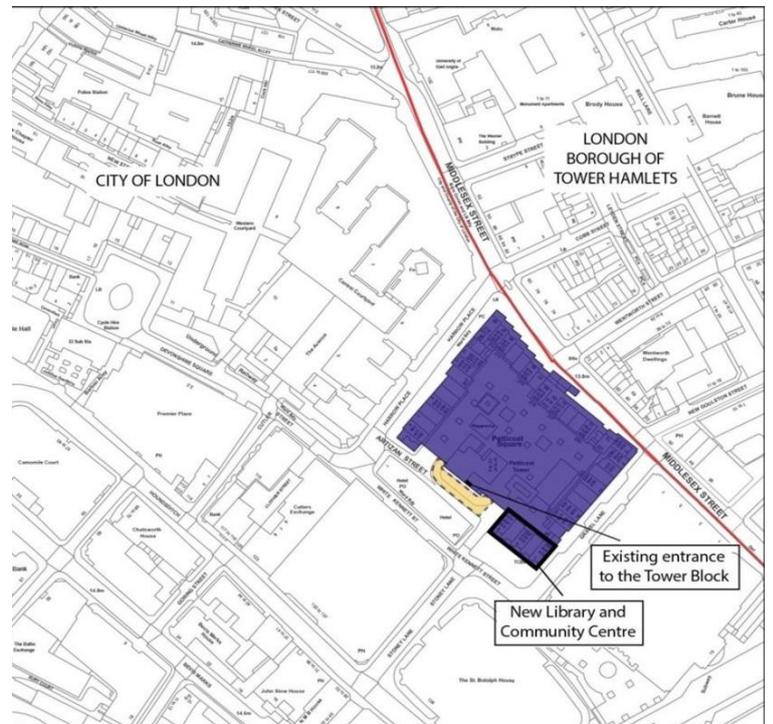
Phase 1

- Public realm improvements to the Northern end of Middlesex Street, Widegate Street, Sandys Row and Rose Alley
- Transform traffic islands along Middlesex Street into public spaces
- Market Parking and Loading arrangements
- Traffic experiments
- Works commence summer 2016



Phase 3

- Removal of car park ramp next to Artisan Street Library
- Road and paving improvements including raised carriageway
- New 'Green Oasis' garden with planting and vertical garden
- Community-led project



Summary of Recommendations from:

a) The Facility Architects

b) The Retail Group

a) The Facility Architects

As part of the work of the Facility Architects, they undertook a consultation of local stakeholders including market traders, market users, shopkeepers, residents, local freeholders, leaseholders and lessees, local groups and organisations, students, visitors to the area, and the wider public (via a website).

From their findings, a set of recommendations were put together. These included Phases 1 and 2 of the project. The recommendations specifically related to Phase 2 were:

Public realm works	<ul style="list-style-type: none"> ○ Aim to create a 'green link' pedestrian route from Bishopsgate to Aldgate, e.g. through more trees and planting along the street. ○ Improved paving, widening the pavement/ narrowing the carriageway ○ Coherent streetscape of both sides of street (City and LBTH sides) ○ Less street clutter, e.g. bollards ○ 'Playful' approach to street furniture and lighting ○ Improved lighting; lighting strategy – including making the street safe and pleasant in the evening ○ Granite paving demarcating market stall areas ○ New covered public space/s ○ New public square in area of traffic islands ○ Commissioning of new public art and installations ○ Possible staircase removal and new space in western pavement
Conservation work	<ul style="list-style-type: none"> ○ Improved shop fronts; shopfront conservation scheme ○ Possible grants programme to facilitate shopfront improvements ○ Improved and extended shop units under Middlesex Street estate
Raising profile and Branding	<ul style="list-style-type: none"> ○ Improve profile of market ○ Changing name of the street to 'Petticoat Lane' ○ Design specific locally- relevant street furniture to highlight the history of the area, e.g. referencing the cloth/ textile industry
Market operations	<ul style="list-style-type: none"> ○ Reorganisation and planning of market stalls ○ Weekday market on Middlesex Street ○ Variations in market stall offer ○ Food market on Thursday/ Friday

	<ul style="list-style-type: none"> ○ New stalls ○ Alterations to management ○ Pedestrianisation or timed closures in local streets ○ Farmers market or fresh food stalls during the week ○ Commission specific 'Petticoat Lane' stalls to suit local conditions: storage, assembly, size ○ Storage and management of new stalls to be considered ○ Rationalisation of market stalls, layout and numbers ○ New market layout which can match the numbers of stalls to the existing number ○ Parking for market traders considered ○ Market to address shopfronts, rather than ignoring them
Facilities and public amenities	<ul style="list-style-type: none"> ○ Covered spaces to encourage market use in poor weather ○ More seating; better located seating ○ More cycle parking; better located cycle parking ○ Temporary seating for local restaurants/ cafes on pavements
Signage/ wayfinding	<ul style="list-style-type: none"> ○ Clarify access routes, providing visual markers for visitors, including directions in and out of the market area ○ Provide 'Legible London' standard for signage ○ Improved signage and visibility from Bishopsgate ○ New signs and maps on the street

In order to make these changes, the consultants outlined a process that included:

- a) Partnership with Tower Hamlets (LBTH) key throughout
- b) Urban design developed, including with an understanding and planning of pedestrian routes
- c) Develop a Working Group focused on Petticoat Lane with local traders, businesses, residents, landowners, and LBTH
- d) Working Group to put together Urban design Strategy that recaptures the public imagination and spirit of the area.
- e) Working Group to put together aims including:
 - Put 'Petticoat Lane' back on the map
 - Revitalise local economy
 - Uncover historic context of area
 - New and exciting public spaces
 - Catalyst for creativity and local regeneration
 - Development of a 'destination'
- f) Funding strategies to be explored, including S106, CIL, local business investment, and crowd funding

b) The Retail Group

The Retail Group were commissioned to undertake a review of the market operation in both the City and Tower Hamlets. This included surveys of traders and visitors, alongside peer reviews, and then presented an action plan for the regeneration of Petticoat Lane Market. This extensive review emphasised the strength of the history of the market and its potential in a changing area, but identified a number of issues in the area including:

- Poor presentation of stalls
- Lack of sense of arrival at the market
- Inappropriate stall structures being used and often left on the public highway when not in use
- Lack of facilities such as toilets
- Lack of branding
- Lack of diversity in terms of the merchandise on sale
- Clear divergence of the overall quality of the market with the retail offer in the area and also the offer of surrounding markets such as Spitalfields and Brick Lane

The Retail Group report made a number of recommendations specific to the operation of the Market, including:

- Public toilets
- New Market stalls/ rigs, with ease of storage and assembly, high quality, robustness, potential for branding, flexibility, and ability to tailor to product. Clear procedure for who is responsible for maintaining, storing, and putting up and taking down the rigs, how their design is chosen, rig branding etc.
- New management structure that includes traders and representatives and that has proactive focus on improving the market
- Petticoat Lane Market Development Group to be formed. Focus on improving the market, and consisting of traders, local retailers, City and LBTH and other stakeholders. 'Local champion' appointed. Direct and monitor the market business plan
- Improved signage/ wayfinding that includes arrival point signage (including Aldgate, Bishopsgate, Commercial Road), directional signage from other markets/places,
- Branding including banners and light posts along the length of the market. Strong branding at Aldgate and Bishopsgate ends of market. Brand for Petticoat Lane, along with website showing heritage and information
- Seating – temporary and permanent
- Use of side streets; good for customer seating for example
- Changing areas
- Layout/ improve aisle widths
- Trader engagement through regular news bulletins, communication through a dedicated Petticoat Lane Traders Association, meetings, appointment to management group, publishing actions and findings of studies, trader involvement in planning and evaluating initiatives, and in public realm plans.
- Trading guidelines including layout of stall guidance, rationalising size and number of stalls, maintain central 'arcade'
- Parking – no parking (including trader parking) in the market and local side streets, use nearby streets instead.

- Events including visiting or temporary markets
- Offers and collective promotions
- They also put together a set of next steps.

In October 2015, The Retail Group organised a day of stall trials with market traders. New stall types were erected and traders were consulted on them, with a variety of responses. The responses included a number of issues such as:

- Ownership of and responsibility for the stalls
- Payment for the stalls
- Security and storage
- Branding of stalls
- The timetable for the introduction of the new stalls
- Other general comments about the market: need for public toilets, need for better signage, better food offer

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Committee	Dated:
Port Health and Environmental Services	22 November 2016
Subject: Air quality annual status report	Public
Report of: Director of Markets and Consumer Protection	For Decision
Report author: Ruth Calderwood, Air Quality Manager	

Summary

The City of London Corporation's Air Quality Strategy 2015 – 2020 was approved by the Port Health and Environmental Services Committee in July 2015.

The strategy fulfils the City Corporation's statutory obligation to assist the Government and Mayor of London to meet European Limit Values for nitrogen dioxide and fine particles (PM₁₀). It also assists with the City Corporation's obligations under the Health and Social Care Act 2012 to improve the public health of its population.

The City Corporation is required to produce a statutory annual status report to demonstrate progress with actions contained within the strategy. This report summarises the progress being made. A copy of the full report is [available online](#) and via hard copy from the Members' Reading Room. The section of the report covering air quality monitoring is attached as Appendix 1.

The City Corporation has been awarded Cleaner Air Borough status by the Mayor of London as a result of its commitment to improve air quality as detailed in the 2016 annual status report.

Air quality is improving in the City of London, particularly in areas away from busy roads. This is set to continue with the work being implemented by the City Corporation and the Mayor of London's new proposals to improve air quality, on which there is currently a consultation ending on 18 December 2016.

Recommendation

Members are asked to:-

- note the report; and
- delegate authority to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to respond to the Mayor of London's consultation on new proposals to improve air quality.

Main Report

Background

1. The City Corporation has a statutory duty to assist the Mayor of London and the UK government in taking action to reduce levels of air pollution so that concentrations of pollutants do not exceed set limits. The City Corporation also has a responsibility to improve public health.
2. The City of London Air Quality Strategy 2015 – 2020 outlines action that will be taken to fulfil the City Corporation's statutory responsibility for Local Air Quality Management, and for reducing the health impact of air pollution on residents and workers.
3. The City Corporation has a statutory obligation to submit an annual status report to the Mayor of London and the government. The report must outline progress with actions within the strategy and provide details of any air quality monitoring undertaken. A copy of the full report, which was submitted in July 2016, is [available online](#) and via hard copy from the Members' Reading Room. The section of the report covering air quality monitoring is attached as Appendix 1.

Air quality data

4. Background concentrations of nitrogen dioxide have been decreasing over the past few years. Levels of nitrogen dioxide at Speed House and Barts hospital site are now below the limit value. These are both background sites.
5. Roadside concentrations are more variable than background. Concentrations of nitrogen dioxide along Upper Thames Street declined by about 25% in 2015, compared to 2014. This was a result of the cycle superhighway work. Conversely, concentrations in Beech Street increased in the same year. Both sites still have levels of nitrogen dioxide greater than two times the limit value.
6. Annual average concentrations of fine particles, PM₁₀, were higher across the City in 2015 than 2014. This was largely due to weather conditions. Concentrations of PM₁₀, along Upper Thames Street were also affected by construction activity associated with the cycle superhighway works.
7. The PM_{2.5} analyser in Farringdon Street recorded levels below the annual average limit value during 2015. There should be further improvements in 2016 due to the cycle superhighway. A new PM_{2.5} analyser was installed in Sir John Cass playground in December 2015. Initial indications are that levels are much lower than the limit value.

Progress with actions

8. The annual status report details progress with actions in the City Corporation air quality strategy. Actions of note include:
- Completion of a three year engagement programme with Barts Health NHS Trust. This contributed to concentrations of nitrogen dioxide at the hospital meeting the annual average limit value for the first time
 - Air quality being incorporated into the City responsible procurement strategy
 - Implementation of new controls over emissions from plant on construction sites
 - Idling engine action days with extensive media coverage
 - CityAir business air quality champions meeting the Parliamentary Under Secretary of State for water, forestry, rural affairs and resource management with the Chairman and Deputy Chairman of Port Health and Environmental Services
 - Mansell Street residents air quality monitoring programme
 - The Mayor of London, Sadiq Khan, outlining his ambitions for air quality from Sir John Cass School, following the air quality work undertaken there by the City Corporation

Funding for projects

9. Funding has been obtained from the Mayor of London for the following air quality related work during 2016 - 2019:
- £40,000 to investigate the impact on local air quality of using standby diesel generators for short term operating reserve and triad management
 - £127,000 over three years to roll out idling engine action days to an additional 12 London Boroughs
 - £990,000 over three years to implement a Low Emission Neighbourhood

Mayor of London Consultation

10. The Mayor of London is consulting on new proposals to improve air quality. The proposals are:
- a £10 'emissions surcharge' for pre Euro 4/IV vehicles in the existing Congestion Charge Zone (CCZ)
 - bringing forward the planned Ultra Low Emission Zone (ULEZ) from 2020 to 2019. This restricts vehicles in the CCZ to Euro 6/IV for diesel and Euro 4/IV for petrol
 - tightening to London Low Emission Zone criteria for HGVs, buses and coaches to Euro VI in 2019
 - extending the planned ULEZ to the north – south circular

11. The consultation period ends on 18 December 2016. It is recommended that delegation should be granted to the Town Clerk, following consultation with the Chairman and Deputy Chairman, to respond.

Corporate & Strategic Implications

12. The work on air quality supports Key Policy Priority KPP3 of the Corporate Plan: 'Engaging with London and national government on key issues of concern to our communities such as transport, housing and public health'.

Conclusion

13. The City Corporation has submitted its annual air quality status report to the Mayor of London and government and has been awarded Clean Air Borough Status for its action to improve air quality.

14. Overall, air quality is improving in the City of London, particularly in areas away from busy roads. This is set to continue with the work being implemented by the City Corporation and the Mayor of London's new proposals to improve air quality.

Appendices

Appendix 1: Air quality monitoring section of the Annual Status Report

Background Papers: [City of London Air Quality Strategy 2015 – 2020](#)

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Appendix 1: Air quality monitoring section of the Annual Status Report

1. Air Quality Monitoring

1.1 Locations

Table B. Details of Automatic Monitoring Sites for 2015

Site ID	Site Name	X (m)	Y (m)	Site Type	In AQMA?	Distance from monitoring site to relevant exposure (m)	Distance to kerb of nearest road (N/A if not applicable) (m)	Inlet height (m)	Pollutants monitored	Monitoring technique
CT2	Farringdon Street	531625	181201	Urban Traffic	Y	0 m	1m	1.5	PM _{2.5}	BAM
CT3	Sir John Cass School	533475	181179	Urban Background	Y	0 m	N/A	1.5	PM ₁₀	BAM
CT3	Sir John Cass School	533475	181179	Urban Background	Y	0 m	N/A	1.5	PM _{2.5}	BAM
CT3	Sir John Cass School	533475	181179	Urban Background	Y	0 m	N/A	1.5	NO ₂	Chemiluminescent
CT4	Beech Street	532141	181861	Urban Traffic	Y	0 m	1m	3	PM ₁₀	TEOM
CT4	Beech Street	532176	181862	Urban Traffic	Y	0 m	1m	2	NO ₂	Chemiluminescent
CT6	Walbrook Wharf	532528	180784	Urban Traffic	Y	0 m	1m	3	NO ₂	Chemiluminescent
CT8	Upper Thames Street	532834	180691	Urban Traffic	Y	0 m	2m	1.5	PM ₁₀	TEOM

Table C. Details of Non-Automatic Monitoring Sites for 2015

Site ID	Site Name	X (m)	Y (m)	Site Type	In AQMA?	Distance from monitoring site to relevant exposure (m)	Distance to kerb of nearest road (N/A if not applicable) (m)	Inlet height (m)	Pollutants monitored	Tube co-located with an automatic monitor? (Y/N)
CL5	St. Bartholomew's Hospital courtyard	531901	181571	Urban Background	Y	0 m	N/A	1.5	NO ₂	N
CL38	St. Andrew's Church, Queen Victoria Street	531851	180962	Urban Traffic	Y	0 m	2m	3	NO ₂	N
CL39	St. Dunstan's Church, Fleet Street	531235	181155	Urban Traffic	Y	0 m	2m	1.5	NO ₂	N
CL40	Guinness Trust Estate, Mansell Street.	533791	181027	Urban Traffic	Y	0 m	3m	2	NO ₂	N
CL55	Speed House, Barbican Centre	532482	181799	Urban Background	Y	0 m	N/A	0.5	NO ₂	N

1.2 Comparison of Monitoring Results with AQOs

The results presented are after adjustments for “annualisation” and for distance to a location of relevant public exposure, the details of which are described in Appendix A.

Table D. Annual Mean NO₂ Ratified and Bias-adjusted Monitoring Results (µg m⁻³)

Site ID	Site type	Valid data capture for monitoring period % ^a	Valid data capture 2015 % ^b	Annual Mean Concentration (µg m ⁻³)						
				2009 ^c	2010 ^c	2011 ^c	2012 ^c	2013 ^c	2014 ^c	2015 ^c
Automatic Chemiluminescent Analysers										
CT3 (John Cass)	Urban Background	95	90	56	55	45	47	47	45	42
CT4 (Beech St)	Roadside	98	98	<u>90</u>	<u>81</u>	<u>67</u>	<u>79</u>	<u>81</u>	<u>80</u>	<u>89</u>
CT 6 (Walbrook)	Roadside	94	95	<u>131</u>	<u>118</u>	<u>103**</u>	<u>115</u>	<u>122</u>	<u>122</u>	<u>98</u>
Diffusion tube										
CL5	Urban Centre	99	100	43	42	45	43	42	43	38
CL38	Roadside	99	100	<u>67</u>	<u>61</u>	<u>63</u>	56	<u>64</u>	59	53
CL39	Roadside	94	83	<u>102</u>	<u>87</u>	<u>98</u>	<u>93</u>	<u>87</u>	<u>80</u>	<u>85</u>
CL40	Roadside	97	75	<u>67</u>	56	<u>65</u>	60	59	59	55
CL55	Urban Background	90	92	43	36	38	37	37	34	32

Notes: Exceedance of the NO₂ annual mean AQO of 40 µg m⁻³ are shown in **bold**.

NO₂ annual means in excess of 60 µg m⁻³, indicating a potential exceedance of the NO₂ hourly mean AQS objective are shown in bold and underlined.

^a data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

^b data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

^c Means should be “annualised” in accordance with LLAQM Technical Guidance, if valid data capture is less than 75%

** 74% data capture annualised

Narrative on the 7 year trend

Since 2009, background NO₂ sites have been decreasing, with the Speed House diffusion tube site being below to AQO since 2010 and for the first time, the St Bartholomew's diffusion tube site is below the AQO in 2015. Sir John Cass School continuous monitoring remains just above the objective at 42µgm⁻³.

Roadside sites remain above the annual average AQO and show a greater variability over the 7 years. In 2015 Walbrook Wharf reached a 7 year low as a result of Cycle Super Highway works which reduced capacity on the road by 25%.

Annual average NO₂ concentrations from continuous monitoring sites 2009- 2015



Annual average NO₂ Concentrations from diffusion tube sites 2009- 2015

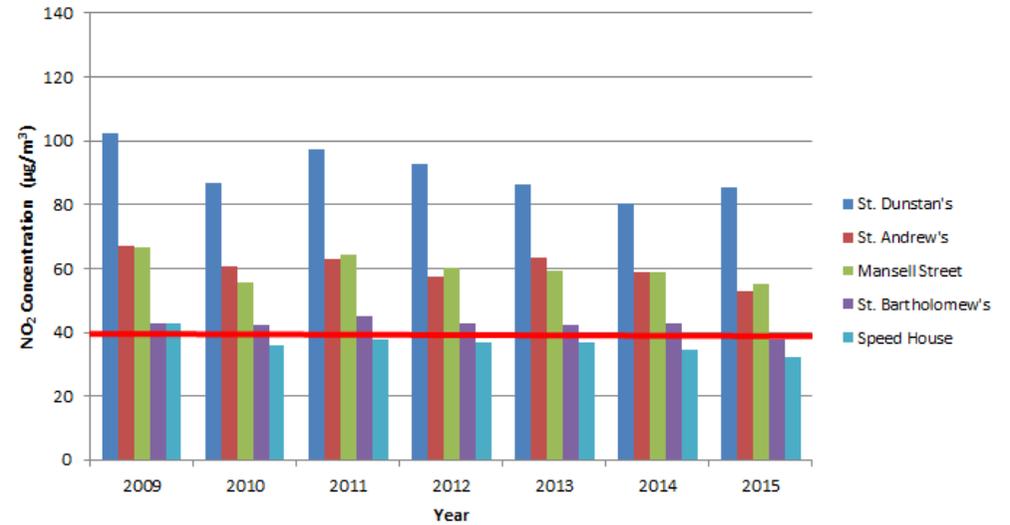


Table E. NO₂ Automatic Monitor Results: Comparison with 1-hour Mean Objective

Site ID	Valid data capture for monitoring period % ^a	Valid data capture 2015 % ^b	Number of Hourly Means > 200 µgm ⁻³						
			2009 ^c	2010 ^c	2011 ^c	2012 ^c	2013 ^c	2014 ^c	2015 ^c
CT3 (John Cass)	95	90	2	3	0	0	0	0	0
CT4 (Beech St)	98	98	189	134	42	176	125	175	206
CT 6 (Walbrook)	94	95	984	641	231**	483	771	656	203

Notes: Exceedance of the NO₂ short term AQO of 200 µgm⁻³ over the permitted 18 days per year are shown in **bold**.

^a data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

^b data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

^c Means should be “annualised” in accordance with LLAQM Technical Guidance, if valid data capture is less than 75%

** 74% data capture annualised

Narrative on the 7 year trend

The background site (Sir John Cass School) hourly average for NO₂ has not exceeded 200µgm⁻³ since 2010 and has not exceeded the hourly objective in the past 7 years. Both roadside sites continue to exceed the hourly NO₂ AQO, with Beech Street reaching a 7 year high and Walbrook Wharf recording a 7 year low in 2015. This is thought to be as a result of the Cycle Super Highway Works reducing traffic capacity at Walbrook Wharf (Upper Thames St) and increased traffic at Beech St as a result of a number of road works in the locality.

Table F. Annual Mean PM₁₀ Automatic Monitoring Results ($\mu\text{g m}^{-3}$)

Site ID	Valid data capture for monitoring period % ^a	Valid data capture 2015 % ^b	Annual Mean Concentration ($\mu\text{g m}^{-3}$)						
			2009 ^c	2010 ^c	2011 ^c	2012 ^c	2013 ^c	2014 ^c	2015 ^c
CT3 (John Cass)	95	99	18	18	21	19	22	20	23
CT4 (Beech St)	96	88	28	30	29	28	32	25	28
Ct8 (Upper Thames St)	95	92	36	37	37	34	39	34	41

Notes: Exceedance of the PM₁₀ annual mean AQO of 40 $\mu\text{g m}^{-3}$ are shown in **bold**.

^a data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

^b data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

^c Means should be "annualised" in accordance with LLAQM Technical Guidance, if valid data capture is less than 75%

Narrative on the 7 year trend

The annual PM₁₀ levels across the City have historically been below the annual PM₁₀ AQO. The increase in 2015 at Upper Thames Street is thought to relate to local activity from a deconstruction site and Cycle Super Highway work which were both in close proximity to the analyser.

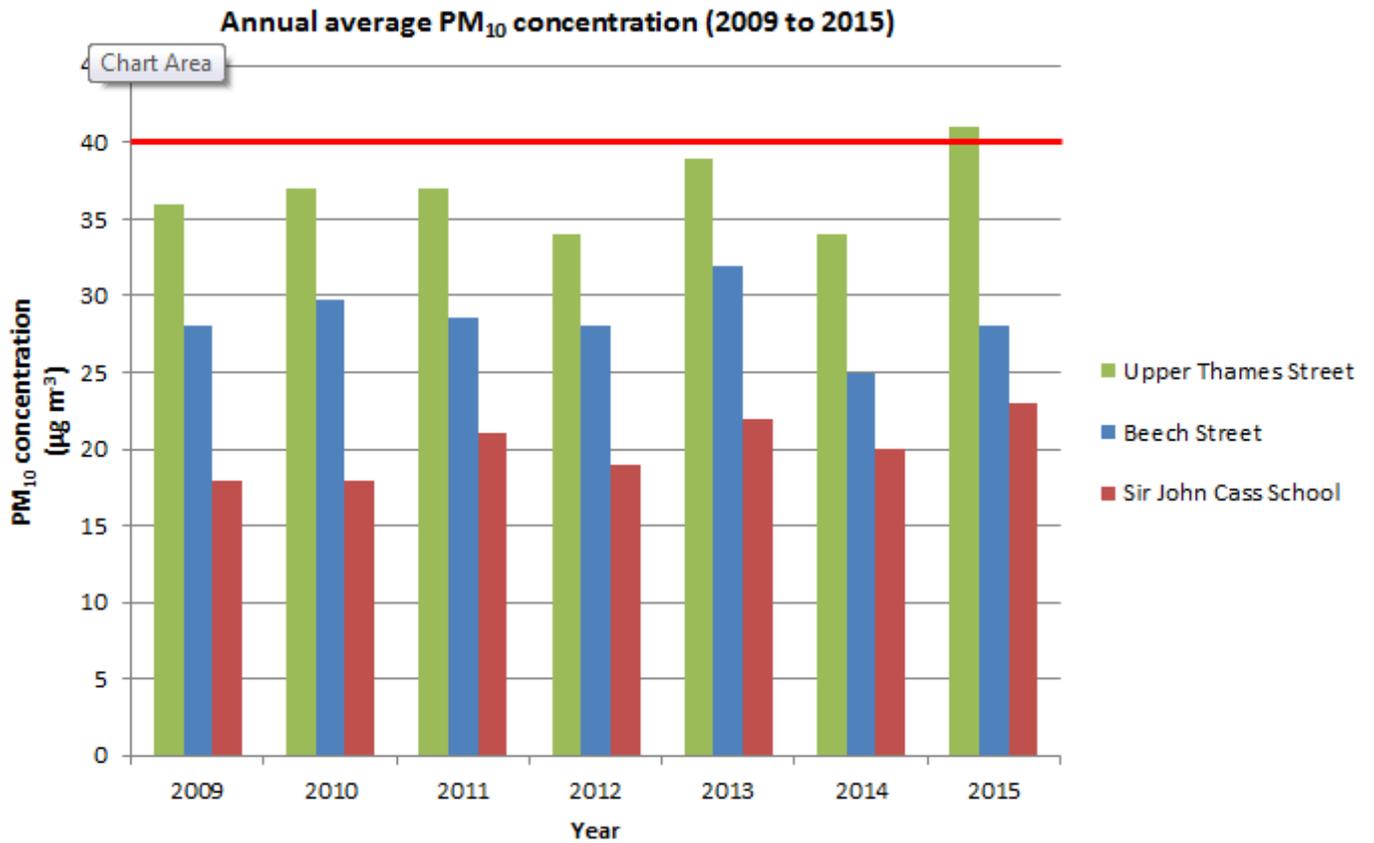


Table G. PM₁₀ Automatic Monitor Results: Comparison with 24-Hour Mean Objective

Site ID	Valid data capture for monitoring period % ^a	Valid data capture 2015 % ^b	Number of Daily Means > 50 µg m ⁻³						
			2009 ^c	2010 ^c	2011 ^c	2012 ^c	2013 ^c	2014 ^c	2015 ^c
CT3 (John Cass)	95	99	5	2	14	9	8	5	3
CT4 (Beech St)	96	88**	23	26	35	42	35	19	17 (41)
CT8 (Upper Thames St)	95	92	39	55	47	43	51	25	72

Notes: Exceedance of the PM₁₀ short term AQO of 50 µg m⁻³ over the permitted 35 days per year or where the 90.4th percentile exceeds 50 µg m⁻³ are shown in **bold**. Where the period of valid data is less than 90% of a full year, the 90.4th percentile is shown in brackets after the number of exceedances.

^a data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

^b data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

^c Means should be "annualised" in accordance with LLAQM Technical Guidance, if valid data capture is less than 75%

** reduced data capture due to repeated flooding at the site from a damaged drainpipe; matter now resolved.

Narrative on the 7 year trend

The background site at Sir John Cass (CT3) has not exceeded short term AQO of $50\mu\text{g m}^{-3}$ over the past 7 years. Upper Thames Street has exceeded it in all years (except 2014). The highest number of exceedences were recorded at Upper Thames Street in 2015 and are thought to relate a to local activity from a deconstruction site and Cycle Super Highway work which were both in close proximity to the analyser.

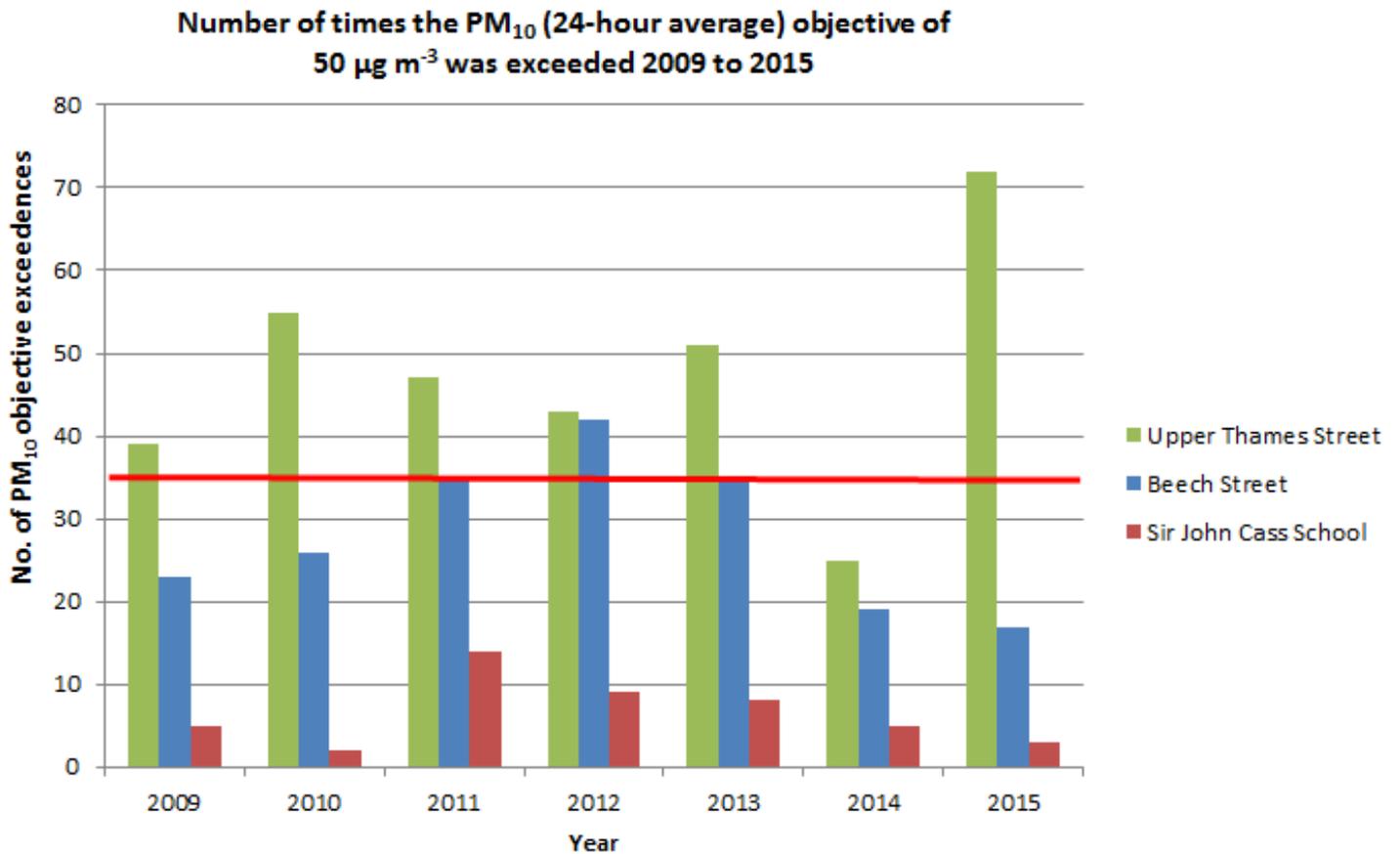


Table H. Annual Mean PM_{2.5} Automatic Monitoring Results ($\mu\text{g m}^{-3}$)

Site ID	Valid data capture for monitoring period % ^a	Valid data capture 2015 % ^b	Annual Mean Concentration ($\mu\text{g m}^{-3}$)						
			2009 ^c	2010 ^c	2011 ^c	2012 ^c	2013 ^c	2014 ^c	2015 ^c
CT2 Farringdon	79	47	No monitoring	No monitoring	29	30	27	26	22

Notes: Exceedance of the PM_{2.5} annual mean AQS of 25 $\mu\text{g m}^{-3}$ are shown in **bold**.

^a data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

^b data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

^c Means should be "annualised" in accordance with LLAQM Technical Guidance, if valid data capture is less than 75%

Narrative on the 5 year trend

The kerbside site at Farringdon has exceeded the annual mean Air Quality Standard in all years prior to 2015. A new EU reference equivalent BAM was installed in August 2015, but was taken offline in October 2015 due to Cycle Super Highway Works; therefore data capture is reduced for 2015. The result has not been annualised as the data loss is too great being from August to December 2015.

Committee(s)	Dated:
Port Health and Environmental Services Planning and Transportation	22 November 2016 13 December 2016
Subject: Consultation on the City of London Corporation's Air Quality Supplementary Planning Document	Public
Report of: Director of Markets and Consumer Protection	For Decision
Report Author: Kelly Wilson, Technical Officer – Air Quality Team	

Summary

This report presents the draft City of London Corporation Air Quality Supplementary Planning Document (SPD) for public consultation. The document is attached in Appendix 1.

The SPD provides guidance for developers on the implementation of air quality policies in the City Corporation's Local Plan 2015. With reference to the SPD, developers can minimise the negative impact of developments on local air quality and therefore on the health of residents, workers and visitors in the Square Mile. The SPD also supports the City Corporation's statutory obligations to assist the Government in meeting air quality Limit Values for nitrogen dioxide and fine particles, together with responsibilities for improving public health.

This is the City Corporation's first SPD for air quality and it has been written with reference to Greater London Authority (GLA) guidance. The draft SPD has been subject to officer consultation within the Departments of Built Environment, Open Spaces, City Surveyor's and Children and Community Services.

Recommendation(s)

Members are asked to:

- approve the draft SPD for a six week public consultation period, subject to comments received at both the Port Health and Environmental Services Committee and the Planning and Transportation Committee.

Main Report

Background

1. The City Corporation has a statutory obligation to improve air quality and to minimise the impact of air pollution on the health of residents and workers. The City Corporation's Air Quality Strategy 2015-2020 details action that will be taken to fulfil this obligation. It contains 60 actions that are divided into ten policy areas. Policy 6 contains actions to: 'Reduce emissions from new developments'. The production of the SPD is a key action within this policy area.

Supplementary Planning Document for Air Quality

2. Although air pollution in London is generally associated with road traffic, it is estimated that 38% of nitrogen oxide emissions in the City come from combustion plant, which also contribute to particulate levels. New and refurbished developments can therefore

reduce their impact on air quality emissions through the choice of combustion plant and the amount of energy the development requires.

3. The SPD provides guidance for developers so they can minimise the production of pollution through appropriate design, construction site management and low emission technology. In addition, the SPD recommends that exposure to pollution can be reduced through appropriate design.
4. Major developments must be at least 'Air Quality Neutral', so the SPD provides guidance for developers in relation to calculating their building and transport emissions, so they can be compared to air quality neutral 'benchmarks' produced by the GLA. The SPD also details the City Corporation's requirements for Air Quality Impact Assessments.
5. The draft SPD has been created based on GLA suggested content and following consultation with officers in the following departments:
 - Department of Built Environment
 - Department of Children and Community Services
 - Open Spaces Department
 - City Surveyor's Department
6. A Strategic Environmental Assessment of the draft SPD has been undertaken (a copy is available upon request from the Town Clerk's Department). The report concludes that the SPD is unlikely to have significant effects on the wider environment since it provides guidance on the implementation of Local Plan policies which will have largely positive impacts.
7. An Equalities Impact Assessment has also been undertaken (a copy is available upon request from the Town Clerk's Department). There is no negative impact. The SPD will have a positive impact for the elderly, very young and those that are pregnant. In addition, those living with disability such as those whose lives are affected by asthma or other respiratory conditions will be positively affected.

Proposals

8. It is proposed that, subject to comments received at the Port Heath and Environmental Services committee meeting, and the Planning and Transportation committee meeting, that the attached draft SPD is published for public consultation over a six week period. A further report will be presented to both Committees to consider comments received.

Corporate & Strategic Implications

9. The work on air quality sits within key policy priority 3 of the Corporate Plan: 'Engaging with London and national government on key issues of concern to our communities....' Working with the Mayor of London on air quality is specifically mentioned as an example.
10. The draft SPD provides further guidance on the implementation of the policies in the City of London Local Plan 2015. It fully accords with the policy requirements in the Local Plan and is complementary to other SPDs adopted by the City Corporation.

Conclusion

11. The City Corporation has produced an SPD for Air Quality designed to reduce a

development's negative impact on air quality and on the health of City residents, workers and visitors. It provides guidance on the implementation of the City Corporation's adopted planning policies for improving air quality in the City.

12. Members are asked to approve the draft SPD for public consultation. Subject to comments received at the Port Heath and Environmental Services Committee meeting and that of the Planning and Transportation Committee, the draft SPD will be published for a six week consultation period.

Appendices

1. City of London Corporation Air Quality Supplementary Planning Document

Background Papers

[City of London Corporation Air Quality Strategy 2015-2020](#)

[City of London Local Plan 2015](#)

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CITY OF LONDON

Air Quality Supplementary Planning Document



This document has been prepared by the Air Quality Team of
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Markets and Consumer Protection.

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**City of London Air Quality
Supplementary Planning Document**

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1 Introduction

1.1 Background

1.1.1 This Supplementary Planning Document (SPD) sets out the City Corporation's requirements for reducing air pollution from new and refurbished developments within the Square Mile. Together with other City Corporation SPD's, it provides detailed guidance on policies within the City Corporation's Local Plan and the Mayor of London's London Plan.

1.1.2 This is the City Corporation's first SPD for Air Quality which has been written with reference to GLA Guidance and supports actions in the City Corporation's Air Quality Strategy.

1.2 City of London Planning Framework

1.2.1 The London Plan and the City Corporation's Local Plan together form the statutory planning framework used to determine applications for planning permission.

1.2.2 The Local Plan was adopted in 2015. It is comprised of 22 Core Strategic Policies (CS) and, where applicable, supporting Development Management Polices (DM). The main air quality policy is DM 15.6 and forms part of CS15: Sustainable Development and Climate Change (see Appendix D for this and supporting policies). The Local Plan is currently being reviewed to provide guidance up to 2036 and an updated version will be available in 2019.

1.3 Relationship of this SPD to Policy

1.3.1 Appendix E sets out the SPD's relationship to the national, regional and local policy and guidance affecting air quality in the City of London, as well as its relationship to the City of London Air Quality Action Plan (AQAP). The AQAP is incorporated in the City Corporation's Air Quality Strategy 2015-2020, which is summarised in Appendix C, together with other relevant City Corporation Strategies.

1.4 Overarching Aim of this SPD

1.4.1 The overall aim of this document is to provide further guidance on the City Corporation's Local Plan in relation to minimising the impact of developments on air quality in the Square Mile.

1.5 Objectives and SPD format overview

1.5.1 Although not the objective of this SPD, this SPD highlights the importance of air quality as a material planning consideration and to ensure that all possible measures to reduce the impact of developments on air quality are considered and, where possible, adopted in a consistent way within the City of London.

1.5.2 The objectives of this SPD on air quality are:

- (a) to highlight the existing policy framework in London and the City of London (see [Appendix E](#))
- (b) to provide guidance on measures that can be implemented to mitigate the potentially harmful impacts of new and upgraded developments on air quality in the City of London through:
 - Development and Building Design (including sustainable travel) (see [section 2](#))
 - Heating and Energy Supply (see [section 3](#))
 - Deconstruction and construction (including sustainable travel) (see [section 4](#))
- (c) to provide guidance on the requirements of air quality impact assessments and the circumstances under which these will be required (see [section 5](#)) and
- (d) to provide guidance on the use of CIL, planning conditions and Section 106 obligations to improve air quality (see [section 6](#))

1.6 Compliance with this SPD and Air Quality Condition(s)

1.6.1 To ensure all air quality factors have been considered, planning applications will be assessed in accordance with the checklist in [Appendix A](#). It is understood that not all relevant information may be available at the time of application. Planning consent may therefore be granted subject to a planning condition which requires the developer to provide a 'pre-occupation' Air Quality Report signposting and demonstrating compliance with this SPD. The Air Quality Report may take the form of a summary statement which references other documents. [Appendix B](#) will provide best practice examples as they become available.

1.7 Changes in technology and opinion

1.7.1 In order to reflect changing technology and opinion, [Appendix B](#) provides links to the City of London webpages which contain advances in technology, guidance and case studies which are considered best practice. These pages will be updated to reflect efforts to improve air quality. Updated best practice guidance will not be applied retrospectively once planning permission has been granted. Notwithstanding this, as changes to guidance will be to improve air quality, the developer is requested to have due regard to the new content where possible.

1.8 Overview of considerations and requirements

1.8.1 Figure 1 overleaf summarises the considerations which address the air quality requirements of this SPD and includes reference to the relevant section. It also shows whether the information should be provided at application stage and/or pre-occupation stage. Overall the measures:

- **Minimise the production of pollution** through design, construction site management and low NO_x technology. Low NO_x technology is considered to be technology where NO_x emissions are less than 40mg/kWh (dry gas and 0% O₂). The City Corporation is aware of developments where ultra-low NO_x appliances (less than 15mg/kWh NO_x emissions) have been installed. The use of ultra-low NO_x technology is therefore actively encouraged.
- **Reduce exposure** through appropriate building and open space location and design as well as the appropriate location of combustion emission points.

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Figure 1: Summary of SPD Requirements and Planning Submission Stage

	Planning Application Requirements	Pre Occupation Air Quality Report
<u>Section 2: Sustainable Development and Building Design</u>		
<p>Reduce Emissions:</p> <ul style="list-style-type: none"> ✓ Reduce energy consumption through building design ✓ Provide for remaining energy needs through low emission technologies ✓ Provide for sustainable travel <p style="text-align: right;">See section: 2.2</p>	<p>Incorporate into design. Provide Delivery and Service Plans (DSP), transport assessments and travel plans as required. See energy and heating requirements below.</p>	<p>Include a brief statement with regard to how the building design and sustainable travel measures reduce emissions and therefore minimises impact on air quality.</p>
<p>Reduce Exposure Through Design:</p> <ul style="list-style-type: none"> ✓ Ventilation inlets: <ul style="list-style-type: none"> – away from sources of pollution e.g. opening windows at height and away from plant – consider installation of filtration ✓ Private and communal outdoor space positioned away from sources of pollution ✓ Well-designed public realm providing access to areas away from pollution ✓ Greening to trap fine particulates ✓ Combustion exhausts away from receptors <p style="text-align: right;">See section: 2.3</p>	<p>Incorporate into design.</p> <p>Where the <u>Clean Air Act</u> applies, include a plan showing combustion emission points relative to general access areas e.g. roof terraces.</p>	<p>Where the Clean Air Act applies, include an 'as installed plan' showing combustion emission points relative to general access areas e.g. roof terraces.</p>
<u>Section 3: Heating and energy supply</u>		
<p>Energy Hierarchy:</p> <ul style="list-style-type: none"> ✓ Energy efficient buildings to reduce the heating and power demands with low and zero emission for remaining needs ✓ Compliance with Energy Hierarchy <p style="text-align: right;">See section: 3.2</p>	<p>Demonstrate a commitment within the planning application to:</p> <ul style="list-style-type: none"> • install low NO_x technology. • submit a commissioning report demonstrating compliance with Mayor's emission limits. 	<p>Submit details and use of combustion plant installed, including:</p> <ul style="list-style-type: none"> • low /ultra-Low NO_x technology • latest Euro standard generators
<p>Combustion plant:</p> <ul style="list-style-type: none"> ✓ Install low/ultra-low NO_x boilers ✓ biomass plant discouraged ✓ Meet CHP and biomass NO_x and PM emission standards ✓ Minimise use of generators and newest Euro standard only <p style="text-align: right;">See sections 3.3 / 3.4 / 3.5</p>		<p>Submit commissioning reports demonstrating compliance with SDC SPG and plans to maintain compliance.</p>

<p>Combustion Flues:</p> <ul style="list-style-type: none"> ✓ at least 1m above roof level ✓ 3m above general access areas / amenity space (where the Clean Air Act applies) <p style="text-align: right;">See section 3.6</p>	<p>Incorporated into design.</p> <p>Where Clean Air Act applies, submit plans showing emission points.</p>	<p>Clean Air Act application to be submitted (where applicable).</p>
Section 4: Reducing Air Quality impacts during construction / deconstruction impacts		
<p>Scheme of Protective Works detailing:</p> <ul style="list-style-type: none"> ✓ Dust Control measures to be adopted ✓ Details of continuous monitoring and trigger levels ✓ NRMM compliance commitment ✓ Commitment to sourcing an alternate power source to diesel generators ✓ No engine idling policy <p style="text-align: right;">See section 4.4</p>	<p>Where Air Quality Impact Assessment submitted at application stage include sensitive receptors and methods to minimise air quality impact.</p>	<p>Submit Scheme of Protective works in accordance with the latest version of the City Corporation's <u>Code or Practice for Deconstruction and Construction</u> prior to commencement of works.</p>
Section 5 Air Quality Impact Assessments		
<p>Air Quality Neutral Assessment required when the floor space is 1,000m² or more or 10 or more residential dwellings:</p> <ul style="list-style-type: none"> ✓ Building emissions ✓ Transport emissions <p style="text-align: right;">See section 5.2</p>	<p>Submit relevant assessments with planning application</p>	<p>Demonstrate compliance with Air Quality Neutral Assessment (as installed). Where not air quality neutral, include details of Local Planning Authority approved mitigation adopted.</p>
<p>Air Quality Impact Assessment for major developments when it:</p> <ul style="list-style-type: none"> ✓ is within 50m of sensitive use ✓ creates a significant change in traffic (see explanation) ✓ exposes sensitive or a high number of people to air pollution (schools hospitals and >75 residential properties) ✓ creates exposure for long periods of the day (e.g. adjacent to busy roads) ✓ requires an EIA ✓ involves the Environmental Permitting Regulations <p style="text-align: right;">See Section 5.3</p>		
<p>Detailed Air Quality Impact Assessment:</p> <ul style="list-style-type: none"> ✓ Biomass proposed or <50kWth input CHP not meeting the NO_x emission standard <p style="text-align: right;">See section 5.3</p>		

2 Development and Building Design

Overall Objective: to ensure:

- a) that the development design minimises the generation of pollution by being energy efficient, reducing emissions associated with the operation of the building and facilitating a reduction in vehicle movements and
- b) reducing exposure by maximising the distance between users and sources of pollution (such as flues and busy roads).

To fulfil the requirements of Local Plan Policy CS15.4(i), 15.6 (2), (3) & (6) and London Plan Policies 5.3 and 7.14

2.1 Background

2.1.1 The design and layout of the development and building will have an impact on the amount and location of pollution it produces. Suitable design can also reduce the exposure of occupants to existing poor air quality. The City Corporation therefore requires that the design principles described below and detailed in the Mayor's Sustainable Design and Construction SPG (SDC) are incorporated into the design and are available for discussion at the pre-application stage and presented within planning applications.



2.2 Reducing Emissions through Building Design

2.2.1 **Energy Efficiency and Low Emission Technology:** Appropriate building design reduces energy use and therefore the development's air quality footprint. The sustainable design principles of energy efficient design, retro-fitting measures, pollution control and urban greening, in accordance with London and Local Plan policies achieve this. See City of London sustainable design case studies within Appendix B. The remaining energy demand must be supplied through the use of technologies which do not add to emissions of particulates or nitrogen dioxide (ultra-low/low NOx technology). See Section 3 for further guidance on this.

2.2.2 **Sustainable Travel:** Emissions from road traffic are the dominant source of elevated pollutant concentrations in London. The planning process is just one way in which the City Corporation seeks to improve air quality through sustainable travel.

2.2.3 The Local Plan Core Strategic Policy CS16 (4) V requires developers to demonstrate how the environmental impacts (together with road danger and servicing) will be minimised by submitting the following as part of the planning application process (where applicable):

- delivery / servicing plans (DSP)
- construction logistic plans (CLP)
- transport assessments
- travel plans

2.2.4 The City Corporation promotes infrastructure for modes of transport with low impacts on air quality through the Local Plan and the development management process, which incorporates:

- car free design
- provision of cycling facilities such as secure cycle storage; and
- provision of infrastructure for low emission vehicles such as electric vehicle recharging points (per parking bay), including rapid chargers.

2.3 Reducing Exposure through Development and Building Design

2.3.1 The annual level of nitrogen dioxide (NO₂) exceeds the air quality objective of **40µgm³** across much of the City. The whole of the City of London is therefore an Air Quality Management Area and development and building design should ensure that exposure to higher levels of pollution are mitigated against.

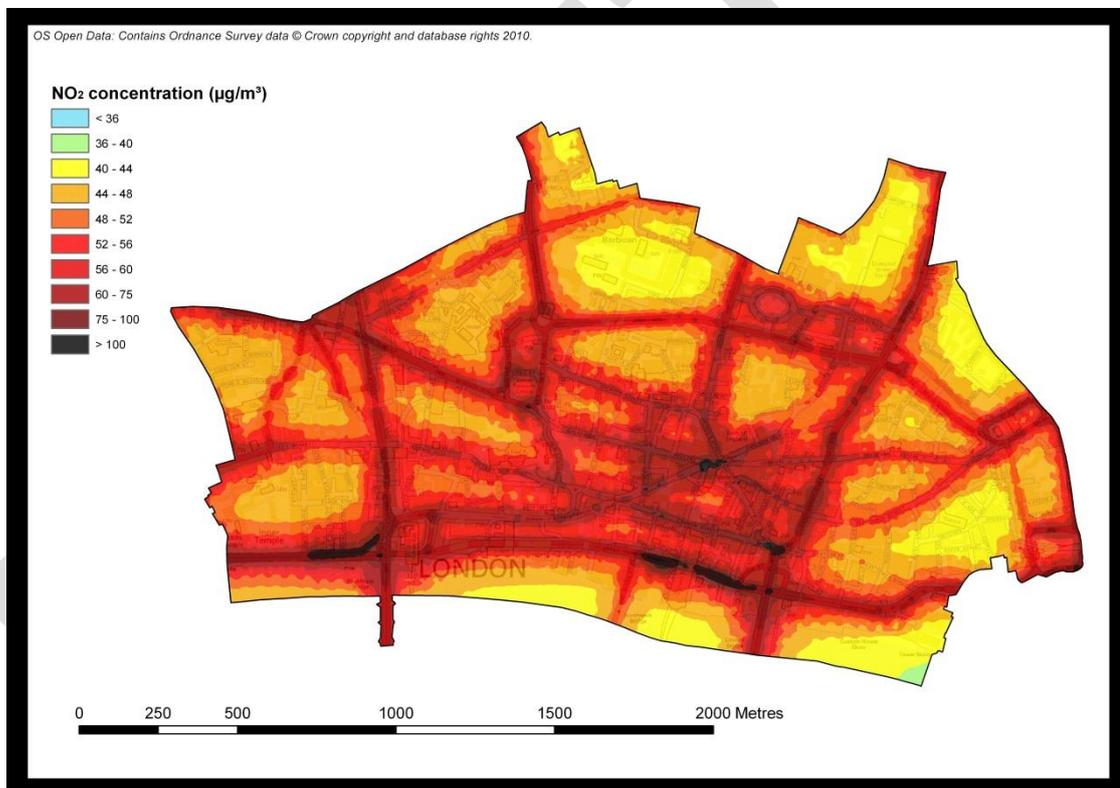


Figure 2: Modelled NO₂ levels for 2015

2.3.2 Figure 2 demonstrates that the main source of air pollution in the City is road vehicles and concentrations of pollution are highest adjacent to busy roads, such as Upper Thames Street. Nitrogen dioxide levels decrease with increasing distance from the edge of the road and with height. Background levels of nitrogen dioxide are improving. Please contact the Air Quality Team for the latest concentration information via cityair@cityoflondon.gov.uk

2.3.3 Suitable development and building design can further increase distances between sources of air pollution and human receptors thereby reducing the pollution exposure of building occupants and outside space users. This is

particularly relevant where developments include sensitive uses such as medical centres, hospitals, residential units, schools and children's playgrounds. Reducing exposure through development and building design can be achieved through appropriate:

- building ventilation
- outdoor private and communal space
- public realm design
- green roofs, walls and planting

2.3.4 **Building Ventilation:** The City Corporation requires the impact of outdoor air pollution on indoor air quality in new developments be taken into account at the earliest stages of building design. This includes ensuring:

- ventilation inlets and the location of opening windows are on higher floors away from sources of air pollution at the ground level, but also away from stationary sources such as combustion plant (see [section 3.6](#))
- air conditioning systems can be fitted with filters which filter particulates and NO₂; the appropriate standard filter should be maintained following installation. See case study links in in [Appendix B](#).

2.3.5 **Outdoor Private and Communal Space:** Roof gardens and terraces are a common feature in City developments. The location of outdoor space in relation to sources of air pollution (for example busy roads and boiler flues) is an important consideration. Exposure should be minimised through appropriate positioning and orientation of the space away from busy roads and combustion sources, where this also meets the requirements of the Local Plan to protect the amenity of neighbouring building occupiers.

2.3.6 **Public Realm:** Where public realm forms part of the development this provides an opportunity to encourage low pollution areas where people can spend time away from busy roads. The development should therefore incorporate design (where possible) that provides low pollution routes through the development, so that these routes are taken instead of along busy roads. The Public Realm should ensure that recreational, seating and exercise areas are away from or screened from sources of pollution, for example by greening. Further details can be found in guidelines 9.1 and 14.2 of the [Public Realm SPD](#), and are presented in [Appendix C](#)

2.3.7 **Green Roofs, Walls and Planting:** As well as increasing biodiversity, plants can play a role in trapping fine particles (PM₁₀ and PM_{2.5}) found in the air we breathe. [Research by Imperial College London](#) has indicated that plants with small leaves (which disrupt the flow of air) and fine hairs on their surface work best; however, leaves which cover a large surface or are grooved also provide surfaces upon which particles can be trapped. The Imperial College London report provides guidance on the types of plants which may be beneficial. To help improve air quality, developers are encouraged to source trees and plants which have these characteristics to include in open spaces, and on green walls and roofs. The selection of species should also have

regard to future climate conditions and reference needs to be made to the [City of London Tree Strategy SPD](#). See [Appendix B](#) for links to additional guidance and green roofs and walls case studies.

- 2.3.8 **Combustion Exhaust:** Care should be taken to locate flues and exhaust vents away from recreational areas such as open spaces, roof terraces or gardens. Consideration also needs to be given to emission points associated with neighbouring roofs. See [section 3.6](#) for a consideration of flue and exhaust position.

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3 Heating and Energy Supply

Overall Objective: *to minimise the use and emissions from combustion plant within the building.*

To fulfil the requirements of Local Plan Policy 15.6 (2), (3), (4) &(6) and London Plan Policies 5.3 and 7.14

3.1 Background

3.1.1 The sustainable design principles require that developments make the fullest contribution to the mitigation of, and adaptation to, climate change and minimise emissions of carbon dioxide. The adoption of technologies to generate heat and energy from efficient and/or renewable sources, such as solar water heating, district heating, ground source and/or photovoltaic panels in major developments can minimise air pollution emissions. This is due to the technologies either not requiring combustion or, in the case of district heating, being more efficient at heating than individual boilers.

3.2 Energy Hierarchy

3.2.1 In accordance with the City Corporation's Local Plan:

- Buildings should be designed to be energy efficient to reduce the need and size of heating plant which overall minimises the buildings air quality footprint.
- Where required, energy should be provided through low and zero emission technology
- With regard to Policy 5.6 of the London Plan, decentralised energy in development proposals:
 - a** should evaluate the feasibility of Combined Heat and Power (CHP) systems, and where a new CHP system is appropriate also examine opportunities to extend the system beyond the site boundary to adjacent sites.
 - b** should select energy systems in major developments in accordance with the following hierarchy:
 - connection to existing heating or cooling networks;
 - site wide CHP network;
 - communal heating and cooling;
 - c** should consider potential opportunities to meet the first priority in this hierarchy as outlined in the London Heat Map tool. Where future network opportunities are identified, proposals should be designed to connect to these networks.

3.2.3 See [section 3.4](#) for information relating to biomass and CHP selection and emissions.

3.3 Boilers

- 3.3.1 Wherever possible operators should design the building so that there is no need for combustion plant. If gas boilers are installed in developments they must be low NO_x boilers¹, this includes where the installation is part of a refurbishment. The City Corporation would prefer that the lowest possible NO_x emission technology is sourced and installed. As a MINIMUM, the dry NO_x level must be less than 40mg/kWh. The City Corporation is aware of developments where ultra-low NO_x appliances (less than 15mg/kWh NO_x emissions) have been installed. The use of ultra-low NO_x technology is therefore actively encouraged.
- 3.3.2 It should be noted that Maximum BREEAM credits can be gained for low NO_x technology.

3.4 Biomass and CHP

- 3.4.1 When sited and specified appropriately in accordance with the energy demands of the building, CHP systems and biomass boilers can have benefits in terms of carbon emissions. However, they usually give rise to significantly higher emissions of NO_x and/or PM₁₀ emissions than regular gas boilers, and developers should ensure that the emission standards set in the Mayor's SDC SPG are not exceeded¹. The SDC SPG does not currently provide guidance where plant is <50kWth input. The City would expect all plant to meet a NO_x emission limit of <50mgNm³ at 5% O₂ (dry gas).
- 3.4.2 When considering how to achieve, or work towards the achievement of, the renewable energy targets, the City Corporation would prefer developers not to consider installing a biomass burner due to the City's status as an Air Quality Management Area for fine particles and nitrogen dioxide. Research indicates that the widespread use of these appliances has the potential to increase particulate levels in London to an unacceptable level.
- 3.4.3 As the CHP kWth input requirement increases, opportunities to achieve the required low NO_x technology are more complex, for example the need for single catalytic reduction (SCR), which has a similar space requirement to the CHP and has on-going costs. Where the CHP requirement would require the use of SCR to meet the NO_x emission standard, opportunities should be investigated to install smaller units with NO_x abatement to meet the demand.
- 3.4.4 Where CHP <50kWth input (i.e. those not covered by the SDC SPG NO_x emission limit) or biomass are proposed, plant emissions must be evaluated as part of a Detailed Air Quality Impact Assessment (see [Section 5](#)) and where permitted, the appliance will be required to meet high standards of air pollution control, with particular emphasis on:

¹ Following the publication of the government's Housing Standards Review in March 2015, the requirement for low NO_x boilers and the on-site energy generation limits referenced cannot be required for developments that are only residential. However, the Mayor of London and national government have obligations regarding compliance with the EU limits for ambient concentrations. In order to address those obligations, in particular with respect to NO₂, developers are strongly encouraged to implement this guidance.

- boiler design and operation;
 - pollution abatement equipment;
 - the servicing and maintenance regime;
 - fuel quality, storage and delivery; and
 - exhaust stack height, to reduce the risk of increasing exposure.
- 3.4.5 Prior to CHP or biomass plant coming into operation the following details must be submitted to and approved in writing by the Local Planning Authority:
- The results of an emissions test demonstrating compliance with the emission and efflux velocity requirements of the SDC SPG.
 - An equipment maintenance schedule demonstrating that the emission standard would always be met.

3.5 Generators

- 3.5.1 Diesel generators have high emissions of NO_x and PM₁₀ and their use in the City is discouraged due to their negative impact on air quality. Where a secondary electrical power supply cannot be assured, where possible, alternate technology generators should be sourced for the building (e.g. gas fired or battery backup). For construction sites, a temporary building supply should be secured prior to the commencement of works in order to avoid the use of diesel generators on site (in line with Policy DM2.1.2).
- 3.5.2 Where permanent standby diesel generators are installed, they should be the newest Euro standard available and where possible, their use should be limited to life saving and emergency situations and testing only. Where generators are supplied for business continuity, abatement to reduce emissions should be investigated. The type, siting and use of the generator should be carefully considered at the planning stage in relation to up to date guidance (see [Appendix B](#)).
- 3.5.3 Due to the air quality impact of generators and their potential to cause a statutory nuisance, the use of generators to supply the national grid at times of supply restriction and limitation is discouraged.
- 3.5.4 Generator hierarchy overview:
- Source a secondary supply
 - Alternate technology e.g. battery reserve / gas generators
 - Diesel fuelled generators (newest Euro standard only)
 - Life-saving and testing only
 - Business continuity with abatement

3.6 Combustion Flues and efflux velocity

- 3.6.1 A consideration of combustion flue location and emission discharge velocity is required at the planning stage to ensure appropriate provision has been made. All combustion plant (boilers, generators, CHP etc.) must terminate as a minimum at least 1 metre above the highest point of the building of which the plant serves, unless agreed with the City Corporation. With regard to this

requirement, consideration needs to be paid to the location of outside amenity space associated within the development and its neighbours.

- 3.6.2 A Clean Air Act Chimney height approval needs to be sought where a furnace is burning liquid or gaseous matter at a rate of 366.4 kilowatts or more or burning pulverised fuel or any solid matter at a rate of more than 45.4 kilograms or more an hour. Flues associated with this plant should therefore be at the recommended heights above nearby buildings and installed at least 3m above any general access areas and should meet discharge velocities above the recommended minimum. With regard to CHP and biomass boilers, discharge velocity requirements are provided in Appendix 7 of SDC SPG, or any updates thereof.

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4 Reducing Dust and Air Quality Impacts during Construction

Overall Objective: to reduce NO₂ and PM₁₀ and PM_{2.5} emission during the deconstruction and construction phase through the use of zero and low emission technology and good site management. To fulfil the requirements of Local Plan Policy 15.6 (5) and London Plan Policies 5.3 and 7.14.

4.1 Background

- 4.1.1 Dust and other emissions from the construction and demolition of buildings have the potential to significantly impact local air quality. Appropriate emission and dust control mitigation measures are outlined in the Mayor's *The Control of Dust and Emissions During Construction and Demolition SPG* (CDECD) and have been incorporated into Chapter 4 of the City Corporation's *Code of Practice for Deconstruction and Construction*.
- 4.1.2 The Scheme of Protective Works (see section 4.4) submitted once planning permission is granted should include an Air Quality and Dust Management Plan (AQDMP) to ensure best practice mitigation measures are implemented during the deconstruction and construction phases of a development.



4.2 Risk Categorisation in the City Environment

- 4.2.1 The Mayor's CDECD SPG (2014) provides guidance with regard to which construction sites are considered high risk. Due to the building density in the City and un-predictable wind directions associated with high buildings, all sites are considered high risk, therefore maximum control measures in line with the City's Code of Practice and Mayor's SPG should be employed, to mitigate against dust and emission releases.

4.3 Continuous Monitoring

- 4.3.1 The CDECD SPG suggests that continuous monitoring for particulate matter is required at high risk sites. However, reliance on the results of continuous monitoring as an indicator that the site is doing all it can to reduce emissions is not sufficient due to the density and wind direction factors in the City mentioned above. As such, a greater emphasis should be placed on control measures such as damping down and site management (e.g. no-idling policy and NRMM compliance, see section 4.5 below).

4.3.2 Continuous monitoring positioned between construction sites and sensitive land users, such as buildings with opening windows, outside amenity and residential developments, is beneficial with regard to providing assurance to neighbours; however its reliance as an indicator of good site management is limited due to the above.

4.4 Scheme of Protective Works

4.4.1 As all developments in the City of London are considered high risk with regard to air quality impacts, an Air Quality and Dust Risk Assessment (AQDRA) as stated in the CDECD SPG is not required during the application phase; however, an Air Quality and Dust Management Plan (AQDMP) must be included in the **Scheme of Protective Works** submitted to, and approved by the City Corporation prior to works commencing on-site,

4.4.2 The AQDMP in the Scheme of Protective Works should contain the information detailed in the most recent version of the City Corporation's Code of Practice for Deconstruction and Construction.

4.5 Non-Road Mobile Machinery (NRMM)

4.5.1 The NRMM policy is set out in the Mayor's Dust and Emissions SPG. Since 1 September 2015 NRMM of net power between 37kW and 560kW used in Central Activity Zone or Canary Wharf are required to meet the standards set out below. This applies to both variable and constant speed engines for both NO_x and PM. These standards are based upon engine emissions standards set in EU Directive 97/68/EC and its subsequent amendments.

4.5.2 NRMM (within the above kW range) used on any site within the City will be required to meet Stage III B of the Directive as a minimum. From September 2018, this requirement changes to Stage IV. Any amendments of the policy and guidance must also be adhered to.

4.5.3 Prior to the commencement of any works, all developments within the City must register relevant NRMM online at www.nrmm.london/register. There are a small number of permitted exemptions to the above, and more details can be found at the website: www.nrmm.london

4.5.4 The AQDMP submitted should provide a commitment to adhering to this policy.

5 Assessing Air Quality Impacts in the City of London

Overall Objective: *to ensure that new and changes to development do not adversely affect air quality in the Square Mile.*

To fulfil the requirements of Local Plan Policy 15.6(1) & (4) and London Plan Policies 5.3 and 7.14

5.1 Background

5.1.1 The City Corporation assesses the impact of development on air quality to ensure that proposals will not impact negatively on the air quality in the Square Mile. In line with the policy context in London, the City Corporation requires all new developments to be at least '**air quality neutral**', and if necessary, to be accompanied by an **Air Quality Impact Assessment**. This approach will manage and prevent further deterioration of existing poor air quality. The sections below set out the City Corporation's requirements.

5.2 Air Quality Neutral Assessments

5.2.1 As part of the application process, for major developments (a floor space of 1000m² or more or 10 or more residential units), the development's building and transport emissions must be calculated and compared to the Air Quality Neutral Benchmarks. As required by London Plan Policy 7.14, all developments must be air quality neutral or better. See Appendices 5 and 6 in the SDC SPG and [Air Quality Neutral Planning Support Update: GLA 80371](#), April 2014 or updated subsequent guidance.²

5.2.2 The air quality neutral assessment should be submitted with the planning application. There are two elements to the air quality neutral assessment that developers are required to take into account:

- determine the relevant emission benchmark for **buildings** for NO₂ and PM₁₀ at the site, based on its land use class and location; then, calculate the site's NO₂ and PM₁₀ emissions from buildings and compare them with the buildings benchmark. The report should present the data used in the calculation, including the plant emission data; and
- determine the relevant emission benchmark for **transport** for NO₂ and PM₁₀ at the site; then, calculate the site's NO₂ and PM₁₀ emissions from transport and compare them with the transport benchmark. The report should present the data used in the calculation.

² Note: Following the publication of the government's Housing Standards Review in March 2015, the Air Quality Neutral benchmarks and on-site energy generation limits referenced cannot be required for developments that are residential only. However, the Mayor of London and national government have obligations regarding compliance with the EU limits for ambient concentrations. In order to address those obligations, in particular with respect to NO₂, developers are strongly encouraged to implement the guidance detailed.

5.2.3 Both building and transport emission benchmarks should be met in order to achieve air quality neutral requirements. The calculation should be submitted with the planning application. Where the benchmarks cannot be met developers must undertake mitigation in discussion with the City Corporation and/or make a contribution to off-setting their emissions as described in Section 6.

5.3 Air Quality Impact Assessments

5.3.1 An Air Quality Impact Assessment will be required in the circumstances detailed in section 5.3.2 below. The sections which follow provide advice on carrying out the impact assessment, which should be submitted with the planning application.

Criteria to conduct an Air Quality Impact Assessment

5.3.2 An Air Quality Impact Assessment must be submitted at the application stage for **major developments** which:

- (a) **are in close proximity to a sensitive land use.** This includes developments within 50m of the locations shown in figure 3 overleaf (*including large residential areas, schools, nurseries and St Bartholomew's Hospital*)
- (b) **create a significant change in traffic.** In developments that introduce, or increase car parking facilities by 100 spaces or more, or with the potential to significantly change road traffic on any road exceeding 10,000 vehicles per day. Significant changes include:
 - increase in traffic volumes > 5% (Annual Average Daily Traffic (AADT) – or peak);
 - lower average vehicle speed or significant increase in congestion;
 - significant increase in the percentage of HGVs;
- (c) **expose sensitive or a high number of people to air pollution:** This includes schools, hospitals and developments with more than 75 homes; or where people will be exposed to poor air quality for significant periods of the day, in particular developments located on busy roads where exceedences of the air quality objectives are seen (see figure 2 in Section 2).
- (d) are associated with the **Environmental Permitting Regulations**
- (e) developments requiring an **Environmental Impact Assessment**
- (f) **involve the following energy generation:** biomass boilers, biomass or gas CHP less than 50kWth input that do not have a NO_x emission of <50mgNm³ at 5% O₂ and dry gas.

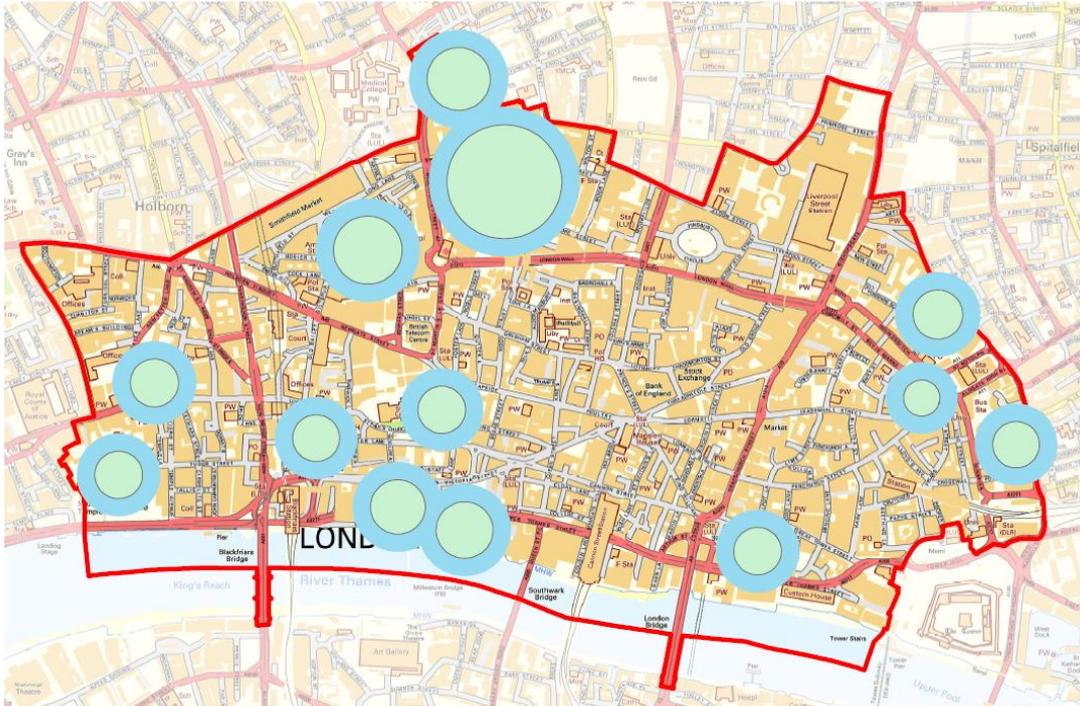


Figure 3
Location of Sensitive Land use within which an
Air Quality Impact Assessment is required

Requirements of an Air Quality Impact Assessment

5.3.3 The scope of an air quality impact assessment is:

- To assess the current baseline situation in the vicinity of the proposed development;
- To predict the future impact in the first year of operation, both with and without the proposed development, but including all consented development, by calculating statistics that can be compared with the air quality objectives

This information should be provided in the assessment report.

5.3.4 The following advice should be followed when conducting the Air Quality Impact Assessment:

(a) **Emissions:** Create an inventory of the PM₁₀, PM_{2.5} and NO_x emissions associated with the proposed development, including the type and quantity of emission concentrations, during the construction and operational phase. This shall cover transport, stationary and mobile emission sources. Sources of data include Defra's Emissions Factor Toolkit for emissions from traffic and the London Atmospheric Emissions Inventory (LAEI). The assessment shall include a commitment to low NO_x technology for boilers and CHP where applicable.

(b) **Sensitive receptors:** Sensitive receptors that could be affected must be identified as part of the assessment.

- (c) **Exposure:** An indication of the number of new occupiers and users of the site who will be exposed to poor air quality as a result of the development (the occupiers/users should also be shown on a map).
- (d) **Cumulative impacts:** Consider the potential cumulative impacts on air quality which may arise during the construction or operational phases as a result of emissions arising from other developments which are planned within a 100m radius of the development.
- (e) **Significance:** The City Corporation will use the Association of London Government (ALG) 2006 test on significance.
- (f) **Mitigation:** As detailed in section 4.2 all sites in the City are deemed to be high risk with regard to the demolition and construction phases. Mitigation to reduce emissions during these phases should be detailed in the assessment. An outline of, and justification for, mitigation measures associated with the design, location and operation of the development in order to reduce air pollution and exposure to poor air quality should also be included.

Detailed Air Quality Impact Assessment

- 5.3.5 Where the plant installed includes CHP less than 50kWth input and low NO_x technology is not proposed or biomass fuelled plant is planned, a more detailed assessment is required.
- 5.3.6 In addition to the above, the detailed Air Quality Impact Assessment shall also compare the impact of emissions from the intended biomass boiler/CHP and a gas boiler/CHP of identical thermal rating. The assessment must specify technical details related to the proposed appliance, fuel type, emission concentrations, and maintenance and exhaust stack details.
- 5.3.7 The assessment must also include an atmospheric dispersion model to predict the current baseline and future PM₁₀, PM_{2.5} and NO_x concentrations. Predictions of future concentrations should be both with and without the proposed development. Dispersion modelling shall be carried out in accordance with Defra's Technical Guidance Note (TG016). Due to the complex nature of the City's environment, the type of model selected must be ADMS Urban or equivalent and in accordance with TG 016.

Overarching Principles of Assessment

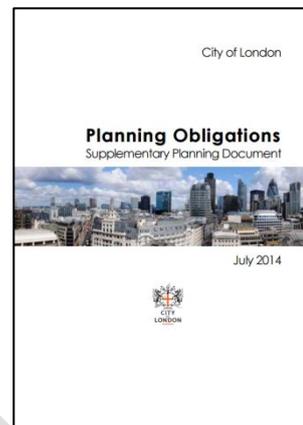
- 5.3.9 When conducting the assessment, developers must assess the **cumulative impact** of multiple sources from the new development e.g. the combined impact of vehicles and energy sources. The developer must also assess the cumulative impact of the proposed development with all consented developments nearby. Consideration of proposed but not yet consented development may be required and developers should check with the Air Quality Team before commencing a study.
- 5.3.10 Where applicable, assessments should be carried out using a **worst-case approach**. For example, if certain parameters are unknown, worst case assumptions should be used to ensure that assessment results are conservative in nature.

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6 Planning Conditions and Section 106 Obligations in the City of London

6.1 Background

6.1.1 Planning permission can be granted subject to planning conditions. Conditions are a useful tool to enhance the quality of a development and to ameliorate any adverse impacts that might otherwise arise. A planning obligation (under Section 106 of the Town and Country Planning Act 1990 (as amended)) can also be used as a site specific mitigation mechanism. The Community Infrastructure Levy (CIL) and Planning Obligations ensure that a development contributes to the improvement of the City's environment and facilities. See the [City Corporation's website](#) for more information.



6.1.2 The Mayor of London also operates a CIL and planning obligations to raise funds towards meeting the cost of Crossrail. These measures apply across Greater London, including the City. [Visit the Mayor's website for further information.](#) These measures do not directly address air quality, although the opening of Crossrail might result in a reduction in the need to use motorised transport in and into the City.

6.2 Community Infrastructure Levy (CIL)

6.2.1 The CIL is a charge on new development that is used to help fund the provision of infrastructure necessary to support development in the City of London. The CIL operates through a charging schedule and is supported by a 'regulation 123 list' which outlines the broad types of infrastructure that will be funded. The amount of CIL received and expended is monitored and reported on an annual basis. See the website for more details.

6.2.2 Most developments where there is an increase in floorspace of at least 100m² will be required to pay the CIL. There is no specific air quality component to the CIL within the City of London, but the Regulation 123 list identifies a range of infrastructure investment which could mitigate the impacts of airborne pollution in the City (e.g. through the provision and improvement of open spaces), reduce the potential for emissions (e.g. through decentralised energy facilities or transport and public realm improvements leading to a reduction in vehicular traffic in specific areas).

6.3 Planning obligations – S106

6.3.1 Within the City of London, planning obligations (often called s106 agreements) are agreements with developers for the provision of site-specific mitigation measures necessary to ensure a development meets the requirements of the Local Plan and for affordable housing, local training, skills and job brokerage. The City Corporation's Supplementary Planning Document (SPD) explains how obligations are operated.

6.3.2 The City of London Local Plan Policy CS4 indicates that s106 planning obligations will be used to address site specific mitigation. The National Planning Practice Guidance indicates that planning conditions and obligations can be used to secure air quality mitigation where the relevant tests are met (Paragraph: 008 Reference ID: 32-008-20140306).

Core Strategic Policy CS4: Planning Contributions

To manage the impact of development, seeking appropriate developer contributions:

1. Requiring contributions through the Community Infrastructure Levy to assist in the delivery of the infrastructure necessary to support implementation of the Local Plan.
2. Requiring s106 planning obligations, having regard to the impact of the obligation on the viability of development, for:
 - (i) site specific mitigation meeting statutory tests;
 - (ii) affordable housing;
 - (iii) local training, skills and job brokerage;
 - (iv) local procurement in the City and City Fringe.
3. Requiring qualifying development to make an additional contribution to meeting the costs of Crossrail construction in accordance with the provisions of the London Plan.

6.3.3 Paragraph 62 of the City Corporation's Planning Obligations SPD indicates that the City Corporation may seek additional or alternative s106 planning obligations to those listed in the SPD where justified by local circumstances or to deliver other priorities in the Local Plan and where such planning obligations meet statutory tests.

6.3.4 Section 106 planning obligations may be used to ensure that construction sites meet various requirements for the control of dust and emissions from construction and demolition, and to ensure that monitoring is put in place on High Risk Sites.

6.4 Conditions

6.4.1 Conditions seeking to improve air quality may take a number of forms with the aim of reducing impacts on air quality and reducing exposure. Planning conditions will meet government requirements set out in the National Planning Practice Guidance.

Appendix A: Air Quality Planning Checklist

SPD Section	What	Summary of requirement	Required/ submitted (Y/N)	Detail / Doc Ref
Application				
5	Air Quality Neutral Assessment	Major developments (1,000m ² or more or 10 Residential dwellings or more)		
5	Air Quality Impact Assessment	major developments when it: <ul style="list-style-type: none"> • is within 50m of sensitive use • creates a significant change in traffic (see explanation) • exposes sensitive or a high number of people to air pollution (schools hospitals and >75 residential properties) • creates exposure for long periods of the day • requires an EIA or involves EPR 		
5	Detailed Air Quality Assessment	<ul style="list-style-type: none"> • Modelling of Biomass and small CHP (not meeting low NO_x limit) 		
2	Sustainable Travel	As per requirements in Local Plan Core Strategy CS16 (4) V		
2/3	Energy Efficiency	Energy Statement (where applicable)		
Application Consideration				
2	Ventilation inlets	<ul style="list-style-type: none"> • inlets away from source of pollution • Filtration for particles and NO₂ 		
2	Private Outdoor space	<ul style="list-style-type: none"> • Away from combustion sources e.g. roads 		
2	Public Realm	<ul style="list-style-type: none"> • Low pollution routes through development • Away from pollution sources 		
2	Greening	<ul style="list-style-type: none"> • Air quality plants • Screening from pollution source 		
2/3	Combustion Flues	<ul style="list-style-type: none"> • 1m above highest roof. • 3m above general access areas. • Away from air intakes • Location plan 		
3	Combustion Plant	Submit intention for: <ul style="list-style-type: none"> • Low NO_x boilers and NO_x CHP • Exclusion of biomass • Minimised generator use 		

Appendix B: Research, Good Practice and Guidance

In order to reflect changing technology and opinion, the links below contain guidance and case studies which are considered best practice. These pages will be updated to reflect efforts to improve air quality. Updated best practice guidance will not be applied retrospectively once planning permission has been granted. Notwithstanding this, as changes to guidance will be to improve air quality, the developer is requested to have due regard to the new content where possible.

<p>Section 2: Development and Building Design</p>	<p>Case Studies Sustainable Design Building Ventilation (particulates) Building Ventilation (nitrogen dioxide) - TBA Green Roofs Green Walls</p> <p>Guidance Sustainable Development Planning Requirements</p>
<p>Section 3: Heating and Energy Supply</p>	<p>Case Studies TBA</p> <p>Guidance Minimising Emissions from generators CHP</p>
<p>Section 4: Reducing dust and Air Quality impacts during construction</p>	<p>Case Studies TBA</p> <p>Guidance Code of Practice for Construction and Deconstruction</p>
<p>Section 5: Assessing Air Quality Impacts in the City of London</p>	<p>Case Studies TBA</p>
<p>Section 6: Planning Obligations</p>	<p>Air Quality impact mitigation case studies TBA</p>

Appendix C: Supporting Strategies and SPD's

C1: Air Quality Strategy

There are ten policy areas in the City Corporations Air Quality Strategy and all policy areas detail a number of actions, Policy 6 relates to reducing emission from new developments. The air quality strategy can be found at: www.cityoflondon.gov.uk/air

1. Air quality monitoring
2. Political influence and commitment
3. Working with the Mayor of London
4. Working with other external organisations
5. Reducing emissions from transport
6. Reducing emissions from new developments
7. Leading by example
8. Recognising and rewarding good practice
9. Raising awareness
10. Air quality and public health

C2: Supporting Strategies and SPD's

The City Corporation has a number of strategies which support the implementation of the Local Plan and Air Quality Strategy. These documents can be found on the City of London website. The following are the main strategies that support air quality improvements.

Health and Wellbeing Strategy: The air quality strategy also supports the Health and Wellbeing Strategy's overarching aims to promote the health and wellbeing of residents and workers in the City.

Open Spaces Strategy (adopted as an SPD): Seeks to promote the contribution of open spaces to the health and wellbeing of City and wider communities through use of trees and shrubs and other vegetation to counter air pollution, designs that encourage people to stay away from the busiest routes & designs that protect those most vulnerable to the effects of air pollution. See the excerpt overleaf:

9. Promote the potential contribution open spaces can make to the improved health and well-being of City and wider communities.

- 4.2.33 There are several ways in which open spaces can help improve the health of the City's communities. These include allowing people to relax and exercise, enabling cultural events where space and funding are available and providing opportunities for community cohesion through volunteering activities.
- 4.2.34 Equipment in open spaces that can be used for play and/or exercise can encourage people to improve their health and fitness. Such equipment may be appropriate in spaces where the long-term maintenance of the equipment can be paid for through developer contributions.
- 4.2.35 The main source of air pollution in the City is road vehicles. The following issues should be considered when designing open space schemes to improve the health of the City's communities:
- The use and siting of trees and shrubs and other vegetation that has a positive benefit on air quality. Deciduous trees are preferable because of their ability to capture pollution;
 - Designs that encourage people to spend time away from the busiest, most polluted roads. This will help to reduce exposure to the highest levels of pollution in the City;
 - Designs that protect the people most vulnerable to poor air quality such as children and the elderly.

Public Realm SPD contains two relevant air quality Aims and Guidelines:

4.9 Aim 6: More sustainable streets and spaces

4.9.1 The enhancement and management of the public realm should embrace sustainability as an overarching and long term approach. This should include bio-diverse planting schemes, which are robust and resilient to future climate conditions and which minimise the need for high levels of maintenance, along with Sustainable drainage systems, improved air quality, reduced noise, and the use of sustainable and long life materials that can be re-laid and are easily maintained.

4.10 Aim 7: Support and encourage wellbeing and healthy lifestyles

4.10.1 The City's public realm should be planned, designed and managed in ways that positively influence the health and wellbeing of workers and residents. This includes improving air quality and encouraging healthy modes of transport such as walking and cycling.

9.2 Air quality

Guideline 9.1: Traffic management schemes and public realm proposals should incorporate measures to lower emissions and reduce the harm caused by poor air quality.

- 9.2.1 The whole of the City of London is designated as an Air Quality Management Area. It has some of the highest levels of air and noise pollution in the country due to the density of development and its geographical location.
- 9.2.2 The main source of air pollution in the City is road vehicles. Concentrations of pollution are highest adjacent to the busiest roads, such as Upper and Lower Thames Street. The City Air Quality Strategy 2015-2020 outlines a number of measures that are being taken to improve air quality in the Square Mile.
- 9.2.3 Streets can be designed not only to assist in the overall improvement of air quality, but also to reduce an individual's exposure to pollution. For example, concentrations of some pollutants fall off with increasing distance from the edge of the road.
- 9.2.4 The following responses should be considered in traffic management and enhancement schemes, where appropriate:
- The use of trees and other vegetation that has a positive effect on air quality.
 - Designs that encourage people to walk and cycle rather than use motorised transport.
 - Provide alternative 'quiet' cycle and pedestrian routes away from main roads.
 - Traffic restrictions in areas of high exposure to poor air quality.
 - Designs that encourage people to spend time away from the busiest, most polluted roads.
 - Defined 'engine off' areas, such as bus stands, taxi ranks and tourist coach parking.
 - Smoothing the flow of traffic by reducing congestion, stop-start traffic and traffic queues and the consequent emission 'spikes'.
 - Designs that protect and segregate play and exercise activities from areas of poor air quality.

14.4 Active travel

Guideline 14.2: Practical measures to encourage active travel should be incorporated into traffic management schemes and enhancement proposals for streets and spaces.

- 14.4.1 The layout of towns and cities and the design and quality of the street environment can directly influence activity levels, especially walking and cycling. Designing streets to promote active travel, such as cycling and walking, can reap the additional benefits of increasing physical activity, reducing the risk of obesity, reducing morbidity from air pollution and reducing the risk of road traffic accidents.
- 14.4.2 Practical measures include the provision of cycle facilities, wider and less cluttered footways with better crossing facilities, increased pedestrian priority and safer crossings and junctions.

Appendix D: Local Plan Policies

In assessing schemes that may affect air quality in the City of London the City Corporation will have particular regard to the following specific policies relating to air quality and health found in the Local Plan.

D1: Local Plan and Air Quality

Air quality sits in Core Strategic policy CS15 and the main supporting DM Policy is DM15.6. The relevant excerpts are detailed below:

Local Plan: Sustainable Development and Climate Change – Core Strategic policy CS15:

The aim of this strategy is to enable businesses and residents to make sustainable choices in their daily activities, creating a more sustainable City, adapted to the changing climate, by...*requiring development to positively address: local air quality, particularly nitrogen dioxide and particulates (PM₁₀) the City's Air Quality Management Area Pollutants.*

Local Plan Policy DM15.6 Air Quality

- 1) Developers will be required to consider the impact of their proposals on air quality and, where appropriate, provide an Air Quality Impact Assessment.
- 2) Development that would result in deterioration of the City's nitrogen dioxide or PM10 pollution levels will be resisted.
- 3) Major developments will be required to maximise credits for the pollution section of the BREEAM or Code for sustainable Homes assessment relating to on-site emissions of oxides of nitrogen (NO_x).
- 4) Developments will be encouraged to install non-combustion low and zero carbon energy technology. A detailed air quality impact assessment will be required for combustion based low and zero carbon technologies, such as CHP plant and biomass or biofuel boilers, and necessary mitigation must be approved by the City Corporation.
- 5) Construction and deconstruction and the transport of construction materials and waste must be carried out in such a way as to minimise air quality impacts.
- 6) Air intake points should be located away from existing and potential pollution sources (e.g. busy roads and combustion flues). All combustion flues should terminate above the roof height of the tallest building in the development in order to ensure maximum dispersion of pollutants.

D2: Local Plan: Health and Wellbeing related to Air Quality

Core Strategic Policy CS8 – Aldgate

...Improve the amenities around the Aldgate area, and seek to improve opportunities for health care services and facilities for residents.....

4) Enhancing the public realm of the Aldgate area, its streets and spaces....Identifying opportunities for urban greening schemes, congestion and **pollution reduction measures**, particularly in the vicinity of Sir John Cass School and Middlesex Street and Mansell Street Estates.....

Core Strategic Policy CS21: Housing

Policy DM 21.5 ...Housing Quality Standards – All new housing has to be of a standard that facilitates the health and wellbeing of occupants.....

Core Strategic Policy CS22 – Social Infrastructure & Opportunities – ...Maximise opportunities for the City's residential and working communities to access suitable health facilities...and opportunities, while fostering cohesive communities & healthy lifestyles.....

2(iv) ensuring that the **use, design and management** of new development and spaces help deliver healthy outcomes, particularly for more deprived residents.....

4(II) protecting and enhancing existing education facilities including schools, adult and higher education premises, and ensuring that new facilities are **sited in appropriate locations**.....

D3: Local Plan with reference to Section 2: Building Design

Local Plan Policy DM15.6 Air Quality

- 2) Development that would result in deterioration of the City's nitrogen dioxide or PM10 pollution levels will be resisted.
- 3) Major developments will be required to maximise credits for the pollution section of the BREEAM or Code for sustainable Homes assessment relating to on-site emissions of oxides of nitrogen (NOx).
- 6) Air intake points should be located away from existing and potential pollution sources (e.g. busy roads and combustion flues). All combustion flues should terminate above the roof height of the tallest building in the development in order to ensure maximum dispersion of pollutants.

Policy DM 3.4 – Traffic Management – ...Require developers to reach agreement with the City of London & TFL on the design and implementation of traffic management & highway security measures.....

Local Plan Policy DM 10.4 – Environmental enhancement – ...The City Corporation will work in partnership with developers, TFL & other organisations to design and implement schemes for the enhancement of highways, the public realm and other spaces.....

Policy DM 15.1 Sustainability requirements

1. Sustainability Statements must be submitted with all planning applications in order to ensure that sustainability is integrated into designs for all development.
2. For major development (including new development and refurbishment) the Sustainability Statement should include as a minimum:
 - BREEAM or Code for Sustainable Homes pre-assessment;
 - an energy statement in line with London Plan requirements;
 - demonstration of climate change resilience measures.
3. BREEAM or Code for Sustainable Homes assessments should demonstrate sustainability in aspects which are of particular significance in the City's high density urban environment. Developers should aim to achieve the maximum possible credits to address the City's priorities.
4. Innovative sustainability solutions will be encouraged to ensure that the City's buildings remain at the forefront of sustainable building design. Details should be included in the Sustainability Statement.
5. Planning conditions will be used to ensure that Local Plan assessment targets are met.

Policy DM 15.2 Energy and CO₂ emissions assessments

1. Development design must take account of location, building orientation, internal layouts and landscaping to reduce likely energy consumption.
2. For all major development energy assessments must be submitted with the application demonstrating:
 - energy efficiency – showing the maximum improvement over current Building Regulations to achieve the required Fabric Energy Efficiency Standards;
 - carbon compliance levels required to meet national targets for zero carbon development using low and zero carbon technologies, where feasible;
 - where on-site carbon emission reduction is unviable, offsetting of residual CO₂ emissions through 'allowable solutions' for the lifetime of the building to achieve national targets for zero-carbon homes and non-domestic buildings. Achievement of zero carbon buildings in advance of national target dates will be encouraged;
 - anticipated residual power loads and routes for supply.

Core Strategic Policy CS16 – Public Transport Streets & Walkways – ...Build on the City's central position and good transport infrastructure to further improve sustainability & efficiency of travel into and around the City....

Policy DM 16.1	Transport impacts of development – ...Development proposals likely to have impact on transport must be accompanied by assessment of the transport implications during both construction & operation....
Policy DM 16.2	Pedestrian Movement – ...Facilitation of suitable pedestrian movement around the City.....
Policy DM 16.3	Cycle Parking –...on site cycle parking must be fitted in accordance with the local standards set out in table 16.2. The provision of on-site cycle parking supports people who cycle into the City....
Policy DM 16.4	Facilities to encourage active travel – ...such as walking, cycling and running must be provided in new developments. ...
Policy DM 16.5	Parking & Servicing Standards – ...New developments must meet the regulations on parking spaces within the City. Parking and servicing standards allows for minimal car parking space associated with all new developments. This discourages people from driving into the City. All off street car parking spaces and serviced areas must be equipped to conveniently recharge electric vehicles
Policy DM 16.6	Public Parking Spaces – ...No new public car parks will be permitted in the City, including the temporary use of vacant sites....
Policy DM 16.8	River Transport – ...Safeguarding the piers, steps and shores . River transport encourages the use of the river in order to reduce road transport of people and goods....

Local Plan: Open Spaces

Policy CS19Open Spaces and Recreation encourages greening on new developments, particularly green roofs. In addition, it encourages healthy lifestyles through improved access to open space and facilities, particularly through improved **public transport**.....

A summary of other Local Plan Policies

Core Strategic Policy CS5 – North of the City – Ensure City benefits from transport improvements in the North of the City for rejuvenation and 'eco-design' to compensate the **sustainable transport infrastructure**.

Core Strategic Policy CS6 – Cheapside and St Pauls – Enhancement of the area to promote the cultural and leisure activities on offer

Core Strategic Policy CS7 – Eastern Cluster – Accommodate the expansion of office space, while balancing the accommodation of tall buildings, public realm, **transport** and security.

Core Strategic Policy CS8 – Aldgate – Regenerate the amenities & environment of the Aldgate area by **improving the transport and pedestrian links**.

Core Strategic Policy CS9 – Thames and Riverside – Ensure the City capitalises on the on the riverside location, sustaining the **rivers functional uses** in transport, navigation, and recreation.

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D4: Local Plan with reference to section 3: Heating and Energy

Local Plan Policy DM15.6 Air Quality

- 5) Major developments will be required to maximise credits for the pollution section of the BREEAM or Code for sustainable Homes assessment relating to on-site emissions of oxides of nitrogen (NO_x).
- 6) Developments will be encouraged to install non combustion low and zero carbon energy technology. A detailed air quality impact assessment will be required for combustion based low and zero carbon technologies, such as CHP plant and biomass or biofuel boilers, and necessary mitigation must be approved by the City Corporation.

Policy DM 15.3 Low and zero carbon technologies

1. For development with a peak heat demand of 100 kilowatts or more developers should investigate the feasibility and viability of connecting to existing decentralised energy networks. This should include investigation of the potential for extensions of existing heating and cooling networks to serve the development and development of new networks where existing networks are not available. Connection routes should be designed into the development where feasible and connection infrastructure should be incorporated wherever it is viable.
2. Where connection to offsite decentralised energy networks is not feasible, installation of on-site CCHP and the potential to create new localised decentralised energy infrastructure through the export of excess heat must be considered.
3. Where connection is not feasible or viable, all development with a peak heat demand of 100 kilowatts or more should be designed to enable connection to potential future decentralised energy networks.
4. Other low and zero carbon technologies must be evaluated. Non combustion based technologies should be prioritised in order to avoid adverse impacts on air quality.

Other Local Plan Policies

DM2.1.....infrastructure provision for connection to existing decentralised energy.....

CS7Energy efficient buildings in the Eastern cluster.....

DM10.1New Developments to minimise energy use.....

D5: Local Plan with reference to Section 4: Local Policy – Construction and Deconstruction

Local Plan Policy DM15.6 Air Quality

- 5) Construction and deconstruction and the transport of construction materials and waste must be carried out in such a way as to minimise air quality impacts.

Core Strategic Policy CS17 – Waste – ...Promote and support sustainable decisions to be taken by the minimisation, transport and management of their waste, capitalising on the City's riverside location for **sustainable waste transfer....**

Policy DM 17.2

Designing out Construction Waste – ...New developments should be designed to reduce impact of deconstruction & construction on the environment through, transport of waste and construction materials **by river** wherever practicable. ...

D6: Local Plan with Reference to Section 5: Air Quality Impact Assessments

Local Plan Policy DM15.6 Air Quality

- 1) Developers are required to consider the impact of their proposals on air quality and, where appropriate, provide and provide and Air Quality Impact Assessment.
- 4) Developments will be encouraged to install non combustion low and zero carbon energy technology. A detailed air quality impact assessment will be required for combustion based low and zero carbon technologies, such as CHP plant and biomass or biofuel boilers, and necessary mitigation must be approved by the City Corporation.

Appendix E: Background to Air Quality Policy

E1: The Air Quality Strategy for England, Scotland, Wales & Northern Ireland

The Air Quality Strategy for England, Scotland, Wales and Northern Ireland (2007) sets out air quality objectives and policy options to improve air quality in the UK. It required all local authorities to assess and review air quality on a regular basis under the Local Air Quality Management (LAQM) regime. Targets were set for seven pollutants that all local authorities were obliged to work towards, which are equal to the statutory air quality objective values imposed under the Air Quality Regulations for England, Scotland, Wales and Northern Ireland. The seven pollutants for which local authorities were originally required to report and meet target values are:

- nitrogen dioxide (NO₂);
- particulates (PM₁₀);
- carbon monoxide;
- sulphur dioxide (SO₂);
- benzene;
- 1,3-butadiene; and
- lead.

E2: London LAQM Framework

In 2016 a new London specific LAQM regime was established (LLAQM). Defra and the Greater London Authority require local authorities to report on pollutants of greatest concern to the health of Londoners. These are: NO₂, PM₁₀, PM_{2.5} and SO₂. The City of London's LLAQM statutory reports can be found at www.cityoflondon/air

E3: Air Quality in the City of London

In January 2001 the City of London was designated an air quality management area (AQMA) for exceedences of PM₁₀ and NO₂. This designation has been in place since and due to the on-going exceedences and has not been revoked.

According to the 2013 LAEI, the main sources of air pollution in the borough is road transport. The following pie charts show the percentage breakdown of each vehicle type and pollutant.

Figure A3: Source of NO_x Emissions in the City

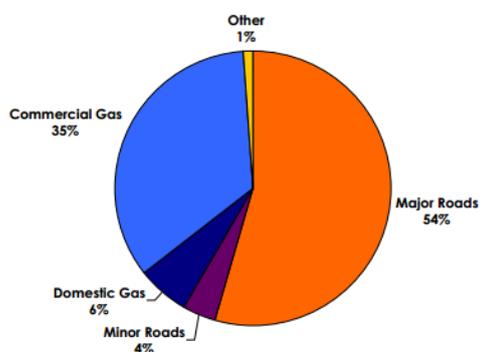
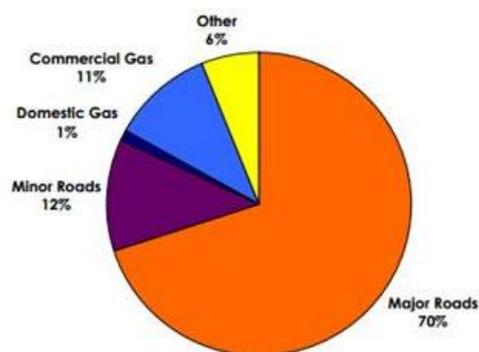


Figure A1: Source of PM₁₀ Emissions in the City



The City of London's Air Quality Strategy (AQS) (which incorporates the City Corporations AQAP) sets out measures to reduce emissions from key sources of air pollution in the borough, and helps to work towards achieving the required standards and objectives. The Strategy can be found at the following link: www.cityoflondon/air

E4: Greater London Policy

The Mayor of London's key priorities for air quality, as set out in the Mayor's Air Quality Strategy, are:

- Achieving the EU established health-based standards and objectives for a number of air pollutants; and
- Ensuring that all new developments 'air quality neutral' or better.

The London Plan policies relating to air quality and developments are set out below:

London Plan Policy 3.2	The Mayor will take account of the potential impact of development proposals on health and health inequalities. This includes improving air quality and minimising exposure to existing poor air quality.
London Plan Policy 5.3	Sustainability principles include minimising air pollution. Major development proposals should meet the minimum standards outlined in the Mayor's SPGs.
London Plan Policy 7.14	Developers and contractors should follow the guidance set out in the SPGs in the design and construction of their development. All development proposals should address local problems of air quality (e.g. within Air Quality Management Areas) and avoid further deterioration of existing poor air quality.

The Mayor has published two SPGs that deal with air quality:

- *Sustainable Design and Construction SPG* which includes guidance on preparing air quality assessments, minimising emissions, addressing exposure to air pollution, air quality neutral, emissions standards for combustion plant; and
- *The Control of Dust and Emissions during Construction and Demolition SPG* which describes requirements for dust assessments, pollutant monitoring and Ultra Low Emission Zone (ULEZ) standards for Non-Road Mobile Machinery.

E5: National Policy

The National Planning Policy Framework (NPPF) March 2012 states that:

"Planning policies should sustain compliance with and contribute towards EU Limit Values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan."

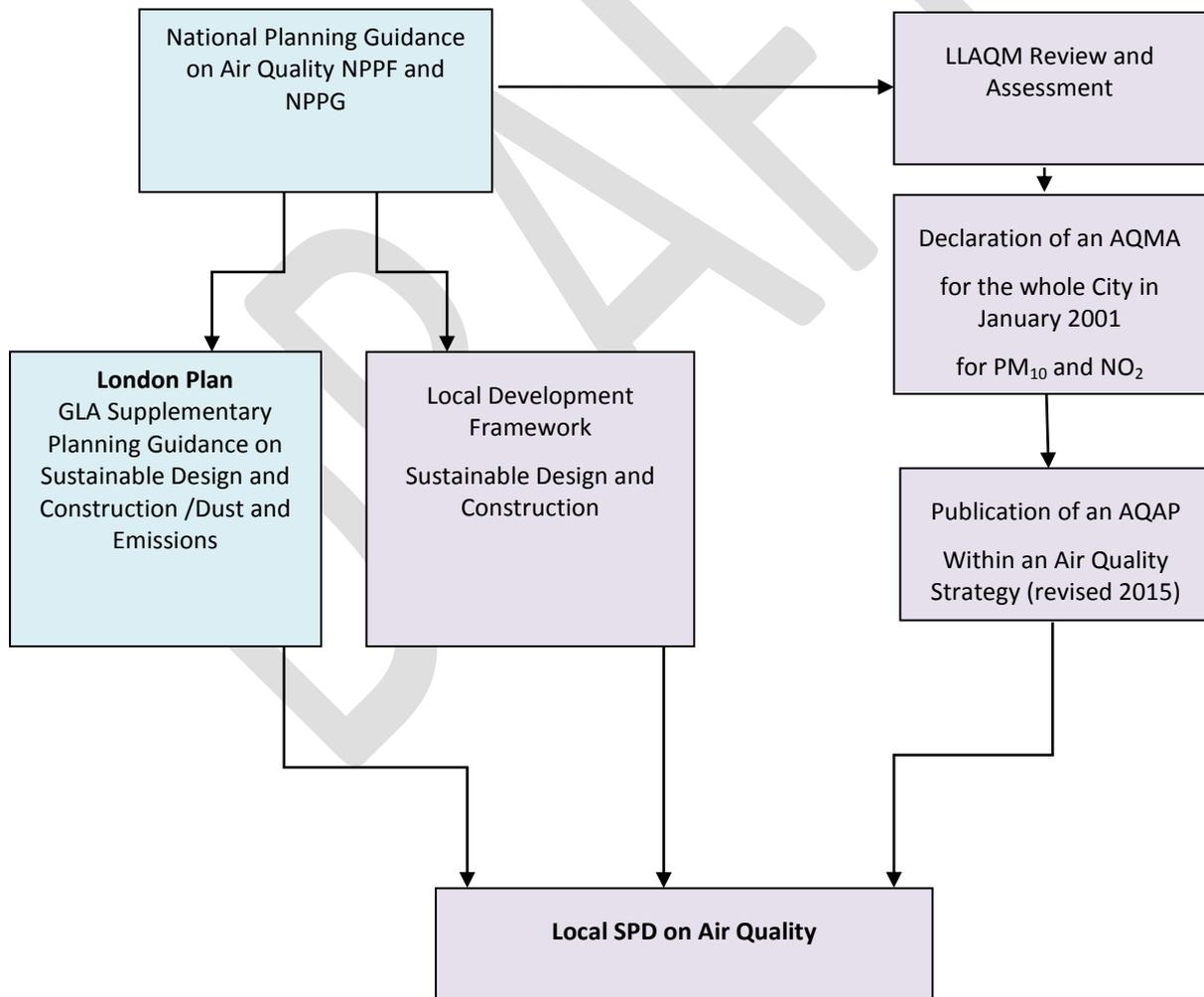
National guidance on when air quality is relevant to a planning decision, what should be included in an air quality assessment and the type of mitigation to be proposed can be found on the government's planning portal.³

E6: Permitting Under Part 1 of the Environmental Protection Act 1990

Industrial processes which may range from large industrial plant to dry cleaners and paint spraying workshops, are regulated by the Environment Agency (Part A1 processes) and the borough (Part A2 and Part B processes). The planning regime must assume that the permitting regime will ensure the processes comply with their permits and the Act. The planning regime can, however consider whether a land use is appropriate and it must consider the exposure to pollutants. For developments requiring planning applications this is done at the planning application stage, and for existing processes it is an ongoing review through Air Quality Action Planning.

E7: The relationship between national, regional and local policy and guidance

The relationship of this SPD to national, regional and local policy and guidance, and the City of London AQAS is shown below together with the relevant policy.



³ <http://planningguidance.planningportal.gov.uk/blog/guidance/air-quality/>

Appendix F: Glossary

Air Quality Assessment (AQA)	An assessment of the impact of a development on the levels of certain pollutants in the local area.
Air Quality Management Areas (AQMAs)	Areas where the air quality objectives are likely to be exceeded. Declared by way of an order issued under the Section 83(1) of the Environment Act 1995.
Air Quality Objectives	Air quality targets to be achieved locally as set out in the Air Quality Regulations 2000 and subsequent Regulations. Objectives are expressed as pollution concentrations over certain exposure periods, which should be achieved by a specific target date. Some objectives are based on long term exposure (e.g. annual averages), with some based on short term objectives. Objectives only apply where a member of the public may be exposed to pollution over the relevant averaging time.
Best Available Techniques (BAT)	The basis for determining the appropriate technique for reducing pollution under the Prevention and Control of Pollution Regulations.
LLAQM.TG(16)	London Local Air Quality Management Technical Guidance (2016). This document provides London advice on how local authorities should assess air quality.
Exceedence	Concentrations of a specified air pollutant greater than the appropriate Air Quality Objective.
Limit Values/EU limit values	The maximum pollutant levels set out in the EU Daughter Directives on Air Quality. In some cases the limit values are the same as the national air quality objective, but may allow a longer period for achieving.
Mitigation	Mitigation measures will minimise, but not necessarily remove, the impact of or effect of poor air quality on a development.
National Air Quality Objectives	See Air Quality Objectives.
National Air Quality Strategy	The Air Quality Strategy for England, Scotland, Wales and Northern Ireland. The current version at the time of producing this SPD was January 2000 with addendum published in February 2003.
NO ₂	Nitrogen dioxide
NO _x	NO _x = nitrogen oxides, which includes nitric oxide and nitrogen dioxide. Most pollution sources emit nitrogen oxides primarily as nitric oxide. However, once in the atmosphere nitric oxide can be converted to nitrogen dioxide. Therefore it is important to know the concentrations of both NO _x and NO ₂ .
Offsetting	Measures which 'compensate' for anticipated increases in pollution in the area but not necessarily at the exact locality. This might be for example by funding more general measures in the air quality

	action plan.
PM ₁₀	Fine particulate matter with a diameter of less than 10 microns diameter.
Part A1 and A2 Processes	Industrial processes which are regulated under the Pollution Prevention and Control (PPC) Regulations and subsequent Integrated Pollution Prevention and Control (IPPC) for emissions to all media (i.e. atmosphere, land and water).
Part B Processes	Industrial processes which are regulated under the Local Air Pollution Control (LAPC) and Local Air Quality Pollution Prevention and Control (LAPPC) Regulations for emissions to air only.
Polluting development	A development which will directly or indirectly increase levels of relevant pollutants. This may include industrial processes but may also include developments which could cause increased traffic emissions. These types of development may increase pollution concentrations.
PPC Regulations	Pollution Prevention and Control Regulations 2000 (as amended).
Risk Assessments	A comprehensive assessment of the risks associated with a particular hazard which is relevant to the development site.
Sensitive development	A development which would allow users of the site to potentially be exposed to pollutants above the objective for the relevant period. For example, the introduction of a new residential development into an area where an air quality objective is already exceeded, would create the potential for the exposure of residents to poor air quality above the objective. Incidentally, this type of development may also generate significant additional traffic flow and also be a polluting development.

Appendix G: Abbreviations

AQAP	Air Quality Action Plan
AQMA	Air Quality Management Area
AQO	Air Quality Objective
BEB	Buildings Emission Benchmark
CAB	Cleaner Air Borough
CDECD	<u>The Control of Dust and Emissions During Demolition and Construction SPG</u>
CAZ	Central Activity Zone
EV	Electric Vehicle
GLA	Greater London Authority
LAEI	London Atmospheric Emissions Inventory
LAQM	Local Air Quality Management
LLAQM	London Local Air Quality Management
NRMM	Non-Road Mobile Machinery
PM ₁₀	Particulate matter less than 10 micron in diameter
PM _{2.5}	Particulate matter less than 2.5 micron in diameter
SDC	<u>Sustainable Design and Construction SPG (2014)</u>
SPG	Supplementary Planning Guidance
TEB	Transport Emissions Benchmark
TfL	Transport for London

Appendix H: Further Information

<p>City of London Contact Details</p>	<p>e-mail: Cityair@cityoflondon.gov.uk phone: 020 7332 3030 web: www.cityoflondon.gov.uk/air air quality data: www.londonair.org.uk/LondonAir Local Plan: www.cityoflondon.gov.uk/localplan Planning SPD: http://www.cityoflondon.gov.uk/services/environment-and-planning/planning/planning-policy/Pages/Supplementary-Planning-Documents.aspx</p>
<p>Mayor, Greater London Authority and Association of London Government</p>	<ul style="list-style-type: none"> ✓ The London Plan The Spatial Development Strategy for London Consolidated with Alterations Since 2011, March 2015 Mayor of London https://www.london.gov.uk/priorities/planning/london-plan ✓ Clearing the Air, The Mayor's Air Quality Strategy, December 2010 GLA https://www.london.gov.uk/sites/default/files/archives/Air_Quality_Strategy_v3.pdf <p>Sustainable Design and Construction Supplementary Planning Guidance, April 2014, GLA. This provides guidance on air quality neutral procedures and combustion emission limits. https://www.london.gov.uk/priorities/planning/consultations/draft-sustainable-design-and-construction</p> <p>The Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance, July 2014, GLA. The aim of this guidance is to protect the health of on-site workers and the public and to provide London-wide consistency for developers through the control and monitoring of dust and Non-Road Mobile Machinery (NRMM).</p> <ul style="list-style-type: none"> ✓ https://www.london.gov.uk/priorities/planning/publications/the-control-of-dust-and-emissions-during-construction-and ✓ Technical Guidance Note: Assessment of Air Quality Issues of Planning Applications, 2006, Association of London Government (ALG)
<p>National Regulation and Guidance</p>	<ul style="list-style-type: none"> ✓ Air Quality Standards Regulations 2010 ✓ UK Air Quality Strategy for England, Scotland, Wales and Northern Ireland, July 2007 ✓ National Planning Policy Framework, March 2012, Department for Communities and Local Government https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf ✓ National Planning Practice Guidance, http://planningguidance.communities.gov.uk/blog/guidance/air-quality/ Housing Standards Review, 2015 ✓ Defra (2009). Local Air Quality Management Technical

	<p>Guidance LAQM.TG(09)</p> <ul style="list-style-type: none">✓ Defra, Emissions Factor Toolkit (2014) http://laqm.defra.gov.uk/review-and-assessment/tools/emissions-factors-toolkit.html✓ Development Control: Planning for Air Quality. Environmental Protection UK, 2010✓ Low Emission Strategies Partnership http://www.lowemissionstrategies.org/ tools and resources✓ Biomass and Air Quality Guidance for Local Authorities (Environmental Protection UK) 2009
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Committee(s)	Dated:
Port Health and Environmental Services Committee	22 November 2016
Subject: 44 th City of London Thames Fishery Research Experiment 2016	Public
Report of: Director of Markets and Consumer Protection	For Decision
Report author: Jon Averns, Port Health & Public Protection Director	

Summary

The purpose of this report is to inform your Committee of the outcome of the 44th City of London Thames Fishery Research Experiment which took place on Saturday 15 October 2016 along the foreshore of the River Thames, downriver from the Port Health Lower Thames Office in Denton, Gravesend.

Recommendation(s)

Members are asked to:

- Note the content of this report
- Review and approve the grant from City's Cash to partially fund the 2017 event.
- Approve the 45th City of London Thames Fishery Research Experiment to take place in 2017

Main Report

Background

1. The Thames Fishery Research Experiment, which was first held in 1973, is an annual angling event held along the foreshore of the River Thames, one and a half miles downriver from the Port Health River Divisional Office, Denton, Gravesend.
2. Your Committee has a long association with this event which is organised in collaboration with the Thames Angling Preservation Society (TAPS) and the Environment Agency. Financial contributions were received this year from the Fishmongers' Company; the Port of London Authority (PLA) which supports the Schools' Trophy; Thames Water; and Tideway (Thames Tideway Tunnel). The Water Conservators' Company again donated a prize for the Biodiversity Award.
3. The objective of the experiment is to establish the environmental condition of the Thames through the number and size of fish species caught as well as providing data to the Environment Agency, Thames Angling Preservation Society and members of the river and angling communities.

- Judging is based on the greatest variety of fish caught and a scoring system originally devised by Dr Wheeler of the Natural History Museum which rates fish according to scarcity and significance in the context of a cleaner river.

Current Position

- On Saturday 15 October 2016, 64 adult anglers representing eight teams competed for the Lady Howard Trophy which was awarded to the team with the highest score. Additionally, school teams consisting of four pupils each from the City of London Girls School, City of London School and Gravesend Grammar School competed for the School's Trophy. Details of all the competing teams are shown in the summary of results at Appendix A.
- Prizes were also awarded for the largest/ best fish, best individual catch by an adult and by a member of a school team, and a biodiversity award for the overall catch which most demonstrated the continuing healthiness and improvement of the River Thames.
- Fishing took place between 09:00 and 13:00, and was followed by judging of the largest/best fish by the TAPS. Competitors and guests then gathered in a marquee for lunch and the presentation of awards by esteemed guests. Commemorative badges were presented to all newcomers by your Chairman.
- The event was attended by Members of the Port Health and Environmental Services Committee; Sir David and Lady Valerie Howard; Alderman and Sheriff Peter Estlin; Mayor of Gravesham, Cllr Greta Goatley; Keith Tozzi, Master of the Water Conservators' Company; and Jim Trimmer, the PLA's Director of Planning and Environment.

Results

- 135 fish of 6 species were caught this year. This was lower than the previous year, when 591 fish of 7 species were caught, yet higher than the catches of 2014 and 2013 (101 fish of 8 species in 2014; 99 fish of 5 species in 2013).
- Details of the fish caught were recorded by stewards and points were awarded based on the recognised scoring system.

Number Caught	Species	Minimum Size		Maximum Size	
		cm	inches	cm	inches
1	Sole	32	12.6	32	12.6
5	Pouting	12	4.7	24	9.4
6	Bass	19	7.5	36	14.2
17	Eel	26	10.2	66	26.0
20	Flounder	16	6.3	29	11.4
86	Whiting	9	3.5	34	13.4

Feedback from stakeholders

11. Representatives of the Environment Agency and the recreational angling community have provided feedback on the Thames Fishery Research Experiment and its results. They acknowledge its importance especially in terms of providing valuable information about the environmental condition of the River Thames and in supporting river users.

The Environment Agency

12. This year's results comprised typically caught marine and estuarine species. However, the mild weather may have affected the number of whiting caught; more would normally be expected in late autumn as fish migrate into the estuary.
13. It was encouraging to see smaller eels present but, as was the case last year, large numbers of bass or sole were not caught. Both of these species showed strong abundance in the Environment Agency's own autumn fish surveys.

The recreational angling community

14. A warm summer and early autumn resulted in higher than average water temperatures for this time of year meaning that the normal influx of winter species such as cod and whiting has been delayed. As result, this year's Thames Fishery Research Experiment was a challenging competition for the anglers because the target species required different angling techniques, bait and presentation to improve catch rates.
15. It was, however, encouraging to see the variation in species, which demonstrates the importance of the Experiment in demonstrating the diversity of marine life in the middle Thames. We were particularly pleased to see seven bass and seventeen eels caught. These are currently two of the most endangered species in UK waters and international protection measures have been introduced for both.
16. A positive improvement this year was the reduction in fish mortality. Anglers were encouraged to follow best practice fish handling techniques, especially with the more fragile species such as whiting. Seventy six whiting were caught and released over the event and not one was seen on the surface.
17. From an angling perspective, the health of the River is indicated by the numbers and variety of species in evidence over time. Common sole numbers have been in decline for two to three years, probably as a result of rain water levels, overfishing offshore and capital works such as dredging, wind farms and cable laying. In contrast, cod returned in good numbers through last winter and stayed feeding on shrimp and small fish until late January 2016; some of these fish weighed in at 7lb. Flounder catches remain intermittent, but numbers increase further upriver. The eel also appears to be making a comeback, and this was underlined by the high number caught during this year's Experiment.

18. In 2012, Defra conducted a national survey on Recreational Sea Angling which found that in Essex alone, there are some 21,210 sea anglers. A recent PLA survey confirmed the huge amount of recreational activity taking place on the Thames. The Thames Fishery Research Experiment has the unique advantage of linking the recreational sector with conservation and scientific study.

Financial summary

19. Funding was provided through a grant of £5,332 from City's Cash, together with anticipated contributions of £750 from the Fishmonger's company; £250 from the Port of London Authority; £500 from Thames Water; and £500 from Tideway (Thames Tideway Tunnel). The latter two contributions were offered following a direct approach to both organisations earlier this year.
20. The total cost of this year's event was £8,602 and the projected cost to my local risk budget is therefore £1,270 (£2,230 less than in 2015). These figures do not include staff costs or use of in-house resources.

Proposals

21. The March 2016 Policy and Resources Committee agreed the transfer of funding commitments from Finance Grants Sub Committee to the relevant Committees for ongoing administration. Each commitment must be reviewed and reported back to Policy and Resources Committee no later than December 2016.
22. As a result of this transfer, your Committee will now need to review and approve the annual grant from City's Cash (currently £5,332, and increased annually in line with inflation) to deliver the Thames Fishery Research Experiment. A report will then be submitted to Policy and Resources Committee to enable the payments to continue.
23. I propose that your Committee approves the continuation of funding from City's Cash towards this event, which provides valuable scientific information and supports the angling community, so that the 45th City of London Thames Fishery Research Experiment may take place in 2017.

Corporate & Strategic Implications

24. The City of London Thames Fishery Research Experiment encourages sustainability and conservation through the rules of the competition which require young and undersize fish to be returned immediately to the river once recorded. Eels are not permitted to be taken away from the riverside due to the low numbers in the Thames and, in accordance with Marine Management Organisation rules, each angler may retain only one bass.
25. The continued support of your Committee has demonstrated the City's commitment to supporting communities as The City Together Strategy.

Conclusion

26. The 2016 City of London Thames Fishery Research Experiment was a successful event which was well supported and received by Members and guests. It again provided valuable data and information to associated organisations and the recreational angling community.

Appendices

- Appendix A – Summary of Results

Background Papers

- Implementation of Grants Review
(*Policy and Resources Committee 17 March 2016*)

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44th City of London Thames Fishery Research Experiment Summary of Results

Lady Howard Trophy

Place	Team	Fish Caught	Points
1	Essex County Anglers	35	260
2	Kent Angling Team	34	195
3	Public Services Angling Team	15	95
4	PLA Angling Team	18	90
5	Charles Stanley Angling Team	10	60
6	Thamesiders Angling Team	9	50
7	City of London Invitation Team	5	30
8	Port Health and Environmental Services Committee	3	15

School's Trophy

Place	Team	Fish Caught	Points
1	City of London School for Girls	2	15
2	City of London School	2	10
2	Gravesend Grammar School	2	10

Adult Individual Competition

Place	Name	Team	Fish Caught	Points
1	Graham Bolton	Essex County Anglers	9	65
2	Tim Fagg	Kent Angling Team	10	55
=3	Barry Cowell	Essex County Anglers	7	50
=3	Kirk Watson	Kent Angling Team	9	50
=3	Rob Wilks	Essex County Anglers	5	50

Students Individual Competition

Place	Team	Fish Caught	Points
1	City of London School for Girls	2	15
=2	City of London School	1	5
=2	City of London School	1	5
=2	Gravesend Grammar School	1	5
=2	Gravesend Grammar School	1	5

Bio-diversity Award

The catch, which in the judges' opinion, best demonstrated the continuing healthiness and improvement of the River Thames was awarded to Barry Cowell of Essex County Anglers (1 bass, 1 flounder, 1 eel and 4 whiting).

The Fishmongers' Cup

The best single fish was judged to have been a 66cm eel caught by Barry Cowell of Essex County Anglers.

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Committee(s): Port Health & Environmental Services	Dated: 22 November 2016
Subject: Cost Recovery: Food Hygiene Rating Scheme re-inspection requests	Public
Report of: Director of Markets & Consumer Protection	For Decision
Report author: Peter Brett, Department of Markets & Consumer Protection	

Summary

The Food Hygiene Rating Scheme (FHRS) has been in place in the City of London Corporation since April 2012.

There is an opportunity to introduce a charging regime using powers available in the Localism Act for one part of FHRS: requests for an FHRS re-rating inspection. Charging was previously specifically excluded by the Food Standards Agency's (FSA) contract with local authorities to deliver FHRS, but they have recently reconsidered this position and now advise that it is possible to charge for this service under the powers granted to local authorities by that Act.

Three Options are suggested:-

- Option One - No change
- Option Two - Introduce charges with a discount or partial exemptions.
- Option Three - Full-cost recovery.

Recommendations

Members are therefore asked to:

- a) note this report and basis for the proposed changes to the operation of FHRS in the City of London; and
- b) approve Option Three: to introduce a flat fee charge of £210 for re-rating inspections on a full-cost recovery basis, with effect from 1st January 2017 and to be reviewed annually thereafter.

Main Report

Background

1. The Food Hygiene Rating Scheme (FHRS) is a key element of improving food safety. The Scheme, which operates in England, Wales and Northern Ireland, provides transparency about hygiene standards in food businesses at the time they are inspected to check their compliance with food safety legislation.
2. The Food Standards Agency (FSA) consider FHRS to be a good example of using incentives to drive businesses to behave in ways that benefit consumers,

and FSA research demonstrates that it is working and driving up food hygiene standards.

3. Displaying an FHRS sticker enables consumers to make an informed choice about where they choose to eat or shop for food. Widespread display of FHRS ratings gives consumers an instant indication of a food business's hygiene standards in comparison to its neighbours and peers.
4. The devolved Governments in Wales and Northern Ireland have already enacted legislation making the previously voluntary FHRS display scheme in their administration mandatory for all food businesses. Wales has been operating this way since November 2013 but Northern Ireland only started last month.
5. The FSA has expressed an intention to extend mandatory display to England and they continue to build the case using evidence from Wales where there has been a positive impact on hygiene standards compared with England since mandatory display was introduced. Increasing numbers of consumers use the scheme to help them make informed choices.
6. Finally one key difference between the current English voluntary scheme and the two mandatory schemes is that both mandatory schemes enable a charge to be made for re-rating inspections.

Current Position

7. Any business that has obtained a rating of less than 5 can request a follow up re-rating inspection once they have made any improvements brought to their attention following the first inspection. The purpose of the re-rating is to establish if a higher rating can be obtained and thence displayed to the public. Without this, there would be no opportunity for another rating to be given to an improved business until the next planned full inspection.
8. The frequency of planned food safety inspections varies from every six months to three years. The frequency of inspection is determined by the risks posed by the food business and uses the national Food Law Code of Practice's scoring process to calculate this risk and any follow-up required. It is important to distinguish a re-rating inspection from other official control revisits that might be conducted as part of our usual food safety work.
9. Whilst a business in England can still choose whether they wish to display a rating sticker in their premises or not under the current voluntary scheme, it is worth emphasising that all ratings are already published by the FSA on their [ratings website](#), so consumers can easily view all the ratings throughout the UK via a PC, tablet or even on a smartphone.
10. Legislation passed in England and Wales five years ago in the form of the Localism Act 2011 affected local authorities' powers to charge and the FSA have now re-visited the question of whether local authorities in England have power to charge for FHRS re-rating inspections. They now consider that local

authorities can charge because a re-rating inspection can be properly described as a “service” which they can provide on a non-commercial basis.

11. The proposed charge will only apply to re-rating inspections and not if we decide to conduct an official control revisit - e.g. to check on essential work / improvements we have required. Consequently, cost recovery from businesses would occur only where they request a re-rating inspection.
12. 40 local authorities are currently taking part in a pilot exercise on charging for re-ratings and the FSA has confirmed that it is not intended that these authorities cease recovering costs after the pilot finishes.
13. Eventually, the FSA intend there to be a wider roll-out to all English authorities (including the City of London) which they anticipate will commence in early 2017. However this report considers the options for introducing charging from 1st January 2017 in accordance with the Localism Act 2011.

Implications

14. In its 2015 report to the Welsh Government, the FSA noted that since mandatory display started in 2013, 95% of businesses subject to a re-rating visit between November 2014 and May 2015 had made improvements in their food hygiene standards which resulted in a higher rating.
15. Over the financial year 2014/15, 100 local authorities in England reported undertaking 2,270 requested re-rating inspections, an average of just below 23 requests per annum. Our figures for the last four years show that typically, we received 60-70 requests per annum.
16. There will be differences from the existing FHRS scheme. Currently:-
 - a) a food business can only make one request for a re-rating visit following each planned statutory food inspection. This can be made at any time provided that any required improvements have been made; and
 - b) businesses provide details of the improvements they have made along with their re-rating request, and if it is considered that sufficient evidence has been provided, there is a three month ‘stand still’ period. An unannounced visit will then normally take place within three months from the end of the ‘stand still’ period.
17. However under the proposed charging regime:-
 - a) there is no limit on the number of requests that can be made by individual businesses; and
 - b) the ‘stand-still’ period will not be applied and the re-rating inspection must be carried out within three months of the receipt of the request and payment of the fee.

Charging Rate

18. The FSA has collected data from local authorities which concludes that, on average a re-rating inspection would take 2.2 hours. However, the latest data from Wales indicates a different picture suggesting the time spent is approximately five hours though this includes a significant travel element and well over an hour to produce the final report.
19. We have collected and analysed data from our re-rating requests, including both the inspection and office administration elements, and the average time spent was 3.25 hours.
20. Local authority respondents to an FSA request agreed that there should be charging for re-rating inspections, and most considered there should be a flat-rate fee, although some considered the fee should be set regionally, given variations in rates of pay and overheads across the country, particularly in London.
21. It is therefore not yet known whether the fee under a mandatory FHRS scheme would be prescribed or locally determined. However, a prescribed fee would require legislation to be enacted, so any fee set until that time can be locally determined.

Options

22. The following Options are therefore available to the City Corporation:-

Option One - No change

If we do not introduce charging:-

- a) there is no potential for cost recovery; and
- b) we may still need to introduce charges at a later date if the FHRS scheme is made mandatory.

Option Two - Introduce charges with a discount or partial exemptions.

The Localism Act 2011 requires that:-

"...taking one financial year with another, the income from charges ... does not exceed the costs of provision",

and therefore we can recover no more than our full costs, but we do have the option to charge less and there are situations where this option may be beneficial, e.g. to encourage local businesses to improve. However, the City Corporation's Financial Regulations require Committee approval in such circumstances and the mandatory schemes already adopted elsewhere have set a flat charge. A graduated charge scheme would be disproportionately more time consuming to administer, and numbers of requests are not significant. For these reasons this option is not considered feasible or practical.

Option Three – Full-cost recovery.

The full cost of a re-rating inspection is currently £210 on average. This has been calculated taking into account factors including officer time, direct costs, and a proportion of overheads such as accommodation. The City Corporation's fee to achieve full cost recovery would therefore be £210.

In comparison, in Wales, businesses are charged a "reasonable" cost for re-ratings which has been determined at £160 per re-rating request. As of 21 October 2016, charges for re-rating by English local authorities taking part in the charging pilot range between £90 and £234 where published, with the average being £154; only one of those authorities is a London Borough who charge £215.

This Option would ensure we are able to use the costs recovered from requested re-rating inspections to help maintain our programmed inspections and other statutory duties.

Corporate, Strategic & Financial Implications

23. Section 3 of the Localism Act 2011 states that:-

"..the general power is subject to a duty to secure that, taking one financial year with another, the income from charges allowed in subsection (2) does not exceed the cost of provision".

which indicates that the City Corporation will need to set its charges-based upon on the costs of providing the service but that does not mean that we need to calculate costs for each individual request.

24. The majority of the re-rating work needs to be completed by the officers who are already authorised for official food control work. Currently, we have 307 premises rated as 4 and 122 rated as 3, meaning that there are nearly 430 premises which could apply for a re-rating that would not normally be revisited as part of the food hygiene inspection programme, so there could be resource implications. To mitigate this, all income derived from re-rating inspections will be used to engage temporary staff during the year to ensure that our food inspection targets continue to be met. If the number of requests remains steady, the income generated would be approximately £12,000 to £15,000 annually. However as it is anticipated that this would be fully utilised to meet the increased workload the net effect on the budget would be nil.

25. The proposed charge would be set using locally collected data on the time taken for an average re-rating request and the appropriate hourly rates for the officers completing the work including overheads. The charge would need to be reviewed annually taking into account the most recent data unless a mandatory national or regional fee is subsequently prescribed.

Conclusion

26. The Food Hygiene Rating Scheme is a key element of improving food safety and standards of food hygiene in food businesses.
27. One key difference between the current English voluntary scheme and the two mandatory schemes in Wales and Northern Ireland is that both mandatory schemes enable a charge to be made for re-rating inspections.
28. Cost recovery from businesses would occur only where they make a commercial decision and choose to request a re-rating inspection. The legislation that allows for charges already exists and the preferred charge option is based on full cost recovery using an established model that meets the City Corporation's Financial Regulations.

Recommendations

29. Members are therefore asked to:
 - a) note this report and basis for the proposed changes to the operation of FHRS in the City of London; and
 - b) approve Option Three, to introduce a flat fee charge of £210 for re-rating inspections on a full cost recovery basis with effect from 1st January 2017 and to be reviewed annually thereafter.

Background Papers

"Migration of City of London Corporation from the London Scores On The Doors food hygiene rating scheme to the Food Standards Agency's national Food Hygiene Rating Scheme", Port Health & Environmental Services Committee, November 2011

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