

## **PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE**

**Tuesday, 24 January 2017**

Minutes of the meeting of the Port Health & Environmental Services Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Tuesday, 24 January 2017 at 11.30 am

### **Present**

#### **Members:**

Jeremy Simons (Deputy Chairman)  
Deputy John Absalom  
Keith Bottomley  
Karina Dostalova  
Peter Dunphy  
Deputy Kevin Everett  
Anne Fairweather  
Deputy Stanley Ginsburg  
Graeme Harrower  
Alderman Peter Hewitt  
Wendy Hyde

Vivienne Littlechild  
Professor John Lumley  
Barbara Newman  
Henrika Priest  
Delis Regis  
John Scott  
Deputy John Tomlinson  
Michael Welbank (Chief Commoner)  
Mark Wheatley  
Philip Woodhouse

#### **Officers:**

Sacha Than	-	Town Clerk's Department
Jenny Pitcairn	-	Chamberlain's Department
Julie Smith	-	Chamberlain's Department
Paul Chadha	-	Comptroller & City Solicitor's Department
Richard Litherland	-	City Surveyor's Department
Carolyn Dwyer	-	Department of the Built Environment
Steve Presland	-	Department of the Built Environment
Jim Graham	-	Department of the Built Environment
Richard Steele	-	Department of the Built Environment
David Smith	-	Department of Markets & Consumer Protection
Jon Averbs	-	Department of Markets & Consumer Protection
Donald Perry	-	Department of Markets & Consumer Protection
Rachel Sambells	-	Department of Markets & Consumer Protection
Sue Ireland	-	Department of Open Spaces
Gary Burks	-	Department of Open Spaces
Esther Sumner	-	Department of Open Spaces
Susanna Lascelles	-	Public Relations Office

### **1. APOLOGIES**

Apologies for absence were received from Wendy Mead (Chairman), Deputy Bill Fraser, Andrew McMurtrie, and Deputy James Thomson.

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

In respect of item 26, Peter Dunphy and Mark Wheatley declared an interest (as Freemen of the Drapers' Company).

3. **MINUTES**

**RESOLVED** – That the public minutes and non-public summary of the meeting held on 22 November 2016 be approved.

**Matters Arising**

**Street Trading**

In response to a Member's question, the Port Health and Public Protection Director explained that illegal street trading had reduced considerably since action had been taken against the ice cream vans and the nut traders on London Bridge.

The Port Health and Public Protection Director explained that there were still issues with the nut sellers on the Millennium Bridge in Southwark and in order to address this, the City Corporation was working with the London Borough of Southwark to look at stronger enforcement. The Committee offered its support to assist with this issue and suggested that a letter could be sent to the leader of Southwark Council from the Chairman at a later date.

In response to a Member's question on illegal street trading in other areas, the Port Health and Public Protection Director confirmed that regular monitoring visits had been made to Middlesex Street Market and non-compliant traders could be prosecuted. The Port and Health Public Protection Director agreed to provide the Committee with information in relation to legal enforcement and compliance at the market.

The Port Health and Public Protection Director added that the City Corporation had been in touch with the London Borough Council of Tower Hamlets to monitor illegal trading and regular visits to the area had been carried out.

**Waste Collection**

In response to a Member's comments on the lack of action taken in relation to the refuse bins in Middlesex Street, the Assistant Director of Cleansing advised that he had spoken with the refuse collectors and reiterated the instructions to close and lock the bins. Officers would also be instructed to continue to monitor the area. The Assistant Director of Cleansing further advised that as the City does not have a local tip, City residents can use the Tower Hamlets tip. Furthermore, bulky waste collection points have been provided on the residential estates. The Assistant Director of Cleansing acknowledged that there had been issues with external people using the refuse bins in the Middlesex Street area and this would be brought to the attention of the Middlesex Street estate managers so they can take action to ensure the area is secure and not open to the general public.

4. **OUTSTANDING ACTIONS**

The Committee received the current list of outstanding actions. The Director of Transportation and Public Realm advised that a meeting had been scheduled to take place with Shred-It, but due to unforeseen circumstances, the meeting had been re-scheduled to take place in February. A review had taken place of the current shredding vehicles and their routes, and following this, twelve on-street sites had been identified, however, with the view to move from on street to off-site shredding, it was hoped that the twelve sites could be reduced to zero.

In response to a Member's question, the Director of Transportation and Public Realm explained that there were two concerns in relation to on-street shredding; pollution and the increased road danger caused by the parked vehicles, therefore suitable off street sites near the City were being explored as options and a report would be provided at the next Committee. The Director of Transportation and Public Realm agreed to look into whether it would be feasible to use the on-site parking facilities of companies where shredding was already taking place.

In response to a Member's request that the City Corporation continue to work with Transport for London to ensure that disabled access is provided at train stations, particularly in relation to the Crossrail project, officers agreed to look into this further.

The outstanding action on Delegated Powers was discharged as it had been completed.

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

5. **TERMS OF REFERENCE / FREQUENCY OF MEETINGS**

The Committee considered a report of the Town Clerk that sought approval to the Terms of Reference for subsequent submission to the Court of Common Council.

The Committee agreed that the wording be amended as follows:

- (c) the appointment of the Director of the Built Environment, acting jointly with the Planning & Transportation Committee;
- (d) the appointment of the Director of the Markets and Consumer Protection, acting jointly with the Markets and Licensing Committees;
- (e) the appointment of the Director of Open Spaces, acting jointly with the Open Spaces & City Gardens Committee;

The Town Clerk advised that all the Terms of Reference for the Grand Committees would be submitted to the Policy and Resources Committee, where any changes would be joined up with other relevant Committees where necessary.

**RESOLVED – That: -**

- a) the terms of reference of the Committee be approved for submission to the Court of Common Council in April 2016;
- b) any subsequent changes required in the lead up to the Court's appointment of Committees be delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman; and
- c) the frequency of meetings continue at six times per year.

**6. UPDATE TO SCHEME OF DELEGATIONS - MARRIAGE LICENCING**

The Committee considered a joint report of the Town Clerk and the Director of Community and Children's Services that sought approval to an amendment to the Scheme of Delegations to delegate marriage premises licensing to the Director of Community and Children's Services.

**RESOLVED –** That the amendment of Paragraph 29 of the Delegations to the Director of the Community and Children's Services be approved for consideration by the Court of Common Council.

**7. REPORT OF ACTION TAKEN**

The Committee received a report of the Town Clerk regarding action taken by the Town Clerk under delegated power since the last meeting of the Committee in relation to the Mayor of London's consultation on his proposals to improve air quality in London.

**RESOLVED –** That the Committee note the report.

**8. DRAFT CODE OF PRACTICE FOR DECONSTRUCTION AND CONSTRUCTION SITES EIGHTH EDITION 2017**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the draft Code of Practice for Deconstruction and Construction Sites eighth edition 2017.

In response to a Member's question on training for Banksmen within the City, the Director of Transportation and Public Realm explained that whilst no formal qualifications were required in order to become a Banksmen, for those contracted by the City Corporation, inductions had been provided to assist them in carrying out their roles to a high standard and as part of the logistics plan, the provision of training for Banksmen would be looked at in more detail.

**RESOLVED –** That the Committee approve the proposal that the draft Code undergo external consultation until 25 April 2017, and a further report be presented to the Committee on 19 September to approve the subsequent new code.

**9. ANIMAL RECEPTION CENTRE - HEATHROW AIRPORT: ANNUAL REVIEW OF CHARGES**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to increase the Schedule of Charges in respect of services provided at the Heathrow Animal Reception Centre, for 2017/18.

**RESOLVED** – That the Committee -:

- a) approve the charges with effect from 1 April 2017, or as soon as practicable thereafter; and
- b) approve the proposed Byelaws as set out in the report and recommend to the Court of Common Council that the Byelaws be made, and that the Comptroller and City Solicitor be instructed to seal the Byelaws accordingly.

**10. CITY OF LONDON NOISE STRATEGY 2016-2026**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the Noise Strategy.

The Chairman advised the Committee that the City of London Noise Strategy would be circulated to both the Health and Wellbeing Board and the Planning and Transportation Committees for information. Members agreed that any amendments suggested by the other Committees should be provided to the Chairman and Deputy Chairman of this Committee under delegated authority arrangements.

In response to a Member's question on the sources of the noise complaints made to the City of London from 2009 onwards, as referenced in the report, officers agreed to provide a further breakdown of the figures to the Member directly.

A discussion took place on sources of noise pollution such as the party boats on the river and the amplification systems used by buskers. The Port Health and Public Protection Director explained that measures were in place to ensure noise levels were monitored and action could be taken where necessary.

In response to a Member's question on what action could be taken by residents with a noise complaint concerning the Barbican Centre, which was owned by the City Corporation, the representative of the Comptroller and City Solicitor explained that Section 82 of the Environmental Health Act would be applicable in such circumstances and agreed to provide further information outside of the meeting.

**RESOLVED** – That the Committee approve that the Noise Strategy be approved and published.

**11. MESSAGE & SPECIAL TREATMENT LICENCE FEES 2017/18**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the proposed fees for 2017/18 in relation to the Massage and Special Treatment Licence.

**RESOLVED** – That the Committee agree the proposed fees for 2017/18 as set out in the report.

12. **MARKETS AND CONSUMER PROTECTION BUSINESS PLAN 2016-2019: PROGRESS REPORT (PERIOD 2)**

The Committee considered a report of the Director of Markets and Consumer Protection regarding progress against the key performance indicators and improvement objectives outlined in the Business Plan of the Port Health and Public Protection Division for Period Two of 2016/17.

In response to a Member's question, the Port Health and Public Protection Director explained that officers had been working closely with the Food Standards Agency to ensure that the new guidance issued in relation to the correct cooking temperatures for lightly cooked burgers was being followed by restaurants.

**RESOLVED** – That the Committee note the report and its appendices.

13. **PORT HEALTH AND PUBLIC PROTECTION RISKS**

The Committee considered a report of the Director of Markets and Consumer Protection regarding the risk management procedures in place within the Department of Markets and Consumer Protection. The Committee was informed that the previously circulated report was not the final version and a new report was tabled before Members. The changes were as follows:

- The wording within the risk for repair delays for the Heathrow Animal Centre had been amended with no reference to the security doors. The risk update had been amended to show there had been no significant repair delays since the last assessment and the target date was amended from December 2016 to March 2017;
- The risk update in relation to the IS systems failure at the Heathrow Animal Centre had been updated to show that a 24 hour support system had been implemented and the target date for this risk had been amended from December 2016 to March 2017.

In response to Members' questions on why reports could not be printed in colour, the Town Clerk advised that this was due to cost efficiency savings, but a further response would be provided to the Committee.

Members advised that they were extremely displeased that the maintenance issues at the Heathrow Animal Centre had still not been resolved and there was considerable concern that a satisfactory answer had not been provided to the Committee in relation to these ongoing issues. The Port Health and Public Protection Director explained that some of the problems had been resolved, as highlighted in the updated report before Members; however there were ongoing issues which had recently been raised with the City Surveyor. The Port Health and Public Protection Director further advised that contract negotiations for a new supplier had involved a number of service departments. As a result of this the service provided should improve once the new contract was in place.

A representative of the City Surveyor advised the Committee that the new supplier should be in place from 2 July 2017 and that a report would be submitted to both the Finance Committee and the Court of Common Council. Arrangements were being put in place to address priority concerns in the

interim until the new contract takes effect. Members asked that the City Surveyor provide an update report via email to the Committee within two weeks. The City Surveyor undertook to provide a further update at the next meeting.

**RESOLVED** – That: -

- a) the Committee note the report and the actions taken in the Department of Markets and Consumer Protection to monitor and manage effectively risks arising from our operations; and
- b) a report be circulated to Members within two weeks from the City Surveyor and a further update be provided at the next meeting.

**14. OPEN SPACES PERIOD 2 (AUG-NOV) BUSINESS PLAN UPDATE**

The Committee considered a report of the Director of Open Spaces regarding the performance of the Cemetery and Crematorium from August to November 2016.

**RESOLVED** – That the Committee note the report.

**15. SQUARE MILE COFFEE CUP CHALLENGE**

The Committee considered a report of the Director of the Built Environment regarding the Cleansing Services' plans for a high profile campaign in relation to the recycling of disposable coffee cups to take place in April 2017. The Assistant Director of Cleansing explained that one of the funders had requested that the target be reduced from one million cups to 500,000.

In response to Members' questions, the Assistant Director of Cleansing advised that City Corporation departments would be encouraged to take part in the scheme with particular emphasis on those who use a high volume of cups and there would be temporary collection points for the coffee cups which had been designed to last the duration of the campaign.

**RESOLVED** – That the Committee note the report.

**16. DEPARTMENT OF THE BUILT ENVIRONMENT( CLEANSING SERVICES) BUSINESS PLAN PROGRESS REPORT FOR PERIOD 1 (AUGUST - NOVEMBER), 2016/17**

The Committee considered a report of the Director of the Built Environment regarding the progress made during Period two against the 2015/18 DBE Business Plan for Public Conveniences, Waste Collection, Street Cleansing, Waste Disposal and Transport Services.

The Transportation and Public Realm Director advised that the City Corporation had received Platinum Awards for its public convenience toilets. The Transportation and Public Realm Director further advised that the City Corporation had continued to work with businesses in order to reduce litter. A Member asked that the high walk area above Wood Street be monitored as there had been a high volume of litter caused by cigarette butts.

**RESOLVED** – That the Committee note the content of the report and the appendices.

**17. DEPARTMENT OF THE BUILT ENVIRONMENT RISK MANAGEMENT - QUARTERLY REPORT**

The Committee considered a report of the Director of the Built Environment regarding risk management procedures in place within the Department of the Built Environment. An officer from the Department of the Built Environment explained that a compliance report in relation to the Driver Checks for City Corporation staff would be presented to Chief Officers in early 2017. Members asked that a copy of this report also be circulated to the Committee.

**RESOLVED** – That the Committee note 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.

**18. STREET CLEANSING, WASTE COLLECTION AND ANCILLARY SERVICE CONTRACT UPDATE AND APPENDIX A**

The Committee considered a report of the Director of the Built Environment regarding the recent performance of Amey plc, the City Corporation's Street Cleansing, Refuse Collection and Ancillary Services contractor, and the number of service failures, the majority of which stem from a change in the Amey contract management team.

In response to a Member's question, the Transportation and Public Realm Director confirmed that there was already a system in place where officers met with Amey on a regular basis, and these meetings had been used to resolve issues; however there had been an impact on officers' time and as a result, some departmental work had slipped.

Members expressed their concern that officers had been required to work so closely with the contractor in order to assist them in meeting their obligations. The Transportation and Public Realm Director explained that as part of the improvement measures, new personnel had been recruited by the contractor and it had been made clear that if improvements were not made, a potential consequence could be the termination of the contract. However, although the street cleanliness levels remained satisfactory the City Corporation continues to work with the contractor to resolve matters.

**RESOLVED** – That the Committee note the report.

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

There were none.

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

There was none.



21. **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.

22. **NON-PUBLIC MINUTES**

**RESOLVED** – That the non-public minutes of the meeting held on 22 November 2016 be approved.

23. **CEMETERY AND CREMATORIUM FEES, CHARGES & MARKETING**

The Committee received a report of the Director of Open Spaces regarding the proposed fees and charges for the City of London Cemetery and Crematorium for 2017/18 and the marketing activities.

**RESOLVED** – That the Committee agree the fees and charges and note the marketing activities.

24. **STREET CLEANSING, WASTE COLLECTION AND ANCILLARY SERVICE CONTRACT UPDATE - APPENDIX B**

The Committee received the non-public appendix to item 18.

**RESOLVED** – That the Committee note the appendix.

25. **REFURBISHMENT OF THE TRADITIONAL CREMATORIUM AT THE CITY OF LONDON CEMETERY**

The Committee considered a report of the City Surveyor that sought approval for the Crematorium refurbishment project to be closed.

**RESOLVED** – That the lessons learned be noted and the project be closed.

26. **PROPOSED CHARGES FOR STREET CLEANSING, WASTE COLLECTION AND PUBLIC CONVENIENCES 2017/18**

The Committee considered a report of the Director of the Built Environment that proposed charges for street cleansing, waste collection and public conveniences for 2017/18.

**RESOLVED** – That the Committee approve the proposed charges.

27. **REPORT OF ACTION TAKEN**

The Committee received a report of the Town Clerk regarding action taken by the Town Clerk under delegated power since the last meeting of the Committee in relation to a deed of variation.

**RESOLVED** – That the Committee note the report.

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

There were none.

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

There was none.

The Committee returned to public session to extend their thanks to the following people:

The Committee thanked Wendy Mead for her work as Chairman over the past three years.

The Committee thanked Member Nigel Challis for his role as the Committee's representative on the Thames Estuary Partnership.

The Committee thanked the Director of Open Spaces for all her support and her contribution to the work of the Committee and wished her well for the future.

**The meeting ended at 1.10 pm**

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Chairman

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