



## Port Health & Environmental Services Committee

**Date:** TUESDAY, 24 JANUARY 2017  
**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	Deputy Brian Mooney
Dennis Cotgrove	Hugh Morris
Karina Dostalova	Barbara Newman
Peter Dunphy	Ann Pembroke
Deputy Kevin Everett	Henrika Priest
Anne Fairweather	Deputy Richard Regan
Deputy Bill Fraser	Delis Regis
George Gillon	John Scott
Deputy Stanley Ginsburg	Deputy John Tomlinson
Graeme Harrower	Deputy James Thomson
Alderman Peter Hewitt	Michael Welbank (Chief Commoner)
Wendy Hyde	Mark Wheatley
Vivienne Littlechild	Philip Woodhouse

**Enquiries:** Sacha Than (interim cover)  
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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 22 November 2016.  
**For Decision**  
(Pages 1 - 8)
4. **OUTSTANDING ACTIONS**  
To note the current list of Outstanding Actions.  
**For Information**  
(Pages 9 - 10)
5. **TERMS OF REFERENCE / FREQUENCY OF MEETINGS**  
Report of the Town Clerk.  
**For Decision**  
(Pages 11 - 12)
6. **UPDATE TO SCHEME OF DELEGATIONS - MARRIAGE LICENCING**  
Joint report of the Town Clerk and the Director of Community and Children's Services.  
**For Decision**  
(Pages 13 - 14)
7. **REPORT OF ACTION TAKEN**  
Report of the Town Clerk.  
**For Information**  
(Pages 15 - 20)
8. **DRAFT CODE OF PRACTICE FOR DECONSTRUCTION AND CONSTRUCTION SITES EIGHTH EDITION 2017**  
Report of the Director of Markets & Consumer Protection.  
**For Decision**  
(Pages 21 - 84)

9. **ANIMAL RECEPTION CENTRE - HEATHROW AIRPORT: ANNUAL REVIEW OF CHARGES**  
Report of the Director of Markets & Consumer Protection.
- For Decision**  
(Pages 85 - 92)
10. **CITY OF LONDON NOISE STRATEGY 2016-2026**  
Report of the Director of Markets & Consumer Protection.
- For Decision**  
(Pages 93 - 170)
11. **MASSAGE & SPECIAL TREATMENT LICENCE FEES 2017/18**  
Report of the Director of Markets & Consumer Protection.
- For Decision**  
(Pages 171 - 180)
12. **MARKETS AND CONSUMER PROTECTION BUSINESS PLAN 2016-2019: PROGRESS REPORT (PERIOD 2)**  
Report of the Director of Markets & Consumer Protection.
- For Information**  
(Pages 181 - 204)
13. **PORT HEALTH AND PUBLIC PROTECTION RISKS**  
Report of the Director of Markets & Consumer Protection.
- For Information**  
(Pages 205 - 214)
14. **OPEN SPACES PERIOD 2 (AUG-NOV) BUSINESS PLAN UPDATE**  
Report of the Director of Open Spaces.
- For Information**  
(Pages 215 - 226)
15. **SQUARE MILE COFFEE CUP CHALLENGE**  
Report of the Director of the Built Environment.
- For Information**  
(Pages 227 - 232)

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

**For Information**  
(Pages 233 - 240)

17. **DEPARTMENT OF THE BUILT ENVIRONMENT RISK MANAGEMENT -  
QUARTERLY REPORT**  
Report of the Director of the Built Environment.

**For Information**  
(Pages 241 - 248)

18. **STREET CLEANSING, WASTE COLLECTION AND ANCILLARY SERVICE  
CONTRACT UPDATE AND APPENDIX A**  
Report of the Director of the Built Environment.

**For Information**  
(Pages 249 - 254)

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

20. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**  
Any items of business that the Chairman may decide are urgent.

21. **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**

22. **NON-PUBLIC MINUTES**  
To agree the non-public minutes of the meeting held on 22 November 2016.

**For Decision**  
(Pages 255 - 256)

23. **CEMETERY AND CREMATORIUM FEES, CHARGES & MARKETING**  
Report of the Director of Open Spaces.

**For Decision**  
(Pages 257 - 268)

24. **STREET CLEANSING, WASTE COLLECTION AND ANCILLARY SERVICE  
CONTRACT UPDATE - APPENDIX B**  
Report of the Director of the Built Environment.

**For Information**  
(Pages 269 - 270)

25. **REFURBISHMENT OF THE TRADITIONAL CREMATORIUM AT THE CITY OF  
LONDON CEMETERY**  
Report of the City Surveyor.

**For Decision**  
(Pages 271 - 274)

26. **PROPOSED CHARGES FOR STREET CLEANSING, WASTE COLLECTION AND  
PUBLIC CONVENIENCES 2017/18**  
Report of the Director of the Built Environment.

**For Decision**  
(Pages 275 - 284)

27. **REPORT OF ACTION TAKEN**  
Report of the Town Clerk.

**For Information**  
(Pages 285 - 292)

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

29. **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, 22 November 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)	Vivienne Littlechild
Jeremy Simons (Deputy Chairman)	Alderman Julian Malins
Keith Bottomley	Andrew McMurtrie
Dennis Cotgrove	Barbara Newman
Peter Dunphy	Ann Pembroke
Deputy Bill Fraser	Henrika Priest
Anne Fairweather	Deputy Richard Regan
George Gillon	Delis Regis
Deputy Stanley Ginsburg	Deputy John Tomlinson
Graeme Harrower	John Scott
Alderman Peter Hewitt	Michael Welbank (Chief Commoner)
Wendy Hyde	Philip Woodhouse

#### **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 Built Environment
Steve Presland	-	Department of the Built Environment
Jim Graham	-	Department of the Built Environment
Jon Averbs	-	Department of Markets & Consumer Protection
Tony Bride	-	Department of Markets & Consumer Protection
Kelly Wilson	-	Department of Markets & Consumer Protection
Nia Morgan	-	City Surveyor's Department

### **1. APOLOGIES**

Apologies for absence were received from Deputy John Absalom, Karina Dostalova, Hugh Morris, Deputy James Thomson, 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 non-public summary of the meeting held on 20 September 2016 be approved.

## **Matters Arising**

### **Responsible Procurement**

The Assistant Director of Cleansing Operations advised that a charity paper and plastic cup recycling service called Simply Cups would be launching a campaign to recycle 20,000 coffee cups from within the City of London during March 2017. The Assistant Director was hopeful of some positive publicity for the campaign and would report the outcome to the Committee during 2017.

### **Street Cleansing and Refuse Collection Contract**

The Assistant Director of Cleansing Operations advised that the contractor were still under-performing against the Key Performance Indicators (KPIs) in their contract but a Recovery Action Plan was in place and vacant posts were being recruited for and filled by new staff. The Department would continue to provide corporate support to the contractor and financial assessment of the contract would be reported to the next Committee meeting, as some monies were being withheld from the contractor due to the performance issues. In response to a Member's question, the Assistant Director added that the financial sanctions being placed on the contractor were aimed at encouraging them to improve their performance. The contract was due for renewal during 2019 with a contract renewal offer from the City Corporation due by December 2018, which would include specific KPIs to maintain good performance. Members ended the discussion by thanking the contractor and staff from the Department of the Built Environment for the quick and efficient cleaning up of the Guildhall Yard following the recent Lord Mayor's show.

### **Waste Collection**

In response to a Member's question, the Assistant Director of Cleaning Operations advised that unwanted furniture items could be collected from residents' doorsteps for a fee or from communal collection areas within housing estates free of charge. Re-usable furniture in good condition was offered to a charity, who restored the items and sold them at discounted rates. The Assistant Director added that a separate specialist company offered a collection and recycling service for electrical goods.

## **4. OUTSTANDING ACTIONS**

The Committee received the current list of outstanding actions. The Director of Transportation and Public Realm advised that, with shredding increasingly taking place within loading bays and on City streets, seven mobile shredding vehicles had been removed from the streets and would no longer operate within the City of London. A Non-Disclosure Agreement had been made for Shred-It's customer database so that the likely locations of mobile shredding activity within the City of London could be identified. An update regarding the outcome of the next meeting with Shred-It, due to take place during December 2016, would be provided at the next Committee meeting.

In response to a Members' questions regarding noise from the London Underground at and around the Barbican, the Director of Port Health and Public Protection advised that residents should continue to complain to Transport for London and also the City Corporation's Noise Pollution Team whenever they



experienced problems with noise. The Chairman advised that she would contact London Underground again asking for the issues raised by this Committee to be addressed and the Director of Port Health and Public Protection added that he would discuss the issues further with the relevant Ward Members. A Member noted that the possibility of compensation in the form of rates reductions for affected residents should be looked into if the noise problems persisted into the future.

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

5. **REVENUE AND CAPITAL BUDGETS 2017/18**

The Committee considered a joint report of the Chamberlain, Director of the Built Environment, Director of Markets and Consumer Protection, and Director of Open Spaces that sought approval to the latest revenue budget for services overseen by the Committee for 2016/17 and the provisional revenue budget for 2017/18 for subsequent submission to the Finance Committee.

**RESOLVED** – That:-

- a) the latest 2016/17 revenue budget be noted;
- b) the provisional 2017/18 revenue budget be approved for submission to the Finance Committee; and
- c) the Chamberlain be authorised to revise these budgets for changes to the Additional Works Programme, Building Repairs and Maintenance contract and in respect of recharges.

6. **DEPARTMENT OF THE BUILT ENVIRONMENT DELEGATED POWERS UPDATE**

The Committee considered a report of the Director of the Built Environment that sought approval to an amendment to the Scheme of Delegations to Officers to include some new and revised delegations to the Director of the Built Environment and District Surveyor.

**RESOLVED** – That the new and updated delegations to Chief Officers set out in the updated Scheme of Delegations be approved for consideration by the Court of Common Council.

7. **MIDDLESEX STREET AREA ENHANCEMENT - PHASE 2**

The Committee considered a joint report of the Director of the Built Environment and the Director of Markets and Consumer Protection regarding the progress of Phase 2 of the Middlesex Street Area works to enhance Petticoat Lane Market and the central section of Middlesex Street between Sandys Row and St Botolph Street.

The Director of Transportation and Public Realm advised that the consultants' recommendations for additional public toilets would be fed into the next Committee report which would present options for Members' consideration. In response to Members' concerns regarding public urination caused by a perceived lack of toilets, the Chairman advised that it usually occurred late at night when coin-operated public conveniences, Urilifts, and Community Toilet Scheme toilets were all available to members of the public.

Members suggested that an educational campaign was required to discourage public urination by highlighting the costs to the local authority. In response to a Member's question, the Assistant Director of Cleansing Operations advised that the local authority was responsible for cleaning if public urination occurred in the public realm but property and land owners were responsible if it occurred on private land. However, if it became a regular problem on private land then land owners could report it to the Cleansing Team who would in turn inform the City of London Police about the problem area.

The Committee noted that the relevant Members would continue to be consulted as part of the project's Working Group.

**RESOLVED – That:-**

- a) the progress of Phase 2 of the Middlesex Street Area Enhancement be noted; and
- b) The funding of £50,000 required to reach Gateway 3 , to be funded from Section 106 contributions relating to the 5 Broadgate Development (Section 106 Agreement dated 29 July 2011), be approved.

**8. AIR QUALITY ANNUAL STATUS REPORT**

The Committee considered a report of the Director of Markets and Consumer Protection that provided details of the progress being made against the City Corporation's Air Quality Strategy 2015-20 and sought approval to a delegated authority request concerning a response to the Mayor of London's current consultation on new proposals to improve air quality. The Committee requested that the draft response to the consultation be circulated to all Committee Members for an opportunity to comment before the final version was considered by the Town Clerk in consultation with the Chairman and Deputy Chairman.

**RESOLVED – That:-**

- a) The air quality annual status report be noted; and
- b) Authority be delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to consider the final response to the Mayor of London's consultation on new proposals to improve air quality.

**9. CONSULTATION ON THE CITY OF LONDON CORPORATION'S AIR QUALITY SUPPLEMENTARY PLANNING DOCUMENT**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the draft City of London Corporation Air Quality Supplementary Planning Document (SPD) for public consultation. Members noted that the SPD would provide guidance for developments regarding the implementation of air quality policies in the City Corporation's Local Plan 2015. The Committee agreed that the public consultation period for the draft SPD would be extended to eight weeks during February – April 2017.

**RESOLVED – That the draft SPD be approved for a eight week public consultation period.**

10. **44TH CITY OF LONDON THAMES FISHERY RESEARCH EXPERIMENT 2016**

The Committee considered a report of the Director of Markets and Consumer Protection that provided details of the 44<sup>th</sup> City of London Thames Fishery Research Experiment held in October 2016 and sought approval of the 45<sup>th</sup> Thames Fishery Research Experiment to take place in 2017.

In response to a Member's question regarding the low number of Sole caught, the Director of Port Health and Public Protection advised that the Environment Agency have a number of Bass and Sole nurseries to maintain and improve species numbers and they carry out regular surveys along the Thames to monitor numbers.

**RESOLVED** – That:-

- a) The outcome of the 44<sup>th</sup> City of London Thames Fishery Experiment be noted;
- b) The grant from City's Cash to partially fund the 45<sup>th</sup> event in 2017 be approved; and
- c) The 45<sup>th</sup> City of London Thames Fishery Experiment, to take place in 2017, be approved.

11. **COST RECOVERY: FOOD HYGIENE RATING SCHEME RE-INSPECTION REQUESTS**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the introduction of a charging regime for one part of the Food Hygiene Rating System using powers available in the Localism Act.

**RESOLVED** – That:-

- a) the report and the basis for the proposed changes to the operation of Food Hygiene Rating System in the City of London be noted; and
- b) the introduction of a flat fee charge of £210 for re-rating inspections on a full-cost recovery basis, with effect from 1 January 2017 and to be reviewed annually thereafter, be approved.

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

There were four questions, as follows:-

Street Trading

In response to a Member's question regarding illegal street trading on Middlesex Street at weekends, the Director of Port Health and Public Protection advised that the Licensing Team were out inspecting throughout the City of London on the previous Sunday. He added that he would meet with the inspection officers and the Member to discuss problem areas and contact the London Borough of Tower Hamlets to establish their approach to street traders on and around Middlesex Street.

#### Commercial Waste

In response to a Member's concerns regarding locked wastebins for commercial waste being left unlocked by waste collectors, the Assistant Director of Cleansing Operations advised that this would be raised with the contractor who had been previously instructed to ensure their staff kept the wastebins locked to avoid over-filling. He added that the estate officers would also be made aware so that the commercial waste area would be kept secure to ensure that access to the lockable wastebins would be kept only to the businesses who paid for the service.

#### Massage and Special Treatments Parlour

In response to a Member's concerns regarding a Massage Parlour that he suspected was operating illegally, the Director of Port Health and Public Protection advised that officers from the City of London Police, Environmental Health and the Fire Brigade had recently inspected the premises, including a search of their commercial wastebins, and no evidence of illegal activity was found. He added that a further visit could be arranged if new evidence to suggest illegal activity was presented to Environmental Health.

#### Commercial Food Waste

In response to a Member's question, the Assistant Director of Cleansing Operations advised that food waste was collected from commercial premises and businesses were warned if food waste was found outside and around bags presented for collection.

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

There was none.

**14. 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.

**15. NON-PUBLIC MINUTES**

**RESOLVED** – That the non-public minutes of the meeting held on 20 September 2016 be approved.

**16. DEPARTMENT OF THE BUILT ENVIRONMENTAL SERVICE BASED REVIEW PROGRESS REPORT**

The Committee received a report of the Director of the Built Environment regarding the savings made within the Department of the Built Environment as part of the Service Based Review.

**RESOLVED** – That the very satisfactory progress being made by the Department of the Built Environment in achieving its SBR savings be noted.

**17. PORT HEALTH OFFICES, RIVERSIDE ROAD, CHARLTON - NEW LEASE**

The Committee received a joint report of the City Surveyor and the Director of

Markets and Consumer Protection that sought approval to a new lease of Port Health offices.

**18. DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 30 SEPTEMBER 2016**

The Committee received a joint report of the Director of the Built Environment, Director of Markets and Consumer Protection, and Director of Open Spaces that informed Members of the arrears of invoiced income outstanding as at 30 September 2016.

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

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

There were none.

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

The Chairman congratulated the Department of Markets and Consumer Protection for their recent Noise Abatement Society Soundscape Award for the City of London Noise Strategy. This and any other awards would be reported to the next appropriate Court of Common Council meeting.

The Chairman also reminded the Committee that the annual Committee Dinner would be held at Trinity House on Tuesday 10 January 2017.

**The meeting closed at 12.25 pm**

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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	<b>Mobile Shredding Vehicles</b>	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 12 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><b>January Update</b></p>
2.	23 May 2016	<b>Noise Pollution from the London Underground</b>	Director of Port Health and Public Protection	Ongoing	<p>The Chairmen of the Port Health &amp; Environmental Services and the Planning &amp; 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>A detailed report was circulated to Members of the Port Health &amp; Environmental Services Committee on 10 January 2017.</p>

Item	Date	Action	Officer(s) responsible	To be completed/ progressed to next stage	Progress Update
3.	20 July 2016	<b>Provision of charging facilities for electric vehicles</b>	Director of the Built Environment	May 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.
4.	22 Nov 2016	<b>Department of the Built Environment Delegated Powers</b>	Director of the Built Environment	Complete	The proposed amendments and revised powers to the Director of the Built Environment in the Scheme of Delegations to Officers was approved by the Court of Common Council in December 2016.
5.	22 Nov 2016	<b>Middlesex Street Area Enhancement – Phase 2</b>	Director of Transportation and Public Realm	May 2017	Members requested to be kept informed of the progress of Phase 2 of the Middlesex Street Area works to enhance Petticoat Lane Market and the central section of Middlesex Street between Sandys Row and St Botolph Street.



<b>Committee(s)</b>	<b>Dated:</b>
Port Health and Environmental Services Committee	24 January 2017
<b>Subject:</b> Terms of Reference Review	<b>Public</b>
<b>Report of:</b> Town Clerk	<b>For Decision</b>
<b>Report author:</b> David Arnold, Town Clerk's Department	

## Summary

As part of the post-implementation review of the changes made to the governance arrangements in 2011 it was agreed that all Committees should review their terms of reference annually. This will enable any proposed changes to be considered in time for the reappointment of Committees by the Court of Common Council.

The terms of reference of the Port Health and Environmental Services Committee are attached at Appendix A to this report for your consideration. If approved, it is proposed that any subsequent changes to the Committee's terms of reference required in the lead up to the Court's appointment of Committees in April 2017 be delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman.

The Committee is also required to review the frequency of its Committee meetings. The Committee currently meets six times per year in January, March, May, July, September, and November.

## Recommendations

It is recommended that:

- the terms of reference of the Committee, subject to any comments, be approved for submission to the Court in April 2016;
- 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
- Members consider whether any change is required to the frequency of the Committee's meetings.

## Appendices

- Appendix A – Terms of Reference

### David Arnold

Committee and Member Services Officer

Town Clerk's Department

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**Port Health and Environmental Services Committee Terms of Reference**

To be responsible for:-

- (a) all the City of London Corporation's environmental health, port health, animal health, consumer protection, licensing (with the exception of those which are in the province of another Committee), public conveniences, street cleansing, refuse collection and disposal, and cemetery and crematorium functions;
- (b) the implementation of those sections of any Acts of Parliament and/or European legislation which direct that the local authority take action in respect of those duties listed at (a) above;
- (c) the appointment of the Director of the Built Environment (in consultation with the Planning & Transportation Committee);
- (d) the appointment of the Director of the Markets and Consumer Protection (in consultation with the Markets and Licensing Committees);
- (e) the appointment of the Director of Open Spaces (in consultation with the Open Spaces & City Gardens Committee);
- (f) determining any appeals against a decision not to grant City premises a licence under the provisions of the Marriage Act 1994 and the City of London (Approved Premises for Marriage) Act 1996 to conduct civil marriage ceremonies;
- (g) the appointment of the City of London Coroner;
- (h) the Signor Pasquale Favale Bequest (registered charity no. 206949);
- (i) making recommendations to the Court of Common Council in respect of the making and sealing of byelaws for the variance of charges at the Animal Reception Centre.

<b>Committees:</b>	<b>Dates:</b>
Port Health & Environmental Committee Community and Children's Services Committee Court of Common Council	24 January 2017 17 February 2017 9 March 2017
<b>Subject:</b> Update to Scheme of Delegations – Marriage Licencing	<b>Public</b>
<b>Report of:</b> Town Clerk and Director of Community and Children's Services	<b>For Decision</b>
<b>Report author:</b> Chris Braithwaite, Town Clerk's Department Jacquie Campbell, Commuity and Children's Services Department	

## Summary

Under the Marriage Act 1949, the Court of Common Council has authority to grant licences to premises for the solemnization of marriages. Currently, this function is carried out by the Town Clerk, through the Committee and Member Services Team. However, all other aspects of registration (births, deaths, marriages, etc) are delegated to the Director of Community and Children's Services.

Therefore, it is intended to update the Scheme of Delegation to delegate marriage premises licensing to the Director of Community and Children's Services. This will regularise all marriage registration and licensing functions into a single Department. In addition, the current reference to the delegation being under Section 29 of the Local Government Act is incorrect. This should refer to the Registration Service Act 1953

Therefore, it is proposed to change the Scheme of Delegation to amend paragraph 29 of the delegations to the Director of Community Services to read "To act as the Proper Officer for the London City Registration District (Registration of Births, Deaths, Marriages, etc.) pursuant to ~~Section 29 of the Local Government Act 1972,~~ *the Registration Service Act 1953 and to approve premises under the Marriages and Civil Partnerships (Approved Premises) Regulations 2005.*" (additions highlighted with italics and underlined, deletions struck through).

The current level of workload for this function is very small (less than an hour of work each week) and can therefore be transferred to the Department of Community and Children's Services without any significant resource implications.

## Recommendation

Members are asked to recommend to the Court of Common Council an amendment of the Scheme of Delegations, amending Paragraph 29 of the Delegations to the Director of Community and Children's Services to read "To act as the Proper Officer for the London City Registration District (Registration of Births, Deaths, Marriages, etc.) pursuant to the Registration Service Act 1953 and to approve premises under the Marriages and Civil Partnerships (Approved Premises) Regulations 2005."

**Chris Braithwaite**

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<b>Committee:</b>	<b>Date:</b>
Port Health and Environmental Services Committee	24 January 2017
<b>Subject:</b> Decisions taken under delegated power since the last meeting of the Committee	<b>Public</b>
<b>Report of:</b> Town Clerk	<b>For Information</b>
<b>Report author:</b> Sacha Than, Town Clerk's Department	

## Summary

This report advises Members of action taken by the Town Clerk, in consultation with the Chairman and Deputy Chairman, since the last meeting of the Committee, in accordance with Standing Order No. 41(b).

### Recommendation:

Members are asked to note the report.

## Main Report

### Proposed response to the Mayor of London's consultation on air quality

#### Background

1. At the Port Health and Environmental Services Committee on 22 November 2016, authority was delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman to consider the City of London Corporation's response to the Mayor of London's consultation on his proposals to improve air quality in London.
2. The consultation is being delivered in three phases. The City of London Corporation's response on the proposals to improve air quality was part of phase two which largely focused on a proposed Emission Surcharge scheme, which the Mayor of London would like to introduce in October 2017. Further details on the ultra-low emission zone will be available in the next phase. Full details of the consultation, which closed on Sunday 18 December 2016, can be found at:

<https://consultations.tfl.gov.uk/environment/air-quality-consultation-phase-2?cid=airquality-consultation>

#### Action taken

3. It was agreed by the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Port Health and Environmental Services Committee, that approval be given to the proposed response from the City of London

Corporation to the Mayor of London's consultation on proposals to improve air quality, please see Appendix A for the response which was sent on 16 December 2016.

## **Conclusion**

4. In accordance with Standing Order No. 41 (b), Members are asked to note the decisions taken by the Town Clerk, in consultation with the Chairman and Deputy Chairman, since the Committee's last meeting on 22 November 2016.

## **Appendices**

Appendix A- The City of London Corporation's response to the consultation on the new proposals to improve air quality (December 2016)

## **Background papers**

- None

### **Contact:**

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Committee and Member Services Officer

Town Clerk's Department

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Date 16 December 2016

*Dear Mayor*

### **Consultation Response: New Proposals to Improve Air Quality**

Thank you for the opportunity to comment on the new proposals to improve air quality outlined in the consultation document dated October 2016. The response to the consultation questions are detailed below

- 1. To what extent do you support or oppose the introduction of a new £10 Emissions Surcharge on the Congestion Charge to discourage the use of older, more polluting vehicles in central London to improve air quality and health?**

The City Corporation supports the principle of an Emission Surcharge, but this particular proposal appears to lead to very little improvement in air quality. The consultation document itself forecasts that this policy will have a 'minor positive' improvement in air quality in the Congestion Charge Zone, delivering a 3% reduction in NOx emissions from road transport. This is likely to lead to a very small reduction in actual annual average nitrogen dioxide concentrations, perhaps less than 1µg/m<sup>3</sup>.

Given the minor impact on air quality, the City Corporation would like taxis and PHVs to be included in the scheme, and not be exempt from the Emissions Surcharge. In addition, the residents discount does not provide sufficient incentive for residents to replace their vehicles for a cleaner one or to use alternative transport. Consideration should be given to a sliding scale of charges over the course of the 'sunset' period.

The scheme has the potential to lead to a marginal reduction in traffic, which the City Corporation would support. However, as the documentation states this is difficult to determine. The City Corporation does appreciate that the Emission Surcharge would largely be a transitional scheme, ahead of the ultra-low emission zone, which will have a much greater impact on air quality. The Emission Surcharge could also lead to a positive impact on the way London is perceived as a 'clean city'.

The consultation document states that, at a macro level, the financial burden of the emission surcharge isn't expected to cause any material negative impact on London's

business. However some SMEs and also individuals that need to drive into the zone for work may be affected. The document states that retrofit may be an option for these vehicles. Further details should be made available on this as soon as possible.

- 2. We are proposing that the Emissions Surcharge will start on 23 October 2017 as the earliest possible operational date for implementing the scheme. Do you agree with this implementation date?**

The 23 October 2017 would seem reasonable for an appropriate Emission Surcharge scheme, providing sufficient time is given to drivers to retrofit vehicles if they wish. We are confident that Transport for London will have the necessary certification system in place by the implementation date.

- 3. Following the start of ULEZ in central London, to what extent do you support or oppose residents continuing to be liable for the Emission Surcharge, at the discounted rate of £1, during the ULEZ sunset period (for the first 3 years, while residents do not pay the ULEZ charge)?**

The residents discount does not provide sufficient incentive for residents to replace their vehicles for a cleaner one, or to use alternative forms of transport. Consideration should be given to a sliding scale of charges over the course of the 'sunset' period.

- 4. To what extent do you support or oppose the exemption of historic tax class vehicles?**

The City Corporation supports the exemption of historic tax class vehicles, as they are not considered to be a key contributor to local levels of air pollution.

- 5. To what extent do you support or oppose the exemption of Showman's vehicles?**

The City Corporation supports the exemption of Showman's vehicles, as they are not considered to be a key contributor to local levels of air pollution.

- 6. Do you support or oppose including L-Category vehicles (e.g. three wheeled vehicles and quadricycles) that currently pay the congestion charge?**

The City Corporation supports the exemption of L-Category vehicles as they are not considered to be a key contributor to local levels of air pollution.

- 7. Do you support or oppose including 9+ seater vehicles, such as coaches, buses and minibuses?**

The City Corporation considers that 9+ seater vehicles should be required to meet an emission limit, or pay a charge, as it is an 'Emission Surcharge' and not a 'Congestion Charge'.

- 8. Do you support or oppose the idea of bringing forward the introduction of the central London ULEZ to 2019 to improve air quality and health?**



The City Corporation understands that no formal proposals for alterations to the planned ultra-low emission zone (ULEZ) are being put forward in this consultation document. Further detail about the proposals will follow in 2017, subject to additional feasibility work. The consultation document does state that if the ULEZ was introduced in 2019, it is anticipated that there would be a 40% reduction in NOx emissions from transport, on top of that which would be achieved by introducing the ULEZ in 2020. Consequently, the City Corporation supports the proposal to bring the date forward in principle, and would like to see further details in the next consultation phase on the actual impact on air quality and the corresponding impact on health. The City Corporation would also welcome details in the next phase of the consultation of any financial support to assist people and small organisations to comply with the ULEZ requirements, together with details of options to retrofit.

**9. Do you support the overall principle of expanding ULEZ (up to but not including) the North and South Circular roads for all vehicles?**

The City Corporation understands that no formal proposals for alterations to the boundary of the planned ultra-low emission zone are being put forward in this consultation. Further details will follow in 2017, subject to additional feasibility work. Consequently, the City Corporation would like to reserve judgment on the proposed boundary until further information becomes available.

In the next phase of the consultation, the City Corporation would like details of the anticipated impact on actual levels of air pollution in central London from an expanded ULEZ. The City Corporation would also like to see details of any financial support to assist people and small organisations to comply with the ULEZ requirements, together with vehicle retrofit options.

**10. When do you think the expansion of ULEZ (up to but not including) the North and South Circular roads for all vehicles should be introduced? Please choose the year you think would be most appropriate.**

The City Corporation feels unable to comment on this until further details are provided in the next stage of the consultation.

**11. An expanded ULEZ will affect many more cars, vans and motorcycles. Do you think the daily charge for the ULEZ in inner London (between the Congestion Charge zone and the North and South Circular roads) should be the same or different to the current charge for the ULEZ in central London?**

The City Corporation feels unable to comment on this until further details are provided in the next stage of the consultation.

**12. To what extent do you support or oppose the overall principle of expanding ULEZ London-wide for heavy vehicles?**

Given the emission profile of Euro IV HGVs, the City Corporation supports the expansion of the ULEZ for HGVs, or the upgrade of the existing London Low Emission Zone. Due to the cost of new HGV vehicles, an appropriate certified retrofit system should be in place in advance of implementation. In light of the large reduction in NOx achieved by fitting selective catalytic reduction to London buses, it is likely that a similar system could be very effective for reducing emissions of NOx from HGVs.

**13. When do you think the expansion of ULEZ London-wide for heavy vehicles should be introduced? Please choose the year that you think would be the most appropriate.**

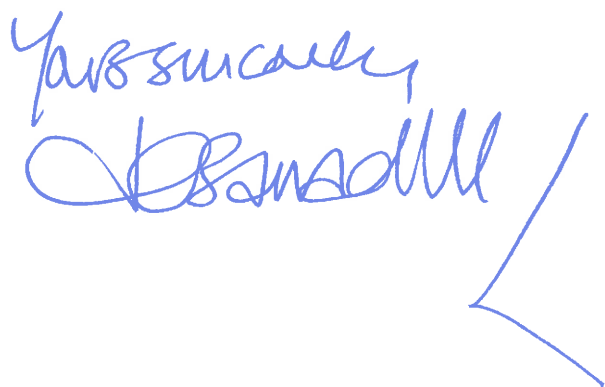
The City Corporation feels unable to support any specific date until further details are provided in the next stage of the consultation.

**Additional comments**

The City Corporation would welcome further incentives for the transition of diesel taxis to zero emission capable taxis from 2018. There would be large air quality benefits in central London if all taxis were zero emission capable by 2025.

The City Corporation would also like to see additional measures to remove diesel private hire vehicles from the PHV fleet in the shortest possible time. The City Corporation considers that no new diesel PHVs should be licenced from 2017 and existing licences for diesel PHVs should be phased out by 2020. Again, these are some of the vehicles that travel the most distance in central London and alternatives to diesel are readily available. Consequently, there are large benefits to be gained by targeting these for emission reduction. The City Corporation would also like to see a cap on the total number of PHV licences issued from 2017.

The City Corporation welcomes proposals for bringing forward the requirement for all double decker buses to be ULEZ compliant in central London from 2020 to 2019. The retrofit of 5000 buses across London to meet Euro VI standard by 2021 is also welcome.



<b>Committee(s)</b>	<b>Dated:</b>
Port Health and Environmental Services Planning and Transportation	24 <sup>th</sup> January 7 <sup>th</sup> February
<b>Subject:</b> Draft Code of Practice for Deconstruction and Construction Sites Eighth Edition 2017	<b>Public</b>
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Decision (PHES)</b> <b>For information (PT)</b>
<b>Report author:</b> Rachel Sambells, Pollution Team Manager	

## Summary

The City of London Corporation published its last Code of Practice for Deconstruction and Construction (the Code) in 2013. The Code, in its Seventh Edition was approved by the Port Health and Environmental Services Committee on 30<sup>th</sup> April 2013, the Code requires refreshing and updating to reflect current best practice and guidance. The draft Code reflects the City's increased emphasis on improving air quality alongside updated chapters on noise and contaminated land.

A draft Code of Practice for Deconstruction and Construction Sites Eighth Edition 2017 has been produced and is appended to this report. It seeks to set out simply and clearly what constitutes acceptable site practice within the City, assist developers, architects, engineers and construction professionals to prepare Schemes of Protective Works required for the planning process, to plan, cost and manage the environmental issues which arise in the industry.

The draft Code will help ensure that the City Corporation continues to encourage the use of the best environmental options in planning and managing construction and deconstruction. It also reflects the priority placed on the effects of reducing the impact of poor air quality and unwanted sound on the health of residents, workers and visitors as detailed in the City and Hackney Joint Strategic Needs Assessment.

The draft Code meets the key aims of both the City's Noise and Air Quality Strategies.

## Recommendation

I recommend that your Committee approves the proposal set out in paragraph 9 that the attached draft Code (Appendix 1) undergo external consultation until 25<sup>th</sup> April, subject to any comments received at your meeting and a further report will be presented to your 19<sup>th</sup> September meeting to approve the subsequent new Code.

## **Main Report**

### **Background**

1. The City is constantly the subject of development with deconstruction, construction and refurbishment of its buildings to serve market demand in support of the key aim 'To support and promote The City as the world leader in international finance and business services'.
2. There is inevitably some conflict with neighbours to construction activities affecting them through the development process.
3. The City Corporation has a responsibility to manage and minimise exposure to excessive and sometimes unnecessary environmental impacts of construction, whilst ensuring that the City can continue to function as a modern world-class business centre.
4. In 2013, the City of London produced a Seventh Edition of the Code outlining what constitutes acceptable site practice to manage and mitigate the effects of construction. In tandem a planning condition began to be imposed for major developments requiring a 'Scheme of Protective Works' from construction and demolition sites. This Scheme of Protective Works is required to be developed in accordance with the requirements and recommendations of the Code.
5. The Code considered 8 key areas: Community liaison and consultation, Noise, air quality, contaminated land, waste, water, sustainability and light.
6. The Code balances the needs of the Business City (particularly construction sites) to undertake construction works, with the expectations of residents and neighbouring businesses who wish for impacts to be minimised.

### **Key Policies and Proposals**

7. The City of London draft Code brings together, refreshes and updates these key chapters with a greater emphasis on air quality to manage and mitigate the environmental impacts of construction. In particular, the draft Code will help deliver one of the key themes of the Local Plan to "protect, promote and enhance our environment" whilst contributing to the wider policy context of maintaining a world class city.
8. This revised draft Code ensures that the City of London's approach continues to be suitable and appropriate for a world class City.

### **Proposals**

9. I propose that, subject to comments received at your meeting, the attached draft Code is published for consultation until 25<sup>th</sup> April. A further report will be presented to your 19<sup>th</sup> September meeting to approve the refreshed and updated Code.

## **Financial Implications**

10. Work contained within the Code will be funded using existing resources from within the Port Health and Public Protection Service. Assistance will be required to continue to apply conditions at the planning stage requiring a 'Scheme of Protective Works', the administration of the Considerate Contractors Scheme and issues with impacts on the public highway from existing resources within the Department of the Built Environment (DBE).

## **Corporate and Strategic Implications**

11. The work on noise sits within Strategic Aims 1 and 2 (SA1) (SA2) and of the Corporate Plan: 'To support and promote The City as the world leader in international finance and business services' and 'To provide modern, efficient and high quality local services, including policing, within the Square Mile for workers, residents and visitors'..

## **Consultees**

12. Consultation has been carried out internally with officers of the Department of the Built Environment and the results of this have been considered in this draft.
13. The strategy will undergo full external consultation e.g. Residents, businesses, City stakeholder groups and neighbouring boroughs until 25<sup>th</sup> April and consultation comments will be incorporated into the final Code where appropriate.

## **Conclusion**

14. The City Corporation has produced a refreshed and updated Code to encourage the use of the best environmental options in planning and managing construction and deconstruction , whilst ensuring the City can continue to function as a modern world class business centre. Subject to comments received at your meeting, the Code will be published for public consultation until 25<sup>th</sup> April.

## **Background Papers:**

Code of Practice for Deconstruction and Construction Sites Seventh Edition May 2013.

Mitigation of Environmental Impacts from Developments Committee Report April 2013

## **Appendix:**

Draft Code of Practice for Deconstruction and Construction Sites Eighth Edition 2017.

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# Department of Markets and Consumer Protection

## Code of Practice for Deconstruction and Construction Sites

### **Eighth Edition**



Department of Markets and Consumer Protection  
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## **Foreword**

This is the eighth version of the Code of Practice developed by the City of London's Pollution Control Team to encourage the use of the best environmental options in planning and managing construction and deconstruction (demolition) in the City of London. The area is densely populated by residents, many types of business, and other sensitive premises, all of which can be affected by your work and associated activities. This Code meets one of the main aims of the City Noise Strategy, which is to prevent or minimise noise emissions and noise impacts from new developments.

This Code seeks to set out simply and clearly what constitutes acceptable site practice within the City. It is intended to help developers, architects, engineers and construction professionals to plan, cost and manage the environmental issues which frequently arise in the industry.

In the City we encourage a flexible approach to addressing environmental problems. I must emphasise that this needs early and, in some cases, frequent liaison with the officers in the Pollution Control Team who should be consulted at all stages of project planning, programming and operation, so that the best options for your site can be developed.

This eighth edition of the code generally revises and updates the original version. It contains further guidance on prevention of air pollution from activities on site, and a number of forms and check lists have also been improved.

Additionally, we encourage you all to apply, via our Considerate Contractors Scheme (CCS), for the Environmental Award. This will recognise those sites/companies who innovate to protect the Environment in the City each year, and this year will look in particular at improvements in the field of air quality.

The Code takes into account current best practice and new technology already adopted by many sites in the City.

I hope you will find this guidance useful in planning and managing your site activities.

**Wendy Mead OBE**  
**Chairman of Port Health and Environmental Services Committee**



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## Forward by Wendy Mead OBE

*Chairman of Port Health and Environmental Services Committee*

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*Note: Copies of this Code of Practice can also be accessed via the City's website at:*

[www.cityoflondon.gov.uk/business/environmental-health/environmental-protection/noise/construction-information-and-advice/Pages/default.aspx](http://www.cityoflondon.gov.uk/business/environmental-health/environmental-protection/noise/construction-information-and-advice/Pages/default.aspx)

# 1 Introduction and Use

## Introduction

- 1.1 At any one time there are many active deconstruction, construction and refurbishment sites within the City of London. The work is essential in order to enable the City to maintain its status as a world class centre of business and finance. Some of the activities involved and listed in this document can often disturb and disrupt neighbours and users of the surrounding area. To help Developers and their Contractors minimise disturbance, the City of London has prepared this Code of Practice detailing the standards to which they expect sites to be maintained and operated
- 1.2 The environmental impacts of construction work must be considered as early as possible in the project. Where potential adverse impacts are identified, measures to offset or reduce them should be incorporated into the project proposals at the earliest stage and taken into account in the final cost. These matters must form part of the 'Scheme of Protective Works' to be submitted to the Pollution Control Team in the Department of Markets and Consumer Protection. We wish to encourage best practice and new innovation in Environmental Matters and welcome all companies/sites to take part in the CCS Environment Award.
- 1.3 *Note: The term Contractor used within this Code of Practice includes Principal Contractors, Construction Managers, Trade Contractors and other similar roles. Ultimate responsibility rests with the Principal Contractor although the Developer (or promoter of the project) will clearly have an interest in ensuring that works are undertaken with minimum disruption.*

## Use and Application of the Code of Practice

- 1.4 This Code is intended as a guide to 'Best Practicable Means' but must not replace consultation between developers, Contractors and regulators. Throughout all stages of a project, discussion with the City of London is actively encouraged. The Code should be requested by developers during the planning application process as an informative document, allowing the developer to discuss terms tailored to their specific development with the City of London. Developers must ensure that Contractors are fully aware of this Code and its implications, in particular the requirement for proactive and effective community Liaison and Consultation (section 2).
- 1.5 Adherence to this Code will demonstrate a positive attitude and commitment towards minimising environmental impacts and will be used as one of the main methods of assessment within the City's Considerate Contractor Scheme. Many consents granted by the City of London under Planning Acts will include conditions which refer to the standards in this Code.
- 1.6 The Code follows a methodical approach to construction works and sets standards to be followed. Not all parts of this Code will apply to every construction project. However, the City will expect all Contractors to comply with the spirit of the Code, with appropriate provisions being applied to the site at all times. This should allow local residents and businesses to continue operating with minimal disturbance.
- 1.7 Where two sites (or more) are operating in close proximity to each other the impact of all operations on neighbours will be taken into account when applying controls to mitigate any

environmental effects. It will be expected that arrangements for liaison between sites as well as the City are made at the beginning of projects to ensure that the joint impact from the work of all sites in the locality is kept to a minimum.

- 1.8 Although this Code gives an outline of legal requirements, it is not an authoritative statement of the law. Where necessary in accordance with its policy statement on enforcement, the City of London will not hesitate to enforce the statutory powers they have. A list of relevant guidance and legislation are included as Appendix A.

## 2 Community Liaison and Consultation

### Summary:



The Contractor needs to:

- demonstrate ‘best practicable means’ by contacting the City of London *well in advance of* works commencing to discuss the proposed works and the scope of liaison and ‘Scheme of Protective Works’ to be submitted for protecting nearby residents and commercial occupiers (hereafter referred to as *neighbours*);
- identify neighbours and interested parties (including where appropriate Ward Members) and consult with them **before** finalising the Scheme of Protective Works;
- maintain dialogue and information exchange with the City of London’s Pollution Control Team, neighbours and interested parties throughout the proposed works;
- respond quickly to complaints and resolve where practicable; and
- ensure neighbours and interested parties are kept informed of works as they progress and are consulted where necessary.

### Scheme of Protective Works

- 2.1 Prior to work commencing on each stage of the development, the Contractor **must** contact the City of London’s Highways Division and the Pollution Control Team, in order to:
- agree the scope of the ‘**Scheme of Protective Works**’ to be submitted; and
  - identify the scope of community liaison and consultation.
- 2.2 The Contractor must demonstrate ‘Best Practicable Means’ (BPM) and create a ‘Scheme of Protective Works’ for protecting neighbours. As part of this Scheme, the Contractor is expected to have and apply appropriate liaison and consultation approaches to minimise the environmental impact on neighbours.
- 2.3 The scope of the Scheme and extent of liaison will be site dependent, having regard to the scale of works and the potential for disruption to neighbours. Figures 2.1, 2.2 and 2.3 will be used to guide the scope required. Figure 2.4 is a guide to the information which may be required in the ‘Scheme of Protective Works’.

**Figure 2.1 – Category of Site**

<b>Site Sensitivity</b> 	<i>High</i>	Category 2 Site	Category 1 Site	Category 1 Site
	<i>Medium</i>	Category 3 Site	Category 2 Site	Category 1 Site
	<i>Low</i>	Category 3 Site	Category 3 Site	Category 2 Site
		<i>Minor Development</i>	<i>Medium Scale Major Development</i>	<i>Large Scale Major Development</i>
		<b>Size and nature of development</b> 		

**Figure 2.2 - Deciding on the Size, Nature and Sensitivity of the works**

<b>Size of the development</b>	
<p><i>Large scale Major Developments</i></p> <ul style="list-style-type: none"> <li>• Residential - 200 or more units</li> <li>• Industrial, commercial or retail floor space -10,000 square metres.</li> </ul> <p><i>Medium Scale Major Developments</i></p> <ul style="list-style-type: none"> <li>• Residential between 10 and 199 (inclusive) units.</li> <li>• For all other uses - floorspace between 1,000 square metres and 9,999 square metres or where the site area is between 0.5 hectare and less than 2 hectares.</li> </ul> <p><i>Minor Developments</i></p> <ul style="list-style-type: none"> <li>• Residential - Between 1 and 9 (inclusive) units.</li> <li>• For all other uses - floorspace of less than 1,000 square metres or where the site area is less than 1 hectare.</li> </ul>	
<p><b>Nature of the works</b></p> <ul style="list-style-type: none"> <li>• Type of works and its impact</li> <li>• Duration of works</li> <li>• Working hours</li> </ul>	<p><b>Sensitivity</b></p> <ul style="list-style-type: none"> <li>• Proximity of site to neighbours</li> <li>• Number of people affected</li> <li>• Type of neighbour</li> <li>• Duration of works</li> </ul>

**Figure 2.3 - Scope of Information to be Provided**

<p><b>Category 1 Site</b> (site example: construction and or deconstruction sites)</p>	<ul style="list-style-type: none"> <li>• Prior consultation with the Pollution Control Team;</li> <li>• Approval by Pollution Control Team of Full Scheme of Protective Works;</li> <li>• Full level of community engagement in Liaison and Consultation section below, including Ward Member(s), about the works.</li> </ul>
<p><b>Category 2 Site</b> (site example: retainment of façade with internal works)</p>	<ul style="list-style-type: none"> <li>• Prior consultation with the Pollution Control Team;</li> <li>• Approval by Pollution Control Team of Scheme of Protective Works;</li> <li>• Communication as per figure 2.5 below</li> </ul>
<p><b>Category 3 Site</b> (site example: involving a refurbishment only)</p>	<ul style="list-style-type: none"> <li>• Communication as detailed in figure 2.5 below.</li> </ul>

**Figure 2.4 - Scheme of Protective Works**

<b>Basic Information to facilitate discussion – (Site suggested Information Sheet in Appendix G)</b>	
<ul style="list-style-type: none"> <li>• Site Contact Details</li> <li>• Contractor Contact Details</li> <li>• Description of works to be carried out – including working hours and duration</li> <li>• Summary of Noisy works and mitigation</li> <li>• Summary of works affecting Air Quality (e.g. dust) and mitigation</li> <li>• Site Sensitivity and methods of notifying neighbours</li> <li>• Training of the construction team e.g. toolbox talks to include mitigation measures and locations of sensitive receptors</li> </ul>	
<b>Detailed Information (subject to discussion with Pollution Control Team)</b>	
<b>1) Programme of Proposed Works</b>	including start and finish dates of principle stages
<b>2) Liaison &amp; Consultation Strategy</b>	see section 2.5 – 2.10 below
<b>3) Complaints and incidents Procedure</b>	A system and procedure for dealing with enquiries and complaints from the public (see section 2.11 to 2.16 below)
<b>4) Staff and training</b>	Details of toolbox talks, frequency and content relating to noise, vibration, air quality, contaminated land, waste, water and light pollution matters
<b>5) Site Plan(s) showing site boundary</b>	<ul style="list-style-type: none"> <li>• Show sensitive receptors</li> <li>• site layout and access</li> <li>• wheel / vehicle check and wash facilities</li> <li>• air quality and noise monitoring locations (where applicable)</li> <li>• site equipment location (e.g. cranes and generators)</li> <li>• location of water for damping down</li> <li>• fuel and waste store on site</li> <li>• refer to the CLP haulage routes and vehicle waiting areas</li> </ul>
<b>6) Monitoring</b>	Proposed monitoring regime for noise, dust and vibration (where applicable) together with procedures to respond to non-compliances in relation to any trigger levels set for noise, dust and vibration
<b>7) Proposed Vehicles and Machinery</b>	Detail proposed vehicles and machinery on site: <b>Noise and vibration:</b> see section 3.11 relating to predictions <b>Air quality:</b> see sections 4.12-4.15 e.g. NRMM compliance
<b>8) Working methods and pollution control measures</b>	Where applicable, reference to the results of background assessments, predictions and/or phase I/II assessments needs to be made in the submitted Scheme of Protective Works in order to refer to the necessary <b>working methods, protective works, control measures or remediation works</b> required to: <ul style="list-style-type: none"> <li>• mitigate against activities which have the potential to cause disturbance to neighbours (e.g. noise, dust and vibration)</li> <li>• prevent an impact on the environment (e.g. air quality)</li> <li>• remove pollution (e.g. contaminated land)</li> </ul> <b>Noise</b> see sections: 3.27-3.48 <b>Air Quality:</b> see sections: 4.19-4.29 <b>Contaminated Land:</b> see section 5

- 2.4 For Category 1, 2 and 3 sites, throughout the construction/deconstruction works, regular dialogue between the Contractor and the City of the London should take place and meetings with the City may be held. The names and contact details of appropriate site personnel must therefore be forwarded to the Pollution Control Team at the earliest opportunity to facilitate liaison. A list of useful City of London contact names and telephone numbers is included in Appendix B. The liaison requirements for all sites are set out in figures 2.1 to 2.5.

### **Liaison and Consultation Strategy**

- 2.5 The Liaison and Consultation Strategy should identify all neighbours and specify individuals and groups who may be affected by, and consulted with, regarding activities at the site. The strategy should include the contact details and programme for engagement. The Contractor should therefore identify the following:

- City of London Ward Member(s) for the site; who can be identified via the City of London Website at: <http://democracy.cityoflondon.gov.uk/mgFindMember.aspx> or by contacting the Pollution Control Team. A copy of the Ward boundaries can be found in Appendix K and an interactive map can be found at:  
<https://www.cityoflondon.gov.uk/about-the-city/elections-and-wards/wards/Pages/ward-boundaries-map.aspx>
- All neighbours and premises which may be affected by the site's activities, including:
  - any residential properties;
  - hotels, hostels and hospitals;
  - offices;
  - lunchtime catering premises;
  - public houses;
  - those affected by party wall/shared party element works (see sections 3.40-3.42 for guidance);
  - Places of worship
  - Community Centres
- Local Community Groups such as the Barbican Association, Castle Baynard Residents and Smithfield Trust; and
- Other interested parties (e.g. other construction / deconstruction sites in close proximity, utility and street works in the area and any events such as the Lord Mayors Show or road races).

2.6 ***Identification of residential premises***

Reference should be made to the Residential Streets map (Appendix J), which identifies residential areas within the City. New residential developments are continually appearing, so the Pollution Control Team should be consulted in order to obtain the most up to date information. For this reason, the Contractor should also reevaluate the area in close proximity to the site from time to time. This will enable the Contractor to identify new groups or individuals who may be affected by the site's activities.

- 2.7 With reference to Figure 2.5 below, the Liaison and Consultation Strategy should include:

2.8 ***Initial Consultation***

Prior to each project stage, provide a briefing/presentation of the 'Scheme' (detailed above) to the Ward Member(s), Local Community Groups, businesses and other individuals identified. Briefings should include:

- Details of the ‘Scheme of protective Works’ in a readily understandable form;
- formal presentation, question and answer session or drop in sessions;
- information regarding how the works will enhance and benefit the local environment for neighbours; and
- Opportunity to provide feedback on the proposed works should be invited and responded to in writing; where practicable, amendments to the Scheme should be made to address concerns raised. The *finalised* Scheme should be provided to the City’s Pollution Control Team and where requested, the Ward Member(s), neighbours and interested parties.

## 2.9 ***On-going Communication***

- Plans for at least fortnightly communication (or as otherwise agreed) with neighbours and interested parties (identified above), for example by newsletter, in order to keep neighbours informed about current progress and planned works. The newsletter should be timely to allow neighbours time to plan around the works. It should contain the information suggested below, together with details of the Pollution Control Team contact:
  - The location of the planned works;
  - The type of planned works which are anticipated to give rise to effects on adjacent residents;
  - The duration of the planned works and the periods within which works will be undertaken (i.e. whether during normal working hours, during the evening or overnight);
  - The anticipated effects of the planned works;
  - The measures to be implemented in line with the Scheme of Protective Works to mitigate the impact of the planned works;
  - Contact details for enquiries; and
  - Complaints Procedure.
- A display board should be erected outside the site, which as a minimum shall identify key personnel, contact addresses, web site and telephone numbers, including complaint contact numbers. Additional information should include details of the scheme and its progress.

## 2.10 ***Other Communication***

- The Contractor should appoint a responsible person to liaise with the City, neighbours and interested parties in order to keep them informed of matters likely to affect them. Good relations can be developed by keeping neighbours informed of progress and by responding to complaints quickly and fairly.
- Site Hours Variation Request Procedure (as per paragraph 3.10) to be followed for *ANY* works outside the ‘standard hours’ or within the ‘quiet hours’;
- Arrangements should be put in place for notifying or alerting neighbours in advance of additional unplanned noisy works, where applicable;
- Feedback should be requested from neighbours throughout the project and at the end, in order to allow modification of activities to reduce impact;



<b>Fig 2.5 – Communication Requirements per Site Category</b>	<b>Category 1 Site</b>	<b>Category 2 Site</b>	<b>Category 3 Site</b>
<b>Identification of neighbours who may be affected</b>	✓	✓	✓
Notification of works to Ward Member(s)	✓	possible	
<b>Initial Consultation</b>			
Scheme of Protective Works in an understandable form	✓	✓	
Presentation/drop in session/question and answer session	✓		
Explain how works will enhance area	✓		
Request feedback to proposed Scheme of Protective Works	✓		
<b>On-going Communication</b>			
Regular communication e.g. newsletters	✓	✓	
Display board / information outside site	✓	✓	✓
<b>Other Communication</b>			
Responsible person to liaise with the City	✓	✓	✓
Site Hours Variation Procedure as per paragraph 3.10	✓	✓	✓
Feedback obtained throughout the works	✓		

## Complaints Procedures

- 2.11 The Contractor will establish a system and procedure for dealing with enquiries and complaints from the public.
- 2.12 Contact numbers, email and postal addresses for the enquiries and complaints system will be displayed on signs around the construction site and will be published on the website and newsletters.
- 2.13 Where complaints are made, the Contractor is expected to respond by investigating the complaint quickly and sympathetically, taking action to resolve the problem where the complaint is justified. If no resolution can be found the complaint should be referred to the City of London. A Contractor's response to complaints is an important criterion when evaluating the performance of the site for the Considerate Contractor Scheme.
- 2.14 The Contractor must maintain a designated complaints/incidents logbook or register covering:
- the nature of the complaint;
  - the cause; and, where appropriate,
  - the remedial action taken.
- 2.15 The City may request to see the complaints/incidents logbook at any time.
- 2.16 Complaints received by the City of London will be investigated. This will involve discussions with the Contractor and, if appropriate, monitoring or surveillance. Enforcement action may be taken if the complaint/s are justified and sufficient steps have not been taken by the Contractor to resolve matters.

## Other Consultation

- 2.17 The City of London must be told in advance of any unusual activities including planned out-of-hours working. The Site Hours Variation Request Sheet (Appendix H) must be completed and e-mailed to the Pollution Control Team at least 5 days before the activity is

to take place. Approval or the reasons for refusal will be countersigned and e-mailed back. Unless approval is given and the sheet is available for inspection, an Officer attending the site, in response to a complaint, may require the noisy work to stop.

- 2.18 The Pollution Control Team must be supplied with a current 24-hour call out number that will be answered in the case of a complaint or an emergency. It is also recommended that Contractors contact the City of London Police service to ensure a security assessment is carried out.
- 2.19 Where construction activities are being undertaken on two or more sites in close proximity, regular meetings should be arranged and attended by representatives from each site and the City of London in order to minimise cumulative impacts. Items for discussion may include:
- activities to be undertaken;
  - requirements for road closures;
  - out of hours work;
  - neighbour liaison;
  - monitoring results;
  - requirements for mitigation.
- 2.20 The appropriate body must be contacted with regard to wastewater generated from site activities which is classified as trade effluent. See section 7.
- 2.21 Contact must be made with the City of London Drainage Services Group (020 7332 1105) or Thames Water Utilities (0800 3169800) before any work is undertaken on connections to sewers or drains running under the public highway. See Section 7.
- 2.22 The Contractor must ensure that the Department of Built Environment (Development Management) has been contacted via 020 7332 1710 to establish whether the site contains a listed building, scheduled ancient monument or archaeological remains, and what specific requirements are included in the planning permission, listed building consent or conservation area consent. Details regarding scheduled monument consent should be obtained from Historic England; their contact number is 020 7973 3000. See Section 8.
- 2.23 The Contractor must ascertain whether any trees on the site or in immediate area are either protected by Tree Preservation Orders or fall within a Planning Conservation Area prior to works starting. This may be done by contacting the Department of the Built Environment (Tree Officer) on 020 7332 1708. See Section 8.
- 2.24 Prior to commencement of works on-site, an ecological survey should be undertaken by a qualified professional to confirm the absence of birds, bats and any other protected species which may be nesting/roosting within buildings or vegetation. If present, appropriate mitigation measures should be undertaken following consultation with the City's Department of Open Spaces who can be contacted on 020 7332 3505. See Section 8.

### **Considerate Contractor Scheme**

- 2.25 The Considerate Contractor Scheme (CCS), pioneered by the City of London in 1987, aims to encourage building and civil engineering Contractors working adjacent to the City's streets to carry out their operations in a safe and considerate manner, with due regard to passing pedestrians and road users. Details are set out in Appendix C of this Code. As part of the scheme, all Contractors will be evaluated by the Pollution Control Team for their level of co-operation and compliance with this Code of Practice.

## 3 Noise

### Summary:

The Contractor must:

- contact the Pollution Control Team to agree the working hours and methods to be used which may generate noise and vibration prior to the commencement of any work on site (see Section 2 – Scheme of Protective Works);
- Adhere to ‘standard’ hours for noisy site work and ensure that best practicable means are used to mitigate noise and vibration impacts on neighbours;
- Observe ‘quiet hours’ where City business activities may be affected by noise or vibration;
- ensure that if work is planned to take place outside the ‘standard’ hours, prior approval is obtained from the Pollution Control Team using the ‘Site Hours Variation Request’ procedure

### Introduction

- 3.1 The high level of intensive development in the City, including major office redevelopments in the east and infrastructure projects, can have significant environmental impacts on occupiers of nearby noise sensitive premises. Protecting City businesses, residents and other noise sensitive premises (e.g. schools) from noise and vibration impacts of construction sites is essential to the City’s continuing reputation as an excellent place to live, work and to do business.
- 3.2 This Code of Practice is a notice of the City of London’s general requirements under Section 60 of the Control of Pollution Act 1974. The Contractor may also be informed of additional requirements during consultations with the City of London.
- 3.3 Complaints about excessive noise disturbance found to be justified may result in a Section 60 notice, under the Control of Pollution Act 1974, being served by the City of London. This will generally require the Contractor to adhere to these quiet working hours.

### Hours of Work

- 3.4 Prior to commencing work, Contractors **must** contact the Pollution Control Team in order to agree hours of work. If no-one is disturbed by works then 24-hour working may be considered; however, such circumstances are rare in the City. Where residents and commercial activities are significantly affected or are likely to be affected, the standard times of operation will be imposed.
- 3.5 **Standard Hours**  
‘Standard’ hours permitted for **noisy** work will normally be the following:
- 08:00 - 18:00 hours (Monday to Friday);
  - 08:00 - 13:00 hours (Saturday) ;
  - No noisy working is permitted on Sundays, Bank or Public Holidays.

### 3.6 ***Quiet Hours***

The City also requires time restrictions on noisy works to reduce noise disturbance to businesses. These times are known as '***quiet hours***' which are:

- 10:00 - 12:00 (Monday to Friday);
- 14:00 - 16:00 (Monday to Friday).

'Quiet hours' are put in place to give nearby commercial occupiers at least 4 hours without noisy working from street and construction sites during the working day. These periods may be subject to variation in particular circumstances, for example during lunchtimes, adjacent to eating places or businesses where the majority of trade is carried out at lunchtimes.

### 3.7 ***Work outside standard hours and during quiet hours***

Outside '*standard hours*' and during '*quiet hours*' the following noise generating activities will not usually be permitted where the activities are likely to cause disturbance:

- Cutting using power tools;
- Breaking out using power tools;
- Other noise generating activities, depending on the specific location of site and neighbours.
- The use of impact fasteners;
- The loading of heavy materials;
- Other noisy activities, depending on the specific location of site and neighbours, deemed unacceptable by Environmental Health Officers.

Where there is no disturbance from these activities it is likely that variations will be permitted, see 3.10 below.

3.8 Noisy work outside 'standard hours' or during 'quiet hours' will be considered in order to support the City's businesses and also the needs of local neighbours e.g. proximity to restaurants, places of worship or residential properties.

3.9 ANY works outside the 'standard hours' or within the 'quiet hours' can only be undertaken with the approval of the City using the Site Hours Variation Request Sheet (Appendix H). Approval will be conditional on the Contractor submitting the following:

- Details of site and out of hours contacts
- Details of site operations and location
- Dates and proposed hours
- Reasons and justification for the request
- Proposed plant to be used
- Predicted noise levels at sensitive locations
- Mitigation measures
- Neighbours affected and copies of written notifications.

Variations will be approved for works where impacts can be demonstrated to be low, in locations where there are no affected neighbours or for safety, logistics or engineering reasons. Variations may be refused if the impacts on neighbours are considered high and cannot be mitigated or previous variations have not been fully complied with.

3.10 Where, in the opinion of Environmental Health Officers, structurally transmitted noise adversely affects neighbours, a likely restriction between 09:00 - 17:00 hours will be imposed. For complex sites with a neighbour mix including residential, retail, and commercial properties, advance negotiation with all parties and the Pollution Control Team is expected of the Developer/Contractor, as restrictions may have significant implications for cost and timing of the project.

## Noise and Vibration Monitoring Regimes and Limits

- 3.11 The City requires Contractors to undertake and submit predictions of noise and vibration levels at identified locations and any identified sensitive receptors. Regular intelligence-led monitoring of noise and vibration levels is also expected to be undertaken by looking at the work programme and identifying aspects likely to cause significant noise/vibration. Receptor points are to be agreed with the City of London prior to initiation of predictions and monitoring. Results should be compared against suitable baseline data as a useful means of:
- Controlling noise and vibration, and identifying problems at an early stage (it is particularly valuable to carry out monitoring during the early stages of a project);
  - providing an objective basis for evaluating complaints; and
  - safeguarding Contractors against claims of damage.
- 3.12 Prior to commencing work, it is essential to undertake monitoring of ambient noise levels around the site at sensitive neighbours (this should be agreed with the City Pollution Control Team). This will provide baseline data for comparison with levels present during the works. This baseline assessment should be submitted to the Pollution Control Team. A baseline vibration exercise will be unnecessary unless neighbours are clearly affected by any existing source of substantial vibration e.g. a tube line.
- 3.13 Where there are party walls or neighbours are otherwise directly attached to elements of the site, the noise, vibration and structural implications of the proposals will require individual and detailed evaluation.
- 3.14 In some circumstances, the Pollution Control Team may require continuous monitoring combined with a real-time alarm system, with details to be agreed on an individual basis. Informal site boundary walk about to monitor noise as experienced by neighbours is highly recommended to understand the impact site may be having.
- 3.15 Noise measurements should ideally be taken with a Class I Integrating Logging Sound Level Meter calibrated (before and after) with a Class I Acoustic Calibrator.  $L_{Aeq}$  and  $L_{AFmax}$ , noise levels should be recorded (as a minimum) together with a record of all events potentially affecting the noise level at the time of monitoring.
- 3.16 *Note: The period over which the  $L_{Aeq}$  parameter should be averaged must be agreed with Environmental Health Officers.*

### Noise Limits

- 3.17 The suitability of specific noise limits is highly dependent upon the individual situation. The factors to be considered include:
- The characteristics of the noise and its potential effect on the neighbours;
  - Baseline ambient noise levels; and
  - The nature and duration of the works.
- 3.18 In addition, following complaints, specific noise levels may be set to prevent speech interference in offices and loss of trade.
- 3.19 The City of London expects noise from the site to be controlled to an acceptable level. In the City environment this can be a difficult balance and 'best practicable means' must be applied to reduce noise and vibration as far as possible.

- 3.20 Noise levels within businesses during noisy periods must enable workers to carry out conversations, both face-to-face and on the telephone, and allow normal business to be conducted. It is considered that an internal noise level of 65 dBA or above is likely to cause annoyance and interference (dependent on the noise characteristics).
- 3.21 Such noise should be restricted to hours outside the normal working day of 09.00 – 17.00. Timings of works with noise levels exceeding 65dBA should be discussed and agreed with Environmental Health Officers prior to commencing.

### ***Vibration Limits***

- 3.22 When carrying out works which may produce vibration, all potential receptors must be considered, with particular attention to be paid to the following:
- Occupiers and users of buildings
  - IT related issues;
  - Hospitals or laboratories
  - Cosmetic or structural damage to buildings or heritage sites.
- 3.23 People's response to perceptible vibration is accentuated by their fear of building damage. Suitable guidance upon the levels of vibration, which may cause building damage, can be found in BS 7385-2:1993.
- 3.24 Guidance relating to the potential effect upon the operation of computers and other relatively sensitive equipment can be found in BS 5228-2:2009+A1:2014.
- 3.25 Complaints of vibration are usually concerned with fear of the unknown and the potential effects of relatively low levels of vibration in buildings. This problem is best addressed by:
- Liaison with all parties potentially affected, with explanations given of precisely when they are likely to be affected by specific activities;
  - Monitoring affected parties to reassure occupants as to the relative levels of vibration compared with building effect (BS 7385-2:1993).
- 3.26 Vibration meters should preferably record 3 orthogonal Peak Particle Velocity values (15 minutes of 10 second or shorter samples). Where complaints are received, the Contractor/client should consider the need for monitoring at neighbouring premises.

## **Working Methodologies, Noise and Vibration Control Measures**

### ***General methodologies***

- 3.27 In addition to working hours and community liaison, all works must be carried out in accordance with BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014. All works must employ Best Practicable Means as defined by Section 72 of the Control of Pollution Act 1972 to minimise the effects of noise and vibration. The City must be satisfied that all means of managing and reducing noise and vibration, which can be practicably applied at reasonable cost, have been implemented.
- 3.28 A written evaluation of methodologies used must be made available to the City of London and include justifications with regards to the minimisation of noise and vibration (see section 2 and figure 2.4).

- 3.29 The City considers the off-site prefabrication or preparation of as many building elements and materials as possible an essential requirement for Best Practicable Means, in particular for the cutting of decking and steelwork.
- 3.30 Where appropriate, the following measures to minimise noise and vibration levels should be adopted:
- Employing only modern, quiet and well-maintained equipment (all equipment must comply with the EC Directives and UK Regulations set out in BS 5228-1:2009+A1:2014);
  - Using low impact techniques, such as demolition munchers and bored or hydraulically-jacked piling rigs;
  - careful planning of the sequence of work in order to minimise the transfer of noise/vibration to neighbours;
  - using fully silenced modern piling rigs selecting pressed in methods or auger over higher impact methodologies
  - Careful operation of the piling rig so there is ***no reversing*** of the Kelly/auger bars;
  - using electrically powered equipment run from the mains supply;
  - use of screws and drills rather than nails for fixing hoardings etc;
  - use of an alternative to percussive drills / hammer where possible
  - use of plasma cutters where cutting on site is the only alternative
  - careful handling of materials & waste such as lowering rather than dropping items;
  - taking steps to isolate the deconstruction works from sensitive neighbours, in order to minimise the transfer of vibration and structure borne noise;
  - erection of acoustic screens or enclosures wherever possible;
  - avoidance of unnecessary noise (such as engines idling between operations, shouting, loud radios or excessive revving of engines) by effective site management.
  - Concrete pours and finishing must be planned to avoid overruns past the standard hours, the pour size and concrete workability must be considered. The Contractor must enter into a written protocol with the concrete supplier regarding timing of deliveries to ensure works can be completed within the permitted hours.
  - The position, location and acoustic shielding of any concrete pumps must be agreed with the Pollution Control Team.
  - Audible alarms must be broadband sound wherever practicable including reversing alarms and other equipment such as mobile elevated work platforms.
  - Pile breaking-out, pile reduction work, and concrete break-out and removal must be carried out, where reasonable and practicable, within a portable acoustic enclosure. The enclosure shall be three-sided with a roof or such other acoustic enclosure.
  - As an alternative to breaking in situ, remove larger sections by lifting them out and breaking them down off site.
- 3.31 Where control at source is not practicable or adequate, the distance between noise/vibration sources and sensitive neighbours should be maximised and the transmission path interrupted, with options considered in the order of source-pathway-receptor. Where practical this can be achieved by:
- Siting of stationary plant and loading/unloading areas;
  - erecting impervious hoardings, of at least 5 kg/m<sup>2</sup> surface density, where possible higher than the line of sight to neighbours;
  - leaving building façades and boundary walls intact as long as possible during demolition and boarding/bricking up windows;
  - the use of existing non-sensitive structures as shields;
  - the use of temporary structures; and

- cutting of transmission pathways for vibration.

3.32 In addition to mitigation strategies above, a Liaison and Consultation Strategy (as detailed in section 2) should be implemented as an essential element of the Best Practicable Means to minimise the effects of noise and vibration.

### ***Vehicle Movements, Deliveries, Loading and Unloading***

3.33 Vehicle movements, deliveries, loading and unloading can cause considerable noise and disruption to neighbours as a result of the following:

- reversing beacons;
- running engines; and
- noisy material being loaded and unloaded

3.34 All loading, unloading and deliveries of materials and plant to the site and removal of waste should, where possible, be carried out within normal site working hours. Any early morning or evening deliveries must have approval from the Pollution Control Team. This must be requested using the copy of the Site Hours Variation Request Sheet (Appendix H).

3.35 All vehicle movement alarms and reversing beacons must be broadband sound where practicable, engines must be switched off when not in use and unloading conducted with care. The site layout should be designed to minimise potential effects on neighbours. A competent banksman should be employed to provide assistance to vehicles accessing and leaving the site, thereby ensuring minimal traffic disturbance and pedestrian safety.

3.36 Vehicle movements should be planned to ensure that lorries do not arrive or depart outside standard hours. No daytime or night-time parking of lorries will be permitted outside agreed areas.

3.37 Where appropriate, deliveries should be arranged on a just-in-time basis in order to prevent vehicles queuing outside site.

3.38 Appendix F of this code summarises the City of London's traffic management requirements for vehicle movements, site deliveries, street closures, crane operations and abnormal loads. This can be copied for use by Sub-Contractors and others.

### ***Party Wall work***

3.39 Work to party walls and major works in partially occupied buildings will be strictly controlled, and are **usually barred between 09:00 and 17:00 hours** when noise and/or vibration could be transmitted to neighbouring properties and businesses. Working hours for Party Wall work must therefore be agreed with the City's Pollution Control Team prior to works commencing.

3.40 Vibration monitoring should be considered to reassure neighbours and assist in demonstrating that levels do not exceed those which may cause structural damage to adjoining buildings. Complaints relating to vibration can cause considerable delays, particularly during demolition piling and ground work phases of construction activities. Noise should also be considered to assist in determination of acceptable levels.



- 3.41 Where works are carried out close to, or on, a party wall, The Party Wall Act 1996 may apply. The Contractor must consider all aspects of this Act and allow sufficient time to comply with it.

### ***Scaffolding and Gantries***

- 3.42 Scaffold erection or dismantling can cause disturbance to site neighbours. All works must be undertaken in accordance with the Department of Built Environment's Highways Division Guidance Notes for Activities on the Public Highway and be subject to a licence under the 1980 Highways Act. Subsequent erection and dismantling activities must be agreed with the Pollution Control Team, and comply with prescribed times.
- 3.43 Appendix D sets out detailed information on the requirements of the City for scaffolding and gantries.

### ***Cranes, Lifting of Heavy Equipment, and consequent Road Closures***

- 3.44 The erection of fixed cranes, rigging, and use of mobile cranes on the highway and lifting of heavy equipment often has to be undertaken outside normal working hours. All these street-based activities require prior consent from *both* the Highways Division *and* the Pollution Control Team. Although it is normally the crane company's responsibility to obtain prior approval for the works, the Contractor should ensure this has been done.
- 3.45 The Pollution Control Team's approval for the work is required to ensure that all plans are appropriate for the location, and that steps have been taken to mitigate any disturbance to commercial or residential neighbours. The application for this must be accompanied by a lifting plan.
- 3.46 The correct procedure involves the following:
- See: highway licences page to ensure all relevant authorisations have been obtained
  - Telephone the Pollution Control Team to agree the outline proposals (020 7606 3030).
  - The 'mobile crane environmental health authorisation notice & structures notification form' (Appendix I), together with a lifting plan, should be fully completed and returned to the Pollution Control Team for scrutiny/approval.
  - Once received, the completed application form will be checked, any necessary amendments agreed with the sender, and returned to the applicant with the appropriate signature. This can then be presented to the City's Street Management Office at a previously agreed appointment (020 7332 3553).
- 3.47 *Note - The part of Appendix I relating to 'structures authorisation' must also be signed by the crane company's representative. It is the crane operators responsibility to check whether there are any underground 'structures' either under or in the vicinity of the highway where the crane operation is sited - see Appendix F for full details.*
- 3.48 Crane oversailing must be agreed with the City of London and/or site neighbours. Under section 177 of the Highways Act 1980, site cranes require a licence if the jib at any point extends over the public highway. Application for this licence should be made to the Department Built Environment's Highways Division. A charge may be levied for oversailing the public highway.

## 4 Air Quality

### Summary

The Contractor must:

- Submit a Scheme of Protective Works which includes an Air Quality Dust Management Plan (AQDMP) which details techniques to be adopted that ensure the air quality in the City of London is not adversely affected by activities at and associated with the development site.
- The AQDMP should be produced in line with the requirements of this section which includes a consideration of:
  - ✓ Summary of works that may impact air quality
  - ✓ Complaints and incidents procedure
  - ✓ Staff training relating to air quality matters
  - ✓ Site Plan
  - ✓ Air quality monitoring considerations and trigger levels
  - ✓ Machinery and equipment used on site (*NRMM compliance / minimised generator use / concrete crushers/ no-idling policy*)
  - ✓ Working methodologies and emission controls to be employed

### Introduction

- 4.1 Under Part IV of The Environmental Act 1995 and the Governments UK Air Quality Strategy, Local Authorities are required to work towards achieving national air quality objectives. The City of London has some of the worst air quality in the Country and has been declared an Air Quality Management Area for PM<sub>10</sub> (fine particles) and nitrogen dioxide.
- 4.2 The UK is facing the prospect of large fines from the European Commission for failure to meet air quality Limit Values. Recent studies have demonstrated that poor air quality and dust have a significant impact on public health in London, with the equivalent of over 10,000 premature deaths in London in 2010 attributable to poor air quality; this issue is now therefore of the highest priority.
- 4.3 Construction and de-construction sites in the City are therefore expected to meet the highest possible standards for control of air pollution and dust.
- 4.4 In July 2014, The Greater London Authority (GLA) published the Supplementary Planning Guidance document: 'The Control of Dust and Emission During Construction and Demolition' (SPG). In order to mitigate negative impacts on air quality in the City, the construction and deconstruction industry is expected to employ, as a minimum, methods detailed in the GLA SPG (and subsequent revisions) and detailed in this section.

### Air Quality Risk Categorisation in the City Environment

- 4.5 Where an Air Quality Impact Assessment is created and submitted at the planning stage for approval, it may include an Air Quality Risk Assessment (AQDRA) prepared by a competent person. The GLA's SPG (2014) provides guidance with regard to which sites the GLA consider high risk.

- 4.6 The risk assessment detailed in the SPG requires a detailed understanding of the project and its effect on receptors. The built up nature of the City and its poor air quality means even small scale deconstruction/construction projects can have an adverse impact on air quality. For this reason, all projects will be expected to implement all possible mitigation measures and an explanation provided where they are felt not to be required.

### **Air Quality Monitoring**

- 4.7 The GLA's 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 sections below).
- 4.8 Continuous monitoring positioned between construction sites and sensitive land users, such as buildings with openable 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. Appendix 8 of the GLA's SPG provides details regarding different types of monitoring.
- 4.9 Continuous air quality monitoring will normally be required on large sites adjacent to sensitive premises such as residential properties, schools and St Bartholomew's hospital. This may include dust slides for assessing nuisance dust and real time monitoring to assess PM<sub>2.5</sub> and PM<sub>10</sub>. A site will not normally be required to monitor nitrogen dioxide.
- 4.10 Real time monitoring may involve setting an alarm to alert the site manager if levels of PM<sub>10</sub> go above a set threshold. The threshold value, and type and location of any monitoring equipment should be agreed with the City of London in advance. The threshold value is normally initially set at 150µg/m<sup>3</sup> for PM<sub>10</sub> over a 15 minute period, with the level being reviewed periodically.
- 4.11 Regular patrols outside the site perimeter during potentially dusty works are required. This is to look for visual evidence of dust releases off site and to take appropriate where it is identified. The Contractor shall take any necessary measures to prevent nuisance/adverse effects to people's health.

## Machinery and Equipment on Site (GLA SPG Chapter 7)

- 4.12 **Non-Road Mobile Machinery (NRMM):** NRMM are often fuelled by diesel and therefore give rise to nitrogen dioxide and particulate emissions. Consequently, the need, size and choice of NRMM should be carefully considered; they should also be well maintained.

The NRMM policy is set out in the GLA's Dust and Emissions SPG. Since 1 September 2015 NRMM of net power between 37kW and 560kW used in Central Activity Zone are required to meet the standards set out below. This applies to both variable and constant speed engines for both NO<sub>x</sub> and PM. These standards are based upon engine emissions standards set in EU Directive 97/68/EC, and its subsequent amendments.

- NRMM (within the above kW range) used on any site within the City will be required to meet Stage IIIB of the Directive as a minimum. From September 2018, this requirement changes to Stage IV. Any amendments of the policy and guidance must be adhered to.
- Prior to commencement of any works, all developments within the City must register relevant NRMM online at [www.nrmm.london/register](http://www.nrmm.london/register). There are a small number of permitted exemptions to the above, and more details of this can be found at the website: [www.nrmm.london](http://www.nrmm.london).

The NRMM should be maintained and operated in accordance with the manufacturers guidelines so as to achieve the required emission standard; this includes the grade of fuel used.

- 4.13 **Generators:** Diesel generators give rise to nitrogen dioxide and particulate matter emissions. The use of generators to provide electricity on site should therefore be avoided wherever possible. This can be avoided by ensuring an electrical supply for the site is secured well in advance of works. Alternative technologies are also available and should be investigated.
- 4.14 **Concrete Crushers:** The use of concrete crushers will not generally be sanctioned in the City because of the potential to cause dust and nuisance to neighbours. However, the City of London will allow the use of city crushers to prepare material for piling mats and ramps, as this reduces the number of vehicle movements associated with the site. Any crushing plant would have to be authorised under the Environmental Protection Act 1990. Appropriate measures, such as enclosing the plant and built in water sprays would have to be used at all times.
- 4.15 **Emission management and idling engines:** Machinery must be appropriately sized and sourced for use and well maintained and used in accordance with manufactures guidelines. Machinery and vehicles must not be left idling either on site or waiting for access to the site as this gives rise to unnecessary air pollution. It is a requirement of *Regulation 98 of the Road Vehicles (Construction and Use) Regulations 1986* (as amended) for drivers to switch off their engines in parked vehicles. Failure to turn off an idling engine if requested may lead to a Fixed Penalty Notice being issued under the *Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002*.

## **Scheme of Protective Works and Air Quality Dust Management Plan (AQDMP)**

- 4.16 Scheme of Protective Works will need to be submitted to the City Corporation and approved prior to works commencing on-site, which should include an Air Quality and Dust Management Plan (AQMDP).
- 4.17 The AQDMP should detail measures to reduce on site emissions and a consideration of utilising dust and emission reduction measures detailed below. It should also be kept under review so that changes to the timetable and potential emissions can be mitigated.
- 4.18 The AQDMP should be produced prior to any demolition or construction works, agreed with the City Corporation, and should contain details of the following:
- **Summary** of the work to be carried out and an inventory and timetable of all dust and NOx air pollutant generating activities
  - **Liaison and consultation strategy** relating to works which may impact on air quality
  - **Complaints and incidents:** methodology for recording action taken in response to incidents.
  - **Staff and training:** The identification of trained and responsible person on site for air quality and the training schedule for all staff e.g. toolbox talks relating to idling engines
  - A site **plan(s)** showing:
    - sensitive receptors
    - site layout and access (with wheel check and wash facilities shown)
    - air quality monitoring locations
    - site equipment including generator location
    - location of water for damping down
    - fuel stored on site
    - reference to the CLP which contains proposed haulage routes and vehicle waiting areas
  - **Monitoring:** Summary of monitoring methods (if applicable), trigger levels and procedure for mitigation when exceeded.
  - **Machinery:**
    - confirmation that **NRMM** compliant equipment will be sourced and registered on the GLA website;
    - a commitment to sourcing power for the site which does not involve diesel **generators**;
    - details regarding **concrete crusher** use
    - emission management plans which includes no-engine **idling**, both on and off site
  - **working methodologies and controls measures** should be included in the AQDMP for all relevant activities which may affect air quality. The controls implemented should include those detailed in sections 4.19-4.29 below. The scheme should consider the entire lifetime of the project and sequence of works.

## Working Methodologies and Control Measures (SPG chapter 5)

- 4.19 Activities undertaken on site must be done so with methodologies which reduce the likelihood of dust generation and the worsening of air quality. With reference to the Mayors SPG, the phases are works which could create emissions that affect human health and the environment are:
- Demolition
  - Earthworks
  - Construction
  - Trackout
- 4.20 The following control measures should be incorporated for the relevant phases. The AQDMP can state it will adhere to this code, rather than detail all methods that will be adopted; however, where measures are not adopted, the AQDMP should detail why they have not been adopted in discussion with the City Corporation.

### General measures and details for Demolition, Earthworks, Construction and Track-out

#### 4.21 *Preparing the site:*

- a. Plan site layout: Dusty activity should be planed away from sensitive receptors, with wind direction taken into consideration.
- b. All sites should be screened / wrapped to prevent offsite dust deposition and plans made for dust generating activities to be screened and water available for damping down.
- c. Install green walls, screens or other green infrastructure to minimise the impact of dust and pollution.
- d. Provide showers and ensure a change of shoes and clothes are required before going off-site to reduce transport of dust.
- e. Where air quality monitoring is proposed, select appropriate locations and commence baseline monitoring at least three months before phase begins. Ensure the equipment is maintained and calibrated in accordance with the manufacturer's guidelines.
- f. Plan for wheel washing facilities, where space allows.

#### 4.22 *Inspections, liaison and complaints:*

- a. Hold regular liaison meetings with other high risk construction sites within 500m of the site boundary to ensure plans are coordinated and dust and particulate matter emissions are minimised.
- b. **Site inspections and record keeping:** Carry out regular site inspections to monitor compliance with air quality and dust control procedures including:
  - checking for spillages of cement and other powders which should be removed to prevent off-site deposition)
  - checks of buildings within 100m of site boundary (cleaning to be provided if necessary).
- c. Record inspection results, and make an inspection log available to The City Corporation when asked. The frequency of site inspections should be increased by those accountable for dust and air quality pollutant emissions issues when activities with a high potential to produce dust and emissions and dust are being carried out, and during prolonged dry or windy conditions.
- d. **Incidents and Complaints:** Record any exceptional incidents that cause dust and air quality pollutant emissions, either on or off the site, and ensure the action taken to resolve the situation is recorded in the log book. Record and respond to all dust and air quality pollutant emissions complaints and make a complaints log available to the local authority when asked.

#### 4.23 ***General site Management and Operations:***

The operator should ensure fumes and/or dust do not escape from the site to affect members of the public and the surrounding environment:

- a. By using processes which do not generate fumes and/or dust and dusty material.
- b. Ensure an adequate water supply and water pressure (using groundwater / recycled water where possible) or local exhaust ventilation is available on the site for effective dust/particulate matter mitigation for:
  - damping down dust generating activities and unsealed areas in dry weather
  - using mobile sprinkler systems and mobile bowsers
  - using equipment fitted with fine mist sprays during dust generating works
  - collecting dusty material during dusty works
- c. Use enclosed (rubber) chutes, conveyors, covered skips, sheeting, bagging and minimize drop heights to reduce the amount of dust produced on site.
- d. Solid screens or barriers of appropriate height should be erected around dusty activities and/or the site boundary. Where there is a high dust potential, these areas should be fully enclosed, where possible. The site fencing, barriers and scaffolding should be kept clean using wet methods.
- e. Ensure equipment is readily available on site to clean any dry spillages, and clean up spillages as soon as reasonably practicable after the event using wet cleaning methods.
- f. The burning of materials on site is not permitted under any circumstances.
- g. Careful consideration should be given to the location and temperature control of tar and asphalt burners and the lid should remain closed when heating.
- h. Avoid site runoff of water or mud.
- i. Remove materials from site as soon as possible.
- j. Off-site fabrication, cutting, grinding and sawing should ideally be undertaken off site. If the work must take place on site, the following techniques should be used. It will be the Contractor's responsibility to demonstrate that stated methodologies are not available, and that every effort has been made to acquire them:
  - Only use cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction.
  - Areas used to undertake cutting and grinding should be screened; and
  - Shears and guillotines or burners should be used in preference to disc cutters on activities such as re-bar cutting and decking.

#### 4.24 ***Vehicles, Machinery and sustainable travel***

Vehicle choices and management can have a significant impact on air quality within the City of London. For this reason, the following should be adhered to:

- a. Ensure all on-road vehicles comply with the requirements of the London Low Emission Zone and any subsequent traffic management policies to improve air quality.
- b. Ensure a consideration of items in sections 4.12-4.15 (NRMM compliance, minimised generator use, appropriate concrete crusher use and no idling engines)
- c. Wherever possible, vehicle movements should be minimised through considered logistics planning and liaison with other sites within close proximity. To that end, produce a Construction Logistics Plan to manage the sustainable delivery of goods and materials and implement a Travel Plan that supports and encourages sustainable travel to and from site.
- d. Prevent the occurrence of smoke emissions or fumes from site plant or stored fuel oils by ensuring plant is well maintained and measures are taken to ensure they are not left idling when not in use.
- e. Low sulphur diesel fuel should be used.
- f. Wheel washers to be used on vehicles leaving the site (where site on space allows);

- g. Where there is a potential for dust releases lorries and skips leaving the site to be covered; and
- h. The generation of dust whilst loading or unloading materials must be controlled.

**4.25 *Waste management (see section 6 of this code).***

- a. Reuse and recycle waste to reduce dust from waste materials
- b. NO bonfires or burning of waste materials.

**4.26 *Measures and details specific to Demolition***

- a. The use of 'long arm' demolition equipment and methods using explosives will not generally be sanctioned in the City, except where the work is within an enclosure or underground.
- b. Soft strip inside buildings before demolition (retaining walls and windows in the rest of the building where possible, to provide a screen against dust).
- c. Ensure water suppression is used during demolition operations.
- d. Explosive blasting is not permitted, use appropriate manual or mechanical alternatives.
- e. Bag and remove any biological debris or damp down such material before demolition.

**4.27 *Measures and details specific to Earthworks***

Due to site space restrictions, it is anticipated that material will not be stored on site for extended periods within the City. Where it is, reference needs to be made to contaminated land requirements in section 5. When material is stored or moved, operations should be employed which minimise dust releases by stabilising stockpiles and damping down when dry or moved.

**4.28 *Measures Specific to Construction***

- a. Scabbling should be done off site and will not generally be allowed in the City due to the amount of dust generated;
- b. Ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out, (unless this is required for a particular process, in which case ensure that appropriate additional control measures are in place)
- c. Ensure bulk cement and other fine powder materials are delivered in enclosed tankers and stored in silos with suitable emission control systems to prevent escape of material and overfilling during delivery.
- d. For smaller supplies of fine powder materials ensure bags are sealed after use and used and stored appropriately to prevent dust.
- e. Spraying of intumescent fire paint and cementations fibrous fire spray should not be carried out in the city, due to air quality issues and difficulties in encapsulating areas and will only be permitted when working areas can be full encapsulated and air monitoring carried out

**4.29 *Measures Specific to Trackout***

- a. Ensure vehicles entering and leaving sites are securely covered to prevent escape of materials during transport.
- b. Install hard surfaced routes and areas to work, which are regularly damped down with fixed or mobile sprinkler systems or water-assisted dust sweepers. Areas should be regularly cleaned (avoiding dry sweeping of large areas). Hard surfaced areas should be



- inspected for damage and repaired where required.
- c. Record all inspections of surfaces and routes to and from site and any subsequent action in a site log book.
  - d. Ensure there is an adequate area of hard surfaced area between the wheel wash facility and the site exit, where possible. Access gates should be ideally located at least 10m from receptors.
  - e. Where reasonably practicable, implement a wheel washing system (with rumble grids) to dislodge accumulated dust and mud prior to vehicles leaving the site.
  - f. Apply dust suppressants to locations where a large volume of vehicles enter and exit the site (See GLA SPG for guidance with regard to dust suppressants).

## 5 Contaminated Land

### Summary

Where the site is suspected of being affected by contamination, then appropriate investigations and a subsequent remediation strategy and verification programme will be the subject of planning conditions for any works that require planning approval.

Irrespective of whether or not the development is subject to such planning conditions, it is the responsibility of the Contractor to ensure that appropriate investigations and risk assessments have been carried out to characterise the ground conditions. It is similarly the Contractor's responsibility to ensure that appropriate action is taken and/or mitigation measures put in place to ensure that:

- The works themselves do not pose any unacceptable risks to human health (including construction workers, neighbours and the general public), controlled waters or other eco systems.
- The development once completed does not pose any unacceptable risks to human health (including subsequent construction/maintenance workers, future occupants, neighbours and the general public), controlled waters and other eco systems.

It is also the Contractor's responsibility to ensure that:

- The City of London's Pollution Control Team is notified of any ground contamination that is found either during prior investigation or subsequently during development
- Any remediation which takes place is approved by the City of London's Pollution Control Team and is thoroughly documented in the form of a verification report.

### Introduction

- 5.1 It is the duty of the Contractor to ensure that adequate work has been done to investigate, evaluate and manage risks from contaminated land (whether it originates on the site or not) to human health, controlled waters and other eco systems.
- 5.2 General guidance is provided by the Environment Agency on its *Land Contamination: Technical Guidance* website page which may be found at <https://www.gov.uk/government/collections/land-contamination-technical-guidance>. The Agency's guiding principles of managing and reducing contaminated land are explained in "*GPLC2 - FAQ's, technical information, detailed advice and references*" which may be accessed at the above website. The technical framework for the management of contaminated land is provided in the Agency's publication "*Model Procedures for the Management of Land*", report CLR11" which also may be accessed via the above website.
- 5.3 The technical framework is underpinned by a large number of Environment Agency reports and tools, British Standards and other industry technical reports which give specific guidance on the various aspects of investigation, evaluation and mitigation of risks posed by contamination. Again the Environment Agency website above provides a link to its own reports and tools. Cl:aire, CIRIA and the BRE are other sources of industry reports, many of which are included in the references section below.

- 5.4 The assessment of contaminated land in the UK is a risk based one. This means that although contamination may exist in, on or under land, this may not in itself present an unacceptable risk. A risk arises when there is a pollutant linkage i.e. a receptor (such as humans) may be impacted by a source (such as hydrocarbon contamination within the ground) via a pathway (such as inhalation of vapours). That risk only becomes unacceptable once the magnitude of the risk exceeds a set limit.

### **Phased Approach**

- 5.5 The investigation and assessment of contaminated land requires the assessor to identify potential sources of contamination, receptors and the potential pathways that may connect them to establish potential pollutant linkages.
- 5.6 The investigations should be undertaken, in a phased manner, with the results of each phase being used to decide whether or not there is a requirement to proceed to the next phase. In some cases iterative investigation may be required. At each step the Contractor should liaise with the Pollution Control Team before proceeding to the next phase and where a phase indicates that no unacceptable risks exist then must seek the Pollution Control Team's approval before omitting subsequent phases.
- 5.7 The methodology for site investigation appraisal and assessment is outlined in the documents detailed above. The process of phased and iterative assessment is summarised in CLR11, Figure 1.
- 5.8 The City of London is a densely populated area which has had a long history of previous development including a range of potentially contaminating industrial uses. As such the possibility of contamination must be assumed on all development sites. The City Corporation will require, as a minimum, a Phase 1 Desk Study and Conceptual Site Model (CSM).
- 5.9 Where contamination is found (albeit on or off site) that poses unacceptable risk, then a Remedial Options Appraisal shall be carried out to ensure that the selected option meets the City's targets for sustainable development as well as providing the required mitigation measures.
- 5.10 Where remediation is required then a detailed Remediation Method Statement shall be provided to the City Corporation for approval prior to commencement of any remediation works. The Remediation Method Statement should include an Environmental Monitoring Plan where it is identified that the remediation works themselves may pose a potential risk to human health, controlled waters or other eco systems.
- 5.11 On completion of the remediation, a verification report shall be provided. The verification report should contain documentary evidence of the remediation works carried out together with photographs and laboratory test results to support decisions made on site.

### **Local Context**

#### **5.12 *Geology and Groundwater***

Due to the historical redevelopment of the City made ground is expected to present (to varying thickness) across the area. Made ground or fill is by nature highly variable in

composition and may contain contaminated and/or putrescible material. It can therefore be potential source of contamination and landfill gas.

- 5.13 The City of London is mapped by the British Geological Survey as being entirely underlain by London Clay which is classified as Unproductive Strata.
- 5.14 Superficial deposits overlying the clay include Alluvium associated with the River Thames along the southern boundary, and in linear deposits in the central and western areas of the Borough. Hackney Gravel, Taplow Gravel and Lynch Hill Gravel are mapped across the Borough and are classed as a Secondary Aquifer. Areas of Langley Silt Member are mapped in the southern and eastern parts of the Borough.
- 5.15 ***Surface Water***  
The primary surface water feature within the City of London is the River Thames located along the southern boundary of the Borough. The River Fleet and Walbrook are both culverted, flowing south beneath the City and discharge into the Thames.
- 5.16 ***Historical Uses***  
The City of London has a long history of industrial use dating back to the Roman era. Historical maps of the borough available from the 1870s detail a number of industrial land uses which include (but are not limited to) warehouses and wharves (predominantly along the River Thames boundary), railway land, factories and works including printers, hatters, furriers and foundries; some historic uses can be seen on the City's [interactive map](#).
- 5.17 ***Unexploded Ordnance***  
Approximately half of the borough is mapped as having suffered WWII bomb damage. Published copies of bomb damage maps are available on the Council web site as well as the website 'Bomb Sight' which records the positions of bombs which landed across London.
- 5.18 A desk based UXO risk assessment should be undertaken, as a minimum, by an appropriately qualified person for all works where ground is to be 'broken'. Mitigation measures may be required for intrusive works and or construction, with appropriate contingency measures in place to deal with any suspect items.

## **Key Personnel**

- 5.19 Due to the highly complex nature of site investigation, risk assessment and remediation design; it is strongly recommended that the Contractor appoint a specialist consultant at the earliest opportunity. In any case any contaminated land report, risk assessment, options appraisal, remediation strategy or verification report must be prepared and countersigned by a Competent Person.
- 5.20 A competent person is someone who has the appropriate qualifications and experience to undertake the task in question. The Contractor may wish to use the services of a SiLC (Specialist in Land Condition). A register of SiLCs may be found at <http://www.silc.org.uk/silc-register/>. Subject to discussion with the Pollution Control Team, the City Corporation requires that all contaminated land reports are signed off by a SQP (Suitably Qualified Person as defined under the National Quality Mark Scheme).

- 5.21 The Pollution Control Team are responsible for approving contaminated land reports and the Contractor is advised to contact the Team in the early stages of planning.

### **Unexpected Contamination**

- 5.22 If any undetected or unexpected contamination or ground gas is identified or suspected during the course of the development works, the Contractor must stop work, seek the advice of a competent person and undertake whatever further specific investigations are required to characterise the contamination and develop an appropriate remediation strategy. Where ground contamination is identified, the Pollution Control Team must be notified. Where ground-water contamination is suspected, then the Environment Agency and Pollution Control Team must be contacted. All remedial work must be approved by the Pollution Control Team.

### **Waste Disposal**

- 5.23 All projects with an estimated construction cost exceeding £300,000 excluding VAT require a Site Waste Management Plan and in any case all waste must be disposed of in accordance with current legislation.
- 5.24 Appropriate soil tests must be carried out on all soils removed from waste to ensure an accurate and appropriate waste classification.
- 5.25 It is a requirement of the waste legislation that hazardous and non-hazardous waste be treated prior to disposal to change the characteristics of the waste and in so doing either reduce the volume and/or hazardous nature of the waste and/or facilitate handling and/or recovery. Additional hazardous and non-hazardous waste must be separated.
- 5.26 Soils may be classified as non-hazardous or hazardous waste on the basis of its chemical content.
- 5.27 Particular attention is drawn to the subject of asbestos in soils. Where the asbestos content exceeds 0.1% by volume OR a competent person is able to detect asbestos containing materials with the naked eye. The latter is likely to apply at asbestos concentrations significantly lower than 0.1%

### **Re-use of Soils**

- 5.28 The City of London promotes sustainable development and in this respect is supportive of soil re-use where appropriate.
- 5.29 Where soils are to be re-used on the subject site (Site of Origin) or another site (Receiver Site), then it is recommended that this is done in accordance with the CLAIRE Code of Practice, otherwise the soils may be classified as waste, requiring an EA permit or EA exemption before it may be reused.
- 5.30 It is noted that only natural soils (e.g. London Clay) may be moved and reused on another site, whereas made ground or natural soils may be re-used on the site of origin provided it meets key test criteria set out in the code.
- 5.31 Where soils are to be reused on site either in accordance with the Code or under an EA exemption or permit then details must be forwarded to the Pollution Control Team prior to re-use and all such re-use detailed in the final verification report for the site.

## **General Site Activities and Controls**

5.32 Notwithstanding the requirements to remediate or provide mitigation measures to counter ground contamination, the Contractor must also ensure that all its activities are undertaken in such manner as is required to prevent contamination of the ground, ground-water and surface waters. This may include but is not restricted to:

- materials being stored in appropriate conditions to prevent damage/contamination of storage areas;
- containers of hazardous or potentially contaminating materials being sited away from drains and un-surfaced areas;
- containers of hazardous or potentially contaminating materials being fit for purpose, regularly inspected and maintained;
- containers of hazardous or potentially contaminating materials should have secondary containment (such as a bund) to contain any leaks or spills for example, areas used for the storage of diesel fuel or chemicals
- All waste should be clearly labelled and segregated prior to offsite disposal to prevent cross contamination and inappropriate disposal; and
- It is the Contractor's responsibility to ensure that its principal Contractor and sub-Contractors are made aware of the ground conditions and potential hazards associated with those conditions.

## 6 Waste and Materials Handling and Storage

### Summary

The Contractor must:

- ensure a Site Waste Management Plan is developed (if required);
- ensure waste is contained and disposed of in an appropriate manner and in accordance with legislation and the Waste Management Hierarchy; and
- ensure methodologies are adopted that prevent environmental impacts by the mishandling and storage of on-site materials and waste.

### Waste Management

- 6.1 Under the Site Waste Management Plan Regulations (2008), any project costing over £300k is required to produce a Site Waste Management Plan (SWMP). These will be enforced by both the City and the Environment Agency for new build, maintenance, and alteration or installation/removal of services (such as sewerage or water).
- 6.2 The purpose of a SWMP is to ensure that building materials are managed efficiently, waste is disposed of legally, and that material recycling, reuse and recovery is maximised. As such, a SWMP sets out how all building materials, and resulting wastes, are to be managed over the course of a project. For more information, please consult the following websites: [www.defra.gov.uk](http://www.defra.gov.uk) and [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)
- 6.3 Those sites with a budget of less than £300k must manage their waste according to current legislation (see [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)). Evidence of how waste is disposed of, and efforts to reduce and recycle waste, must be maintained and kept on site.
- 6.4 All site waste management must be planned and carried out in accordance with the Waste Management Hierarchy, as demonstrated below:



- 6.5 All wastes must be removed from sites using a registered waste carrier and sent only to disposal facilities authorised to receive it. Disposal must be in accordance with relevant legislation.

- 6.6 All waste documentation - transfer notes, consignment notes, exemptions, waste carrier and facility licences - must be held on site as required by legislation. Such documentation must be maintained to be readily available for inspection at all times.

### **Materials Handling and Storage**

- 6.7 Materials should be stored in appropriate conditions to prevent damage/contamination, of storage areas. Containers should be sited away from drains and un-surfaced areas. Storage containers should be fit for purpose, regularly inspected and maintained, and should all have secondary containment (such as a bund) to contain any leaks or spills.
- 6.8 Fuels should be stored in compliance with the Control of Pollution (Oil Storage) Regulations 2001.
- 6.9 Procedures and training should be in place for the safe delivery and handling of materials, with regular site inspections carried out to ensure that once on site they are stored safely and correctly.

### **Asbestos and other Hazardous Materials**

- 6.10 All work on asbestos and other hazardous materials must comply with current Legislation and HSE Approved Codes of Practice & Guidance.
- 6.11 Before any work is done or commissioned that is likely to disturb asbestos or other hazardous material, the following must be worked out:
- The amount of hazardous material;
  - Where it is and what condition it is in;
  - Whether work is likely to disturb material; and,
  - Whether and how the material needs to be safely protected or removed.
- 6.12 This can be achieved either by checking existing records (such as client's survey, asbestos plan or register) or commissioning a suitable survey before work starts. It is good practice to include the need for such a survey in the initial project cost and programme. For more information, please see the following and associated links:
- <http://www.hse.gov.uk/construction/healthrisks/asbestos.htm>  
<http://www.hse.gov.uk/comah/index.htm>



## 7 Water

### Summary

The Contractor must:

- ensure trade effluent is not discharged directly to surface or foul drains without contacting the appropriate body;
- trade effluent consents are held on site;
- contact the City of London's Drainage Services Group or Thames Water Utilities if work is to be undertaken on sewer connections or drains running under the public highway; and
- ensure the under-ground drainage systems are adequately designed and installed.

### Discharge of Waste Water from Sites

- 7.1 Wastewater generated from site activities including water from dewatering excavations, site run off slurry and bentonite are classified as trade effluent. These should not be discharged direct to surface or foul drains without the consent of the Environment Agency for controlled waters, and Thames Water for others.
- 7.2 The Contractor is responsible for obtaining necessary consents and ensuring compliance with any conditions imposed on them. Copies of consents must be held in a designated file kept on site. In cases of heavy water run-off, sumps must be provided in order to deal with the issue.

### Site Drainage, Temporary and Permanent Connections to Sewers

- 7.3 Contact must be made with the City of London Drainage Services Group (020 7332 1105) or Thames Water Utilities (0845 9200 800) before any work is undertaken on connections to sewers or drains running under the public highway. The following general requirements will have to be met:
- All redundant sewer communication pipe work must be sealed off at the sewer. The remaining pipe work should be removed or filled with a suitable weak concrete, cement grout or other suitable material. This is to prevent any infestation by rodents and avoid the risk of future possible subsidence.
  - All retained sewer communication pipes should be tested and a CCTV survey carried out to ensure they are suitable for the new development and in good condition.
  - In order to prevent rodents or sewer gases reaching the site, temporary sewer communication pipes must be provided with a 'cascade' cast iron interceptor trap to British Standard specification.
- 7.4 It is strongly recommended that all under-ground drainage systems are installed using pipes made of a robust material such as cast iron, and that inspection chambers etc. are properly sealed with bolted down covers. This will prevent later problems from damage by vibration or rodent access.
- 7.5 Wherever it is at all possible, the drainage system serving the proposed development or refurbishment should gravitate to the sewer. This will eliminate the need for pumping of foul drainage to the sewer and the associated problems which regularly occur with this type of installation.

- 7.6 The sewage system within the City of London is vented to atmosphere via vents at road surface level and any increase of discharge velocity resulting from pumped or stored sewage being discharged to the sewer frequently results in complaints of foul smells. These may well be treated as a statutory nuisance by the City of London. The importance of designing a system which discharges to the sewer by gravity wherever practicable cannot be overstated.
- 7.7 *Note: Details of the City's standard drainage connection requirements and the related legislation are shown in Appendix E.*

## 8 Sustainability and Preservation

### Summary

The Contractor should:

- employ best practice and look for new innovative techniques in the priority areas specified to ensure a more sustainable approach;
- ensure the Department of Planning and Transportation has been contacted to establish the status of the site and what specific requirements are included in the planning permission, listed building consent or conservation area consent;
- ascertain whether any trees on the site or immediate area are either protected or fall within a Conservation Area prior to works starting; and
- ensure an ecological survey has been undertaken by a qualified professional and appropriate mitigation measures agreed with the City of London.

### Climate Change and Sustainability

- 8.1 The City of London is working towards limiting the impact of the region and making it more sustainable, demonstrated by (among other projects) the current development of a Climate Change Strategy, and strongly encourages other parties to do the same. Innovation and best practice in this area will therefore be highly regarded in applications for the Environment Award through the CCS.
- 8.2 The Sustainable Development Commission has identified the following key priority areas for action in the UK:
- sustainable consumption and production – greater efficiency in utilisation of resources and minimisation of waste;
  - natural resource protection; and,
  - climate change and energy – both reducing energy consumption and sourcing that energy from more sustainable sources.
- 8.3 Contractors should employ best practice and look for new innovative techniques in each of these priority areas, thus ensuring the process of construction or deconstruction is made more sustainable.
- 8.4 The impact of such techniques, or indeed highlighting of areas for improvement, can be demonstrated by including life cycle analyses for materials/processes or basic carbon footprinting in documentation submitted as part of the planning process.
- 8.5 Examples of actions taken to increase the sustainability of the site could include:
- Use of the Mayor of London's Green Procurement Code, in particular via the procurement of FSC-approved/sustainable timber;
  - Use of non-virgin aggregate;
  - general good practice including ensuring that plant not in use is switched off and that lighting is used only when necessary (such as through the use of timers);
  - Use of energy efficient bulbs or solar powered lighting;
  - the use of existing feeds for power where possible to prevent the need for generators, or the purchasing of energy/electricity from sustainable sources;

- Employment of energy efficient and, where possible, gas powered plant as opposed to petrol/diesel;
- Efficient use of water as a resource, for example in cleaning systems or the implementation of rainwater harvesting.

8.6 For more information regarding climate change and sustainability issues relevant to a particular project or site, Contractors are encouraged to contact the City of London Sustainability Team on 020 7332 3598, or read the Climate Change Adaptation Strategy available at:

<https://www.cityoflondon.gov.uk/services/environment-and-planning/sustainability/Documents/climate-change-adaptation-strategy-2010-update.pdf>

## **Archaeology and Built Heritage**

- 8.7 Much of the City of London is designated as being of archaeological potential. Archaeology is a material consideration of the planning process. Where archaeological remains survive, the archaeological potential is considered as part of the planning application. Where a development affects archaeology, investigation and recording is required as a condition of the planning permission. This may be to ensure the preservation *in-situ* of important archaeological remains and to ensure that a record of the remains is made.
- 8.8 Some monuments and archaeological remains are scheduled ancient monuments under Part I of the Ancient Monuments and Archaeological Areas Act 1979 and scheduled monument consent is required to undertake any work that may affect a scheduled monument. Scheduled Monument Consent is obtained from the Department of Culture, Media and Sport and advice on this is available from Historic England.
- 8.9 Some buildings and structures are included on the statutory list of buildings of special architectural or historic interest. Listed building consent is needed to carry out any work which may affect a building's special architectural or historic interest.
- 8.10 The Contractor must ensure that the Department of the Built Environment has been contacted to establish whether the site contains a listed building, scheduled ancient monument or archaeological remains, and what specific requirements are included in the planning permission, listed building consent or conservation area consent. Conditions of a planning permission may include the requirement of a programme of archaeological work and recording to be carried out as an integrated part of the development, submitted to and approved by the Department of the Built Environment before work commences (contactable via 020 7332 1710).
- 8.11 Advice and details of the need for Scheduled Monument Consent should be obtained from Historic England (contactable via 020 7973 3000).

## **Trees and Wildlife**

- 8.12 The local planning authority has specific powers under the Planning Acts to protect trees and require the planting of a replacement tree in certain circumstances. The Director of Open Spaces is also responsible for the maintenance and management of street trees and trees within some of the city churchyards. The Contractor must therefore ascertain whether any trees on the site or in the immediate vicinity of the site are protected or maintained by the Corporation prior to starting work.

- 8.13 A tree may be protected in one of the following ways:
- By a Tree Preservation Order
  - If it is located within a conservation area
  - By means of conditions on planning permissions or other consents.
- 8.14 The City of London Tree Strategy Supplementary Planning Document (Part 1) and the accompanying evidence and practice guidance (Part 2) sets out a co-ordinated approach to the management of trees in the City of London. It provides advice for anyone wishing to undertake work to existing trees or to plant new trees. It can be found via the following link:
- <https://www.cityoflondon.gov.uk/services/environment-and-planning/planning/heritage-and-design/Documents/Tree-Strat-Part-1-Complete.pdf>
- 8.15 Development schemes can have a major impact on existing trees including street trees. It is essential therefore that the potential impact of the proposed works on these trees is assessed at an early stage prior to the submission of any application. This should include the demolition and construction process and future maintenance of the building. Prior to undertaking any tree works or any works in the vicinity of trees Contractors should consult the City Corporation Tree Strategy.
- 8.16 Prior to commencement of works on site, checks should be undertaken to confirm whether there are any birds or bats that may be nesting/roosting within buildings or vegetation. If present appropriate mitigation measures should be undertaken following consultation with the City's Department of Open Spaces 020 7332 3505.

## 9 Light Pollution

### Summary

The Contractor must ensure:

- nearby residents and commercial occupiers are not adversely affected by light pollution from the site;
- an energy efficient lighting approach is adopted; and
- lighting does not pose a hazard;

### Light Pollution

- 9.1 Light pollution is a statutory nuisance and is defined as any form of artificial light which shines outside the area it is required to illuminate. Unnecessary use of lights is considered a waste of energy (see section 8.5). Any use of lighting should have regard to these facts and should be designed to prevent any nuisance to residents or road traffic and be used primarily for reasons of health and safety or security.
- 9.2 Site lighting should be located and aligned so as not to intrude into residential properties, on sensitive areas, or constitute a road or rail hazard.

# 10 Problems on Site

## Summary:

- If emergency work is required then the Contractor must contact City of London as detailed;
- The Contractor must ensure that systems are in place to enable problems on site to be identified and ensure that appropriate action is taken to mitigate the problem and the appropriate parties are informed.

## Emergency Work

- 10.1 The City of London appreciates that occasionally incidents arise whereby it is impossible or impractical to comply with all the requirements within this Code. In such an event, the Pollution Control Team should be contacted within the hours of 08:00 and 17:00. Outside of these hours The Out of Hours Team should be called on 020 7606 3030, leaving a name, mobile number, the nature of the emergency, and the site address. Following this the Environmental Health Out of Hours Officer will respond by calling the Contractor in order to ensure the presence of an emergency and approve the method of work.
- 10.2 In the event of an environmental incident (e.g. a spillage), steps should be taken to prevent pollution, for example through:
- Protection of drains by the use of drain covers or booms;
  - Use of absorbent granules following an oil/chemical spill; and,
  - Turning off equipment or other sources of noise or dust.
- 10.3 Once the situation has been rectified, full details about the incident and remedial actions undertaken should be provided to the City of London and other relevant authorities, and recorded in the site complaints/incidents logbook.

## Pollution Emergencies

- 10.4 All sites should have a plan, equipment and training in place for dealing with pollution emergencies. A summary of the plan should be visibly displayed around site, and understood by all workers.
- 10.5 For more guidance on such planning, please see the Environment Agency guidance 'Pollution Prevention Pays – getting your site right', downloadable at:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/485173/LIT\\_7481.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/485173/LIT_7481.pdf)

## Pest Control

- 10.6 The City of London has a statutory duty to take such steps as may be necessary to keep the City free from rats and mice this includes enforcement of the *Prevention of Damage by Pests Act 1949*.
- 10.7 When an occupier of any land, including a construction site becomes aware of an infestation by rats or mice in large number he must notify Port Health and Public Protection (020 7606 3030).

- 10.8 Appropriate measures must be taken to limit any insect, bird or rodent infestation. Such measures are considered essential to limit future problems in completed buildings - especially in the case of mice.
- 10.9 Pest control does not just include treatment by a pest control company; in fact this is a last resort. Measures should be taken to:
- Prevent access to the site principally from exposed drainage;
  - Reduce harbourage in order to ensure that rubbish or spoil is not left for long enough allow rodents to establish themselves above ground;
  - Limit potential food and water sources. It is particularly important to ensure that waste food or empty cartons are not left in areas where they can encourage rats and mice.
- 10.10 Many of the methods necessary to achieve adequate control should be part of established construction/deconstruction methods. To report any problems with infestations, or if you require any additional advice, contact the City of London on the following number: 020 7606 3030.



# 11 Legislation and Documentation

## Documentation

- 11.1 The Contractor should keep all appropriate documentation relevant to the requirements of this Code in designated files held on site. They must be available at all times for inspection and review by the City of London or other authorities and should include as a minimum:
- Scheme of Protective Works (as per section 2);
  - liaison minutes, letters, photos and newsletters.
  - noise, vibration and dust monitoring results (where applicable);
  - waste management documentation (where applicable);
  - inventory of non-road-mobile machinery (on the NRMM website) and emission standards;
  - Site hours variation sheets; and
  - a complaints/incidents log with actions taken.

## Section 60 and 61 Notices

- 11.2 The Control of Pollution Act 1974 Part III restricts and limits noise and vibration from a construction site. If complaints are received, where it is considered necessary, the Department of Markets and Consumer Protection will serve a Section 60 notice on the Contractor for the control of noise and vibration at the site. This notice can:
- Specify the plant or machinery that is or is not to be used;
  - specify the hours during which work can be carried out; and/or,
  - specify the levels of noise and vibration that can be emitted from the site.
- 11.3 The Contractor can apply in advance for a consent in the form of a Section 61 notice regarding the methods and conditions by which they are intending to undertake the works and control nuisance.
- 11.4 The City does not advise the use of Section 61 consents but it does support a system of prior agreement on similar lines, as this allows a much more flexible approach of greater benefit to the Contractor. Section 60 notices will be served where they are considered necessary. Contraventions of either Section 60 or 61 may well result in legal proceedings, leading to further costs and delays for the Contractor.

## **APPENDIX A**

### **Guidance and Legislation**

#### **General**

Environment Agency Pollution Prevention Guidance Notes  
National Planning Policy Framework  
Planning Policy Guidance Notes  
Town and Country Planning Act 1990  
Planning and Compensation Act 1991  
BS 6187: 2011 Code of Practice for Demolition  
ISO 14001

#### **Vehicle Movements**

Highways Act 1980  
Road Traffic Regulations Act 1984  
Traffic Management Act 2004  
Standard for Construction Logistics – Managing Work Related Road Risk (TfL) and Fleet Operator Recognition Scheme (TfL)

#### **Noise and Vibration**

Environmental Protection Act 1990 (especially Sections 79 – 82)  
Control of Pollution Act 1974 (especially Section 60 and 61)  
BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014, – Noise & Vibration Control on Construction and Open Sites  
BS 7385-2:1993 Evaluation and Measurement for Vibration in Buildings. Part 2 Guide to Damage Levels from Ground borne Vibration  
BS 6472:2008 Guide to Evaluation of Exposure to Vibration in Buildings (1Hz - 80Hz)  
Noise and Statutory Nuisance Act 1993  
Control of Noise at Work Regulations 2005  
The City of London Noise Strategy 2016 to 2026

#### **Air Quality**

Air Quality (England) Regulations 2000  
Environment Act 1995  
Clean Air Act 1993  
Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002  
Road Vehicles (Construction and Use) Regulations 1986 (as amended) – Regulation 98  
GLA Guidance: The Control of Dust and Emission during Construction and Deconstruction (SPG)  
DEFRA (2001) UK Air Quality Strategy, HMSO, London  
The City of London Air Quality Strategy: see [www.cityoflondon.gov.uk/air](http://www.cityoflondon.gov.uk/air) for the most recent copy  
Building Research Establishment Code of Practice on Controlling Particles from Construction and Demolition (2003)

#### **Smoke and Fume Nuisance**

Noise and Statutory Nuisance Act 1993

## **Asbestos and Hazardous Substances**

The Control of Asbestos Regulations 2012

Special Waste (Amendment) (England and Wales) Regulations 2001

MDHS 100 "Surveying sampling and assessment of asbestos-containing materials" HSE Guidance Note 2002

Control of Substances Hazardous to Health Regulations 2002 (as amended)

Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regulations 2011

Plus all other current/future Legislation together with HSE Approved Codes of Practice and Guidance

## **Waste Management**

Environmental Protection Act 1990

Environment Act 1995

Environmental Protection (Duty of Care) Regulations 1991

Environmental Protection (Special Waste) Regulations 1996 (as amended)

The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991

Waste Management Licensing Regulations 1994 (as amended)

Waste Management Duty of Care Code of Practice (1996), HMSO

## **Contaminated Land**

British Standards Institute, Investigation of potentially contaminated sites – Code of practice BS 10175:2011+A1:2013

British Standards Institute, Guidance on investigations for ground gas – Permanent gases and Volatile Organic Compounds (VOCs) BS 8576:2013

British Standards Institute, Specification for subsoil and requirements for use BS 8601:2013

British Standards Institute, Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings BS 8485:2015

British Standards Institute, Specification for Topsoil BS 3882:2015

British Standards Institute, Code of practice for ground investigations BS 5930:2015

Building Research Establishment, Cover Systems for Land Regeneration: 2004

Building Research Establishment, Concrete in Aggressive Ground, Special Digest 1 : 2005

Chartered Institute of Environmental Health and Land Quality Management, Generic Assessment Criteria for human health risk assessment: 2006

Chartered Institute of Environmental Health and Department for Environment Food and rural Affairs, Local authority guide to the application of Part 2A of the Environment Protection Act 1990 – extended to cover radioactive contamination 2007

Chartered Institute of Environmental Health and Cl:aire, Guidance on comparing soil contamination data with critical concentration: 2008

CIRIA, A guide for safe working on contaminated sites, R132: 1996

CIRIA, Assessing risks posed by hazardous ground gases to buildings CIRIA C665: 2007

CIRIA, The VOCs handbook. Investigating assessing and managing risks from inhalation of VOCs at land affected by contamination. CIRIA 682: 2009

Cl:aire, SuRF UK, A Framework for Assessing the Sustainability of Soil and Groundwater Remediation: 2010

Cl:aire, The Definition of Waste: Development Industry Code of Practice, V2: 2011

Cl:aire, A Pragmatic Approach to Ground Gas Risk Assessment. Cl:aire Research Bulletin RB17 : 2012

Cl:aire and Joint Industry Working Group, CAR-SOIL™, Control of Asbestos Regulations 2012, Interpretation for Managing and Working with Asbestos in Soil and Construction and Demolition Materials: 2016

Department for Environment Food and Rural Affairs, Environmental Protection Act 1990: Part 2A Contaminated Land Statutory Guidance.

Department for Environment Food and Rural Affairs, Model Procedures for the Management of Land”, report CLR11: 2004  
Environment Agency, Guidance on requirements for Land Contamination Reports: 2005  
Environment Agency, Remedial targets Methodology – Hydrogeological Risk Assessment for Land Contamination: 2006  
Environment Agency, Contaminated Land Exposure Assessment Tool v1.05: 2009  
Environment Agency, Guiding Policies for Land Contamination 2010, last updated 2016  
HMSO, Environment Act 1995  
HMSO, The Contaminated Land (England) Regulations: 2000 (with amendments 2006,2012)  
HMSO, The Landfill Tax Regulations 1996 (with amendments 2015,2016)

### **Discharges and Site Drainage**

Environmental Protection Act 1990  
Environment Act 1995  
Water Resources Act 1991  
Water Industry Act 1991  
Trade Effluent (Prescribed Processes and Substances) Regulations 1989 (as amended)  
Anti-Pollution Works Regulations 1999

### **Pests**

Wildlife and Countryside Act 1981 (as amended)

### **Trees**

Town and Country Planning Act 1990  
Wildlife and Countryside Act 1981 (as amended)  
Conservation of Habitats and Species Regulations 2010  
BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations  
BS 3998:2010 Tree work: Recommendations

### **Archaeology and Built Heritage**

Ancient Monuments and Archaeological Areas Act 1979  
Planning (Listed Buildings and Conservation Areas) Act 1990

### **City of London Documents**

Code of Practice for Deconstruction and Construction Sites  
Considerate Contractor Scheme (see Appendix C)  
Scaffolding and Hoarding Licences (see Appendix D)  
City’s Standard Requirements for Sewer Connections (see Appendix E)  
Traffic Management Requirements (see Appendix F)

## **APPENDIX B**

### **Contact details for City Departments and External Agencies**

**Postal address for all Internal Departments:** PO Box 270, Guildhall  
London, EC2P 2EJ  
**General Switchboard (24 hour service)** Tel: 020 7606 3030

#### **MARKETS AND CONSUMER PROTECTION – Pollution Control Team**

All enquiries: Tel: 020 7606 3030.  
Email: [publicprotection@cityoflondon.gov.uk](mailto:publicprotection@cityoflondon.gov.uk)

#### **DEPARTMENT OF THE BUILT ENVIRONMENT HIGHWAY MANAGEMENT GROUP**

Out of Hours in Emergency: Tel: 020 7606 3030 and ask for duty officer to be called. He or she will call you back.  
Considerate Contractor Scheme: Tel: 020 7332 1104  
Email: [ccs@cityoflondon.gov.uk](mailto:ccs@cityoflondon.gov.uk)  
Highways Section & Scaffolding Licences: Tel: 020 7332 1104/3578  
Fax: 020 7332 1578  
Parking dispensations & Highway Closures: Tel: 020 7332 3553  
[traffic.management@cityoflondon.gov.uk](mailto:traffic.management@cityoflondon.gov.uk)  
City of London Drainage Group: Tel: 020 7332 1105  
District Surveyors: Tel: 020 7332 1000  
City Structures Officer Tel: 020 7332 1544

#### **DEPARTMENT OF THE BUILT ENVIRONMENT DEVELOPMENT MANAGEMENT**

Protected Trees Tel: 020 7332 1708  
Listed Buildings – Consent to Work Tel: 020 7332 1710

#### **OPEN SPACES DEPARTMENT**

Advice on birds, bats or plants found on site Tel: 020 7374 4127

#### **THE CITY OF LONDON POLICE**

Postal Address: Wood Street Police Station  
37 Wood Street, London EC21 2NQ  
General Enquiries: Tel: 020 7601 2455  
Control Room (24 Hour operations): Tel: 020 7601 2222  
Abnormal loads & traffic planning: Tel: 020 7332 3122

#### **MUSEUM OF LONDON ARCHEOLOGY – ‘MOLA’**

Postal Address: 46 Eagle Wharf, London, N1 7ED  
General Enquiries: Tel: 020 7410 2200  
Fax: 020 7410 2201

## **EXTERNAL AGENCIES**

### **THE ENVIRONMENT AGENCY**

Postal Address: Apollo Court  
2, Bishops Square Business Park  
St. Albans Road  
Hatfield,  
Herts, AL10 9EX  
General Enquiries: Tel: 08708 506 506

### **HEALTH & SAFETY EXECUTIVE**

Postal Address: Rose Court  
2, Southwark Bridge Road  
London, SE1 4LW  
24 Hour Emergency Contact: Tel: General enquiries: 0845 3450055  
(construction, demolition Tel: 020 7556 2102  
& asbestos related matters) Fax: 020 7556 2109

### **THE METROPOLITAN POLICE**

Postal Address: New Scotland Yard  
Broadway  
London, SW1H 0BG  
General Enquiries: Tel: 0300 123 1212  
Abnormal Loads Section Tel 020 8246 0931

### **LONDON FIRE & EMERGENCY PLANNING AUTHORITY**

Postal Address: 20 Albert Embankment  
London, SE1 7SD  
General Enquiries: Tel: 020 7587 2000

***NB.** The work previously carried out by the **Petroleum Inspectorate** is now shared between The Health & Safety Executive - in respect of most instances where fuel is dispensed or stored in large quantities and Building Control Officers in Local Authorities - in the case of ventilation & signage in underground car parks etc.*

### **ENGLISH HERITAGE**

Postal Address: 1 Waterhouse Square, 138-142 Holborn, London, EC1N 2ST  
General enquiries: Tel: 020 7973 3000

### **TRANSPORT FOR LONDON**

Abnormal loads section Tel: 020 7474 4770

### **LONDON UNDERGROUND LTD**

Contact re underground structures etc. Tel: 020 7222 1234

### **PORT OF LONDON AUTHORITY**

General enquiries: Tel: 0147 456 2200

## **APPENDIX C**

### **Considerate Contractor Scheme Information**

1. The Considerate Contractor Scheme (CCS) comprises:
  - a Code of Good Practice, covering care, cleanliness, consideration and cooperation;
  - regular inspections by the City's Considerate Contractor Surveillance Officers;
  - an annual judging and awards ceremony; and
  - a telephone hotline enabling the general public to comment on the Scheme, sites and on participating Contractors. (020 7332 1104 / email [ccs@cityoflondon.gov.uk](mailto:ccs@cityoflondon.gov.uk))

*Note: general compliance with this Code of Practice is also a requirement of the scheme and sites will be judged and scored in this context.*

2. The CCS is a co-operative initiative open to all Contractors undertaking building and civil engineering work in the City of London. There is no membership fee, but on joining the Scheme, members agree to abide by the Code of Good Practice. It is by following this voluntary Code that the general standards of works are raised and the condition and safety of City streets and pavements improved for the benefit of everyone living, working or just travelling through the Square Mile.

Membership of the CCS is actively encouraged for all construction and deconstruction works in the City.

Additional information and a copy of the code of practice can be obtained from The Department of the Built Environment Highways Division representative on 020 7332 1104 or by email to [ccs@cityoflondon.gov.uk](mailto:ccs@cityoflondon.gov.uk)

3. An Environment Award is available as a separate achievement in the Considerate Contractor Scheme to recognise and encourage best practice and innovation in the sustainability of City construction and deconstruction. For details email [publicprotection@cityoflondon.gov.uk](mailto:publicprotection@cityoflondon.gov.uk)

## **APPENDIX D**

### **Scaffolding & Hoarding Licence Requirements**

1. Under sections 168 and 169 of the Highways Act 1980, scaffolds and gantries on or over the Public Highway require a licence and must comply in all respects with the Department of the Built Environment's Highways Division's Guidance Notes for Activities on the Public Highway.
2. Under section 184 of the Highways Act 1980, temporary vehicle crossovers require a licence and should comply with section 13 of the Highways Division's Guidance Notes for Activities on the Public Highway.
3. Application for these licences should be made to the City by contacting Highways Division, Department of Markets and Consumer Protection. A site visit will usually be required. (020 7332 1104)
4. Scaffolding over the River Thames, on the foreshore or within 16 metres of flood defences requires consent under the byelaws of the Environment Agency, Thames Region and the Port of London Authority.
5. Requests for further information, copies of the guidance notes and licence applications should be made to the Highways Division (020 7332 3578).





Department of Markets and Consumer Protection  
City of London  
PO Box 270, Guildhall  
London EC2P 2EJ  
[www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk)

## **APPENDIX E**

### **The City of London Sewers Act 1848**

### **City of London Standard Requirements**

1. All communicating drains to the sewer outfall **must** be provided with a cast iron intercepting/disconnecting trap which has a cascade, with access to the crown of the trap and have rodding access through to the sewer as BSS figure 26 or equivalent (for rodent control measures).
2. The communication pipework should be laid in straight lines in the vertical and the horizontal alignments and with no other pipe connections. (e.g. at a self-cleansing velocity and in a straight line from interceptor to the sewer).
3. The interceptor should be located inside the property boundary and adjacent to the buildings curtilage.
4. There should be provision to provide ventilation to the low invert level of a drainage system this should normally be at the intercepting trap. It may be difficult to evaluate air movement precisely and therefore as guidance you should allow for the vent pipe to be half diameter at the size of the intercepting trap. This vent should be discharged to a safe outlet at roof level atmosphere.

#### **NOTES**

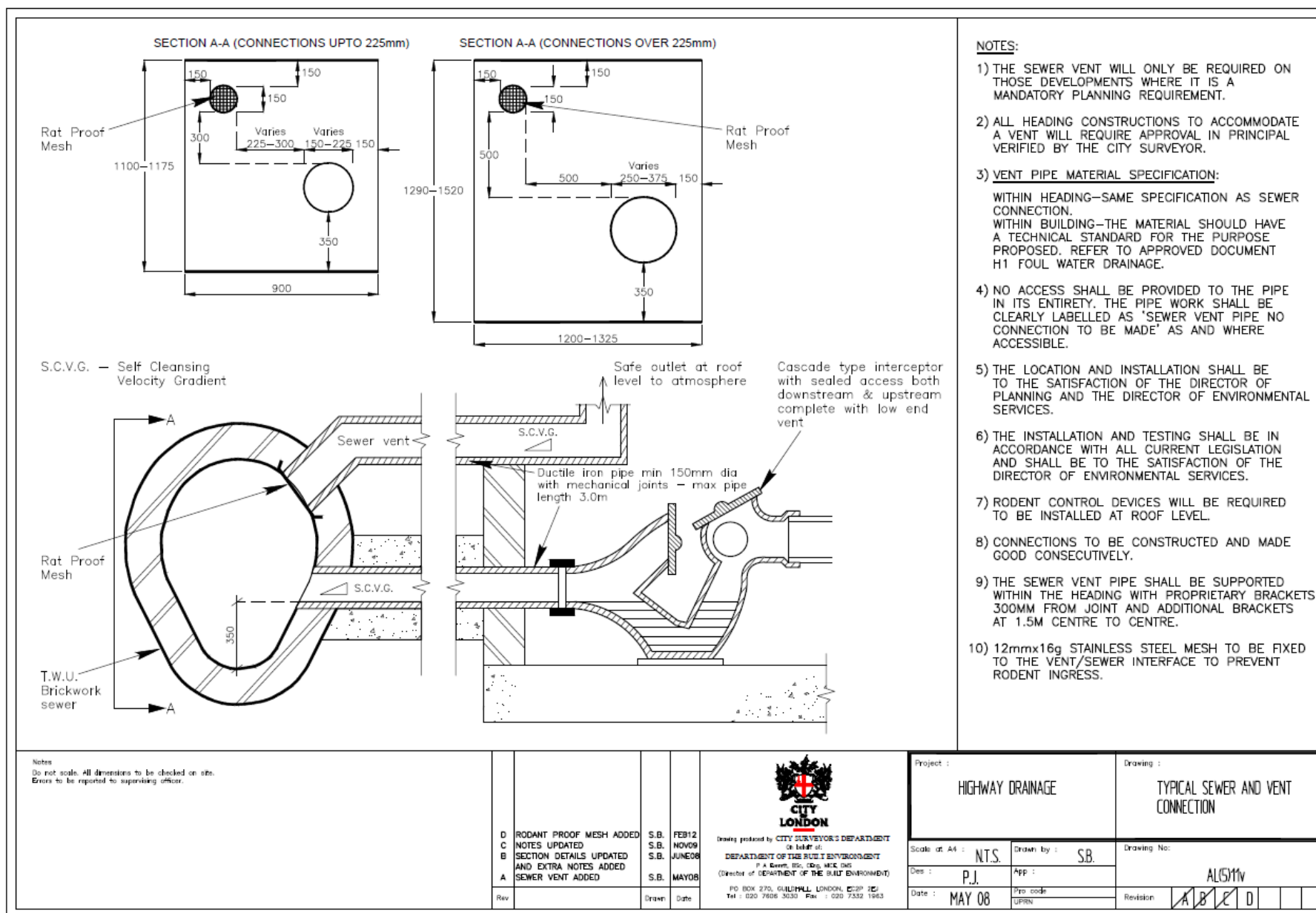
- a) The sewage system within the City historically vents to atmosphere via low level vents and any increases of discharge velocity (e.g. pumped drainage) of building effluent to the sewers results in the incidences of smells being reported. As justified smell complaints are treated as a statutory nuisance by this Department. It is **STRONGLY RECOMMENDED** where practicable and safe to do so all drainage should discharge via gravity.
- b) In the view of this authority there are rodents present within the sewers and special rodent control is therefore required, historically the measures this authority accepts is both by means of an interceptor trap and a sealed drainage system. You should discuss this matter with your Building Control body/Advisor.
- c) There is a requirement under Section 62 of the Building Act 1984 for any person who carries out works which result in any part of a drain becoming permanently disused that they shall seal the drain at such points as the local authority may direct. You should therefore make arrangements to seal off any redundant communication drains connecting to the Thames Water Utilities (TWU) sewer at the point of communication with the local sewer and at the buildings curtilage.
- d) The City now requires in some instances the introduction of sewer vent pipes. Via the Planning process. The information required for this approval is shown below:
  - A long sectional detail is required for each connection. Copy of standard City detail is shown.
  - Minimum size of sewer vent to be 150mm.
  - Confirmation of materials proposed, pipework must be rodent proof, i.e. light weight iron or similar.
  - Basement, ground floor and roof level layout plans are required, showing sewer vent pipework.
  - Locations of the sewer vent pipework, in building, to be shown, i.e. in a duct or riser.
  - Schematic drawing of all soil and waste pipework, clearly showing sewer vent with route of the sewer vent highlighted so it is easy to identify.

Any failure in respect of these requirements may result in: -

1. *Charging of costs and expenses involved in attending site and auditing works.*
2. *Copies of documents concerning any default being placed on our Land Charges Register and disclosed to all subsequent enquiries*
3. *Charging for remedial works done in default and costs recovered from responsible person(s) which may be substantial in terms of cost and delays to the project.*

**You are advised to submit proposals in writing concerning these matters to the above address**

If you require any further advice or information on this matter, then please do not hesitate to contact a Member of the Pollution Team on 020 7606 3030 or email: [publicprotection@cityoflondon.gov.uk](mailto:publicprotection@cityoflondon.gov.uk)



29/06/2006 16:17:26 Baynes, Scott H:\Projects\New Structures\CAD\HIGHWAYS\Drainage & Sewer Subways - Cackles - Standard Drainage Details - AL511 - Inc Vent - Read Only.dwg

## **APPENDIX F**

### **Traffic Management Requirements**

#### **General**

The Contractor will be required to use designated traffic routes. These must be agreed during the site operations planning stage with the Department of Markets and Consumer Protection Highways Management Group (020 7332 3993).

If necessary, proposed routes will also be discussed with The City Police (020 7601 2222), Transport for London (020 7474 4770), Port Health and Public Protection (020 7606 3030) & The Metropolitan Police. (020 7230 1212).

Whenever possible vehicles must enter and exit the site in a forward direction, any exceptions to this rule must have prior consent from the Department of Markets and Consumer Protection Highways Division (020 7332 3578).

A competent banksman should be provided to assist your drivers accessing & leaving sites where there are busy streets etc., thereby ensuring pedestrian safety & minimal disturbance to other traffic.

Deliveries to the site should be properly co-ordinated. Parking in local streets whilst waiting for access to the site is not permitted. A 'parking dispensation' will be required for vehicles unloading or loading in the street. (Contact the Traffic Management Office on 020 7332 3553 to arrange this)

The Contractor will be held responsible for any damage caused to the highway by site activities and will be required to carry out the temporary or permanent reinstatement of roads, kerbs, footpaths & street furniture to the satisfaction of the City.

The City encourages use of systems where vehicles serving sites regularly are identified by prominently displayed notices.

Contractors must not allow mud or other spoil from sites onto the highway adjacent to the site. Wheel washing plant or other means of cleaning wheels must be used before vehicles leave unpaved sites.

#### **Arranging road closures in connection with crane & other heavy lifting equipment deliveries.**

The correct procedure involves firstly telephoning the Pollution Control Team to agree the hours of operation and noise implications of your outline proposals on 020 7606 3030.

**The 'mobile crane environmental health authorisation & structures form'** – 'Appendix I' should then be completed and e-mailed to the Pollution Control Team via the following e-mail address for approval: [publicprotection@cityoflondon.gov.uk](mailto:publicprotection@cityoflondon.gov.uk)

Once received, the completed form will be checked, any necessary amendments agreed with the applicant and returned to the applicant signed by the authorising officer.

Formal application for any crane operation and / or road closure must then be made in person to the Department of Built Environment's Traffic Management Office. Applications will only be considered by appointment, and applicants must have details of the proposed date, time and nature of the operation at this time. Also, a completed 'Appendix I' signed by the authorising officer must be presented, together with the appropriate payment. For details of current charges or to make an appointment, telephone 020 7332 3553.

### **Important Note- Underground 'Structures'**

The part of Appendix I relating to 'structures authorisation' must also be signed by the crane company's representative before it is presented to The Traffic Management office. It is the crane operators responsibility to check whether there are any underground 'structures' such as subways, car parks, vaults or railway tunnels under, or adjacent to the part of the highway where the crane is to be sited.

Operators must contact the City's Structures officer on 020 7332 1544 to discuss the operation and, if required, the owners of any private underground structures such as London Underground Ltd. (020 7222 1234)

### **Abnormal Loads**

Prior permission for any **abnormal loads** (as specified in legislation enforced by the City of London & Metropolitan Police forces) is required from The City of London Police's traffic planning section (020 7601 2143) & The Metropolitan Police's abnormal loads section (020 8246 0931). Generally, such deliveries have to take place on weekdays after 19.00 hours or at weekends and may also require prior agreement from 'Transport for London'. Contact 020 7474 4770.

### **Standard for Construction Logistics – Managing Work Related Road Risk**

In addition to the particular requirements above, the City expect all Contractors to observe the Standard for Construction Logistics – Managing Work Related Road Risk, especially as all journeys have to pass along routes administered by Transport for London. It is recommended that all Developers/Project Managers include adherence to the Standard as a contractual obligation for all of their Contractors.

### **Fleet Operator Recognition Scheme**

The City of London has a fleet of around 150 vehicles, and has a Gold accreditation FORS assessment. It is expected that all fleet operators within the City will be a member of the scheme, with at least a Bronze accreditation. Whilst it is recognised that most construction sites will be serviced by a variety of construction suppliers, the City of London will actively encourage all developers and project managers to insist that ALL vehicles visiting their sites are registered with FORS. MACE and Berkeley Group have now made this a contractual obligation

## **APPENDIX G**

### **SITE INFORMATION SHEET**

Working and Out of Hours Contact No: 020 7606 3030

Please email the details below to:

[publicprotection@cityoflondon.gov.uk](mailto:publicprotection@cityoflondon.gov.uk)

<b>Contact Details</b>			
<b>Date form completed:</b>		<b>Date works starting:</b>	
<b>Site name and address (Site Plan to be attached)</b>			
<b>Name of Site Contact:</b>			
<b>Site contact direct dial number and e-mail address:</b>			
<b>Site 24 Hour Contact Number:</b>			
<b>Contractor Company Name:</b>			
<b>Name of Contractor Contact:</b>			
<b>Contractor address</b>			
<b>Contractor contact number and e-mail:</b>			
<b>Details of Works</b>			
<b>Proposed Working Hours:</b>			
<b>Approximate dates of Works:</b>			
<b>Brief Details of Works to be Carried Out:</b>			



## **APPENDIX H**

Pollution Control Team  
City of London, PO Box 270, Guildhall, London EC2P 2EJ  
Normal and Out of Hours Contact No: 020 7606 3030  
[publicprotection@cityoflondon.gov.uk](mailto:publicprotection@cityoflondon.gov.uk)

### **SITE HOURS VARIATION REQUEST SHEET**

*This form must be completed and returned to the Pollution Control Team at least 5 days before the activities are to take place. The site hours requested can only be worked if approval is given and this form is countersigned by relevant Environmental Health Officer(s).*

<b>Date:</b>				
<b>Company:</b>				
<b>Company Contact:</b>				
<b>Company Contact for Operation:</b>				
<b>Site Name and Address:</b>				
<b>Direct Number:</b>				
<b>e-mail address:</b>				
<b>Operation(s) including location on site:</b>				
<b>Date of operation(s)</b>				
<b>Proposed Working hours:</b>				
<b>Company contact(s) for operation(s):</b>				
<b>Details of operation(s):</b>				
<b>Reasons for the operation(s):</b>				
<b>Plant and/or tools used:</b>				
<b>Predicted noise levels at sensitive location<sup>1</sup></b>	<b>Location</b>	<b>High</b>	<b>Medium</b>	<b>Low</b>
<b>Mitigation measures to minimise high and medium levels of noise:</b>				

<sup>1</sup> Criteria for predicted noise levels

<b>High</b>	Operations that involve frequent mechanical impact, large numbers of plant and/or are continuous for 30 to 60 min. in every 1 hour.
<b>Medium</b>	Operations that involve manual impact noise, movement of plant (e.g. excavation, movement of materials etc.) and/or are continuous for 10 to 25 min. in every 1 hour.
<b>Low</b>	Little or no perceptible noise above background levels at receptor, manual activities, limited plant and/or are continuous for up to 10 min. in every 1 hour.

<b>Residents and businesses likely to be affected. e.g. addresses, site maps etc.</b>	
<b>Notification method (copies of written communications to be included)</b>	

**For Environmental Health use:**

**Variation Number:** \_\_\_\_\_

**Variation Granted: YES/NO** (delete as appropriate)

If **YES**, any additional comment/specific conditions:

--

If **NO**, please provide brief details/reasons:

--

<b>Name:</b>	
<b>Signature:</b>	
	<i>Environmental Health Officer</i>
<b>Date:</b>	



## APPENDIX I

### Environmental Health MOBILE PLANT & STRUCTURES NOTIFICATION

[publicprotection@cityoflondon.gov.uk](mailto:publicprotection@cityoflondon.gov.uk)

*In order to demonstrate the environmental impact of the operation has been minimised, this form must be signed by Environmental Health and presented to the Street Management Office at your authorisation appointment. This form alone does not constitute authorisation.*

Company Name:	
Contact Name:	
e-mail address:	
Telephone No/Site Contact Mobile No:-	
Company Address	
Street Name & Location (Where operation is to take place):	
Type Of Operation:	
Are any noisy operations involved?	
Weight of Crane:	
Type Of Traffic Prohibition:	
Date Of Street Management Services Appointment:	

(Times Requested): (please state **TIMES** below in the relevant section)

(Monday-Friday)	
(Saturday Only)	
(Sunday Only)	
(*Friday/Saturday-Sunday) (please also state non operational times) (*delete where necessary)	

#### Authorisation Declaration (to be signed by environmental officer)

State Name: (of environmental officer) [see Map]	Authorised Signature:	Date: (of confirmation)

**B**

#### STRUCTURES AUTHORISATION NOTICE

Are there any underground City of London or Privately owned structures? (See List for Corp of London structures).		If YES, please provide documentation that permission has been provided.	Signature of Crane Representative:
Yes	No		Date:

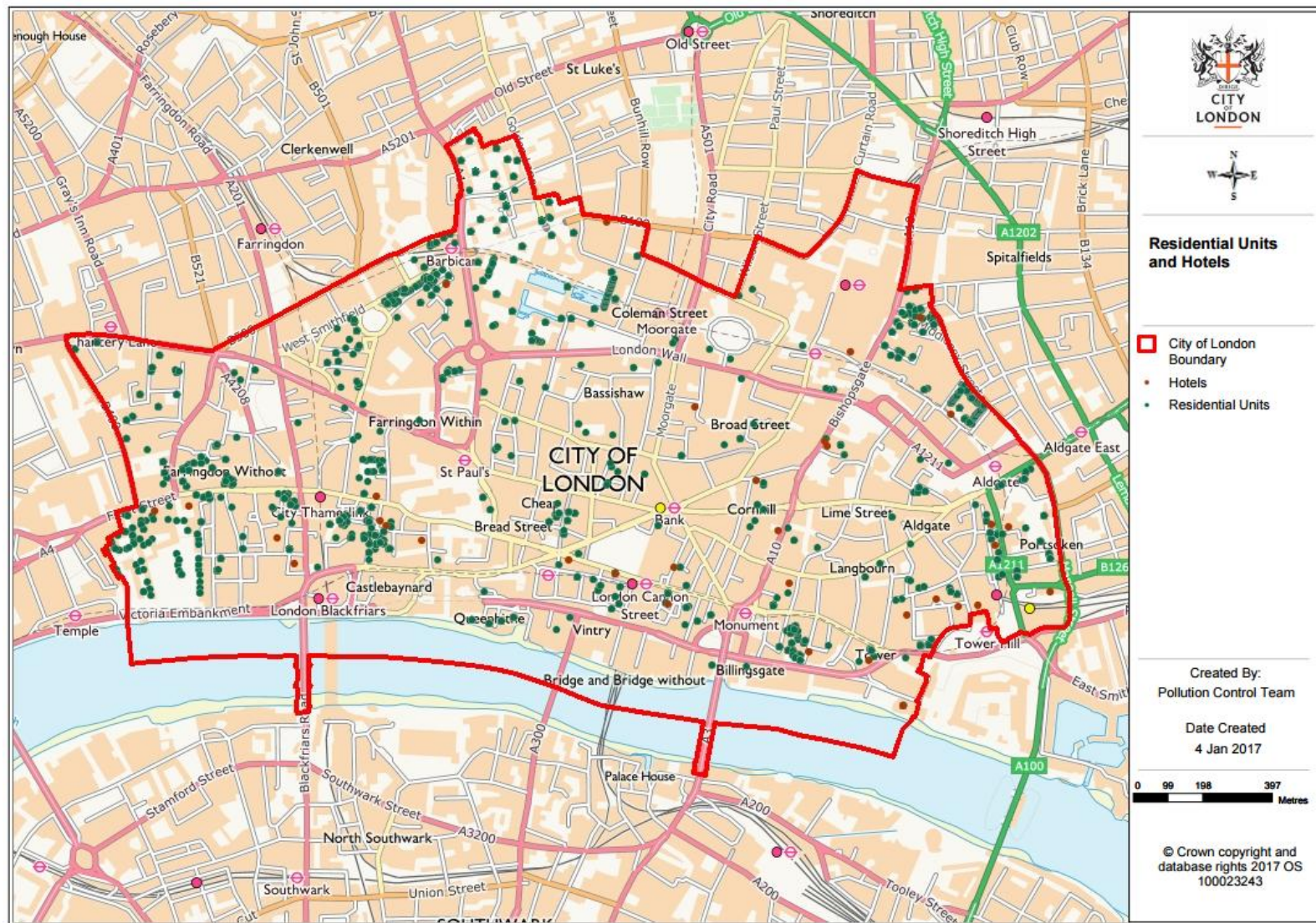
If you fail to produce this form (signed by environmental health and crane company) at your appointment, you may have to book another appointment which will delay your operation.

**To be completed by Street Management Services Officer at appointment:**

INDEMNITY NUMBER:		DATES AGREED:	
SMS OFFICER:			
DATE:			



## Appendix J

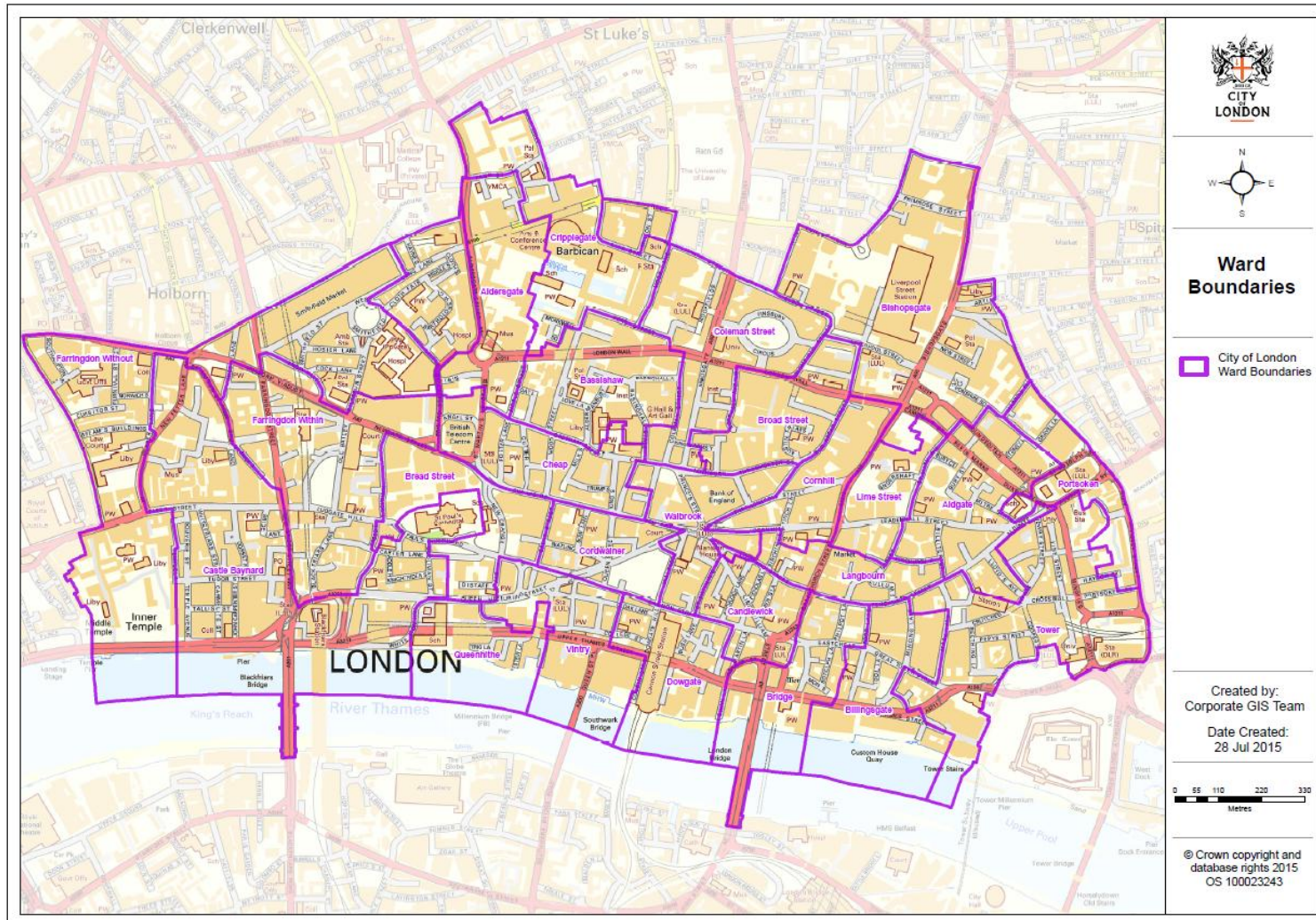




# Appendix K

Search online to find a ward member:

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<b>Committee(s)</b>	<b>Dated:</b>
Port Health & Environmental Health Services – For decision	24 January 2017
<b>Subject:</b> Animal Reception Centre – Heathrow Airport: Annual Review of Charges	<b>Public</b>
<b>Report of:</b> Director of Markets & Consumer Protection	<b>For Decision</b>
<b>Report author:</b> Jon Avern, Port Health & Public Protection Director	

## Summary

The purpose of this report is to seek approval of the increase to be applied to the Schedule of Charges in respect of services provided at the Heathrow Animal Reception Centre (HARC), for the forthcoming financial year 2017/18.

Overall I propose that fees are increased by 3%, but to promote more efficient collection I do not propose to increase charges for all those customers that pay via Direct Debit,. This method will minimise administration and should also have a positive impact on aged debt, as experienced by the Port Health Service

The continued increase in throughput following the changes to the legislation in 2012, and a modest overall increase in fees for 2017/18 for those who do not pay by Direct Debit should offset increased costs, and it is anticipated that the service will operate at a surplus in 2017/18.

## Recommendations

Members are asked to:

- Approve the charges included in the Appendix to this report with effect from 1 April 2017, or as soon as practicable thereafter.
- Approve the proposed Byelaws contained in the Appendix to this 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.

## **Main Report**

### **Background**

1. The charges for holding animals and provision of other services at the Heathrow Animal Reception Centre (HARC) are due to be reviewed towards the end of the financial year to enable an appropriate variation to be applied with effect from the following April. This advance consideration is necessary because the major proportion of the charges is in respect of quarantine animals and allied services and has to be introduced as an “additional byelaw” to the principal byelaws for the Centre. This takes somewhat longer than a more simplistic, discretionary fee increase. The second, smaller element of the charges is not byelaw controlled and relates to non-quarantine (export and boarding) charges but for practical and operational reasons the two are dealt with together.
2. The funding review in 2011 agreed that the facility should aim to achieve full cost recovery within five years, and this was achieved in 2011/12 (with the exception of one-off capital charges incurred in that year), with continuing surpluses until 2015/16. The budgeted outturn for 2016/17 is a surplus of £36,000.
3. The main source of income at HARC, the Pet Travel Scheme, is a non-statutory function and is thus open to competition from commercial enterprises (see paragraph 14 below). Following a period of substantial fee increases to ensure a move towards full cost recovery, annual increases from 2013 - 2016 were in line with inflation, but in 2015/16 the overall increase was 1% above inflation.

### **Current Position**

4. From 1 January 2012 the UK harmonised its rules with the rest of the European Union for the importation of dogs, cats and ferrets, as the previous derogation to the rules expired on 31 December 2011. The new arrangements make it extremely easy for people to bring their animals in from ‘listed countries’ (these are the countries that were in the Pet Travel Scheme prior to 1 January 2012 and are those deemed rabies free, or with good rabies controls in place) and allows the importation of animals from ‘un-listed countries’, (i.e. the rest of the world) without having to undergo six months quarantine on arrival. The process for the rest of the world is similar to the process for ‘listed’ countries’ prior to 1 January 2012.
5. Thus, there is now a dual set of requirements. For ‘listed countries’, all that is required is a microchip, vaccination against rabies, a wait of 21 days, and then the animal can travel. For un-listed countries, there is a requirement for a microchip, vaccination, a blood test 30 days after vaccination and then a three month wait before travel. This is similar to the former scheme, except that the wait has come down from six months to three months. This consolidates the old legislation and makes very few changes to the current regime. The changes made since the introduction of the Pet Travel Scheme in 2003 have now been

consolidated into new EU regulations which have been enacted by an amendment to the UK legislation, which came into force on December 2014.

6. The income for Animal Health during 2016/17 was originally projected as £2.935M with the revised estimate being £3.13M. Expenditure budgets at the ARC have risen over the past two years to reflect the increased throughput, which has necessitated greater use of consumables (food, bedding etc.) and recruitment of additional staff.
7. Staffing levels are now considered correct for the current throughput, but an independent review has recently been undertaken to support and secure cost-effective regulatory compliance, whilst also giving the potential to look at new opportunities, should they arise. The recommendations of this review are now being implemented, and a centrally funded consultant is to be engaged, to develop income generation proposals further.
8. Current budgeted income for Animal Health in 2017/18, taking into account the proposed increases in charges in this report, is £3.165m, and the overall projected net outturn for 2017/18 is a surplus of £298,000. This will contribute to funding any expenditure on buildings, equipment etc. as part of set-up costs for new services.

## **Proposals**

9. Having regard to the continuing need to balance and maximise the HARC income against the danger of reducing the customer base at the Centre, I propose that the HARC Schedule of Charges is amended as shown in Appendix 1 and that this is introduced from 1 April 2017, or as soon as practicable thereafter.
10. Fee increases in recent years have been above the level of inflation, so I whilst I propose to raise charges for 2107/18 by 3%, all those customers that elect to pay by direct debit will continue to be charged at 2016/17 rates. This method of payment will minimise administration and should also have a positive impact on aged debt, as experienced by the Port Health Service. There is the potential to recover up to 60% of fees via direct debit.
11. Those carriers that do not enter into direct debit arrangements will be charged in accordance with the revised charges shown in Appendix 1.
12. The Comptroller and City Solicitor will prepare the necessary revised Byelaws that reflect the proposed charges as contained in Appendix 1 for approval by the Court of Common Council, and sealed subsequently.

## **Implications**

13. The Comptroller and City Solicitor and the Chamberlain have been consulted and have agreed with the proposal to have dual charges. The Comptroller and City Solicitor also comments:

“The statutory provision under which these charges are now made is Section 30 of the City of London (Various Powers) Act 1987 (which was an enactment removing the need for Ministerial approval of the HARC Byelaws), which provides ... “the charges imposed by such Byelaws shall be such as to secure so far as is possible, that taking one year with another, the aggregate amount raised by such charges is equivalent to the reasonable costs incurred by the Corporation in operating the Animal Reception Centre”. The need for increases to be reasonable is especially important here, since, unusually, the Byelaws machinery which implements the new charges is not subject to any public notification procedure or to confirmation by the appropriate Minister”.

14. There is the potential for competition at Heathrow for the Pet Travel Scheme (PETS) as this part of our operation is not a statutory function. The legislation makes the carriers, in our case airlines, responsible for checking PETS. At Heathrow Airport, the City Corporation has negotiated Service Level Agreements with all the airlines that are currently in PETS, but this does not mean that a private organisation could not enter this ‘market’ by undercutting HARC fees. There is, therefore, a need to keep charges competitive.

## **Conclusion**

15. Changes to fees in previous years have resulted in the Animal Health Service increasing its income, and the fees that are proposed for 2017/18 should offset recent and future increases in costs, and maintain the service at an operating surplus.

**Appendices:** Appendix 1, Additional Byelaws relating to Heathrow Animal Reception Centre, to incorporate revised charges for 2017/18.

## **Jon Averts**

Port Health & Public Protection Director

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## ADDITIONAL BYELAWS RELATING TO THE HEATHROW ANIMAL RECEPTION CENTRE

BYELAWS made by the Mayor and Commonalty and Citizens of the City of London acting by the Mayor, Alderman and Commons of the said City in Common Council assembled in pursuance of Section 42 and 43 of the Markets and Fair Clauses Act 1847 as applied by Section 54 of the Animal Health Act 1981 with respect to the Heathrow Animal Reception Centre, London.

In these Byelaws unless the context otherwise requires “the Principal Byelaws” means the byelaws made by the Mayor and Commonalty and Citizens of the City of London acting by the Mayor, Alderman and Commons of the said City in Common Council assembled on 1 July 1976 and confirmed by the Minister of Agriculture, Fisheries and Food on 12 November 1976.

From the date of coming into operation of the Byelaws the Additional Byelaws made by the Mayor and Commonalty and Citizens of the City of London acting by the Mayor, Aldermen and Commons of the said City in Common Council assembled on 12 May 2016 (and sealed on 16 May 2016) shall be repealed and the following Schedule shall be substituted for the Schedule to the Principal Byelaws.

### SCHEDULE

#### PART I

*It is our intention to encourage payment of fees by direct debit as this reduces the cost of processing payments. Therefore, between 1 April 2017 and 31 March 2018, customers who pay by direct debit will continue to be charged at 2016/17 rates (shown in brackets). Those who pay by other means will be charged the new rates.*

**Minimum charge for any one consignment £173 (£168)**

#### ANIMALS CHARGE PER CONSIGNMENT

- |                    |                                |  |
|--------------------|--------------------------------|--|
| 1. <b>Mammals</b>  | £173 (£168) for up to 24 hours | £54 (£53) per day or part thereof after 24 hours   |
| 2. <b>Reptiles</b> | £173 (£168) for up to 24 hours | £206 (£200) per day or part thereof after 24 hours |

**Transit commercial reptile consignments should be booked through to have a maximum stay at Heathrow of 24 hours. Any transit commercial reptile consignments that stay more than 24 hours and require transferring from their containers will incur the additional special handling charge detailed below.**

Additional special handling for any consignment	£206 (£200) minimum per consignment	£61 (£59) per day or part thereof after 24 hours
---	-------------------------------------	--

3. **Birds** £61 (£59) per box per day £173 (£168) minimum charge

**Transit commercial bird consignments should be booked through to have a maximum stay at Heathrow of 36 hours. Any transit commercial bird consignments that stay more than 36 hours will be charged at £38 (£37) per box per day, or part thereof.**

Pet birds £41 (£40) per bird for up to 24 hours.

Bird Quarantine £340 - £1170 (£330-£1135) plus laboratory testing fees.  
Fees are dependent on size of consignment and housing requirements.

Faecal Sampling and Bird Autopsy costs as per current Animal & Plant Health Agency rates. Larger consignments to be negotiated see Part 2, Section 6

4. **Fish/Aquatic** £1.85 (£1.80) per box £31 (£30) minimum charge  
**Invertebrates/Semen/  
Fish and Bird Eggs**

#### 5. **Cats, Dogs and Ferrets under the Pet Travel Scheme**

PETS originating in the E.U. (including those countries listed in Annex 2 of part 1 to Commission Implementing Regulation (EU) 577/2013) will be charged a handling fee of £41 (£40) per animal in addition to the collection charge of £80 (£77) (see Part 2 section 5).

PETS originating outside the E.U. will be charged normal rates as in 1 above for the first animal, i.e. £173 (£168) and, where the consignment consists of more than one animal, a handling fee of £41 (£40) per animal thereafter.

PETS checked at aircraft (Assistance Dogs) £206 (£200) plus 1 hour collection charge £160 (£154) = £366 (£354) and, where the consignment consists of more than one animal, a checking fee of £41 (£40) per animal thereafter.

**A surcharge of £618 will be added to the above for any transit consignment that has landed without an “OK to forward” from the on-going airline.**

#### 6. **Security**

A charge of £18.50 (£18) will be made in respect of any consignment which requires security screening prior to leaving the ARC.

#### 7. **Not on Board**

Requests for collection of animals from aircraft which are subsequently not found on board will be charged at normal collection charge (see Part 2, Section 5).



## PART 2

### CHARGES FOR ANCILLIARY SERVICES

1. Destruction including disposal of livestock or goods - £37 (£36) per kilogram.
2. Cleansing and disinfecting aircraft, animal holding facilities, vehicles, loose boxes etc. - £320 (£310) per hour (including disposal of special waste).
3. Identification of species for DEFRA/HM Revenue and Customs/Border Agency - £154 (£150) per hour. Assisting on off airport operations - £80 (£77) per hour/£515 (£500) per day.
4. Re-crating or repair to crates - quotations on request.
5. Collection and delivery of animals and birds to and from the Animal Reception Centre by an Animal Reception Centre member of staff - £160 (£154) per hour or £80 (£77) per consignment if no extra waiting time.
6. Long term rates for government agencies and non-government agencies i.e. RSPCA, to be negotiated.
7. Modification of containers to International Air Travel Association (IATA) standards:-  
  
    Space Bars/Battens     - £46 (£45) per box  
    Air Holes               - £18 (£18) per box  
    Water Pots              - £18 (£18) per box  
  
    (If these services are carried out on the airport an additional fee of £75 (£70) applies for 'delivery' of the service).
8. Use of Large Animal Facility (per pallet)     £330 (£320)
9. Special handling i.e. re-oxygenation of fish/re-packaging reptiles £80 per hour plus cost of materials

Dated                                      day of                                      2016

THE COMMON SEAL OF THE MAYOR  
AND COMMONALTY AND CITIZENS  
OF THE CITY OF LONDON was  
hereunto affixed in the  
presence of:

### **Hillingdon London Borough Agency fee**

To carry out all animal welfare inspections at export accommodation within Heathrow Airport - £10,600 per annum.

<b>Committee(s)</b>	<b>Dated:</b>
Port Health and Environmental Services Health and Wellbeing Board Planning and Transportation	24 <sup>th</sup> January 2017 27 <sup>th</sup> January 2017 7 <sup>th</sup> February 2017
<b>Subject:</b> City of London Noise Strategy 2016 - 2026	<b>Public</b>
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Decision (PHES)</b> <b>For information (HWB)</b> <b>For information (PT)</b>
<b>Report author:</b> Rachel Sambells, Pollution Control Team Manager	

## Summary

The City of London Corporation published its first Noise Strategy in 2012. The Strategy, approved by the Port Health and Environmental Services Committee on 1<sup>st</sup> May 2012, expired in 2016.

A Noise Strategy for 2016 to 2026 has been produced and is appended to this report. It contains 67 actions grouped into 5 key work areas to manage and minimise exposure to excessive noise whilst striving to enhance the quality of the acoustic environment and soundscape of the City of London.

The Noise Strategy will help ensure that the City Corporation fulfil its statutory obligations for managing and minimising exposure to excessive noise. It also reflects the priority placed on the effects of reducing the impact of unwanted sound and the provision of areas of respite from the noisy urban environment on the health of residents, workers and visitors as detailed in the City and Hackney Joint Strategic Needs Assessment.

## Recommendation(s)

I recommend that your Committee approves the proposal set out in paragraph 12 that the attached Noise Strategy (Appendix 1) be approved and published subject to any comments received at your meeting.

## Main Report

### Background

- Noise can have short and long term effects on health e.g. annoyance, sleep disturbance, interruption of speech and social interaction, disturbance of concentration (affecting learning and long-term memory), and hormonal and cardiovascular effects.

2. The City Corporation has a statutory responsibility to manage and minimise exposure to excessive and sometimes unnecessary noise, whilst ensuring that the City can continue to function as a modern world-class business centre.
3. In 2012, the City of London produced an innovative Strategy outlining its approach to fulfilling its statutory obligation to manage and mitigate excessive noise and made recommendations for improving the way that the City controls noise and made proposals for protecting and enhancing areas of relative tranquillity.
4. The strategy considered four key areas: mitigating noise from new developments, reducing noise from transport, servicing and street works, dealing with noise complaints and incidents and protecting and enhancing tranquil areas reflecting the concerns of residents, workers and visitors to the City of London.
5. The strategy balanced the needs of the Business City (particularly construction sites) and the City Corporation to undertake noisy works, with the expectations of residents and neighbouring businesses who wish for disturbance to be minimised. In particular, City Corporation officers gave consideration to balancing the authority's statutory noise responsibilities and traffic management needs in relation to minimising disruption from streetworks and the extent to which City night time activities, such as deliveries, refuse collection and street cleansing have been facilitated.
6. An update on the actions of the Noise Strategy 2012 to 2016 was presented to your committee on the 19 June 2015 and a further update on these actions is included as an appendix to the refreshed Noise Strategy 2016 – 2026.

### **Key Policies and Proposals**

7. The City of London Noise Strategy brings together and updates policies and programmes that are already in place to manage and mitigate noise. In particular, the Noise Strategy will help deliver one of the key themes of the Local Plan to “protect, promote and enhance our environment” whilst contributing to the wider policy context of maintaining a world class city that supports our diverse communities and remains vibrant and culturally rich.
8. There are 67 actions contained within the strategy that are divided into the following five key policy areas:
  - Background and evidence base
  - New developments
  - Transport and streetworks
  - Dealing with noise complaints and incidents
  - Protecting and enhancing the acoustic environment and soundscape.

9. The Noise Strategy encourages a new approach to the management of “soundscape” (the aural equivalent of “landscape”) in outdoor spaces and hybrid indoor-outdoor places in the City. The Strategy outlines support for measures to promote iconic sounds, lost and disappearing sounds, wanted sounds, added sounds, sound walks, and sound art installations. We will also continue our ongoing initiative regarding the identification of relatively tranquil areas in the City and the development of policies to protect and enhance these spaces. We will be seeking opportunities to encourage both new and existing partners to support soundscape initiatives.
10. The Strategy reflects the concerns of residents, workers and visitors to the City who have previously been interviewed and consulted about the City’s acoustic environment. We will continue to seek feedback and hope to undertake a further survey to monitor the success of the measures we are taking. It is our intention that the policies and actions proposed will help to ensure that the City Corporation fulfils its statutory obligations for noise management, as well as seeking to improve the health and well-being of the City’s residential and business communities.
11. This revised draft Strategy ensures that the City of London’s approach continues to be suitable and appropriate for a world class City.

## **Proposals**

12. I propose that, subject to comments received at your meeting, the attached Noise Strategy be approved and published subject to any comments received at your meeting.

## **Financial Implications**

13. Work related to ‘Dealing with noise complaints and incidents’ contained within the strategy will be funded using existing resources from within the Port Health and Public Protection Service. Assistance will be required to implement actions relating to ‘new developments’ and ‘Transport and Streetworks’ from the Department of Open Spaces and the Department of the Built Environment (DBE).
14. Opportunities for collaboration, funding and grants will be sought for project work and to encourage both new and existing partners in supporting soundscape initiatives to fulfil the actions in Chapter 5, ‘Protecting and enhancing the acoustic environment and soundscape’.

## **Corporate and Strategic Implications**

15. The work on noise sits within Strategic Aims 1 and 2 (SA1) (SA2) and of the Corporate Plan: ‘To support and promote The City as the world leader in international finance and business services’ and ‘To provide modern, efficient and high quality local services, including policing, within the Square Mile for workers, residents and visitors’..

## **Consultees**

16. Consultation has been carried out internally (Open Spaces, Department of the Built Environment, Town Clerks and Comptrollers, Director of Public Health and the Director of Children and Community Services) and the results of this have been considered in this draft.
17. The strategy has undergone full external consultation e.g. Residents, businesses, City stakeholder groups, neighbouring boroughs and consultation comments have been incorporated into the final strategy where appropriate. An analysis of this feedback is attached in Appendix 2.

## **Conclusion**

18. The City Corporation has produced a refreshed and updated Noise Strategy to meet the statutory responsibility to manage and minimise noise exposure to excessive noise, whilst ensuring the City can continue to function as a modern world class business centre. Subject to comments received at your meeting, the Noise Strategy will be published.

## **Background Papers:**

The City of London Noise Strategy 2012 to 2016  
Report on Enhanced Working Hours for Street works in the City - Port Health and Environmental Services Committee November 13 2012  
Report on Mitigation of Environmental Impacts from Developments - Port Health and Environmental Services Committee April 30 2013  
Report on Noise Service Delivery Policy/Noise Complaint Policy - Port Health and Environmental Services Committee July 2 2013  
Report on Port Health and Public Protection Out of Hours Noise Service - Port Health and Environmental Services Committee March 1 2014  
Report on Noise Strategy Update of Actions Port Health and Environmental Services Committee 19 June 2015

## **Appendix 1**

The City of London Noise Strategy 2016 - 2026.

## **Appendix 2**

Stakeholder Consultation Analysis.

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# City of London

## Noise Strategy

### 2016 to 2026



For further information contact:

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## FOREWORD

Noise is part of the everyday experience for residents, workers and visitors to the City of London. It is an inevitable consequence of modern society, the density of development, the intensity of activity and sometimes conflicting needs of different communities in such a small area.

The sound of the City for many is iconic, vibrant, invigorating and forms part of the ‘buzz’ of City life. However for others unwanted sound (noise) can detract from enjoyment, be an annoyance, or be detrimental to health and well-being.

Noise is an issue of concern for City residents, workers and visitors and most want action to reduce it. However noise management is a challenge as business activity intensifies, the night time economy expands and the number of City residents grows and their expectations change.

Successful noise management is complex, often requiring the balancing of competing economic, social and other environmental issues. Sustainable noise management requires a long term strategic approach entailing action from a wide range of City Corporation departments, businesses and other organizations.

This strategy brings together and refreshes the different strands required to bring about noise avoidance, mitigation and hopefully reduction. Similarly, it contains new proposals to protect and enhance the acoustic environment when opportunities arise. It sets the strategic direction for noise policy within the City of London until 2026 and outlines steps that the City Corporation will take, and has taken, to maintain or improve the City’s acoustic environment.

The document aims to achieve balanced, relevant and integrated noise management across the City Corporation and its partners through implementation of the policies and actions. In so doing it should contribute to health and well-being for the City’s communities and support businesses by minimising or reducing noise and noise impacts. It also aims to take account of the sometimes differing needs of those communities and of the need to provide a built environment to meet City business growth and maintain its infrastructure.

I hope that we can all work together to protect and enhance the acoustic environment, to mitigate and minimise noise pollution and to achieve a better “soundscape” for residents, workers and visitors across the Square Mile.

Wendy Mead CC

**Chairman of the Port Health and Environmental Services Committee**

## **CONTENTS**

### **Executive summary**

### **Key aims**

- 1. Background and evidence base**
- 2. New developments**
- 3. Transport and streetworks**
- 4. Dealing with noise complaints and incidents**
- 5. Protecting and enhancing the acoustic environment and soundscape**

### **Appendix 1 Review of progress with 2012 Noise Strategy actions**

### **References**

#### **Acknowledgement**

The City of London Corporation would like to thank Colin Grimwood (CJGEM) for collaborating with the Pollution Control Team in the production of this strategy.

## EXECUTIVE SUMMARY

Being located at the heart of London, the City of London inevitably experiences relatively high levels of noise. Managing noise in the City is a considerable challenge due to density of development and the vast transport network that caters to the large daytime worker population and the increasing numbers of visitors who come to enjoy our many attractions. At the same time the sounds of the City are also regarded by many as a vibrant and exciting reflection of a thriving urban centre.

The main noise sources of concern in the City are from building works, street works, road traffic, leisure activities, and other commercial activities such as deliveries, plant and equipment. High levels of noise not only cause disturbance to residents in their homes, but can also disrupt business activity in the City and spoil the visitor experience. The City Corporation has a statutory responsibility to manage and minimise exposure to excessive and sometimes unnecessary noise, whilst ensuring that the City can continue to function as a modern world-class business centre.

The City of London Noise Strategy brings together and updates policies and programmes that are already in place to manage and mitigate noise. It is essentially an update and a continuation of the innovative approach that we began with our first Noise Strategy published back in 2012. It will run for a period of ten years from 2016 – 2026, with an interim progress review envisaged in mid-term. The Noise Strategy includes new measures which will work alongside our existing approaches to improve the management of the acoustic environment in the City. In striving to enhance the quality of the acoustic environment of the City we will help to deliver the vision and policies for shaping the future of the City as contained in the Local Plan (City of London Local Plan, 2015). In particular, the Noise Strategy helps deliver one of the key themes of the Local Plan to “protect, promote and enhance our environment” whilst contributing to the wider policy context of maintaining a world class city that supports our diverse communities and remains vibrant and culturally rich. Our Noise Strategy supports policies included by the Mayor of London in the London Plan and in the Mayor’s Ambient Noise Strategy (Mayor of London, Sounder City, March 2004 - due to be updated during 2016/17).

The following specific areas are addressed in this Noise Strategy:

- Noise associated with new developments
- Noise associated with transport and street works
- Noise complaints from residents, visitors and businesses
- Protecting and enhancing the acoustic environment and soundscape

Managing noise from new developments is primarily through early engagement with developers and the implementation of appropriate planning and licensing policies. The main aim is to avoid any significant noise impacts and to ensure that activities associated with new developments mitigate and minimise noise impacts and do not result in complaints of noise nuisance. Similarly, we will also seek to mitigate the impact of existing noise on new noise sensitive developments such as housing, hotels, offices and any new public open spaces. Our approach is to engage both at the strategic planning stage as well as through the planning consent process. We will seek to incorporate noise

issues into City planning policies and work more closely with developers before planning applications are submitted to influence building design and layout.

Transport noise, particularly from road traffic is the dominant noise source in many parts of the City. Tackling the environmental impact of road traffic, including excessive levels of noise, requires a co-ordinated and long term approach. The gradual introduction of quieter low emission vehicles offers a number of opportunities for environmental improvement. We will seek to co-ordinate any noise management measures with policies in other relevant strategies such as the upcoming Freight Strategy and the City Air Quality Strategy.

Street works can be a source of disturbance in noise sensitive areas and as a consequence need to be carefully managed. This Strategy proposes measures to minimise the noise impacts of street works, whilst ensuring that the duration of the works is minimised to reduce disruption to traffic.

The City Corporation has a statutory obligation to investigate and take action on complaints of noise nuisance. Despite the numerous proactive measures to deal with the potential for excessive noise, the City Corporation now receives around 1,100 noise complaints per year (up from around 750 per year in 2011). The Strategy outlines a range of actions aimed at improving the way noise complaints are addressed. These include improved liaison with the City Police and the Safer City Partnership, and implementing current and emerging guidance on good practice for managing noise contained in relevant codes of practice.

There are requirements in the NPPF and the London Plan for local planning policies to improve and enhance the acoustic environment and to promote appropriate soundscapes (including protecting areas of relative tranquillity). Such measures are particularly relevant in the City in order to promote health and well-being and to provide areas of respite from the noisy urban environment. Careful management of the acoustic environment will also help to deliver wider aims of the Local Plan. This Strategy therefore encourages a new and logical approach to the management of soundscape in outdoor spaces and hybrid indoor-outdoor places in the City. The Strategy outlines our support for measures to promote iconic sounds, lost and disappearing sounds, wanted sounds, added sounds, sound walks, and to support sound art installations. We will also continue our ongoing initiative regarding the identification of relatively tranquil areas in the City and the development of policies to protect and enhance these spaces. We will seek opportunities to encourage major new developments to support such measures.

The Strategy reflects the concerns of residents, workers and visitors to the City who have previously been interviewed and consulted about the City's acoustic environment. We will continue to seek feedback and hope to undertake a further survey to monitor the success of the measures we are taking. It is our intention that the policies and actions proposed will help to ensure that the City Corporation fulfils its statutory obligations for noise management, as well as seeking to improve the health and well-being of the City's residential and business communities.

## TEN KEY AIMS FOR THE NEXT TEN YEARS

The City of London Noise Strategy supports local, regional and national policy and aims to take into account the guiding principles of sustainable development and to:

- Avoid noise, and noise impacts, which could significantly adversely affect the health and well-being of City residents, workers and visitors
- Mitigate and minimise noise, and noise impacts, which could otherwise adversely affect the health and well-being of City residents, workers and visitors
- Support the City Corporation to fulfil statutory obligations for local noise management and assist others in fulfilling theirs
- Commit the City Corporation to provide joined-up regulation on environmental, neighbourhood and neighbour noise issues and to take account of this Strategy in policy development and delivery of its various activities within the City
- Balance the mitigation and minimisation of noise and noise impacts with the need to improve and update City infrastructure
- Encourage measures which will reduce noise emissions in the Square Mile
- Build corporate, business and public awareness, understanding of noise issues and noise management good practice
- Recognise, reward and disseminate good practice
- Work in partnership with other organisations, and to take a lead where appropriate, in order to help shape local and regional policy
- Protect, and where possible enhance, the acoustic environment and soundscape in suitable parts of the City in such a way that any measures will contribute to an improvement in health and quality of life/well-being of City residents, workers and visitors. (This will include seeking opportunities for the enhancement of the acoustic environment, for the promotion of soundscape initiatives, and for the protection of relatively quiet and tranquil places when and where such measures are supported by the local community)

# 1. BACKGROUND (Evidence Base)

## 1.1 WHY NOISE IS A CONCERN AND WHAT ARE THE SOURCES?

### 1.1.1 How noisy is the City?

As London's principal business location, the 'Square Mile' inevitably experiences relatively high levels of noise. Noise levels tend to be higher during the working week than at weekends. Traffic noise dominates the City during the day, while at night and at weekends building service noise (e.g. air handling plant) is more prevalent. Noise from construction sites and street works can also be dominant in the City, though this tends to be more transient.

In 2009, 24-hour noise monitoring was carried out at various locations across the City. This was to assess how noise varies and to provide a benchmark for further improvements to the noise environment. The locations chosen were residential, schools, City gardens, riverside and street locations. Weekend measurements included residential areas. Other potentially noise sensitive locations such as hotels, churches, libraries etc were not specifically included, but will be considered in any future survey.

In the 2009 noise monitoring survey, average noise levels in the City during the week day were found to be between 53dB  $L_{Aeq,T}$  at the center of Barbican to 74dB  $L_{Aeq,T}$  at Bank junction. At night, noise levels at the Barbican reduced to 50dB  $L_{Aeq,T}$  and to 72dB  $L_{Aeq,T}$  at Bank junction. Noise levels at the Barbican were very similar at weekends although in general weekends tend to be quieter in the City than the working week. Previous government funded National Noise Incidence Surveys (NNIS 2000) have found that, on average, noise levels at residential locations in England & Wales typically drop by around 10 dBA at night which confirms that night time noise levels may be unusually high in some parts of the City.



In 2010, a small noise attitude survey was undertaken in the City. In total 173 residents and 283 workers were asked how loud they thought noise levels were in the City. The results are shown below (in Figure 1), with 57% of workers, and 60% of residents considering that the City was either 'loud' or 'very loud'. The views of business and leisure visitors were not specifically sought as part of this survey.

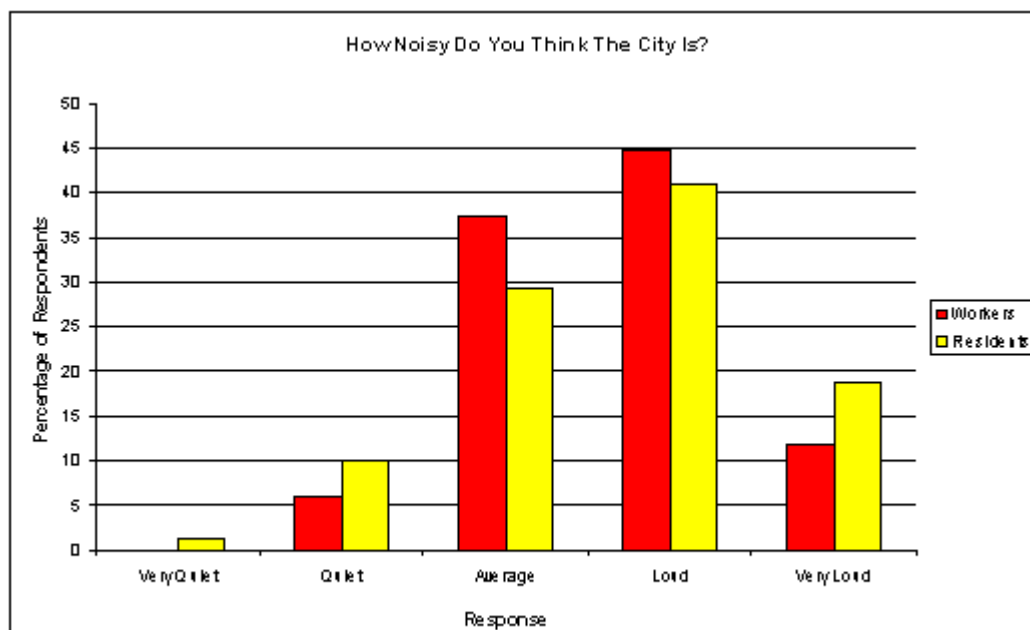


Figure 1: How noisy is the City? Responses from workers and residents.

A more recent government funded National Noise Attitude Survey with over 2,000 respondents (SoNA 2013) found that the majority of people interviewed did not think that noise spoilt their home life, with 82% reporting that noise did not at all or not very much spoil their home life. However, 6% of respondents to the national survey reported that noise spoilt their home life either quite a lot or totally. Also, one-sixth of the national sample (17%) reported that they or someone in their household had made a complaint or taken action about a noise issue within the past five years. The national survey, which was confined to householders, confirmed previous findings that only a small proportion of noise problems come to the attention of the relevant local authorities. The views of workers and visitors have not been obtained at the national level, although we consider that reflecting the views of all City stakeholders will be important to future noise policy in the Square Mile.

### 1.1.2 Noise sources and problems

The M&CP Pollution Control Team receives a large number of noise complaints every year. When the 2012 Strategy was being prepared the average from 2009 – 2011 was around 750 noise complaints per annum. The results below (Figure 2) show the main sources of noise and their proportion of the total complaints received for the three years to 31 December 2011. During this period around 30% of the noise complaints were received outside office hours, at night or at weekends and bank holidays.

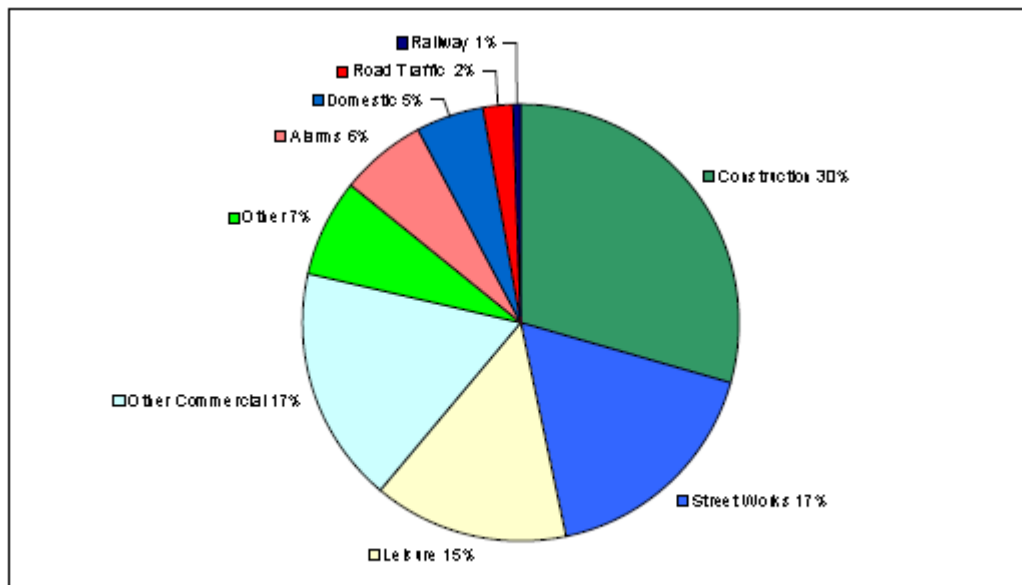


Figure 2: Source of noise complaints made to City of London 2009-2011.

As part of the preparation for this Strategy we have reviewed the noise complaints received since 2011. The total number of complaints received, presented by source and by year, is shown below (in Figure 3). The relative proportions of total complaints by source over the period 2012 to 2016 are also shown below (in Figure 4).

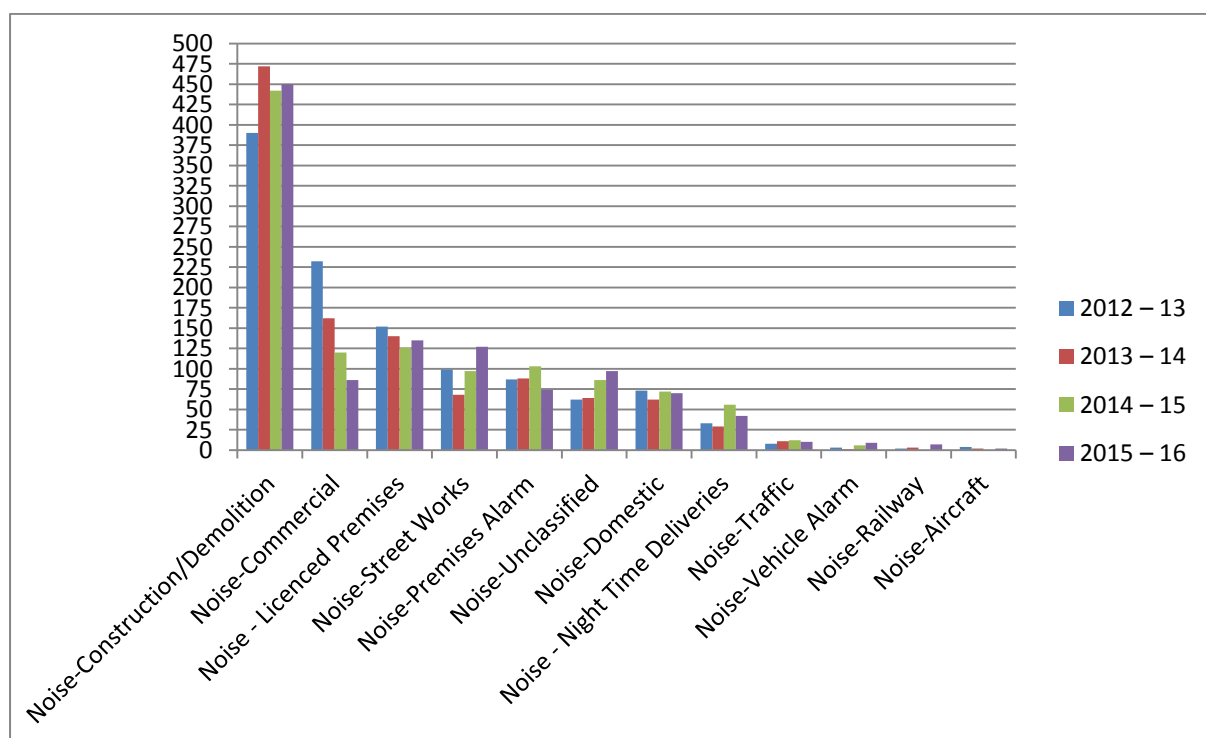


Figure 3: Number of noise complaints by source for years 2012 to 2016.



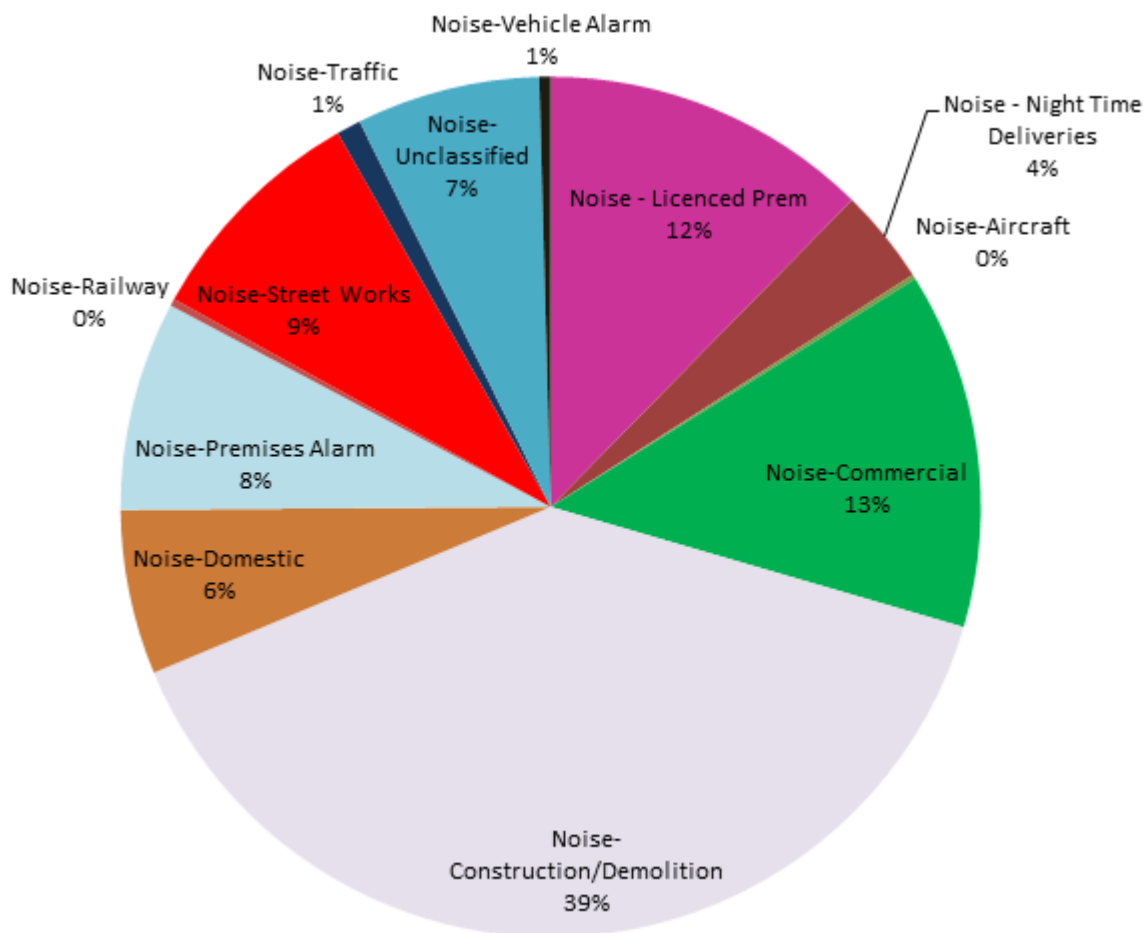


Figure 4: Source of noise complaints made to City of London 2012 – 2016.

The annual number of complaints received has increased to around 1,100 a year in 2015-16, representing around a 45% increase in requests for this service since 2011. However, the proportion of complaints attributable to the various sources has stayed fairly similar over this same period. For the year 2015-2016 487 (42%) of the total noise complaints were received outside office hours, at night or at weekends and bank holidays.

It should be noted that there could be many reasons behind an increase in noise complaints to the Pollution Control Team and that further research is required to determine the reasons behind this trend. For example, the trend may be because the City has become a noisier place, or because there are now more people living here, it may be that residents and workers are more aware of their rights, it may be that expectations have changed, it may be that our service has improved and that we are receiving more requests to help as a result, or it could simply be a consequence of changes and improvements in the way we are recording complaints. Furthermore, people tend not to complain if they think nothing can or will be done by the relevant authorities, so the number of complaints is only a partial indicator of public concern and our evidence base is therefore be supplemented by attitude surveys.

In the 2010 City noise attitude survey, a selection of residents, visitors and workers were interviewed about the type of noise that they notice in the City; 98% of residents and 87% of workers questioned noticed some form of noise. The noise source most evident was traffic and

building works as shown below (in Figure 5); 16% of residents also noticed noise from other people and 15% from pubs and bars. Residents were disturbed by a wider range of noise sources than workers.

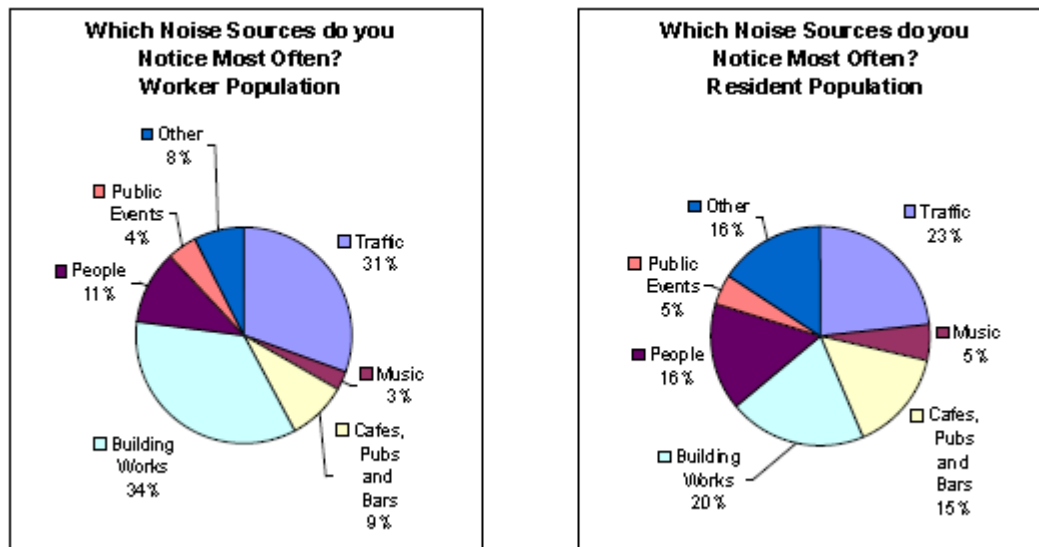


Figure 5: Noise sources noticed most often. Responses from workers and residents

Considering both the nature of complaints received by the Pollution Control Team and the City noise attitude survey results, the following noise sources remain of main concern:

- Building construction and demolition
- Street works
- Road traffic
- Leisure activities, particularly 'people' noise associated with licenced premises
- Noise from other commercial premises activities e.g. deliveries, plant and equipment noise, alarms
- To a lesser extent, neighbour noise (e.g. music / TV), alarms, other transport (e.g. aircraft, railways)

This list is not exhaustive and other sources of noise may well become important issues from time to time during the life of this Strategy. We will continuously review our approach to handling and responding to noise complaints in order to reflect local needs and priorities in addition to meeting our statutory responsibilities.

High levels of environmental and neighbourhood noise can also interfere with the conduct of business activities in the City and may spoil the visitor experience. According to the same survey, the majority of both residents and workers would like to see action to reduce noise levels in the City as shown below (in Figure 6).

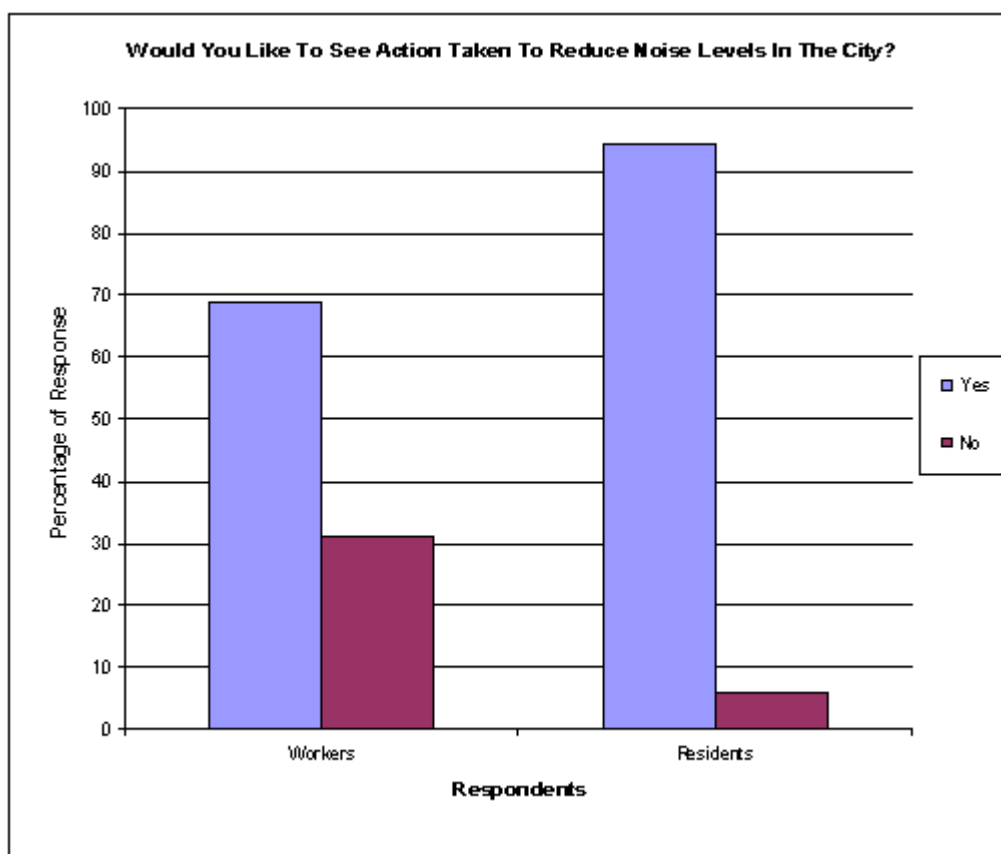


Figure 6: Should action be taken to reduce noise levels in the City? Responses of workers and residents.

### 1.1.3 Impact of noise on health and well-being

The relationship between noise exposure and health effects at the typical noise levels experienced in the everyday environment is not straightforward. Hearing loss does not occur from typical exposure to environmental noise and is more commonly associated with occupational exposure to much higher noise levels (above 75 dB(A)) over long periods, or exposure to very high noise levels (above 120 dB(A)) for a few minutes. Hearing loss is also associated with aging, certain diseases, head injuries, accidents and hereditary factors.

However, there is accumulating evidence of the impacts of everyday levels of environmental noise on health, well-being and quality of life. In the everyday environment, the response of an individual to both sound and noise is more likely to be behavioural or psychological (i.e. non-auditory) than physiological. The Health Protection Agency published an overview report in 2010 (Environmental Noise and Health in the UK, July 2010). The report cites examples of non-auditory health effects which have been linked to environmental noise including annoyance, sleep disturbance and other night time effects, cardiovascular and physiological effects, mental health effects, reduced performance, communication and learning effects.

Annoyance is the most frequently reported problem caused by exposure to transportation noise and is often the primary outcome used to evaluate the effect of noise on communities. There is some evidence that the attitudes and opinions of residents towards some sources of transport noise has been changing over the past twenty or thirty years.

Studies have shown that noise can effect sleep in terms of immediate effects (e.g. arousal responses, sleep state changes, awakenings, body movements, total wake time, autonomic responses), after-effects (e.g. sleepiness, daytime performance, cognitive function) and long-term effects (e.g. self-reported chronic sleep disturbance).

It has been shown that long term exposure to road traffic noise may increase the risk of heart disease, which includes heart attacks. Both road traffic noise and aircraft noise have also been shown to increase the risk of high blood pressure. It has been noted that there are few studies that exist regarding the cardiovascular effects of exposure to rail traffic noise. Although environmental noise is not believed to be the direct cause of mental illness, studies suggest that it can accelerate and intensify the development of latent mental disorders. Studies on the adverse effects of environmental noise on mental health cover a variety of symptoms which include anxiety, emotional stress, nausea, headaches as well as general psychiatric disorders e.g. neurosis, psychosis and hysteria.

Three European research studies have investigated possible cognitive impairment in schoolchildren from transportation noise. There is evidence from two of these studies of an association between aircraft noise exposure and cognitive performance in schoolchildren (reading comprehension and recognition memory), but the same association was not seen for road traffic noise. Neither aircraft noise nor road traffic noise affected sustained attention, self-reported health, or mental health. It has been suggested that the intensity, location of source, variability and unpredictability of aircraft noise is likely to result in a greater effect on children's reading than road traffic noise, which was of a more constant level in the studies.

Vulnerable groups are thought to be generally under-represented in current research studies. According to the WHO (Community Noise, 1995; Guidelines for Community Noise, 1999) vulnerable groups may include the old, ill or depressed people; people with particular diseases or medical problems; people dealing with complex cognitive tasks, such as reading acquisition; people who are blind or who have hearing impairment; babies and young children; and the elderly in general. The WHO suggest that such people "may be less able to cope with the impacts of noise exposure and be at greater risk for harmful effects".

Specifically regarding night time noise levels, which are known to be high in many parts of the City, the WHO (Night Noise Guidelines for Europe, 2009) state that "children are less sensitive to night noise due to a higher awakening threshold, however for other effects children seem to be equally or more reactive than adults. Children also spend more time in bed and as such are exposed to more night noise levels. Elderly people are more vulnerable to disturbance due to sleep structure becoming more fragmented with age. A similar situation occurs with pregnant women and with people who are ill. Shift workers also are at risk due to their sleep structure being under stress due to the changes in their circadian rhythm".

According to the WHO, 'In some situations, but not always, noise may adversely affect the health and well-being of individuals or populations'. More recently, the WHO has stated that 'Environmental noise is a threat to public health, having negative impacts on human health and well-being'.

## 1.2 NOISE MANAGEMENT ROLES AND RESPONSIBILITIES

The City Corporation recognizes that the effective management of noise requires a coordinated and long term approach that encompasses the actions of many relevant bodies and many aspects of modern society. This is also made clear in the government's Noise Policy Statement for England (NPSE, March 2010). Noise has already been included as a priority in the City's Joint Health and Well-being Strategy (as one of the key challenges). The City of London Noise Strategy provides the framework for a longer term approach and our longer term aims will underpin our day to day decision making. We have previously identified a number of particularly relevant bodies who will need to work together to deliver the aims of this Strategy:

**The City Corporation Department of Markets and Consumer Protection (M&CP) Pollution Control Team** is the main City regulator of environmental, neighbourhood and neighbour noise. The team takes proactive action, responds to complaints and, in conjunction with the **Department for the Built Environment (DBE)**, provides a 'round the clock' outside office hour's service. The team is also consulted on licence and planning applications.

**The M&CP Port Health Service** deploys its officers and launches on the Thames, particularly during summer months, to monitor and control night time activity noise, taking enforcement action as required.

**The City of London Police** receives and share noise and noise related Anti-Social-Behaviour complaints and assist M&CP with enforcement.

**The City Planning Officer (DBE)** initiates planning policies and area strategies, determines planning applications and conditions, negotiates Section 106 agreements and takes planning enforcement action.

**City Housing Management and Registered Social Landlords e.g. Guinness Trust**, sets and enforces tenancy conditions related to neighbour noise and behaviour and has involvement in neighbour complaints.

**The City Corporation Licensing Authority** processes applications for premises Licences, investigates and enforces breaches of noise related licensing conditions.

**Highways Authorities** – Both the City Corporation (**DBE**) and **TfL** have responsibilities for the environmental impact of road traffic and also commission highways and street scene improvement works with associated control over the permitting of other street works (e.g. utilities works), on their respective road networks.

**The Civil Aviation Authority, Ministry of Defence and Airport Authorities** maintain noise complaints data, and responses, about aircraft and helicopter movements over the City of London.

**Other City Organizations** are responsible for ensuring that the noise generating activities they have control over are managed to prevent nuisance and minimise impacts on residents and businesses:

- Managed Premises Facilities or Event Managers including City Corporation premises e.g. Barbican Centre, Museum of London, Barbican Exhibition Centre
- Contract and Project Managers for City Corporation departments e.g. City Surveyors' works, refuse collection and street cleaning contracts, infrastructure and street works etc.
- Contractors for City of London Corporation 'outsourced' services e.g. waste collection and street cleaning
- City Corporation contractors for 'structures', highways maintenance and improvement, and street scene enhancement
- Businesses, Utility Companies, construction and development companies, site management
- Crossrail, Network Rail, London Underground

### **1.3 LIST OF POLICIES - EVIDENCE**

**POLICY EVIDENCE 1:** The City Corporation will maintain an evidence base that provides an overview of noise levels and the overall quality of the acoustic environment and soundscape in the Square Mile and to use the information to review, update and prioritise our overall approach to noise management.

**POLICY EVIDENCE 2:** The City Corporation will from time to time assess community attitudes to noise, and the wider acoustic environment, including obtaining views from residents, businesses (including hotels) and visitors (for both business and leisure) and to use this information to review, update and prioritise our overall approach to noise management.

**POLICY EVIDENCE 3:** The City Corporation will continue to provide a 24/7 noise complaint response service that will be made available to residents, businesses, workers and visitors alike.

**POLICY EVIDENCE 4:** The City Corporation will work with relevant bodies, including both internal and external organisations and departments, in order to facilitate the effective implementation of the City Noise Strategy.

### **1.4 LIST OF ACTIONS - EVIDENCE**

**1.** To consider the feasibility of a permanent noise monitoring network in the Square Mile including a real time web based interface that will provide information on the acoustic environment to all interested stakeholders.

**2.** To repeat aspects of the previous City noise measurement survey during the life of this Strategy, including 24-hour noise measurements at the same or similar locations to last time, in order to assess trends over time and to help determine priorities. Also need to consider whether any new locations should be added to support the wider aims of this Strategy.

**3.** To explore the potential use of data derived from noise modelling and noise mapping initiatives within the City to improve the available evidence base that underpins the Noise Strategy.

**4.** To investigate the potential for undertaking GIS based analysis of noise levels in the City in combination with other available datasets to seek new insights on the acoustic environment of the Square Mile and its relationship with other policy issues.

**5.** To undertake a repeat noise attitude survey during the life of this Strategy, including further investigation of sounds both liked and disliked, in order to obtain the views of residents, workers and visitors and to help update this Strategy and to determine priorities.

**6.** To seek the inclusion of relevant questions about noise and the acoustic environment in any stakeholder surveys being undertaken by the City Corporation.

**7.** To continue to monitor and respond to complaints about environmental, neighbourhood and neighbour noise in accordance with our statutory duties and any current agreed local policies.

**8.** To undertake further research to better understand the reason behind the apparent significant increase in complaints to the Pollution Control Team in recent years.

**9.** To review the current system used to collect noise complaint statistics to see if it can be improved. For example, we will consider recording more details on the type and time and resolution of noise complaints and whether they originate from residents, workers or visitors.

**10.** The M&CP Pollution Control Team will promote this Strategy and lead a review of current arrangements for the identification of, and liaison between, relevant internal and external bodies, aiming to produce revised MoU's and improved working arrangements where necessary.

**11.** To consider supporting any innovative research proposals that investigate the overall personal noise exposure of City residents and workers across a range of lifestyle types.

## 2. NEW DEVELOPMENTS

### 2.1 OVERALL AIMS - PLANNING/NEW DEVELOPMENT

To take into account the guiding principles of sustainable development and to:

- Avoid noise, and noise impacts, which could significantly adversely affect the health and well-being of City residents, workers and visitors
- Mitigate and minimise noise, and noise impacts, which could otherwise adversely affect the health and well-being of City residents, workers and visitors
- Protect, and where possible enhance, the acoustic environment and soundscape in suitable parts of the City in such a way that any measures will contribute to an improvement in health and quality of life/well-being of City residents, workers and visitors.

### 2.2 INTRODUCTION

The City of London has a highly complex, densely developed and intensively used built environment in which space is at a premium and where multiple activities occur in very close proximity. Therefore the effective management of noise impacts applies to both new development that introduces noise and new development that is sensitive to noise, and should always have regard to the longer term consequences and the intended future acoustic environment of the City.

Offices currently make up around 70% of all buildings in the City. Office based business and financial related services are the dominant activities, however the City is also a place where people live. The resident population is currently around 9,000 and is expected to grow slowly in the coming decade to around 10,000, with those aged 65 years and over contributing most to this growth. The workday population is currently around 373,000 and is expected to grow to around 428,000 over the same 10 year timescale. The workday population predominantly uses public transport to travel to work has a transient, male and younger (20 to 50 years old) age profile. The City has a number of locations which have particular noise sensitivities, for example our residential areas, churches, educational and health service sites as well as the City open spaces. Some of the existing noise challenges can be traced back to the historic origins of the City, whereas others are a legacy from previous planning policies and decisions.

The level and rate of new development, including redevelopment of existing buildings, continues to be high. The Local Plan anticipates continuing economic growth for the City, predominantly business and financial services led and identifies “significant competing demands between the need to accommodate new office development alongside the need for new housing, social and community facilities and improved transport infrastructure”. The arrival of new hotels, being both a source of noise and being sensitive to night time noise, is also likely to present new challenges for noise management in some areas.

The Local Plan identifies five “Key City Places” where there are specific pressures for development over the next 20 years. These *Key City Places* present both challenges and opportunities for the acoustic environment:



- **The North of the City** – addressing the impact of, and accommodating the growth resulting from Crossrail, whilst maintaining a mix of uses and protecting noise sensitive areas such as the main residential areas of the Barbican, Golden Lane, Barts Square and St Barts Hospital; need to respond to increasing visitor numbers; opportunities to promote soundscape initiatives in the proposed cultural hub around the Barbican.
- **Cheapside and St Paul's** – which is becoming the City's pre-eminent retail area with the success of One New Change; possible opportunities to promote soundscape initiatives centred on St Paul's Cathedral and the large number of visitors arriving across the Millennium Bridge.
- **Eastern Cluster** – will see significant office growth, there will be a number of new tall buildings, greater street level congestion and pressure on open space, a need to ensure a safe and attractive environment and to deliver a suitable acoustic environment for the people working in and commuting to this small area.
- **Aldgate** – expected to undergo significant improvements to the highway and public realm with promotion of social, environmental and business regeneration; this area currently suffers from high traffic levels, yet contains the Middlesex Street and Mansell Street residential estates and Sir John Cass's Foundation Primary School.
- **Thames and the Riverside** – encouraging a mix of commercial uses and increased accessibility; increased use of the river including a potential increased role in moving construction and deconstruction materials; promoting vibrant areas with offices and hotel development, managing noise affecting housing at the Temples and around Queenhithe; protecting and enhancing areas of higher soundscape quality such as existing relatively tranquil open spaces, specific riverside locations and addressing the acoustic quality of the riverside walk to promote recreation and enjoyment.

The intensive use of land, anticipated future economic growth and mixed uses of some of the *Key City Places* pose distinct and challenging noise management issues. It is particularly important to ensure that occupiers of commercial and residential buildings, hotels, serviced apartments, schools and hospitals have adequate protection against noise. At the same time, it is also important to protect and enhance the acoustic environment and soundscape when such opportunities arise.

The prevention and minimisation of noise associated with construction and demolition sites (we often use the term “deconstruction” to reflect a more careful managed process) is also an essential amenity consideration for residents, businesses, visitors and for other noise sensitive premises, such as churches, schools and libraries. Furthermore, it is not just major developments which have potential for noise impact; even minor works can cause significant local problems if they are not managed properly.

Planning and noise is a complex field in which a number of national, regional and local documents play an important role. These include the Local Plan, the London Plan, the NPPF, this Noise Strategy and the NPSE. These key documents together with relevant examples of national and/or international good practice will provide the basis for the management of noise and the enhancement of the acoustic environment relating to new development in the Square Mile. Our approach will be supported by more detailed policies contained in Supplementary Planning

Documents (SPDs), including the updated Environment SPD as well as other relevant City policy documents.

Noise impacts and solutions need to be considered within the broader framework of sustainable development, and in conjunction with other associated environmental impacts of development such as increased carbon emissions and air pollution.

## **2.3 THE MANAGEMENT OF NOISE RELATED TO NEW DEVELOPMENT**

The main noise sources related to new developments in the City are:

- Construction and deconstruction work and associated activities e.g. piling, heavy goods vehicle movements, utilities street works
- Building services plant and equipment e.g. ventilation fans, air-conditioning, emergency generators
- Leisure facilities and licenced premises e.g. people and amplified music
- Servicing activities e.g. deliveries, window cleaning and building maintenance

The most common new noise sensitive developments in the City are:

- New residential developments, hotels, serviced apartments and offices.

For noise sensitive developments we will seek confirmation of appropriate acoustic standards at the design stage.

### **2.3.1 Demolition and construction**

The high level of intensive development in the City, including major office redevelopments in the east and infrastructure projects such as Bank Station Capacity Upgrade, Thames Tideway and Crossrail, can have significant environmental impacts on occupiers of nearby noise sensitive premises. Protecting City businesses, residents and other noise sensitive premises (e.g. schools) from noise and vibration impacts of construction sites is essential to the City's continuing reputation as an excellent place to live, to visit and to work and do business.

Developers will continue to be required through planning consent conditions to obtain approval for and adhere to Environmental Management Plans which comply with the requirements of the City of London Code of Practice for Deconstruction and Construction Sites.

Use of s106 and Community Infrastructure Levy agreements and planning conditions for monitoring and the mitigation of noise associated with large developments will continue to be negotiated with developers at sites close to noise sensitive premises such as housing and schools.

For the ongoing large infrastructure projects (e.g. Crossrail, Bank Station Capacity Upgrade, Thames Tideway Tunnel), we will continue to make representations and actively engage with the relevant bodies to avoid significant adverse impacts and to minimise noise and amenity loss.

### **2.3.2 Building services plant and equipment**

Mechanical plant and other equipment used for providing building services will emit noise which, if not controlled, can be detrimental to the amenity of an area or cause a nuisance to residents or businesses. Noise from these sources contributes to the overall ambient noise levels in the City and sometimes can adversely affect the acoustic environment of open spaces and otherwise relatively tranquil locations. The density, size, design and number of commercial buildings in the City have resulted in very large numbers of building services installations in a particularly compact area. In order to prevent nuisance and loss of amenity, to protect the acoustic environment and to minimise the upwards creep of ambient noise levels, developers will be required to demonstrate that there will be no increase in pre-existing background noise levels resulting from new plant, equipment or machinery.

### **2.3.3 Leisure facilities and licenced premises**

The style and character of many licenced premises has changed significantly in recent years. Both existing and new premises seek longer operating hours, often to the early hours of the morning, providing live or recorded amplified music. This is an inherent part of the buzz of the City and is supported by the GLA's Night Time Commission and facilitated by the forthcoming Night Tube. However, some of these premises are close to residential accommodation and may result in complaints about disturbance and nuisance from excessive noise, particularly from people drinking and smoking outside, arriving or leaving. Planning policies are being developed to minimise the noise impact of new licenced premises. Guidance is provided to licence applicants in the City of London Statement of Licensing Policy on preventing public nuisance from noise. Representations can be made to the Licensing Authority in connection with new licence applications or variations on the grounds of preventing public nuisance.

### **2.3.4 Servicing**

The concentration of businesses in the City necessitates the regular delivery and collection of equipment, materials, foods and solid waste to sustain their operations. This includes the City of London's waste collection service. For this purpose, a vast number of commercial vehicles enter and leave the City. Where vehicles are involved in noisy servicing in noise sensitive locations outside business hours e.g. early morning when close to residential accommodation, then disturbance resulting in a statutory nuisance can result. The waste collection service currently operates 24/7 and is managed to minimise the risk of noise nuisance wherever practicable.

Deliveries and collections close to residential accommodation which are likely to cause disturbance, loss of amenity or a nuisance will continue to be discouraged between 23:00–07:00 weekdays and Saturdays, with no deliveries permitted on Sundays and Bank Holidays.

However, some essential services such as refuse collection may continue to need to take place outside these times e.g. on Sundays or Bank Holidays. Additionally where parking or other restrictions prevent loading and unloading during workday working hours, flexibility in the application of the above times will be needed.

Where there are no alternatives to servicing taking place outside the above times businesses will be encouraged and, if necessary, required to use quiet delivery methods to minimise disturbance or nuisance.

Noise minimisation from servicing activities will be managed by the use of planning conditions, advice and encouragement, and, if necessary, enforcement of noise nuisance and other relevant law (e.g. Environmental Protection Act 1990, Licensing Act 2003, Noise Act 1996).

The use of consolidation centres to reduce the overall number of servicing and delivery movements in the City is being actively encouraged as is the use of acoustically considered loading bays which may facilitate 24 hour servicing.

### **2.3.5 New residential development**

Housing is a key determinant of health. The provision of adequate housing is likely to be a growing challenge for London in the coming years. As it is primarily a business district the City has an unusual housing and household profile. There were just over 6,000 dwellings in the City as of March 2011, 83% are owner occupied or in the private rented sector. More than 50% of households comprise one person, and 80% of households have no children. Around half of dwellings in the City have two or fewer “habitable rooms”, and around 20% have only one habitable room. Private gardens are extremely rare. The number of dwellings was projected (in 2011) to increase by around 110 per annum. The unusual nature of most City households has implications for noise management and, in particular the need to ensure good internal acoustic conditions in bedrooms and the need to protect and enhance the acoustic conditions of our open spaces.

The majority (around 60%) of the City’s housing units are located in the north of the City, particularly at the Barbican Estate, Smithfield and Golden Lane. This spatial concentration of housing units has implications for noise management and these are the areas where many noise complaints are received.

We will seek to ensure good acoustic design of all new residential development in the City by the incorporation of suitable planning policies in the Environmental SPD. We will pay particular attention to acoustic design where new residential development is likely to be exposed to high levels of environmental and/or neighbourhood noise either now or in the foreseeable future.

## **2.4 LIST OF POLICIES – NEW DEVELOPMENTS**

### **2.4.1 New noise making and noise sensitive development**

**POLICY DEVELOPMENTS 1:** The City Corporation will seek to manage noise impacts as a result of new development through the introduction and application of appropriate and effective planning procedures, policies, conditions and agreements, and in particular:

- a) Influence and provide advice on design and layout of new developments at pre- application stages e.g. to require the good acoustic design of all new residential development, to minimise noise from servicing commercial buildings affecting residential premises, to encourage better building design to favour quieter plant and equipment where technically possible, to encourage internal layouts which provide protection from internal noise transmission and external noise and to encourage suitable noise screening where appropriate.
- b) Prevent nuisance, loss of amenity and minimise creeping ambient and background noise levels from developments. Developers will continue to be required to demonstrate that noise levels

from new plant, equipment or machinery do not increase background noise levels. Developers will be encouraged to achieve the lowest achievable noise emissions.

- c) Continue to limit and contain noise and vibration from construction and deconstruction activities through the Planning Consent process, based on the latest edition of the City of London Code of Practice for Deconstruction and Construction and other relevant standards. This includes requiring through planning conditions the approval and implementation of Environmental Management and Construction Logistics Plans where appropriate.
- d) For mixed use sites or developments, planning policies will generally encourage physical separation of noise generating activities from noise sensitive premises as long as this is compatible with good acoustic design of the site. Where necessary, conditions to minimise noise and noise impacts through mitigation and / or limiting hours of operation will be sought.
- e) Prevent the introduction of noise sensitive uses into areas close to commercial developments with high noise levels where the achievement of acceptable standards for quiet living conditions are not technically practicable.
- f) Place limits on the hours of operation of servicing and noise generating activities at developments where noise sensitive premises are likely to be adversely affected. Existing limits for hours of servicing (permitted between 07:00 – 23:00, Monday – Saturday, except Bank Holidays) to be applied; where this is not practicable a plan to minimise noise from servicing will be required to be approved and implemented.
- g) Resist the introduction of noise generating activities such as leisure or entertainment venues into areas with strong residential character. Where this is not compatible with wider planning or other economic and social objectives for the area, to limit noise impacts by ensuring good acoustic design and by placing appropriate conditions including constraints on activities and limits on hours of operation.
- h) Seek opportunities in connection with new development for the enhancement of the acoustic environment, for the promotion of soundscape initiatives and for the protection of quiet and tranquil places when and where such measures are supported by the local community.
- i) Encourage and promote good acoustic design, soundscape initiatives, good practice in noise reduction and control in the design of street scene and open spaces enhancement schemes including the public realm.
- j) Seek to use community infrastructure funding for monitoring and mitigation of noise and the enhancement of the acoustic environment and soundscape, particularly in relation to large developments at sites close to noise sensitive locations such as housing, schools and open spaces.

#### **2.4.2 Premises Licence policies, conditions and enforcement**

**POLICY DEVELOPMENTS 2:** The City Corporation will seek to manage noise emissions and impacts of new leisure and entertainment premises through the development, application and enforcement of

appropriate, consistent and effective policies, procedures and conditions within the framework of the City of London Statement of Licensing Policy, and in particular:

- a) Resist the introduction of leisure or entertainment premises into areas where there is a strong likelihood that noise will result in public and / or statutory nuisance or a significant adverse impact. Where the development forms part of agreed wider or longer term planning objectives for the area, seek to mitigate and minimise noise impacts by promoting the City of London Statement of Licensing Policy to ensure noise from licensable activities is adequately managed e.g. use of sound insulation, good acoustic design, operational management measures and limits on hours of operation.
- b) Where appropriate, making representations to the City Licensing Authority as one of the Responsible Authorities (e.g. Pollution Control Team, City Licensing Service, Development Control and City of London Police) on licences and licensing applications.
- c) Where appropriate, supporting applications for review of licences by responsible authorities (e.g. Police or Fire) or 'other persons' (e.g. residents or businesses).
- d) Recognising that existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of recent changes in nearby land uses.

#### **2.4.3 Infrastructure projects**

**POLICY DEVELOPMENTS 3:** The City Corporation will continue to work pro-actively to manage noise impacts of major developments and infrastructure projects through:

- a) Lobbying and technical representation.
- b) Use of Development Control Orders or planning conditions e.g. requiring provisions of Environmental Management Plans for prior approval.
- c) Promoting a flexible approach to compliance and good practice contained in the City of London Code of Practice on Deconstruction and Construction Sites.
- d) Where necessary, use of enforcement measures under the Control of Pollution Act 1974, Environmental Protection Act 1990 and other relevant legislation.

#### **2.4.4 Engagement, advice and guidance**

**POLICY DEVELOPMENTS 4:** The City Corporation requires the Pollution Control Team to continue to provide in-house advice, support and guidance on managing noise impacts arising from proposed City Corporation development activities.

**POLICY DEVELOPMENTS 5:** The City Corporation requires the Pollution Control Team to continue to provide advice, support and guidance on minimising noise and managing noise impacts of street and other open space events planned in the City.

**POLICY DEVELOPMENTS 6:** The City Corporation will expect the Pollution Control Team to work proactively with the leisure, hospitality, retail, construction and other business sectors to ensure

noise and other environmental impacts of new developments are adequately managed and minimised.

**POLICY DEVELOPMENTS 7:** The City Corporation will support Pollution Control Team activities to liaise with developers and other relevant bodies regarding potential soundscape initiatives in the Square Mile (see Section 5 for more detail).

## **2.5 LIST OF ACTIONS – NEW DEVELOPMENTS**

- 1.** Continually review and update planning conditions and informatives relevant to noise and the acoustic environment to ensure they are fit for purpose and reflect the policies and aims of the NPPF and associated national guidance, the Local Plan, other City Policy documents, the NPSE and this Noise Strategy.
- 2.** Develop appropriate planning policies in the emerging Environment SPD and other City policy documents to reflect the policies and aims of this Noise Strategy.
- 3.** Consider the acoustic environment and soundscape issues in environmental enhancement area strategies as consultations emerge.
- 4.** Implement the revised guidance to construction businesses on noise considerations and content relating to Environmental Management Plans.
- 5.** Engage with Defra, DCLG and relevant professional organisations regarding the development of suitable guidance on planning and noise that is relevant to the unique conditions found in the Square Mile.
- 6.** Work to influence Licensing Policy through the proposed review of the City of London statement of Licensing Policy and procedures.
- 7.** Continue to lobby major infrastructure providers for support to enable us to provide an effective process and a timely response to all consent applications.
- 8.** Continue to provide ad hoc advice on noise and soundscape issues to a wide range of City Corporation Departments e.g. DBE project works, facilities and housing stock management, waste collection, Guildhall Yard Public Programme, Barbican Centre and ad-hoc events promotion and management
- 9.** Continue to consider noise impacts (and any opportunities for soundscape initiatives) relating to City events and filming through the Safety Advisory Group (SAG) and also via direct consultation with M&CP Pollution Control Team.
- 10.** Seek to assess the risk of any unusual sonic effects on the acoustic environment that may result from the use of innovative urban design in the City, such as excessive reflections from tall glass buildings, unusual reflections from curved buildings and overhangs, and a lack of acoustic absorption in hard external areas.

## **3. TRANSPORT AND STREET WORKS**

### **3.1 OVERALL AIM - TRANSPORT AND STREET WORKS**

Aim: To promote and support the management of noise and noise impacts as a result of transport and street works, including noise minimisation, mitigation and reduction where possible, whilst recognising the importance of transport infrastructure and essential maintenance work.

### **3.2 INTRODUCTION**

The City of London needs and promotes an efficient transportation system that allows commuters to get to and from work, as well as couriers and goods vehicles to make essential deliveries and collections.

The City is located at the heart of London's public transport system. Seven of the eleven London Underground lines and the Docklands Light Railway serve the City via thirteen underground stations with night tube proposed for the Central Line in the short term. There are six mainline rail stations, four of which are major rail termini. Approximately fifty bus routes serve the City's streets. Approximately 360,000 people commute to the City each weekday and around 90% of them use public transport. The Local Plan predicts that City employment will increase significantly over the next decade with a corresponding increase in commuting. Crossrail is due to commence operation in 2018 and further capacity improvements are expected to the Northern Line.

Additional information is now available on noise levels from major roads, and noise levels from major railways, derived from two rounds of computer noise modelling that has been undertaken by Defra in response to the Environmental Noise Directive. Figure 7 below shows the estimated levels of road traffic noise in the City according to the strategic noise mapping. Figure 8 shows the Noise Action Planning Important Areas (IAs) for roads (blue) and railways (black). These IAs represent some of the noisiest areas in the City and can provide a framework for local management of transport related noise pollution. It is possible to supplement this information with the location of Air Quality Management Areas (AQMAs) to allow a more co-ordinated approach to transport related pollutants. Linking this newly available geographical information with other datasets may also provide useful new insights.



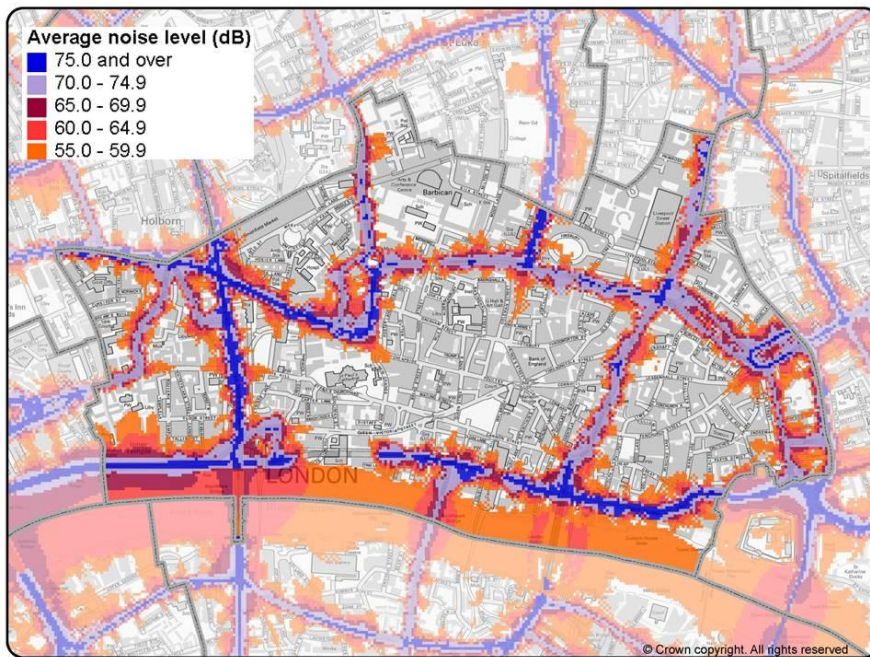


Figure 7: Average noise level (dB) from major roads in the City, according to Defra strategic noise mapping

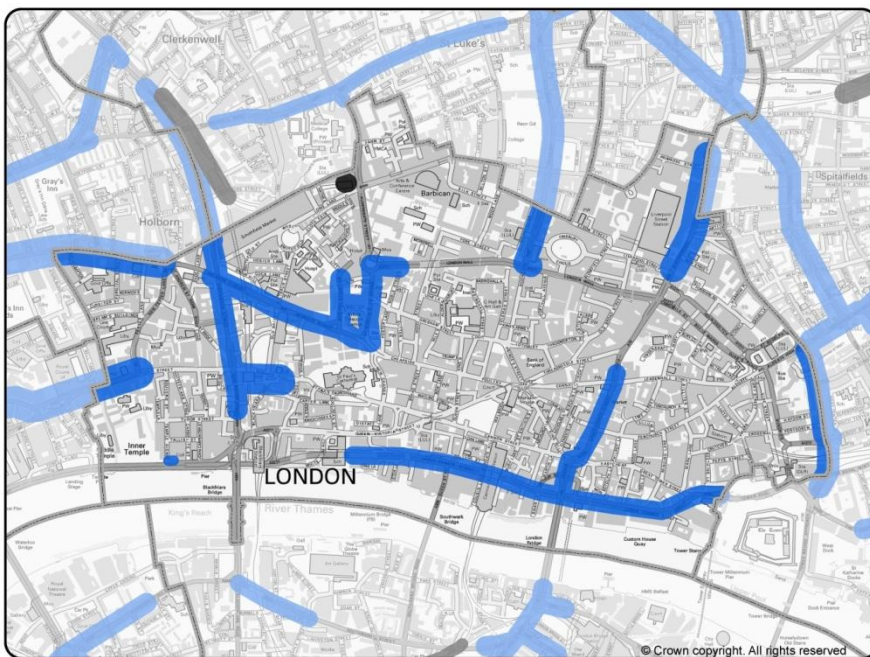


Figure 8: Noise Action Planning Important Areas in the City, according to Defra strategic noise mapping

[Figures 7 and 8 provided by Extrium Ltd, more information available at <http://www.extrium.co.uk/noiseviewer.html> ]

Road traffic noise is the most prevalent source of environmental noise in the City, and it is known to result in adverse impacts on health and quality of life, but it is less frequently a source of complaint. Furthermore, very few complaints are received about other sources of transport noise such as from

aircraft, the rail and underground networks. This may be because transport infrastructure is regarded as an inevitable aspect of City life, or because there is a perception that nothing can be done. Street works currently result in more noise complaints than any other transport related activity. Previous City noise attitude surveys have shown that the majority of residents consider the City to be a noisy place to live. Attitudes to transport noise could change in the future with the more widespread adoption of low emission and low noise vehicles, with an increase in cycling and with the promotion of pedestrian movement within the City. We will undertake regular noise attitude surveys/ensure that noise is included in City attitude surveys so that we can monitor trends.

### **3.3 THE MANAGEMENT OF NOISE FROM TRANSPORT AND STREET WORKS**

#### **3.3.1 Road traffic noise**

The strategic road traffic noise mapping undertaken by Defra estimates that a small number of City residents living next to identified busy roads may be exposed to adverse levels of noise. The Noise Action Plan for Agglomerations (that now covers all major cities in England) requires the assessment and, where appropriate, the implementation of noise management measures by relevant Highways Authorities. We will work with Defra and the relevant Highway Authorities, primarily TfL in the City, when opportunities arise to ensure that any nationally identified road traffic noise hotspots in the Square Mile are tackled effectively (see Figure 8).

Action will need to be considered to assess and manage road traffic noise exposure at other noise sensitive locations in the City. The Defra noise modelling is deliberately strategic and may need to be supplemented by additional detailed noise modelling, predictions and measurements in order to provide information that can be used to determine priorities and assess noise management options across the wider road network.

Road traffic noise in the City results from a number of different vehicular sources, primarily public transport and private vehicles such as lorries, coaches, vans, cars and motorbikes.

However, noise from commercial vehicles is also significant particularly on Transport for London 'red routes'. There is a significant amount of commercial vehicle and Hackney cab activity related to servicing the business and development needs of the City.

Freight accounts for a significant proportion of traffic in the City of London (20% between 07.00 and 19.00) and freight vehicles compete for scarce road space with other priority and vulnerable road users such as buses, cyclists and pedestrians.

Planning and transport policies to minimise disturbance to residents currently restrict night time and weekend commercial vehicle movements through the City. However, various TfL initiatives mean that the existing protections are likely to become more flexible to enable deliveries to take place outside traditional restricted periods. These arrangements need to be carefully considered against the needs and expectations of City residents and workers. This will involve close liaison with TfL regarding TfL roads and with DBE regarding City roads. We will work with TfL to pursue relevant future initiatives and good practice case studies seeking to control road traffic noise from commercial vehicles.

Road traffic noise is usually assessed in terms of its impact on residential properties. This is the sole focus of the Defra Noise Action Plan for Agglomerations. In the City, road traffic noise also impacts on other noise sensitive premises, businesses and the increasing numbers of pedestrians in some parts of the City. We will work with colleagues in TfL and DBE to consider whether there may be opportunities for wider initiatives on road traffic noise management, particularly in the proximity of principal roads and 'red routes'. Wherever possible, we will seek synergies with other initiatives, such as on safety and air quality. In addition any opportunities to reduce cumulative impacts of noise and vibration from all forms of transport will be considered together.

Existing planning and transportation policies, in particular the City of London Core Strategy 2011, promote walking and cycling and improvements in air quality. In doing so they support development of improved environmental quality for pedestrians, cyclists and residents, including a potential for reduced noise from road traffic in some locations.

The use of sirens at night by the emergency services causes disturbance in some residential areas of the City. Although mostly unavoidable, we will work with the GLA/TfL, and relevant City bodies such as the City of London Police, to seek improvements in current practice if possible.

### **3.3.2 Other Transportation**

**Rail and Underground:** The Noise Action Plan for Agglomerations identifies the Barbican Underground station as an 'Important Area' which requires DfT and the ORR to assess and consider what actions if any could be taken to manage railway noise and to implement those actions. In addition, the Pollution Control Team receives occasional complaints about noise from underground trains and, about alleged excessive noise from station announcements. We will make representations to relevant bodies when complaints are received and as any noise management proposals emerge. The team will need to liaise closely with TfL and LUL regarding the noise implications of the "night tube" service as this is rolled out across London.

**Helicopter use:** Low flying and hovering helicopters over residential areas can cause disturbance and annoyance particularly at weekends and at night. There are reports of increased helicopter numbers over the City. However some emergency service helicopter movements are considered to be essential to the proper functioning of a modern city. We will work with the GLA and other London LAs to identify any potential improvements that can be made.

**River traffic:** Occasional complaints are received about noise from river traffic, the most common being excessive noise from party boats. We already work alongside other Riparian Boroughs to monitor complaints and consider appropriate remedial measures and will continue to do so. In addition we will host future meetings of the Riparian Steering Group.

### **3.3.3 Street Works**

As well as actively promoting public transport, cycling and walking, the City Corporation and TfL seek to keep traffic flowing by effectively planning and managing the highway network. The City Corporation is also committed to ensuring that utility services continue to meet the demands of the world's premier financial centre. A permitting system exists for utility companies and other contractors (including those contracted to work for the City) who need to carry out street-works. At

noise sensitive locations, one or more measures are usually necessary to minimise noise impacts on businesses and / or residents. These include restricting times when noisy work is permitted, effective communications, using less noisy methods and using noise barriers.

Residential accommodation is now distributed more widely through the City and has increased the spread and number of noise sensitive locations, this has constrained the opportunities for carrying out noisy work on the highway at night time when traffic volumes are low.

Highways Authorities have a statutory obligation to seek to prevent traffic disruption and the City Corporation has a duty to take statutory action to remedy noise nuisances and prevent disturbance to residents. There is thus a potential for tension between conflicting roles when undertaking street works. We will continue to aim to strike an appropriate balance through the promotion and application of the City of London Code of Practice: Minimising the Environmental Impact of Streetworks. This requires the use of best practical means for noise control and restricts the times during which noisy activities are permitted in the City for the benefit of both residents and businesses. An example of recent application of a more balanced policy is that the City of London have agreed to a presumption that street works may take place for certain periods ('extended hours working') outside of the City's normal 'Standard Hours' at certain locations where disturbance to residents is deemed unlikely.

Effective consultation and communications with affected residents and businesses are key measures to minimise complaints. If the purpose, times and durations of noisy works are known (or agreed) in advance, noise and disruption is more likely to be tolerated. Good communications can also help to resolve problems quickly without the need to involve law enforcement or other legal action. We will always encourage good communication with local residents, local businesses and the provision of adequate information to pedestrians.

### **3.4 LIST OF POLICIES – TRANSPORT & STREET WORKS**

#### **3.4.1 City of London Noise Receiving Authority Function**

**POLICY – TRANSPORT 1:** The City Corporation will meet any ongoing obligations as a "Noise Receiving Authority" in the Defra noise action planning process. This will involve close liaison with Defra and TfL regarding TfL roads and with DBE regarding City roads. It may also require liaison with relevant rail authorities.

**POLICY – TRANSPORT 2:** The City Corporation will consider the creation of a central co-ordination point for the handling of all complaints relating to noise from all transport sources and from street works whilst acknowledging that currently available powers of the Pollution Control Team are limited. This will allow the scale of the problem to be assessed, help to determine future priorities, and enable the Pollution Control Team to more effectively engage with responsible transport bodies and organisations.

**POLICY – TRANSPORT 3:** The City Corporation will seek opportunities to influence transport noise policy across London in order to secure improved conditions in the Square Mile, this will include liaison with DfT, Defra, the Mayor of London and TfL.

#### **3.4.2 City of London Highways Authority Functions**

**POLICY TRANSPORT 4:** The City Corporation will manage the noise impacts of street works having regard to the latest relevant City of London Code of Practice and wherever possible consider the available alternative arrangements to minimise duration of works and disruption to traffic.

**POLICY TRANSPORT 5:** The City Corporation requires the Pollution Control Team to continue to work closely on street works noise issues with the relevant City Corporation Departments, TfL, Utilities and contractors.

**POLICY TRANSPORT 6:** The City Corporation will promote, seek funding for and support the use of effective community communication strategies to help to manage noise disturbance from street works.

**POLICY TRANSPORT 7:** The City Corporation will integrate noise management considerations into policy, planning and design of City Corporation's transport, cleansing, planning, highways management and improvement activities across the City.

**POLICY TRANSPORT 8:** The City Corporation will integrate noise management considerations into our internal procurement processes and contract specifications for highways maintenance and improvement, engineering, transportation and cleansing activities.

**POLICY TRANSPORT 9:** The City Corporation will incorporate noise management considerations for in-house schemes, including good design practice, when considering improvements or changes to road transport planning, traffic and pedestrian routes.

**POLICY TRANSPORT 10:** The City Corporation will honour its obligations as a Highways Authority in the Defra noise action planning process. This will require action by DBE regarding City roads. We will also seek to ensure that TfL delivers on its obligations regarding TfL roads in the Square Mile.

### **3.4.3 Advocacy**

**POLICY TRANSPORT 11:** The City Corporation will strive to influence relevant bodies such as TfL, Utilities companies, Network Rail, Crossrail, Civil Aviation Authority, Police Authorities and other emergency services, wherever possible to reduce noise and vibration and to better manage noise impacts from their operations for the benefit of City residents, workers, businesses and visitors.

### **3.4.4 Night Time Servicing**

**POLICY TRANSPORT 12:** The City Corporation will continue to support restrictions on night time and weekend commercial vehicle movements through the City and to limit operational hours of noisy servicing activities in noise sensitive locations wherever necessary. However the City Corporation will consider a more flexible approach where our normal time restrictions are proving problematical provided that other acceptable noise management measures are implemented such as use of loading bays and consolidation centres. Where appropriate, we will promote TfL's Code of Practice for Quieter Deliveries within the City. Where there is no likelihood of disturbance 24 hour servicing is actively encouraged. We will review the implementation of this policy on an ongoing basis and will revise our approach as required

### 3.4.5 General

**POLICY TRANSPORT 13:** The City Corporation will seek to identify and exploit opportunities and synergies between this Noise Strategy and other City of London Corporation policies (e.g. the City Corporation's Air Quality Strategy and Local Transportation Implementation Plan) to reduce noise and vibration and to better manage the impact of noise from road transportation, servicing and street works.

**POLICY TRANSPORT 14:** The City Corporation will where possible, support and contribute to the development of low noise methods, schemes, management techniques and technologies which could reduce noise or better manage noise impacts from road traffic, street works and servicing.

### 3.5 LIST OF ACTIONS – TRANSPORT & STREET WORKS

1. Continue to work with DBE, contractors and utility companies to manage noise impacts and seek to facilitate reduced traffic disruption (e.g. extended working hours) due to street-works.
2. Review options for reducing traffic disruption while minimising noise impacts for residents and businesses including review of the current 'quiet hours' requirements in the CoL Code of Practice for Deconstruction and Construction.
3. Lobby TfL to build flexible arrangements into their proposed 'lane rental' scheme to prevent nuisance and disturbance to City residents in sensitive locations of the TfL network within the City.
4. Develop formal liaison protocols on relevant transport noise issues with TfL.
5. Work with relevant City of London Departments to provide advice and support on reducing noise and managing noise impacts from their transport and highways related operations.
6. Review and develop working arrangements between DBE and M&CP for integration of noise considerations where required into strategic and service planning and delivery.
7. Contribute to the inclusion of noise management considerations into any revision of the City of London Manual for Sustainable Streets.
8. Integrate noise management considerations in relevant City Corporation procurement processes and contracts e.g. specifications.
9. Noise Action Planning:
  - a) Ensure completion of all necessary investigations at road and rail noise "Important Areas" in the City.
  - b) Seek the implementation of all agreed measures to reduce noise levels at any "Important Areas" where the Corporation are the relevant Highways Authority
  - c) Similarly, use lobbying and other means to ensure that TfL, DfT and ORR meet their obligations to tackle the Important Areas where they are the relevant noise making authority.



- d) Consider updating Defra noise maps to make them more useful for local noise management purposes.
- e) Consider seeking formal designation for any special Quiet Areas in the City and make all relevant authorities aware of the implications for noise management.
- f) Consider reviewing the impact of traffic noise impacts on “other noise sensitive premises” in addition to the impact on residential premises.

**10.** Seek funding for additional transport noise modelling and noise measurement surveys to gather improved baseline noise data on road traffic noise levels in the City.

**11.** Continue discussions with major infrastructure providers and their contractors to minimise noise impact of their construction, including any tunnelling activities, and of the subsequent operational movements.

**12.** Continue to enforce and raise awareness of the City approach to night time deliveries in noise sensitive areas.

**13.** Where appropriate, promote TfL’s Code of Practice for Quieter Deliveries within the City. Review implementation and revise policies and procedures as required.

**14.** Continue to promote the use of quieter (and low emission) vehicles and other measures to reduce the number of road vehicles on City streets, through supporting and reinforcing measures contained in the Local Plan, City Corporation Cycling Plan and Air Quality Strategy etc.

**15.** To promote and facilitate the use of consolidation centres for deliveries to the City including the publication of a supplementary planning document.

**16.** To facilitate and contribute to the Riparian Noise Steering Group and input to any update of the Guidance for Control of Charter Cruise Noise on the Tidal River Thames.

**17.** Investigate and seek solutions to the noise implications of a reported increase in the number of helicopter flights over the City, in conjunction with the GLA, neighbouring LAs and other stakeholders.

## 4. DEALING WITH NOISE COMPLAINTS AND INCIDENTS

### 4.1 OVERALL AIM – NOISE COMPLAINTS AND INCIDENTS

To resolve noise complaints and incidents through a coordinated noise response, enforcement and information sharing network.

### 4.2 INTRODUCTION

Despite pro-active measures to prevent and manage noise, disturbance can still sometimes occur and become a problem. The City Corporation and its partners need to have the arrangements in place to respond, assess and take action to minimise and prevent recurrences of unacceptable noise.

The City of London Corporation Department of Markets and Consumer Protection's (M&CP) Pollution Control Team regulate and respond to noise complaints. An out of hours complaint handling service is currently in operation, in conjunction with DBE. Information presented in Section 2 shows that the number of noise complaints received is now around 1,100 a year, and that there has been a significant increase in requests for this service since 2011. In addition, the Team receives a similar number of requests for advice and assistance. The Port Health Service respond to noise complaints relating to leisure craft on the river, especially those hosting private parties and events.

Where noise is excessive and is actually causing disturbance at the time of the complaint, then we aim to provide a rapid response, often within an hour e.g. noise from street works affecting business activities on weekdays or affecting residents on Sundays.

Residents and businesses expect noise issues affecting them and referred to the City of London to be promptly resolved. A significant number of complaints are resolved through informal action and good-will, however where formal action is required our options are limited by statutes and regulations which can sometimes result in unmet expectations.

Not all noise complaints are necessarily made directly to the City Corporation. Some are received by the City of London Police, or are made directly to noise perpetrators or contractors through 'Helplines' such as those operated by infrastructure projects or construction sites.

Other City Corporation functions which can become involved with noise related enforcement issues are licensing, housing management, Barbican Centre, Highways Authority (permitting) and development management (planning).

Other agencies which also have powers and responsibilities for noise issues include:

- City of London Police
- Registered Social Landlords
- Transport for London
- Civil Aviation Authority and Airport Authorities
- Ministry of Defence



We have certain formalised joint working arrangements through e.g. M&CP and City of London Police Memorandum of Understanding and the Anti-Social Behaviour (ASB) information sharing protocol, the Planning and Environmental Health Enforcement Protocol, the Licensing Liaison Partnership, Environmental Health and Highways Liaison and weekly elected Member Bulletins. However, in some cases the current complaints liaison arrangements between organisations remain informal. Complaints information generated and held by City Corporation departments and other public organisations are formally shared and exchanges of information and intelligence occur in response to issues as they arise.

There is still further scope for strengthening and improving current levels of co-ordination and cooperation between those agencies with noise management responsibilities and the City Corporation Pollution Control Team, with the aim of providing a joined-up and responsive noise complaint service:

- Ensure clear understanding of roles of different organisations and communications between them
- Align enforcement approaches and evidence gathering and sharing across key agencies
- Share data, good practice and relevant research
- Address noise issues in City Corporation departmental policies and procedures so as to better manage noise from their premises, vehicles and activities, and to provide an initial response to noise complaints
- Seek opportunities to engage with businesses that may cause noise problems to provide advice and support, particularly with the licenced and hospitality sector

Potential benefits include quicker and proactive resolution of some noise issues before complaints are formally made to the M&CP Pollution Control Team (e.g. noise complaints in CoL managed premises such as the Barbican Centre), and more targeted enforcement and cooperation over the impact of the night time economy.

The collection and sharing of more comprehensive noise complaints information across the Corporation and its Partners, and its analysis can assist in spotting and assessing trends, determining priorities and, if necessary, taking proactive measures. The information can provide evidence for targeting noise issues through working groups such as the Licensing Liaison Partnership, Safer City Partnership and the Health and Well-being Board.

### **4.3 LIST OF POLICIES – NOISE COMPLAINTS AND INCIDENTS**

#### **4.3.1 Noise complaint resolution and enforcement**

**Responding 1:** Provide a dedicated service responding to, assessing and resolving justifiable noise complaints according to statutory obligations, noise management policies and procedures, managing expectations and using regulatory tools where necessary.

**Responding 2:** Continue to provide a swift response to noise complaints requiring urgent action, in particular:

- 'Out of hours' noise response service to respond quickly to complaints of noise occurring outside office hours (currently provided in conjunction with DBE).
- Response during office hours to noise affecting businesses e.g. street works or construction sites.

**Responding 3:** The City of London, in its capacity as London Port Health Authority, will undertake some night time noise patrols on the River Thames, particularly during summer months, to monitor and control noise emanating from activities on the river, and prevent disturbances to City residents.

**Responding 4:** To apply noise prevention, control and mitigation guidance adopted by the City of London; the latest editions of the Code of Deconstruction and Construction Practice, the Streetworks Code of Practice and TFL's Code of Practice for Quieter Deliveries.

**Responding 5:** Continue to develop and deliver timely, consistent, co-ordinated joined up approaches to investigation and enforcement with other regulators and public bodies to resolve and reduce the frequency and severity of noise and ASB complaints. Partners include the Planning Authority, City of London Police, Licensing Authority, Highways Authorities, Housing Authorities, Social Services, Community Safety Team and Registered Social Landlords.

**Responding 6:** Organisations with noise management responsibilities will be encouraged and supported to resolve noise complaints made directly to them wherever possible.

#### **4.3.2 Noise complaint information and data**

**Responding 7:** Organisations with noise management responsibilities will be encouraged to maintain and share information and data on noise complaints. The information shared between them will be collated, analysed and shared between them (within the limitations of data protection legislation). A lead officer will be identified for collation.

#### **4.3.3 Engaging with businesses**

**Responding 8:** Continue to work proactively with the leisure, licenced, construction, and other business sectors to manage and minimise noise impacts and other environmental impacts of their operations. Such work to include the provision of advice and sharing information and best practice on reducing noise disturbance and complaints.

#### **4.3.4 Service delivery**

**Responding 9:** The City Corporation will undertake a review of the noise service delivery arrangements including its effectiveness and resourcing taking into account stakeholder feedback. And where possible identify areas of improvement.

### **4.4 LIST OF ACTIONS – NOISE COMPLAINTS AND INCIDENTS**

- 1) Development, publication and ongoing review of an Environmental Supplementary Planning Document including noise issues.
- 2) Current edition of CoL Code of Practice on Deconstruction and Construction to be reviewed and updated.

- 3) Continue work with the Health and Well-being Board to include noise as a health 'issue' to be addressed in the Joint Strategic Needs Assessment and Health and Wellbeing Strategy.
- 4) Continue with work involving the City Police and Licensing Liaison Partnership, Community Safety Team and Safer City Partnership; encourage and support consistent and effective policies and procedures across the City Corporation and other agencies to respond to public nuisance related to operation of licenced premises.
- 5) Support a joined-up approach to noise issues in the review of the Statement of Licensing Policy and the implementation of any upcoming new licensing legislation.
- 6) Continue to support and take part in schemes which promote good practice in noise control and management e.g. City's Considerate Contractor Scheme (CCS) and 'Safety Thirst' scheme.
- 7) Review and refresh the formal liaison and coordination protocols with the City of London Police on noise and anti-social behaviour enforcement matters and including information sharing.
- 8) Continue to build on business engagement including attending and presenting at business, licenced trade, sector liaison and residents meetings.
- 9) Develop formal liaison protocols on noise issues with Transport for London and London Underground.
- 10) Review recording and analysis of complaint data to include 'visitors' in addition to residents and businesses.
- 11) Ensure in the implementation of a joint contact centre that call handling for noise complaints is streamlined to provide a smoother customer experience.
- 12) Develop and expand partnerships and collaborations with organisations, groups and stakeholders such as the Noise Abatement Society, GLA, TFL, LANAF and others with aligned objectives.
- 13) Assess options for securing funding for service provision from infrastructure projects, developers or other sources as they arise.
- 14) To conduct customer satisfaction surveys and utilise the results to inform review and improvement in service provision.
- 15) Investigate possibility of providing a "one-stop shop" to receive and co-ordinate the response to all noise complaints in the City.
- 16) Review current approach to handling complaints about church bells, recognising bells as an iconic City sound and striking an agreed balance between the requirements of the church community, bell ringers, residents, workers and visitors (including those staying in hotels) (see also related proposals in Section 5).
- 17) To undertake a review of our approach to noise from vehicle safety alarms including: (a) Review our current approach to the use of vehicle alarms on construction and demolition sites in the

City. (b) Work with internal departments and procurement team to phase in the use of less annoying alarms on City vehicles (e.g. refuse collection, street cleaning etc.). (c) Work with TfL, GLA, other London Boroughs and Noise Abatement Society to encourage greater uptake of less annoying alarms across London.

- 18) To undertake a review of our current approach to managing noise issues that may affect large numbers of residents in a particular area, including the use of bespoke policies and improved liaison with residents associations and similar groups.

## 5. PROTECTING AND ENHANCING THE ACOUSTIC ENVIRONMENT AND SOUNDSCAPE OF THE CITY OF LONDON

### 5.1 OVERALL AIM – ACOUSTIC ENVIRONMENT AND SOUNDSCAPE

To protect, and where possible enhance, the acoustic environment and soundscape in suitable parts of the City in such a way that any measures will contribute to an improvement in health and quality of life and well-being for residents, workers and visitors.

In delivering this aim it will be necessary to seek opportunities for the enhancement of the acoustic environment, for the promotion of soundscape initiatives and for the protection of quiet and tranquil places when and where such measures are supported by the local community.

### 5.2 INTRODUCTION

Other chapters of this strategy recognise the importance of reducing the high levels of noise (unwanted sound) that occur in many parts of the City. However, there is also growing interest in seeking, where possible, to improve the overall quality of the acoustic environment. Whilst much of the emphasis in this strategy is on **noise**, this chapter specifically addresses **sound** in outdoor space and in hybrid indoor-outdoor spaces such as rooftop open spaces, malls, markets, transport terminals and similar.

The soundscape of the City is an inherent part of the overall character of the Square Mile. It impacts directly on residents, workers and visitors albeit in different ways. Its management is just as important as the visual landscape yet it is sometimes not even considered by architects and wider design teams and we would like this to change.

The London Plan (2014 revision) (policy 7.15) requires, inter-alia, that:

**Development proposals should seek to manage noise by improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity).**

**Boroughs and others with relevant responsibilities should have policies to identify and nominate new Quiet Areas and protect existing Quiet Areas in accordance with the procedure in Defra's Noise Action Plan for Agglomerations .**

The London Plan also states that the “management of noise is about encouraging the right acoustic environment in the right place at the right time – to promote good health and a good quality of life within the wider context of achieving sustainable development. Managing noise includes improving and enhancing the acoustic environment and promoting appropriate soundscapes.”

Policy 78 of Sounder City, The Mayor's Ambient Noise Strategy for London (2004) states:

**The Mayor will urge Boroughs and others with responsibilities for open spaces and public realm management to consider the need for frameworks for managing soundscapes in open spaces and the wider public realm. Elements include noise mapping, measurement and attitude surveys,**

**access to quiet, and exploring designation of Areas of Relative Tranquility or Special Soundscape Interest.**

The third aim of the government's Noise Policy Statement for England is:

**Where possible, contribute to the improvement of health and quality of life through the effective management and control of environmental neighbour and neighbourhood noise within the context of Government policy on sustainable development.**

An explanatory note states that this will include the protection of quiet places and quiet times as well as the enhancement of the acoustic environment.

In addition, the government's National Planning Policy Framework includes a requirement for local planning policies and decisions to:

**Aim to identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.**

### **5.3 WHAT DO WE MEAN BY SOUNDSCAPE POLICY?**

The acoustic environment of a place or space is the physical sound from all sources as modified by that place. Soundscape exists through human perception of the acoustic environment. The International Organisation for Standardisation (ISO) has recently defined "soundscape" as the "acoustic environment as perceived or experienced and/or understood by a person, or people, in context" [ref 12].

It is useful to draw an analogy between soundscape and landscape. Landscape is regarded as both a perceptual construct and a physical phenomenon and has been defined in the European Landscape Convention as "an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors". Landscape can take a geographical form, or be a system of physical components, or be a place for recreational activity, or a determinant or reflection of culture (e.g. a landscape painting), or the component of an activity such as landscape planning. A parallel description of soundscape would become – the acoustic environment of a place, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.

The European Landscape Convention also defines landscape policy and, by analogy, this usefully results in soundscape policy being described as "the expression by the competent public authorities of general principles, strategies and guidelines aimed at the protection, planning and management of soundscapes".

The management of soundscape overlaps with, and arguably embraces and develops the better established but narrower concept of environmental noise management. In the environmental noise field, sound is conceived as a waste product to be removed and reduced where necessary. In contrast, the soundscape field treats sound largely as a resource to be protected and enhanced where appropriate so as to contribute to an improvement in human quality of life.

The management of the soundscape of the City needs to reflect both the complexity of the urban environment and the varied expectations of the urban population. It is recognised that at some



places and times relative quiet and tranquillity may be preferred, in other places and times a more varied soundscape may be desirable, and yet in other situations it may be appropriate to experience a degree of urban vibrancy that demonstrates how dynamic and thriving the City is.

This chapter sets out to outline a soundscape policy for the City of London. We are one of the first city authorities to attempt to do this and we will therefore monitor and review progress during the life of the strategy and adapt our procedures where necessary.

#### **5.4 THE CITY'S OPEN SPACES**

Much of the early focus of soundscape research and practice has been on the soundscape of outdoor areas, in particular streets and squares, City parks and gardens and other open spaces.



The City's many open spaces provide an opportunity for rest and relaxation for workers, visitors and residents. However some may also provide an opportunity to meet and communicate, host markets, for exercise, for the appreciation of public art and music etc. There are 277 sites of open space within the City covering 32.18 hectares, with 23.31 hectares being open to the public. The Core Strategy (policy CS19) aims to protect existing open space and create additional, publicly accessible, open space where feasible.



As part of the previous Noise Strategy the City Corporation has already looked at options to protect and enhance certain open spaces and has undertaken social surveys to see how people in the City felt about the importance of tranquillity. The Local Plan requires the protection of the City's quiet areas (policy CS15) and improvements in the City's environment and open spaces (policy CS10).

The City of London's Open Spaces Strategy 2015 contains a vision for open space provision within the Square Mile. The Strategy recognises the necessity of green spaces to absorb noise and in the provision of tranquil spaces for users; some of the strategic objectives are either directly or indirectly linked to the quality of the acoustic environment and the enhancement of soundscape:

Paragraph 3.3.35 states "Opportunities will be identified for improving and enhancing the tranquillity and soundscape of open spaces during the improvement or enhancement of new spaces"

**"Strategic Objective 1** To maintain and increase public access to existing open spaces and enhance the quality of these spaces, in terms of both design and management.

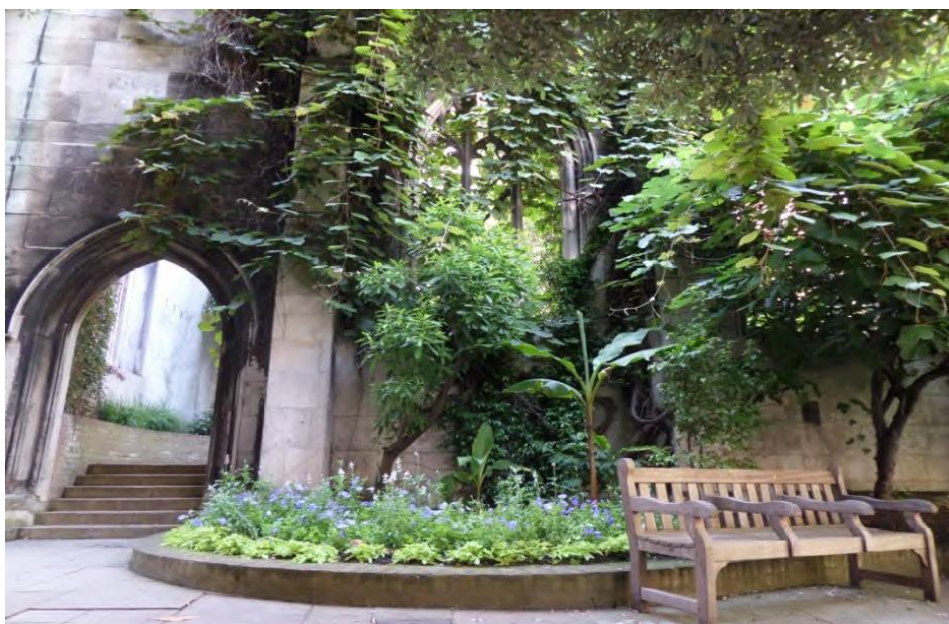
**Strategic Objective 6** Ensure that enhanced and additional open spaces accord with high standards of sustainable design, construction and management and take account of the potential changes to the City climate, particularly the urban heat island effect"

The World Health Organisation (WHO) recommends that noise levels in gardens and recreation areas, which could include the City's open spaces, should preferably be less than 55 dB  $L_{Aeq}$  during day time. Previous noise monitoring at selected locations in the City has revealed that only a few areas of the City fall below this level. These include Thames Walk, the centre of the Barbican and inside the boundary of the Guinness Trust estate.

When considering what makes an open space tranquil, people's perception of the space, as well as noise levels can have an impact. Research by the City of Amsterdam has revealed that an area can be considered to be 'quiet' when it is around 6dBA lower than its surroundings. The absolute noise level seems less important.

St Dunstan's in the East, *pictured below*, has a typical noise level during the day of around 65 dB  $L_{AeqT}$ . This is 10 dB  $L_{Aeq}$  higher than the WHO recommended level yet the space scored very highly for tranquillity during a 2009 visitor noise survey. Quotes from people surveyed include 'you can't find a more tranquil place in London' and 'its wonderful here'.





Our approach to soundscape policy recognises that a mandatory policy requirement for quiet and/or tranquillity will not always be desirable, or even possible to achieve, in every open space in the City. In accordance with the London Plan our goal is to ensure the right acoustic environment in the right place – that the soundscape is congruent with (supportive of) the use of the place.

## 5.5 CITY SOUNDSCAPE MANAGEMENT PROCEDURE

Within the City we will encourage a logical approach to the management of soundscape in outdoor spaces and hybrid indoor-outdoor places and we propose to broadly align with the following procedure [*adapted from Brown et al, ref 13, 14, 15*]:

### CITY SOUNDSCAPE MANAGEMENT PROCEDURE

1. Define the function or dominant activities of the place (from the visitor/user/listener's perspective)
2. Establish unambiguous soundscape objectives (see below)
3. Analyse sound at the place, identifying sounds of preference and wanted and unwanted sounds
4. Acoustically evaluate and assess the sound at the place
5. Study design options for managing wanted and unwanted sound components and the wider acoustic environment so as to achieve the proposed soundscape objectives.

Examples of the underlying basis for establishing unambiguous soundscape objectives [*adapted from Brown et al, ref 13, 14, 15*] might include:

- A specific sound should be clearly audible over a certain area
- Must be able to have a conversation at certain locations/places without having to shout

- Hear mostly (non-mechanical, non-amplified) sounds made by people
- Not to be able to hear sounds made by other people
- Suitable to hear (amplified/non-amplified) speech
- Suitable to hear (amplified/non amplified) music
- Must be predictable periods of respite from high levels of traffic noise
- Moving water should be the dominant sound heard
- Sounds of nature should be audible over a certain proportion of the space
- Acoustic installation/artwork/sculpture sounds should be clearly audible
- Sounds conveying the City's vitality should be the dominant sounds heard
- Sounds conveying the place's history/heritage should be the dominant sounds heard
- Sounds that convey the identity of a place should be the dominant sounds heard

It is important to note that the soundscape management procedure puts the requirements of residents, workers and visitors at the forefront of the design process. An underlying principle is that any initiatives must be supported by the local community.

Whilst this soundscape management procedure represents our preferred methodology we will consider other approaches and will work with stakeholders to keep abreast of developments in this newly emerging field [ref 16].

## **5.6 TRANQUILITY**

People who live in and work in the City value relatively quiet, tranquil areas. The 2010 City noise attitude survey asked workers and residents about their views on the importance of areas that offer relative quiet and tranquillity in the City; 57% of workers surveyed and 58% of residents actively seek out quiet areas in the City; 78% of residents and 70% of workers questioned would like more to be done to protect the quieter more tranquil areas of the City *as shown in Figure 9 below*.

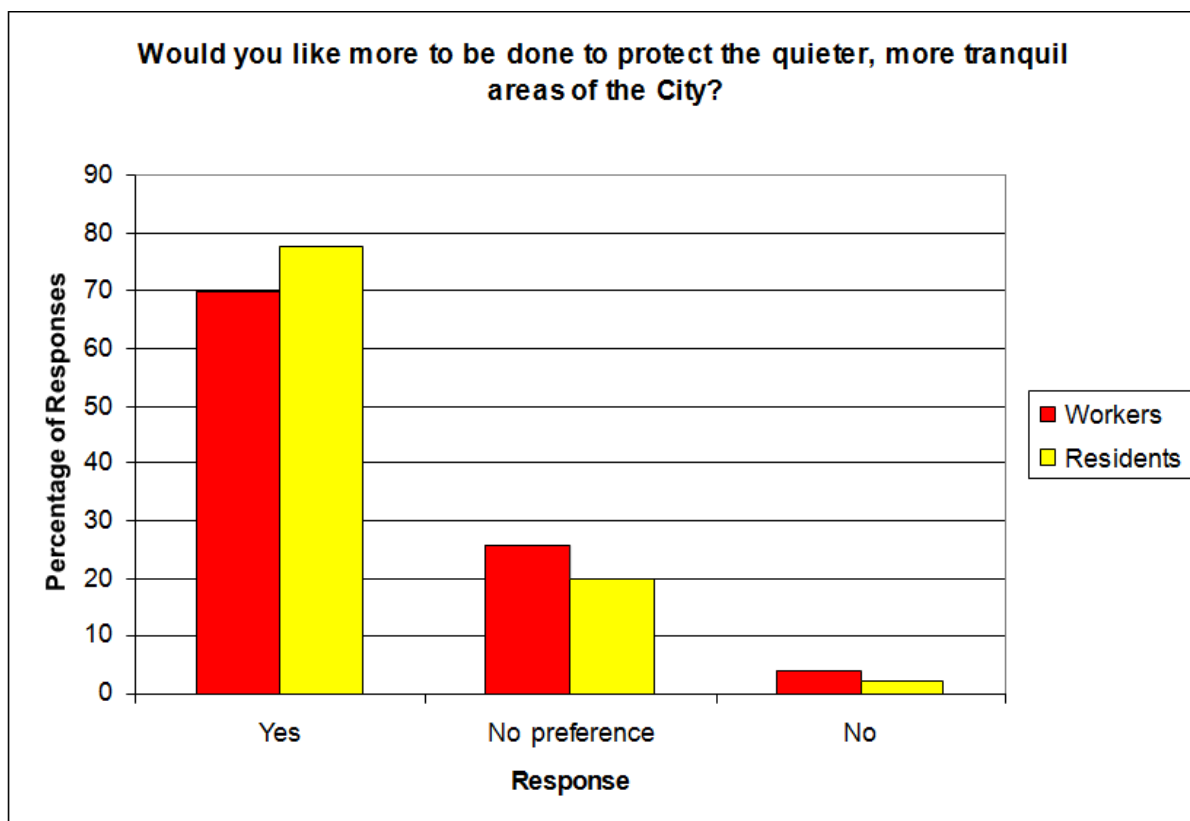


Figure 9: demand for protection of tranquil areas. Responses from workers and residents

In 2010, Environmental Protection UK (EPUK) published a report for the City of London called “Quietesting Open Spaces - Towards sustainable soundscapes for the City of London”. The document contains ideas for improving the tranquillity of a selection of open spaces in the Square Mile. Proposals included encouraging quieter vehicles and machinery, smoothing traffic flow, quieter road surfaces, encouraging walking and cycling, using glazed noise barriers that incorporate educational and historic information, as well as other innovative measures such as using gravel paths that reveal footfall, using water features to mask unwanted sounds, encouraging planting to attract insects and birds, and promoting sound art installations. This report was used to inform the most recent Local Plan and Open Spaces Strategy and the designs of new or enhanced open spaces.

There are a number of plants that may help enhance the perception of the acoustic environment in the City’s open spaces. Dense evergreens can shield noise sources, attract wildlife and introduce associated natural sounds, and may even have some impact on noise reduction – for example: Holm Oak, Laurel and Holly. Grasses and bamboos can provide visual screening and movement, as well as rustling sounds in the breeze that may mask other unwanted noises - suggestions include *Miscanthus* sp., *Bamboo* sp., *Arundo donax* and *Miscanthus floridulus*. There are also potential new urban landscaping developments that may also bring acoustic (and air quality) benefits, such as the “City Tree” installations that have recently been trialled in hard landscaped urban open spaces in Paris, Oslo and Dresden.



## 5.7 ICONIC SOUNDS

In addition to seeking out tranquil areas, residents, workers, and visitors like to be able to hear what we might call ‘iconic sounds’ in the City above the general noise of traffic and air handling plant. 91% of workers and 80% of residents questioned said they would like to be able to hear iconic sounds. The iconic sounds most identified in our survey were church bells.

The impact of the iconic sound from the many Wren churches could perhaps be enhanced by additional co-ordinated “bell happenings” to increase awareness of their existence (beyond the Lord Mayor’s Show). The current radius of audibility of Bow Bells could be investigated and efforts made to extend their reach. The audibility of St Paul’s bells could be used as a popular indicator of soundscape quality, perhaps with people registering that they have heard the bells via a GIS linked mobile phone app.



In addition there may be opportunities to introduce new iconic sounds. For example, the warning signal for Tower Bridge opening is currently a loud klaxon, whereas in historic times the warning was



provided by handbells. Whilst the warning sound will need to be loud enough to be heard above the sound of modern traffic it may be possible to improve on the current klaxon sound design.



## 5.8 LOST AND DISAPPEARING SOUNDS

Many City streets and buildings are named after lost trades. This offers a potential opportunity to retrieve lost sounds and perhaps to create “sonic districts”. Attention to lost and disappearing sounds offers practical interpretative and educational opportunities while not constraining development. Acoustic archaeology is a relatively new field but may be supported by interested organisations such as the Museum of London. The development of sonic districts may also offer new opportunities for attracting visitors to an area.

New developments may be able to incorporate artificial soundscapes that evoke certain lost sounds of the City (*e.g. Bishopsgate Institute / The Gentle Author - Cries of London Exhibition or the proposed ‘House of Sound’ project*).

A City Soundscape Inventory could be launched, engaging the public and developing a short list of lost and disappearing sounds. Potential partners might include City Livery companies many of which derive from historic trades and have a desire to show contemporary relevance.

## 5.9 WANTED AND UNWANTED SOUNDS

There is growing interest in the introduction, and re-inforcement, of positive or wanted sounds to enhance the soundscape. In most situations it is preferable to seek to reduce unwanted sounds rather than to seek to mask them, but it is not always practicable to do so. The sound of carefully designed water features and fountains in public open spaces can have positive impacts on health and well-being and also help to mask unwanted sounds from traffic. Recent evidence suggests that

intermittent operation and patterning of such water features creates a more positive human response (and may also save energy).

There is growing interest in supporting small scale musical events in appropriate parts of the Square Mile such as Guildhall Yard and the GIGS:Big Busk at St Pauls. Sound stage and busker policy could be reviewed in conjunction with relevant users to ensure that it is perceived to be improving the soundscape. The sounds of children playing can either be encouraged or discouraged by the carefully siting of play equipment. The play equipment can itself incorporate relevant sounds, and thus help to foster an awareness of the sounds of the City in the younger generation.

#### **5.10 ADDED SOUNDS**

Adding new sounds into an existing soundscape always has to be undertaken cautiously. However sound can be sourced in ways that has some integrity in terms of reflecting and reinforcing City identity. Added sound may help to evoke links with the past, or to embrace the present or envisaged future role of an area. Sounds need to be added carefully, in liaison with users, and perhaps in conjunction with other measures so as to enhance the overall experience of an area (e.g. the introduction of subtle artificial lighting and intermittent birdsong via discreet speakers in a suitable urban open space) rather than to cause annoyance.

It may be feasible to translocate certain sounds from one part of the City to another, or from places in another part of the globe with which the relevant occupiers deal. It may also be possible to amplify certain wanted sounds in situ (e.g. sounds of the River lapping the shore) so that they become more audible and enhance the overall experience of an area.

#### **5.11 PUBLIC DOMAIN SOUND ART INSTALLATIONS**

Sounds can also be introduced into urban areas by way of public art installations. For example, a sound sculpture was installed by Liminali in July 2011 in Carter Lane Gardens near St Paul's Cathedral. The sculpture was called "Organ of Corti", a four metre tall installation that sought to absorb the City's traffic noise and transform it into music. This particular installation was not regarded as particularly effective due to the local context of multiple intermittent noise sources and reflections. However, we are keen to work with others to support sound art installations in appropriate City locations.



## 5.12 SOUNDWALKS

Soundwalks and audio described walks could be devised and promoted to demonstrate areas of low and high acoustic quality in the City. These walks could include any demonstration soundscape initiatives, sound art commissions and related offers (cycle hire, coffee stops) for tourists and walkers could be incorporated. One possible route would be northwards from Tate Modern across Millennium Footbridge to St Paul's Cathedral, Museum of London, Barbican/Guildhall and Smithfield.

There are already commercial soundwalks operating in the City. The Corporation could seek funding/sponsorship to run its own soundwalks or it could support and encourage other organisations to offer City soundwalks. Alternatively, the Corporation could support others to develop a phone app that promoted self-guided soundwalks or pushed content to existing apps.

## 5.13 LIST OF POLICIES – ACOUSTIC ENVIRONMENT AND SOUNDSCAPE

**POLICY – SOUNDSCAPE 1:** The City Corporation will, where possible, seek to integrate acoustic design and management into other relevant City Corporation policies and strategies and environmental management practices so as to enhance the acoustic environment and soundscape of the City.

**POLICY – SOUNDSCAPE 2:** The City Corporation will identify certain open spaces in the City that would benefit from further protection or enhancement of the acoustic environment and/or from soundscape initiatives and will seek appropriate supportive funding.

**POLICY – SOUNDSCAPE 3:** In line with national policy in the NPPF the City Corporation will consider measures that aim to identify and protect any areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason. We will

also consider protecting quiet places and quiet times where these are particularly valued by the local community.

**POLICY - SOUNDSCAPE 4:** The City Corporation will encourage those involved in major developments in the City to consider opportunities to enhance the existing acoustic environment and to include soundscape initiatives as an integral part of new developments.

**POLICY - SOUNDSCAPE 5:** The City Corporation will provide information to the public on any freely accessible sites or events that are of special soundscape interest, including the locations of any identified areas of relative tranquillity, public sound art installations, GIGS:Big Busk events and the timings of any iconic sound events.

**POLICY – SOUNDSCAPE 6:** The City Corporation will support the installation of public sound art installations where these enhance the acoustic environment and soundscape and are welcomed by the local community.

#### **5.14 LIST OF ACTIONS – ACOUSTIC ENVIRONMENT AND SOUNDSCAPE**

- 1.** We will seek the inclusion and integration of our revised approach to the management of the acoustic environment and soundscape in future iterations of relevant City Plans and Strategies, such as the Local Plan, Open Spaces Strategy, City Together Strategy, VisitorStrategy, Cultural Strategy.
- 2.** We will identify potential open spaces in the City that would benefit from further protection and/or enhancement of the acoustic environment and/or from soundscape initiatives in conjunction with relevant internal teams and interested external organisations.
- 3.** We will promote the City Soundscape Management Procedure both within and outside the Corporation and will seek opportunities to trial the approach and to share any lessons learned both within London and with other major world cities.
- 4.** The wider benefitsof the enhancement of the acoustic environment and soundscape of the City, to residents, workers and visitors, will be promoted both within and outside the City Corporation.
- 5.** We will continue our ongoing initiative regarding the identification of relatively tranquil areas in the City and the development of polices to protect and enhance these spaces.
- 6.** We will seek opportunities and pursue soundscape related initiatives with a wide range of internal Departments and external bodies including the City Art Galleries and Libraries, City Churches Network (e.g. promoting tranquil churches, churchyards, libraries and art galleries, supporting iconic church bell ringing events), City Arts Initiative (e.g. talking statues, public sound art), City Visitor Experience (e.g. soundwalks etc.).
- 7.** We will encourage the identification, protection and promotion of disappearing sounds, and the careful re-introduction of relevant lost sounds, with interested internal teams, other external organisations, particularly those with an interest in promoting heritage related aspects of the City.
- 8.** We will encourage the development and promotion of “City Sound Walks” that will highlight the unique and varied soundscape of different areas of the City and thus support the City Visitor



Strategy; we will consider providing this initiative in-house and/or by supporting suitable external partners.

**9.** We will actively encourage developers, architects and planners to consider a variety of soundscape initiatives as an integral part of the design of new developments, particularly large iconic developments in the Key City Places.

**10.** We will work with the Noise Abatement Society, Environmental Protection UK, acousticians, sonic artists, developers, architects, planners and other interested parties, to promote and support the establishment of world leading soundscape initiatives within the Square Mile.

**11.** We will support church bells as an iconic sound of the City and establish a multi-disciplinary working group to explore wider acoustic issues relating to our City churches.

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Policies Reference	Actions	Timescale	Review of Actions May 2016	Timescale
	Environmental Enhancement Area Strategies as consultations emerge.		Environmental Enhancement and Environmental Health Liaison meetings commenced.	
	Develop further guidance for designers and developers on designing 'tranquil' spaces and minimising final use noise impacts.	March 2014	Not started.  Environmental SPD under development to include 'tranquillity' as part of wider 'soundscape' chapter.	April 2017
	Review guidance to construction businesses on noise considerations and content relating to Environmental Management Plans.	March 2013	<b>Completed.</b> Incorporated into revised Construction and Deconstruction Code of Practice May 2013.  <u>Further action:</u> Code of Practice being further reviewed as an action in Pollution Control Business Plan 2016/17.	April 2017
	Engage with relevant organisations including DEFRA and Department for Communities and Local Government, for noise related guidance on planning control during the early stages of implementation of the NPPF.	March 2012 - March 2014	No guidance produced or forthcoming.	N/A
<b>Developments 2</b>	Work to influence Licensing policy through the proposed review of the City of London Statement of Licensing Policy and procedures.	June 2012 - December 2012	<b>Completed.</b> City of London Statement of Licensing Policy published January 2013.  N.B. New update Licensing Policy expected 2016/17	<b>Completed</b>

Policies Reference	Actions	Timescale	Review of Actions May 2016	Timescale
<b>Developments 3</b>	Continue to lobby Crossrail for support to provide a timely response and consent process to Section 61 consent applications.	Ongoing	<b>Completed</b> and ongoing.	<b>Completed</b> & ongoing
<b>Developments 4</b>	Continue to provide ad hoc advice to a wide range of City Corporation Departments e.g. Department of the Built Environment project works, facilities and housing stock management, waste collection, and events promotion and management, Barbican Centre.	Ongoing	Ongoing	Ongoing
<b>Developments 5</b>	Continue to consider noise impacts of City events and filming through the Augmented Safety Advisory Group (ASAG) and also via direct consultation with M&CP Pollution Team.	Ongoing	Ongoing. Safety Advisory Group now very established. Noise considerations are an integral consideration for event planning and filming.	Ongoing
<b>Transport 1, 2, 3, 11</b>	Continue to work with Department of the Built Environment (DBE), contractors and utility companies to facilitate reduced traffic disruption (e.g. extended working hours) due to street works.	Ongoing	Street Works Code of Practice published August 2013.  Distributed to streetworks stakeholders at all opportunities.  Presentation given on environmental impacts at workshop exploring extended hour's opportunities with DBE and utilities. Outcomes fed into noise strategy revision.	<b>Completed</b> & ongoing

Policies Reference	Actions	Timescale	Review of Actions May 2016	Timescale
	Review options for reducing traffic disruption while minimising noise impacts for residents and businesses including review of the current 'quiet hours' requirements in the City of London Code of Practice for Deconstruction and Construction.	March 2013	<b>Completed</b> – Construction and Deconstruction Code of Practice revised and published May 2013; Street Works Code of Practice developed and published August 2013; extended hour's scheme approved and revised.	<b>Completed</b>
	Lobby TfL to build flexible arrangements into their proposed 'lane rental' scheme to prevent nuisance and disturbance to City residents in sensitive locations of the TfL network within the City.	June 2012	<b>Completed.</b> Report on effectiveness of current arrangements published December 2015 by Ecorys for Defra.	<b>Completed</b>
	Develop formal liaison protocols on noise issues with Transport for London.	September 2013	Street Works Code of Practice published August 2013.  <u>Further action:</u> Consider the development of a Memorandum of Understanding on noise and liaison issues between Pollution Control Team and TFL.	<b>Completed</b>  2016/17
	Work with relevant City Corporation Departments to provide advice and support on minimising noise and noise	Ongoing	Requires further review – working has been reactive and dependant on our awareness of new proposals	Ongoing.

Policies Reference	Actions	Timescale	Review of Actions May 2016	Timescale
	impacts from their transport and highways related operations.		<p>and initiatives. Need to explore formally integrating assessment of noise impacts into new projects.</p> <p>General Note: A lot of work has gone into getting noise issues into strategic City policy documents especially planning ones. Next steps – to raise awareness and knowledge of how those policies can be taken forward by document owners and policy implementers.</p> <p>Options to explore include considering a noise network, offering to provide briefings to planning policy people and planning officers, publication of an Environmental including Noise SPD.</p>	
<b>Transport 4, 6</b>	Review and develop working arrangements between DBE and M&CP for integration of noise considerations where required into strategic and service planning and delivery.	September 2013	<p>We have built a stronger relationship through the Highways / EH liaison meetings and meetings with Transportation and Public Realm Director, but there are no formal or informal arrangements for assessing noise impacts of strategic or service plans for DBE or other key 'noise generating departments.'</p> <p>Action: For further consideration.</p>	April 2016/17
	Contribute to the inclusion of noise minimisation considerations into the City of London Manual for Sustainable Streets.	March 2013	<p><b>Completed.</b></p> <p>To input to any future revisions.</p> <p>To provide supplementary guidance to DBE officers to</p>	<b>Completed</b>

Policies Reference	Actions	Timescale	Review of Actions May 2016	Timescale
			help DBE officers implement. This links to the Noise SPD.	
<b>Transport 5</b>	Develop policy and arrangements for integration of noise management considerations into relevant City Corporation PP2P (Procure to Pay) procurement processes and contracts e.g. specifications.	May 2012 - March 2013 - & ongoing review	<p>Responsible Procurement Manager recruited. Noise management embedded into the City's Responsible Procurement Strategy. Noise guidance document produced for City Procurement Team. Training and engagement programme delivered.</p> <p>Review undertaken and report produced for EDCOG specific to City land and contracts of controls which help the City in the mitigation of noise alongside statutory controls</p> <p>Meetings between City Solicitors and City Procurement to finalise integration of noise requirements into standard procurement documents and standardised list of policies and strategies appended to all relevant specifications.</p>	<b>Completed.</b>
<b>Transport 7</b>	Seek funding for noise surveys to gather baseline noise data on road traffic noise levels in the City.	March 2013	<p>Baseline data collection for Bank junction under discussion.</p> <p>Look for further opportunities to obtain funding through S.106, LIP, and CIL.</p>	2016/17

Policies Reference	Actions	Timescale	Review of Actions May 2016	Timescale
Policies Reference	Actions	Timescale	Review and Revised Actions 2016	Timescale
	<p>Noise Action Planning:</p> <ul style="list-style-type: none"> <li>- Complete investigation stages at Important Areas First Priority Locations (FPL)</li> <li>- Following the investigation stage, to consider and secure budget, where practical, to implement measures to reduce high road traffic noise levels at FPL's where the Corporation are the Highways Authority</li> <li>- Lobby and support, where necessary, TfL, Department of Transport and Office of the Rail Regulator to meet their similar obligations on other routes in the City.</li> </ul>	<p>November 2012</p> <p>September 2013</p>	<p>COL HA – investigation stage <b>completed</b>.</p> <p>TfL HA – investigation stage <b>completed</b>.</p> <p>TfL U/G – investigation <b>completed</b>.</p> <p><u>Further action:</u> no apparent appetite with Defra to continue supporting this work but need to continue liaison with DBE and TfL regarding any traffic related measures to be considered in City to raise noise a design issue</p>	<b>Completed</b> & ongoing
<b>Transport 8</b>	Continue discussions with Crossrail and their contractors to minimise noise impact of tunnelling and train movements when operational.	Ongoing	<b>Completed.</b> Tunnelling completed. Construction of track bed underway.	<b>Completed</b> & ongoing



Policies Reference	Actions	Timescale	Review of Actions May 2016	Timescale
<b>Transport 9</b>	Continue to enforce and raise awareness of the City limits on night time deliveries in noise sensitive areas including temporary relaxation in the lead up to the Olympic and Paralympic games; the policy on night time delivery time limits may need to be considered and reviewed after the games.	April - September 2012  Review December 2012	<b>Completed.</b>	<b>Completed.</b>
	Continue to be involved with trials and schemes which promote quieter deliveries and premises servicing in the City during the Olympic and Paralympic Games: e.g. TfL Quiet Deliveries trials and Code of Practice.	April - August 2012	<p>Post Olympics reverted to traditional City policy of no deliveries 2300 – 0700 Mon-Sat. Recent committee report from Planning proposes to explore with TfL MoL policy and recommended to assemble more data about freight operations and to undertake various pilot studies to assess the viability of measures to encourage more sustainable delivery and servicing arrangements. Included protections for residents re noise. Leading to City Freight Strategy.</p> <p>Pilots with TfL and City businesses under discussion through the TfL Re-timing Working Group.</p> <p>Updated TfL Code of Practice for Quieter Deliveries launched September 2015 and promoted by City.</p> <p>SPD on consolidation centres under development. Use</p>	Ongoing

Policies Reference	Actions	Timescale	Review of Actions May 2016	Timescale
			<p>of 106 agreements for use of loading bays, consolidation centres and 24 hours servicing.</p> <p>ACTION – Continue to work with Planning, DBE, TFL and others to facilitate night time servicing and deliveries / freight movement while minimising disturbance to City residents and other vulnerable occupiers. Anticipate contributing to development of an initial City Freight Strategy.</p>	
<b>Transport 4, 10, 11</b>	Continue to promote the use of quieter vehicles and reduced use of road traffic vehicles for journeys through the Core Strategy, Local Implementation Plan, City of London Cycling Plan and Air Quality Strategy.	Ongoing	Ongoing.	Ongoing.
<b>Responding 1, 2, 4</b>	Review, update and consolidate current M&CP noise service management and delivery policies.	March 2013	<b>Completed.</b> Noise Response Service Delivery Policy published.	<b>Completed</b>
	Support and encourage good noise management practice in Licensed Premises through the development of good practice guidance for licensees.	September 2013	<p>Contributed towards the current guidance.</p> <p>Further Action: Provide examples of good practice and areas for improvement when guidance next updated.</p>	Ongoing

Policies Reference	Actions	Timescale	Review of Actions May 2016	Timescale
	Current edition of City of London Code of Practice on Deconstruction and Construction to be reviewed and updated.	March 2013	Completed May 2013.  Further Action: Review existing edition for any necessary changes.	<b>Completed</b>  April 2017
<b>Responding 5, 6, 7, 9</b>	Continue work with the Health and Well-being Board to include noise as a health 'issue' to be addressed in the Joint Strategic Needs Assessment.	Ongoing	Completed.  Working towards development of an appropriate indicator for 'Noise' exposure for the City.  Incorporate 'soundscape and tranquil spaces' in JSNA as part of worker wellbeing work stream.	<b>Completed.</b>  April 2017
	Continue with work involving the Licensing Liaison and Safer City Partnerships; encourage and support consistent and effective policies and procedures across the City Corporation and other agencies to respond to public nuisance related to operation of licensed premises.	Ongoing	<b>Completed.</b> COLP, Licensing and Pollution Team are working much closer together with joined up approaches to issues and incidents related to public nuisance. This will be an ongoing matter to enhance effectiveness, particularly as the Community Safety work being co-ordinated via Town Clerk's Department integrating work of City Police and City of London Corporation, including Joint Contact & Command Centre progresses.	<b>Completed &amp; ongoing</b>

Policies Reference	Actions	Timescale	Review of Actions May 2016	Timescale
	Support a joined-up approach to noise issues in the review of the Statement of Licensing Policy and the implementation of pending new licensing legislation.	June - December 2012	<b>Completed.</b>	<b>Completed</b>
	Continue to support and take part in schemes which promote good practice in noise control and management e.g. City's Considerate Contractor Scheme (CCS) and 'Safety Thirst' scheme.	Ongoing annual schemes	Ongoing.	Ongoing
	Develop formal liaison and coordination protocols with City Police on noise and anti-social behaviour enforcement matters and including information sharing.	September 2012	MOU developed Pollution Control Team identified as the lead for all public nuisance complaints.  Anti-social Behaviour Crime and Policing Act 2014 launched with joint training event across all partners.  Projects underway to implement lead by the Community Safety Team. Ongoing matter to enhance effectiveness, particularly as the Community Safety work being co-ordinated via Town Clerk's Department integrating work of City Police and City of London Corporation, including Joint Contact & Command Centre progresses.	<b>Completed.</b>

Policies Reference	Actions	Timescale	Review of Actions May 2016	Timescale
	Develop protocols with City Corporation DBE Development Planning on enforcement issues liaison relating to noise from unauthorised developments.	March 2013	<b>Completed.</b> Signed November 2014.	<b>Completed</b>
	Develop protocols with City Corporation Housing Management (including Barbican Estate, Registered Social Landlords and Barbican Centre) for responding to and resolving neighbour and neighbourhood noise complaints.	March 2014	Antisocial Behaviour policies and protocols now in place for City Housing.  Parkguard now employed and intelligence reports circulated to key partners.	Completed.
	Continue to build on business engagement including attending and presenting at business, licensed trade, sector liaison and residents meetings.	Ongoing	Meetings attended as opportunities arise.  Customer engagement survey completed September 2014.	Ongoing.
<b>Responding 8</b>	Make arrangements for the public sharing and availability of noise complaint data.	September 2012	Summary data available on request.  CIEH noise surveys completed annually.  Data provided to Licensing Liaison Partnership monthly and elected Members weekly.	Completed.
<b>Tranquil Areas 1 – 4</b>	None		Policy 1 – Representations made on Local Plan, Open Spaces Strategy, Area Environmental Strategies, Street Scene Manual, LIP, Aldgate Gyratory Scheme; to create	<b>Completed</b>

Policies Reference	Actions	Timescale	Review of Actions May 2016	Timescale
			<p>the policy space for implementation.</p> <p>ACTION: Need to develop a plan to put these, and remaining Tranquil Areas policies into mainstream COL practice.</p>	Ongoing

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## **Appendix 2**

### **City of London Noise Strategy 2016 – 2026: analysis of feedback to stakeholder consultation**

#### **Introduction**

What should the City of London sound like? The draft City of London Noise Strategy 2016 to 2026 outlines the strategic direction for noise policy in the City. It sets out the steps the City will take and has taken, to maintain or improve the City's noise environment.

The draft Noise Strategy was made available online for stakeholder comment during a 3 month period that ended on 17<sup>th</sup> October 2016. The consultation draft version can still be downloaded from [here](#). In addition the draft Noise Strategy was presented to various stakeholder organisations including CHARN (City Hotel and Retail Network), LANAF (Local Authority Noise Action Forum), the city's Licensed premises, the Barbican Association and to a wide and varied audience at the Symposium on Silence. The draft Noise Strategy was presented to this committee on 19<sup>th</sup> July 2016.

#### **Number of consultation responses received**

A total of 38 written submissions, plus a large number of informal comments, have been received in response to the consultation. These submissions can be broken down into four main categories as follows:

- Residents and residents groups: 10 (26%)
- Church groups and bell ringers: 16 (42%)
- City of London departments & partner organisations: 11 (29%)
- National noise organisations: 1 (3%)

It is important to note that the responses from residents included two co-ordinated responses by local residents associations (Barbican Association, Gilbert House Group) on behalf of their members. Also it is worth noting that many respondents in all three main categories declared themselves to be both residents and workers in the City. The Noise Strategy contains proposals that are aimed at residents, businesses, workers and visitors and it is only the latter category that appears to be poorly represented in the responses received. However, in this regard, useful feedback was received from the Head of Culture and Visitor Development on behalf of both business and leisure visitors.

#### **Positive overall response received**

It is pleasing to report that the overall response to the consultation draft of the Noise Strategy has been very positive with the vast majority of comments supportive of both the overall direction of travel and much of the detail. In general terms the level of support as a proportion of all comments received is as follows:

- Residents and residents groups: 80% supportive
- Church groups and bell ringers: 100% supportive

- City of London departments & partner organisations: 100% supportive
- National noise organisations: 100% supportive

The response from the one national noise organisation (Noise Abatement Society) to the proposed approach to “soundscape” was particularly encouraging. The draft Noise Strategy was a winner of the John Connell Soundscape Award 2016 which recognises significant advances in the practical application of Soundscape principles in line with the International Standard BS ISO 12913-1:2014. At the Awards ceremony at the House of Commons in November 2016, Lisa Lavia, Managing Director of NAS, said: “NAS congratulates The City of London Corporation for its multi-agency, innovative and bold approach to protect and enhance the aural environment through its soundscape management approach”.



*Figure 1 - Presentation of the John Connell Award 2016 at House of Commons ceremony (photo courtesy Noise Abatement Society)*

## **Further analysis of feedback received**

This discussion must be read in the wider context that the majority of comments were generally supportive, or very supportive, of the draft Noise Strategy. Indeed, where critical feedback has been received it is usually that the draft Strategy does not appear to go far enough on a particular issue, with the main underlying message being a call for further action and for additional resources to be dedicated to delivering improvements, rather than a comment that the current proposals are inherently wrong.

The following broad themes have emerged from an analysis of the feedback received, these being issues that have been raised in several responses:

- Requests to give increased priority and resources to the management of noise and sound, particularly from residents
- Requests for specific inclusion of noise sources that are not otherwise explicitly mentioned in draft Strategy, i.e. helicopters, motor-bikes, vehicle reversing alarms, amplified tour

guides, people and music on outdoor terraces on office buildings, noise from demonstrations and marches

- Requests for specific additional measures on known problems, i.e. people drinking outside pubs and clubs -particularly late in evening, delivery vehicles, construction and demolition work
- Requests from residents for more enforcement of existing noise control powers
- Requests for more initiatives to protect and promote wanted sounds of the City, in particular church and cathedral bells (also mentioned: clock chimes, brass bands, unamplified live music, birds and wildlife, horse parades)
- Requests for clearer proposals to protect special outdoor public spaces, in particular relatively quiet and tranquil places

In addition, various specific proposals and requests and suggestions were made by the Barbican Association and Gilbert House Group on behalf of their residents. Many of the matters raised are probably best dealt with as specific local issues through existing or new resolution mechanisms. Some of the matters raised could, however, bring wider benefits both to residents and other stakeholders, and these are listed below:

- Suggestion for a “resident quiet time”, say between 0700 – 1100 Saturday mornings, perhaps applied to all sites within e.g. 100m of residential premises.
- Suggestion for greater use of bespoke policies in certain areas of the City, so as to better respond to local issues
- Suggestion that there is a need for more formalised contractor – resident liaison process for major construction/demolition projects, both at the outset and during ongoing works
- Proposal that a central unit should be established to receive and co-ordinate the response to all noise complaints in the City (note – this was also suggested in one internal response)
- Suggestion for a review of how new buildings and urban form (e.g. tall glass fronted buildings, hard landscaping measures) may be affecting the acoustic environment (note – this was also raised by Noise Abatement Society)
- Suggestion that current approach to noise from new and existing extract ventilation plant and equipment may not be achieving desired outcome
- Support for increased training opportunities to be provided for those officers who will be implementing the Noise Strategy

The relatively large number of responses received from Church groups and bell ringers are notable in their unanimous support for the promotion of church and cathedral bells (and chiming clocks) as an iconic sound of the City. This is the strongest level of support received for any single measure in the Strategy. The detailed responses contain a mixture of statements of strong support for existing proposals in the Strategy, useful supporting information on the City Churches and their bells and bell ringing, as well as some specific proposals and issues that relate to particular churches. Several of the matters raised may bring wider benefits in terms of community, tourism and cultural heritage, and these are listed here:

- Current proposal to treat church bells as an iconic City sound may require a review of existing approach to noise complaints, there is a suggestion that the right balance is not always achieved when complaints are received

- Suggestion that churches should be treated as “noise sensitive buildings” for planning purposes (issues raised include noise from new outdoor office terraces being located near churches, potential for sleep disturbance when new hotel bedrooms are created very near existing church towers with historic bells, churches and church services not being properly identified as vulnerable to construction/demolition noise and road traffic noise)
- Suggestion that “bell peal performances” should be better explained, co-ordinated and advertised more widely
- Possible opportunity to work with Whitechapel Bell Foundry (Subsequent to the consultation the Whitechapel Bell Foundry announced that by May 2017 it will cease its activities at the Whitechapel Road site).
- Several respondents in the Church groups and bell ringers category have volunteered to work more closely with City officers to address issues raised

The feedback received from colleagues in other Departments and from the Noise Abatement Society is very supportive and mostly consists of specific suggestions for editorial improvements and updates to the existing text and do not seek to change the fundamental approach or policy intent. There is widespread support from other departments to the proposals to take a more positive approach to sound, and various opportunities are identified where officers should be able to work more closely together to improve the City’s overall approach to noise pollution.

There are a few comments from internal colleagues that raise issues of wider importance, such as:

- There is a particular need for improved liaison between departments on certain emerging noise issues e.g. the night economy, any new Night Tsar policies, Freight Strategy, street works, Night-Tube, City procurement policies ...
- There are new opportunities for liaison between departments on the proposed soundscape initiatives, in particular strong support from Culture, Heritage and Libraries who have suggested they could perhaps have a greater role.
- Need to check for latest resident/worker/visitor population projections and consider implications for noise management.
- A possible opportunity to collaborate with the City Housing department on a trial of “Noise App” that may make it simpler for residents to produce supporting evidence for some types of noise complaints, hence assisting officer investigations.
- Need for greater acknowledgement of the role played by DBE in the provision of the out of hour’s noise complaint service.
- Interest from other departments (DBE, PHES, P&T, Housing ...) in the likely content of the proposed Supplementary Planning Document on environmental issues and offer to collaborate.
- A recognition that the conflicting needs and lifestyles of residents, workers and visitors may sometimes come to a head as “noise complaints” but that these are often symptomatic of underlying challenges that are also being addressed by other departments and policies - need to work together and try to better “join up” relevant City policies.

## **Proposed response to feedback received**

The Noise Strategy has been edited and updated in response to the issues raised. The key proposed changes are listed in Appendix A.

Officers will provide a separate independent response to the matters raised by the two residents groups (Barbican Association and Gilbert House Group) as several of the issues raised require a more focussed local investigation and response.

It is recommended that officers should acknowledge the support from, and establish a mechanism for closer working with, the Church groups and bell ringers in order to explore the local and City wide matters raised during this consultation. It is recommended that an initial meeting including both pollution and planning teams should be established to explore the full breadth of issues raised. It may be worth examining the creation of a multi-disciplinary working group to ensure that any momentum is not lost.

It is acknowledged that the number of responses to the consultation exercise has been fairly limited and, for this reason, it is recommended that the proposal (already contained in the draft Noise Strategy) to undertake a survey that will ask residents, workers and visitors for their views and opinions on the acoustic environment of the city (including both noise pollution and soundscape), should now be taken forward as a priority to help establish a robust evidence base for further action.

## **Appendix A – List of proposed changes to consultation draft**

### **Foreword**

Minor edits to clarify terminology – sound, noise, acoustic environment etc.

Minor edits to respond to internal comments about “achieving the right balance” and for more mention of visitors as an important stakeholder.

### **Executive Summary & Ten Key Aims**

No significant changes

### **Section 1. Background (Evidence Base)**

1.1 Minor edit to highlight other noise sensitive locations (hotels, churches, libraries) that will be considered for inclusion in any future City wide noise measurement surveys. Minor edit to mention that views of business and leisure visitors were not specifically sought in previous City wide noise opinion surveys.

1.1 Proposed that Fig 3 should be redrawn as a column chart and with columns re-arranged to show decreasing numbers of complaints by source

1.1 Sentence added to highlight that complaints data can be a misleading indicator of public concern and that attitude surveys are also useful.

1.2 Sentence added to highlight that noise is included as a priority in City's Joint Health and Well-being Strategy.

1.2 Added additional emphasis to the need for the various identified bodies to work together to deliver the aims of the Strategy

1.3 & 1.4 - Clarified that perceptual aspects (sounds both liked and disliked) will be included when gathering evidence in support of future initiatives

1.4 New Action (11) "To consider supporting any innovative research proposals that investigate the overall personal noise exposure of City residents and workers across a range of lifestyle types." (Suggestion from Noise Abatement Society).

## **Section 2. New Developments**

2.2 Review and confirmation of City population and projection figures

2.2 Minor edits to add churches, schools, libraries to list of noise sensitive locations, and mention increased visitor numbers to North of the City.

2.2 Sentence added: "The arrival of new hotels, being both a source of noise and being sensitive to night time noise, is also likely to present new challenges for noise management in some areas."

2.3.4 Sentence added: "The waste collection service currently operates 24/7 and is managed to minimise the risk of noise nuisance wherever practicable."

Proposed slightly revised POLICY 2.4.1 (g) "Resist the introduction of noise generating activities such as leisure or entertainment venues into areas with strong residential character. Where this is not compatible with wider planning or other economic and social objectives for the area, to limit noise impacts by ensuring good acoustic design and by placing appropriate conditions including constraints on activities and limits on hours of operation."

Proposed revised POLICY 2.4.2 (a) "Resist the introduction of leisure or entertainment premises into areas where there is a strong likelihood that noise will result in public and / or statutory nuisance or a significant adverse impact. Where the development forms part of agreed wider or longer term planning objectives for the area, seek to mitigate and minimise noise impacts by promoting the City of London Statement of Licensing Policy to ensure noise from licensable activities is adequately managed e.g. use of sound insulation, good acoustic design, operational management measures and limits on hours of operation."

Proposed slightly revised POLICY 2.4.4 (6) to specifically include working with the retail sector

2.5 Slightly altered action 8 to include Guildhall Yard Public Programme in the list for ad-hoc advice

2.5 New action (10) "Seek to assess the risk of any unusual sonic effects on the acoustic environment that may result from the use of innovative urban design in the City, such as excessive reflections

from tall glass buildings, unusual reflections from curved buildings and overhangs, and a lack of acoustic absorption in hard external areas”.

### **Section 3. Transport and Street Works**

3.2 Altered approx. week day commuter number to 360,000

3.3 Added an acknowledgement that road traffic noise can affect “other noise sensitive premises”

3.3.2 Added reference to noise implications of “night tube” and increased helicopter numbers.

3.5 New action 9(f) “Consider reviewing the impact of traffic noise impacts on “other noise sensitive premises” in addition to the impact on residential premises”.

3.5 New action (17) “Investigate and seek solutions to the noise implications of a reported increase in the number of helicopter flights over the City, in conjunction with the GLA, neighbouring LAs and other stakeholders”.

### **Section 4. Dealing with Noise Complaints and Incidents**

4.2 & 4.3.1 Added references to the out of hour’s complaint handling service being provided in conjunction with DBE.”

4.4 Action (4) Added reference to working with City Police and Community Safety Team

4.4 New action (15) “Investigate possibility of providing a “one-stop shop” to receive and co-ordinate the response to all noise complaints in the City” (as suggested by residents and an internal comment)

4.4 New action (16) “Review current approach to handling complaints about church bells, recognising bells as an iconic City sound and striking an agreed balance between the requirements of the church community, bell ringers, residents, workers and visitors (including those staying in hotels) (see also related proposals in Section 5)”.

4.4 New action (17) “To undertake a review of our approach to noise from vehicle safety alarms including: (a) Review our current approach to the use of vehicle alarms on construction and demolition sites in the City. (b) Work with internal departments and procurement team to phase in the use of less annoying alarms on City vehicles (e.g. refuse collection, street cleaning etc.). (c) Work with TfL, GLA, other London Boroughs and Noise Abatement Society to encourage greater uptake of less annoying alarms across London”.

4.4 New action (18) “To undertake a review of our current approach to managing noise issues that may affect residents in a particular area, including the use of bespoke policies and improved liaison with residents associations and similar groups”.

### **Section 5. Protecting and Enhancing the Acoustic Environment & Soundscape**

Additional reading references added in several places (as soundscape management is a relatively new concept)

5.5 Added sentence to indicate a preference for the soundscape management procedure and that other approaches may be considered: “Whilst this soundscape management procedure represents our preferred methodology we will consider other approaches and will work with stakeholders to keep abreast of developments in this newly emerging field [ref 16].”

5.6 Added new paragraph mentioning “plants for sound” and “City Trees”: “There are a number of plants that may help enhance the perception of the acoustic environment in the City’s open spaces. Dense evergreens can shield noise sources, attract wildlife and introduce associated natural sounds, and may even have some impact on noise reduction – for example: Holm Oak, Laurel and Holly. Grasses and bamboos can provide visual screening and movement, as well as rustling sounds in the breeze that may mask other unwanted noises - suggestions include *Miscanthus* sp., *Bamboo* sp., *Arundo donax* and *Miscanthus floridulus*. There are also potential new urban landscaping developments that may also bring acoustic (and air quality) benefits, such as the “City Tree” installations that have recently been trialled in hard landscaped urban open spaces in Paris, Oslo and Dresden.”

5.8 Small edit to replace “promoting tourism” with “attracting visitors”

5.9 Added a preference to reduce unwanted sounds, rather than to try and mask them.

5.9 Added references to live music events in Guildhall Yard and GIGS:Big Busk at St Pauls.

5.10 Added additional words of caution re. careful use of added sounds so as to avoid annoyance.

5.11 Additional description of “Organ of Corti” sound art installation, including that it was not as effective as hoped and added comment that “we are keen to work with others to support sound art installations in appropriate City locations.”

5.12 Removed references to the City Corporation licencing soundwalks and developing phone apps. Now says that the Corporation could support others to develop such initiatives.

5.14 Action (1) Added reference to Cultural Strategy

5.14 Action (4) Added specific reference to the benefits of soundscape enhancement to “residents, workers and visitors”

5.14 New action (11) “We will support the promotion of church bells as an iconic sound of the City and will establish a multi-disciplinary working group to explore wider acoustic issues relating to our City churches”.

## **Appendix 1 – Review of previous actions**

Added reference to ongoing integration of noise management issues in city procurement procedures

## **References**

Additional soundscape references included



<b>Committee(s)</b>	<b>Dated:</b>
Port Health and Environmental Services	<b>24 January 2017</b>
<b>Subject:</b> Massage & Special Treatment Licence Fees 2017/18	<b>Public</b>
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Decision</b>
<b>Report author:</b> Peter Davenport - Licensing	

## Summary

The City of London Corporation may set annual fees for those premises requiring a licence for Massage and Special Treatments and for those premises seeking to register for acupuncture, tattooing, ear / cosmetic piercing or electrolysis. The report outlines recent case law which has indicated that the process for setting the fees must be robust, that income received through the licensing process cannot exceed the cost of obtaining that income and the administration part of the fee has be charged separate to the non-administration part of the fee.

The matters considered by the licensing service in setting the proposed fees are discussed and include all aspects of the licensing process.

The proposed fees will result in similar income compared with previous years.

## Recommendation(s)

Members are asked to:

- Agree the proposed fees for 2017/18 as set out in Appendix 2 (column two).

## Main Report

### Background

1. Part IV of the London County Council (General Powers) Act 1920 permits the City Corporation to set a fee for the administration and inspection costs associated with granting or renewing a licence to permit an establishment to carry on massage or special treatments (MSTs). Examples of the different types of massage and special treatments which require a licence can be seen as Appendix 1.

2. Part V of the Greater London Council (General Powers) Act 1981 permits the City Corporation to set a fee for the administration and inspection costs associated with registering an individual or premises for the practice of acupuncture or the business of tattooing or cosmetic piercing.
3. Part VIII of the Local Government (Miscellaneous Provisions) Act 1982 permits the City Corporation to set a reasonable fee for registering a premises under this Act associated with the practice of electrolysis.
4. Licences are valid for twelve months from the date of grant unless revoked. The licence fee is due for payment at the time of application or prior to renewal.
5. Registrations are valid indefinitely unless suspended or cancelled by an order of court for a contravention of an applicable byelaw.
6. A High Court case held on 16 May 2012 (*R (Hemming and Others) v Westminster City Council*) concluded that the amount of the fee is required to be determined every year and further that a local authority was precluded from making a profit from the licensing regime. A full account of the fee income and expenditure would therefore need to be considered to ensure a surplus is not being made. The decision was subsequently upheld by the Court of Appeal.
7. Mr Justice Keith stated in the case ‘... [*in relation to*] the steps which an applicant for a licence has to take if he wishes to be granted a licence or to have his licence renewed. And when you talk about the cost of those procedures, you are talking about the administrative costs involved, and the costs of vetting the applicants (in the case of applications for a licence) and the costs of investigating their compliance with the terms of their licence (in the case of applications for the renewal of a licence). There is simply no room for the costs of the ‘authorisation procedures’ to include costs which are significantly in excess of those costs.’
8. The Supreme Court heard an appeal on 29 April 2015 and decided that licensing schemes which required the applicant to pay a fee covering the administrative costs of the application at the time the application is made and, in the event that the application is granted, a further fee to cover the costs of enforcing the licensing scheme did not fall foul of the Provision of Services Regulations 2009. Furthermore, the Supreme Court rejected Mr Justice Keith’s view that enforcement costs cannot be recouped. In delivering the judgement of the Supreme Court, Lord Mance stated ... “ there is no reason why it (*the fee*) should not be set at a level enabling the authority to recover from licensed operators the full cost of running and enforcing the licensing scheme, including the costs of enforcement and proceedings against those operating ... establishments without licences.”
9. The decision of the Supreme Court was upheld by the European Court of Justice in November 2016.

## Calculation of Fees for 2017/18

10. In order to avoid possible complications arising from non-compliance with the Hemming decision, the licensing service has carried out an in-depth examination of the processes that are undertaken in order to administer the licence application/renewal and the costs of investigating compliance with any licence conditions.
11. In determining the proposed fee structure for MST premises the following factors have been taken into account:
  - Officer time spent on processing applications including site inspections and the issue of any licence
  - Officer time spent on the development and maintenance of processes and guidance notes
  - Training of staff as necessary
  - A proportion of the service costs such as accommodation, equipment and central recharges
  - Officer time spent on inspections of licensed premises to ensure compliance with terms and conditions of any licence
  - Administration cost and inspections to ascertain compliance with byelaws in relation to the registration of premises and individuals.
12. MST fees for 2017/18 have been calculated on the above basis for each of a number of different types of licence. The majority of proposed fees have stayed the same with the slight increase in a new application for a Massage and Special treatment Licence due primarily to a recalculation of work involved following a change in procedure. Proposed fees can be seen as Appendix 2. All proposed fees are the total fees and include an element for the administrative aspects of issuing a licence (Part A) and an element for inspection and compliance with legislation (Part B).
13. The forecast number of applications for each type for 2017/18 can be seen in the table below along with the number of licences/registrations that were actually granted during 2015/16 and 2016/17.

	2015/16	2016/17	2017/18
	Actual	Actual	Forecast
New MSTs	4	7	4
New MSTs with lasers	5	7	5
Renewal of MSTs	60	56	60

Renewal of MSTs with lasers	21	16	18
Registration (premises without MST licence)	3	2	0
Registration (premises with an MST)	2	4	2
Additional registration(s)	0	0	0
Individual Registration	14	10	2

### **Proposals/Options**

14. If fees are set lower than those recommended the result will be a deficit for 2017/18 as costs of administering the licence will not be fully met from income received.
15. Fees set higher than those recommended will result in a surplus i.e. an income which exceeds the cost of providing the service.
16. Any such under or over recovery of costs from 2017/18 will be calculated after the end of that financial year and will be carried forward to be taken into consideration in setting fees for 2019/20. The surplus or deficit on each fee type from 2015/16 has been taken into account when setting the fees for 2017/18. Where this sum is relatively small, i.e. less than £20 per licence, in order to prevent the fees going up one year and down the next, the under or over recovery will be carried over to the next year(s). Ignoring a surplus or deficit could result in the City Corporation being subject to legal challenge.

### **Corporate & Strategic Implications**

17. The proposals within this report meet the requirement to set fees for the licensing of activities within the London County Council (General Powers) Act 1920, the Greater London Council (General Powers) Act 1981 and the Local Government (Miscellaneous Provisions) Act 1982, as they apply to the City of London Corporation.

### **Implications**

18. Setting the recommended fees will result in MST licence estimated income for 2017/18 of £48,940, against a budgeted income of £49,000.
19. Setting fees above or below those recommended will have the implications as set out in paragraph 16 above.

### **Appendices**

- Appendix 1 – Examples of Massage and Special Treatments
- Appendix 2 – Proposed Fees for 2017/18

**Background Papers**

None

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**London County Council (General Powers) Act 1920**  
**Licensing of establishments for massage or special treatment**

**Examples of Massage and Special Treatment**

**a. Massage** including but not limited to acupressure, aromatherapy, ayurveda, body massage, bowen technique, champissage (Indian head massage), facial massage, Grinberg method, holistic massage, manual lymphatic drainage, marma therapy, metamorphic technique, reflexology, rolfing, shiatsu, sports massage, stone therapy, thai massage or tui-na.

**b. Manicure** including but not limited to all forms of manicures, nail extensions or pedicures.

**c. Chiropody**

**d. Light** including but not limited to colour therapy, infra-red, lasers / intense pulse light (IPL), lumi-lift / lumi-facial or ultra-violet tanning (sunbeds).

**e. Electric** including but not limited to endermologie, faradism, foot detox, galvanism, high frequency, lumi-lift / lumi-facial, micro current therapy, scenar therapy or ultra sound.

**f. Vapour** including but not limited to facial steamers, halo therapy or steam room.

**g. Baths** including but not limited to fish pedicures, floatation tank, foot detox, hydrotherapy, sauna, spa or thalassotherapy.

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## Special Treatment Licence Fees 2017/18

This document sets out the fees payable for the licensing and/or the registration of:

- premises providing massage or special treatments
- premises that carry on the business of acupuncture, ear piercing or tattooing
- individuals that carry on the practice of, acupuncture, ear piercing or tattooing
- premises that carry on the business of electrolysis.

The fee is set out in 2 parts:

- Part A is the cost of processing the application and must be paid at the point the application is made
- Part B is the cost of managing and enforcing the special treatments licensing regime and must be paid at the point the licence is granted

**NOTE: Both parts of the fee must be paid before the licence can be issued.**

Application Type	Part A fee (Administrative)	Part B fee (Inspection/ Compliance)	Total Fee (Parts A and B)	Refundable element of fee	Previous Fees 2016/17
<b>New</b> massage and special treatment licence <b><u>No laser treatment</u></b>	£410	£170	<b>£580</b>	See note A below	£540
<b>New</b> massage and special treatment licence <b><u>to include laser treatment</u></b>	£510	£170	<b>£680</b>	See note A below	£680
<b>Renewal of a</b> massage and special treatment licence ( <b><u>No laser treatment</u></b> )	£350	£170	<b>£520</b>	See note A below	£520
<b>Renewal of a</b> massage and special treatment licence <b><u>to include laser treatment</u></b>	£465	£170	<b>£635</b>	See note A below	£635
<b>Registration</b> to provide acupuncture, tattooing, piercing or electrolysis -	N/A	N/A	<b>£340</b>	See note B below	£340



## Special Treatment Fees 2017/18

<b>premises <u>without</u> an MST licence</b>					
<b>Registration</b> to provide acupuncture, tattooing, piercing or electrolysis - <b>premises <u>with</u> an MST licence</b>	N/A	N/A	<b>£250</b>	See note B below	£250
<b>Additional Registration(s)</b> (Premises)	N/A	N/A	<b>£250</b>	See note B below	£250
<b>Registration</b> of an Individual	N/A	N/A	<b>£45</b>	See note B below	£45

### Note A:

Part A of the fee is not refundable, even for unsuccessful applications as the fee only covers the administration and inspection costs of processing the application.

If an application is withdrawn prior to the technical inspection, the cost of the technical inspection will be refunded: **£195** for a new licence with no laser treatment and **£312** for a new licence with laser treatment.

If a licence is surrendered during the period in which it is in force, a refund of Part B of the fee will be given for every full month remaining on the licence.

### Note B:

The fee for a registration is not refundable, even for unsuccessful applications as the fee only covers the administration and inspection costs of processing the application.

<b>Committee(s)</b>	<b>Dated:</b>
Port Health and Environmental Services – For information	24 January 2017
<b>Subject:</b> Markets and Consumer Protection Business Plan 2016-2019: Progress Report (Period 2)	<b>Public</b>
<b>Report of:</b> The Director of Markets and Consumer Protection	<b>For Information</b>
<b>Report author:</b> Joanne Hill, Department of Markets and Consumer Protection	

## Summary

This report provides an update on progress against the key performance indicators (KPIs) and improvement objectives outlined in the Business Plan of the Port Health and Public Protection Division (PH&PP) of the Department of Markets and Consumer Protection (M&CP), for Period 2 (August-November) of 2016-17.

The report consists of:

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

### Key points from the report are that:

- A new Air Quality Team has been established to reflect the high priority placed on improving air quality and increased workload required to deliver policies in the Air Quality Strategy.
- The Trading Standards Team continues to work in partnership with the CoL Police, Metropolitan Police, HMRC and the Financial Conduct Authority on Operation Broadway to disrupt investment fraud in the Square Mile.
- Environmental Health Officers are working with food businesses which offer 'lightly cooked' burgers to ensure compliance with new Food Standards Agency guidance.
- Environmental Health Officers have given presentations at international conferences, sharing their knowledge and expertise of Health and Safety issues and raising the profile of the City Corporation.
- The Pollution Team received an award at the Houses of Parliament for the City's approach to soundscape, as laid out in the draft Noise Strategy 2016-2026.
- The number of consignments processed by the Port Health Teams continues to increase, as does the income received by the Service.
- Animal Health Officers are working closely with Defra to tackle the illegal importation of puppies.
- The third series of ITV's Heathrow: Britain's Busiest Airport is currently being filmed and includes Heathrow Animal Reception Centre.

- At the end of the November 2016, M&CP was £353k (25.8%) underspent against the local risk budget to date of £1.4m, over all the PH&PP services managed by the Director and covered by the Port Health & Environmental Services Committee. Overall the Director is currently forecasting a year end underspend position of £197k (8.9%) for all of the PH&PP City Fund services under his control.

### **Recommendation(s)**

Members are asked to:

- Note the content of this report and its appendices.

### **Main Report**

#### **Background**

1. The 2016-19 PH&PP Business Plan sets out eight key performance indicators (KPIs) and sixteen improvement objectives against which the Division's performance will be measured throughout the year.
2. The KPIs and objectives were selected to be representative of the main elements of work carried out.

#### **Current Position**

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

#### **Air Quality**

6. The Risk Register for PH&PP includes Air Quality as a high (red) risk.
7. Air Quality is now also on the Corporate Risk Register and a list of actions to demonstrate mitigation against that risk was reported to the Audit and Risk Management Committee in June 2016.
8. With the aim of reducing the risk, the City continues to implement the policies detailed within the City of London Air Quality Strategy 2015-2020. A new Air Quality Team has been established to reflect the high priority placed on improving air quality in the City. So far, this has been done within existing

budgets, but to achieve all the targets additional resources may be required in future.

9. A number of other actions have been undertaken during Period 2 and a selection of these is shown in Appendix B (Progress against Key Objectives) and Appendix C (Enforcement Activity).

### **Operational Property Holdings**

10. In accordance with Standing Order 55, PH&PP property holdings are reviewed annually with the City Surveyor and were subject to an in depth review in 2014, as part of the Service Based Review (SBR), from which property-related savings measures were identified. The department's property holdings were also included in the City's Operational Property Review in 2015. Actions taken this year to date, against a specific improvement objective (objective 10), are given in Appendix B.

### **Corporate & Strategic Implications**

11. The monitoring of KPIs and improvement objectives across the Division links to all three of the Strategic Aims set out in the Corporate Plan 2015-19.

### **Implications**

#### **Financial and Risk Implications**

12. The end of November 2016 monitoring position for M&CP services covered by Port Health & Environmental Services Committee is provided at Appendix D. This reveals a net underspend to date for PH&PP of £353k (25.8%) against the overall local risk budget to date of £1.4m for 2016/17.
13. Overall the Director of Markets & Consumer Protection is currently forecasting a year end underspend position of £197k (8.9%) for all of the PH&PP City Fund services under his control.
14. The reasons for the significant budget variations are detailed in Appendix D, which sets out a detailed financial analysis of each PH&PP service the Director supports.
15. The better than budget forecast position at the end of November 2016 is mainly due additional income at the Heathrow Animal Reception Centre relating to passports for pets services and savings at the Ports due to staffing vacancies that are taking longer to recruit to than intended, and lower levels of disposal costs for unfit food than were originally envisaged.
16. The Director anticipates this current better than budget position will continue to year end, subject to income activity maintaining its current high performance.

## **Consultees**

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

## **Appendices**

- Appendix A – Performance Management Report Period 2 2016-17
- Appendix B – Progress against Key Objectives Period 2 2016-17
- Appendix C – Enforcement Activity Period 2 2016-17
- Appendix D - Financial Statements: Department of Markets and Consumer Protection, Port Health & Public Protection Division

## **Background Papers**

Port Health & Public Protection Business Plan 2016-2019  
(PH&ES Committee 23 May 2016)

## **Contacts**




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**Performance Management Report 2016-17**  
**Period Two: 1 August – 30 November 2016**

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

**Progress against Key Performance Indicators**

	This indicator is performing to or above the target. (100% of the target or higher)
	This indicator is a cause for concern, frequently performing just under target. (85% - 99% of the target)
	The indicator is performing below the target. (<85% of the target)

## Appendix A

	All PH&PP Service Areas	Actual 2015-16		Target 2016-17	Actual 2016-17		Status
		Period 2	Period 3		Period 1	Period 2	
PI 1	Achieve an overall sickness absence level of no more than 6 days per person by 31 March 2016, and a total of no more than 696 days (<232 days per period) across all PH&PP Service areas.	158 days	228 days	<232 days per period	225 days	203 days	😊
PI 2	a) 90% of debts to be settled within 60 days.	91%	82%	90%	78%	87%	😐
	b) 100% of debts settled within 120 days.	97%	91%	100%	85%	92%	😐

**PI 1:** Target based upon Full Time Equivalent (FTE) members of PH&PP staff at 31 December 2015 (no. 116).

**PI 2a:** The majority of outstanding debts incorporated in this result were still less than 61 days old at the end of November 2016. It is, therefore, still possible that they will be settled within 60 days.

**PI 2b:** Debts older than 120 days relate to Port Health and the HARC. All debtors with debts more than 120 days old are currently being chased. Where appropriate, legal proceedings are being instigated by Comptrollers and City Solicitors.

		Actual 2015-16		Target 2016-17	Actual 2016-17		Status
		Period 2	Period 3		Period 1	Period 2	
PI 3 * <sup>1</sup>	<b>Port Health</b> 95% of imported food consignments that satisfy the checking requirements cleared within five days:	All products: 95.5%	All products: 93.1%	a) Non-fish products 95%	97%	92%	😐
				b) Fish products 85%	90%	88%	😊
PI 4 * <sup>2</sup>	<b>Food Safety</b> Over the course of the year, secure a positive improvement in the overall Food Hygiene Ratings Scheme (FHRS) ratings profile for City food establishments compared to the baseline profile at 31 March 2013.	N/A	End of year result: Improved profile	Improved profile	N/A		-
PI 5	<b>HARC</b> Less than 1% of missed flights for transit of animals caused by the Animal Reception Centre (ARC).	0.05%	0%	<1%	0%	0%	😊

\*<sup>1</sup> New indicator for 2016-17

\*<sup>2</sup> Annual indicator

**PI 3:** Time elapsed between receipt of documents/presentation of container to release, on electronic cargo handling system. For 2016-17, this



indicator has been split into separate measures for non-fish and fish products.

**PI 3 a) Non-fish:** August and the beginning of September were very busy periods during which there were delays in containers being presented for inspection. This had a negative impact on the clearance times that could be achieved.

**PI 4:** The purpose of this indicator is to show an overall improvement in the FHRS rating profile across all City food establishments by the end of the year. The target cannot be expressed as a specific percentage since any increase will indicate achievement.

		Actual 2015-16		Target 2016-17	Actual 2016-17		Status
		Period 2	Period 3		Period 1	Period 2	
<b>PI 6</b>	<b>Pollution Team</b> 90% justifiable noise complaints investigated result in a satisfactory outcome.	94.7%	96.8%	<b>90%</b>	96.4%	97.2%	😊
<b>PI 7</b>	<b>Trading Standards</b> Respond to all victims of investment fraud identified to the Trading Standards Service within 5 working days to advise on the risk of repeat targeting, assess the need for safeguarding interventions and initiate the safeguarding process where appropriate.	N/A	N/A	<b>100%</b>	100%	100%	😊
<b>PI 6:</b> The percentage of total justified noise complaints investigated resulting in noise control, reduction to an acceptable level and/or prevention measures; complaints may or may not be actionable through statutory action.							
<b>PI 7:</b> New indicator for 2016-17							

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## Progress against Port Health & Public Protection key improvement objectives 2016-2017

Ref:	Objective	Progress to date
1	Pollution Team to implement the policies and actions set out in the City of London Air Quality Strategy, 2015–2020.	<p><b>Period 1: April – July 2016</b></p> <ul style="list-style-type: none"> <li>• Notification of funding for Low Emission Neighbourhood of £1 million over 3 years has been received.</li> <li>• Monthly idling engine action days are being held: June's day featured on Radio 4's 'World at One' and July's on CNN.</li> <li>• An 'Action on Air Quality' event was held at the Guildhall to roll out a work programme with Barts Health NHS Trust to public health professionals.</li> <li>• Officers have given presentations on air quality to Parliamentary and Scientific Committees.</li> <li>• A 'Responsible Procurement Strategy' has been adopted corporately and includes a number of air quality measures including a commitment to purchase non-diesel vehicles unless there is no alternative. The Policy has been widely publicised.</li> </ul> <p><b>Period 2: August – November 2016</b></p> <ul style="list-style-type: none"> <li>• A new Air Quality Team has been established to deliver policies in the Air Quality Strategy.</li> <li>• Work commenced on the Low Emission Neighbourhood. The initial phase of business engagement and construction site audit has been completed.</li> <li>• The team is working with the Office for Low Emission Vehicles and the Department for Transport on the proposals to develop the first zero emissions street in the UK: Beech Street.</li> <li>• 10 additional nitrogen dioxide monitors were established in the Low Emission Neighbourhood area to act as a baseline.</li> <li>• A Draft Supplementary Planning Document was submitted to Port Health &amp; Environmental Services and Planning &amp; Transportation Committees for approval.</li> <li>• The roll out of idling engine action days across London commenced with most boroughs hosting one day per month.</li> <li>• Work commenced to investigate the air quality impact of using diesel standby generators for STOR (Short Term Operating Reserve).</li> </ul>
2	Trading Standards Team to collaborate with City of London Police and other relevant partner organisations to tackle economic crime, particularly investment fraud.	<p><b>Period 1: April – July 2016</b></p> <ul style="list-style-type: none"> <li>• This is ongoing with the continuing success of Operation Broadway.</li> <li>• Funding has now been made available to recruit an additional Trading Standards Officer to develop the Operation Broadway "model" across Greater London with our partners, agencies and other London local authorities.</li> </ul>

Ref:	Objective	Progress to date
		<b>Period 2: August – November 2016</b> <ul style="list-style-type: none"> <li>Progress against this objective is ongoing.</li> <li>An additional fixed-term contract Trading Standards Officer has joined the team and is busy developing the Operation Broadway 'model' with a number of other London local authorities.</li> </ul>
3	Public Protection's Commercial Teams to develop services in line with the changes that followed the Service Based Review, including regulation at Smithfield Market.	<b>Period 1: April – July 2016</b> <ul style="list-style-type: none"> <li>The new structure of the Commercial Teams is now embedded and officers continue to work towards cross-skilling former 'specialist' food and health &amp; safety staff to deal with a variety functions.</li> </ul>
		<b>Period 2: August – November 2016</b> <ul style="list-style-type: none"> <li>This objective is now complete.</li> </ul>
4	Complete and implement an agreed Action Plan to address measures identified in the Food Standards Agency Audit of December 2015.	<b>Period 1: April – July 2016</b> <ul style="list-style-type: none"> <li>Some actions have already been completed and the remainder are approaching completion, as reported to the July PH&amp;ES Committee ('Food Standards Agency Audit 2015').</li> </ul>
		<b>Period 2: August – November 2016</b> <ul style="list-style-type: none"> <li>A small number of remaining actions are approaching completion.</li> <li>The Food Standards Agency was due to revisit in December to discuss progress but they have postponed this until January.</li> </ul>
5	Continue to implement, and monitor progress on delivery of, measures identified as part of the Service Based Review.	<b>Period 1: April – July 2016</b> <ul style="list-style-type: none"> <li>Work on this objective is ongoing.</li> </ul>
		<b>Period 2: August – November 2016</b> <ul style="list-style-type: none"> <li>PORT HEALTH: Most measures have been completed, and the service continues to develop.</li> <li>PUBLIC PROTECTION: Progress against this objective is ongoing.</li> </ul>
6	Produce a revised Port Health Authority Order – (The London Port Health Authority Order 1965 assigns to the Common Council, as a port health authority, the functions rights and liabilities of a local authority within its jurisdiction)	<b>Period 1: April – July 2016</b> <ul style="list-style-type: none"> <li>Meetings have been held between Port Health and the City Solicitors. GIS maps have been drafted and Customs boundaries have been requested from the port operators.</li> </ul>
		<b>Period 2: August – November 2016</b> <ul style="list-style-type: none"> <li>Work towards achieving this objective is ongoing – some legal issues have been encountered that require resolution.</li> </ul>
7	Explore opportunities for increased income generation from the Animal Reception Centre and the Public Protection teams.	<b>Period 1: April – July 2016</b> <ul style="list-style-type: none"> <li>This has commenced with the work of one contractor being at draft report stage. Further consultants are to be appointed through City Procurement and the formal tender process.</li> </ul>

Ref:	Objective	Progress to date
		<b>Period 2: August – November 2016</b> <ul style="list-style-type: none"> <li>The recommendations from the first report are now being implemented.</li> <li>The formal tendering process did not produce a successful consultant, so this is being revisited.</li> </ul>
8	Work with the City Surveyor to agree Mission Critical assets at the HARC and our Port Offices as part of the BRM (Building Repairs and Maintenance) Asset Verification Process.	<b>Period 1: April – July 2016</b> <ul style="list-style-type: none"> <li>Work has been undertaken at the HARC in conjunction with City Surveyors. Feedback from City Surveyors is awaited.</li> <li>The initial draft asset list for the Port Health Service has been requested as a variation to the BRM contract. Further improvements will be provided at a later date by electrical, mechanical and building fabric specialists.</li> </ul> <b>Period 2: August – November 2016</b> <ul style="list-style-type: none"> <li>HARC: This is complete.</li> <li>PORT HEALTH: All maintenance works on critical assets remain on schedule. Further work is to be undertaken over the next quarter to ensure correct site data is loaded onto the new CAFM (Computer aided facilities management) system in preparation for new BRM contracts which will commence in July 2017.</li> </ul>
9	Provide input to the renewal of the corporate Building repairs and maintenance (BRM) contract. Work with the City Surveyor to develop procurement strategy and the technical specification and individual Site Data Packs for each of our sites.	<b>Period 1: April – July 2016</b> <ul style="list-style-type: none"> <li>Representatives have provided input at meetings and by follow-up email.</li> <li>The Port Health Assistant Director sits on the Facilities Services Category Management Board.</li> </ul> <b>Period 2: August – November 2016</b> <ul style="list-style-type: none"> <li>HARC: This is almost complete. Work on evaluating tenders was carried out during the week commencing 12 December 2016.</li> <li>PORT HEALTH: Input from the Assistant Director, who sits on the Facilities Category Board, continues.</li> </ul>
10	Review our property holdings with City Surveyors Department to ensure that we do not occupy buildings and land in excess of our identified operational need, in accordance with Standing Order 55.	<b>Period 1: April – July 2016</b> <ul style="list-style-type: none"> <li>Work is being undertaken to ensure appropriate property holdings for Port Health including extending the lease at Denton; increasing office space at Manorway; alternative accommodation in the upper river; and early release/alternative accommodation at Tilbury.</li> <li>A review is being commissioned of the land use at Heathrow Animal Reception Centre to optimise any underutilised space. Options to be considered include an export checks facility and provision of more office accommodation for the Animal &amp; Plant Health Agency.</li> </ul> <b>Period 2: August – November 2016</b> <ul style="list-style-type: none"> <li>PORT HEALTH: Work to ensure property holdings are appropriate continues. Possession of the extended office space at Manorway House is near completion;</li> </ul>

Ref:	Objective	Progress to date
		negotiations to extend the lease at Denton are ongoing; further work is underway to secure alternative accommodation in the upper river; talks with the property owner regarding early termination of the Tilbury lease have commenced.
11	Introduce mobile working technology throughout the PH&PP service, in collaboration with the Chamberlain's IT Division.	<p><b>Period 1: April – July 2016</b></p> <ul style="list-style-type: none"> <li>The first phase of mobile working has commenced at the Ports allowing officers to update back office systems 'live' and search for reference material and documentation.</li> <li>The first phase of Public Protection's mobile working project, 'Look &amp; Feel', in which officers trialled two types of tablet device was completed and feedback collated. Preparations for the next phase, in which officers will trial a new electronic Food Hygiene inspection form, are nearly complete with the final technical issues being worked out with IT / Agilisys.</li> </ul> <p><b>Period 2: August – November 2016</b></p> <ul style="list-style-type: none"> <li>PORT HEALTH: Further work to streamline Port Health activities continues, including securing suitable networks throughout the port environment.</li> <li>PUBLIC PROTECTION: The technical issues have been overcome by IT/Agilisys and Phase 1B in which officers will trial a new electronic Food Hygiene Inspection Form on Microsoft Surface tablet devices will commence in early January.</li> <li>HARC is updating its back office system using the same software as Port Health, which will facilitate mobile working there.</li> </ul>
12	Complete transition of all M&CP business risks on to the Covalent database. Populate the Covalent system with M&CP Top X risks.	<p><b>Period 1: April – July 2016</b></p> <ul style="list-style-type: none"> <li>Port Health business risks have been prepared for input into Covalent. All but three of the Health &amp; Safety Risk Assessments have been reviewed and updated.</li> <li>All Public Protection risks are on the Covalent database. They are regularly reviewed and updated as necessary.</li> </ul> <p><b>Period 2: August – November 2016</b></p> <ul style="list-style-type: none"> <li>PORT HEALTH: All business risks are now on Covalent. All Health and Safety risks have been assessed.</li> <li>PUBLIC PROTECTION: All risks are regularly reviewed and updated as necessary.</li> </ul>
13	Implement the priorities outlined in the Departmental Workforce Plan.	<p><b>Period 1: April – July 2016</b></p> <ul style="list-style-type: none"> <li>The Departmental Workforce Planning Group continues to progress this objective.</li> </ul> <p><b>Period 2: August – November 2016</b></p> <ul style="list-style-type: none"> <li>The Departmental Workforce Planning Group continues to progress this objective and there is a further meeting planned for January to review the position.</li> </ul>

14	Senior managers will review and implement all relevant actions in the M&CP liP Business Improvement Plan and work towards providing evidence for the relevant indicators to achieve the Gold liP Standard.	<b>Period 1: April – July 2016</b>
		<ul style="list-style-type: none"> <li>The CoL has decided to postpone accreditation of the Gold standard until 2018. In the meantime, however, evidence for the indicators continues to be documented and collated.</li> </ul>
		<b>Period 2: August – November 2016</b> <ul style="list-style-type: none"> <li>Evidence to support achievement of the indicators continues to be documented and collated.</li> </ul>
15	Complete the training needs analysis identified for Commercial Teams in line with recent service changes and forthcoming changes in the assessment of food regulators' competency to complete official food controls. Include succession planning, workforce capability and career progression.	<b>Period 1: April – July 2016</b>
		<ul style="list-style-type: none"> <li>All Commercial Team officers undertaking official food controls work have worked through the Food Standards Agency's Competency Framework and assessment which has identified any specific training needs.</li> <li>Succession planning has identified officers to receive leadership and management training.</li> </ul>
16	Deliver a Leadership Development Programme for a cohort of 10-12 current and future managers. <i>(Linked to Corporate Equalities priority within the Equalities and Inclusion Action Plan 2016)</i>	<b>Period 2: August – November 2016</b>
		<ul style="list-style-type: none"> <li>Progress against this objective continues. Selected officers have undertaken leadership training in accordance with objective 16 (below).</li> </ul>
		<b>Period 1: April – July 2016</b>
		<ul style="list-style-type: none"> <li>A programme was delivered via a series of one day workshops for a group of 15 current and future managers in the department. A further development day and parallel work has been organised to lead into the 2016-17 business planning process.</li> </ul>
		<b>Period 2: August – November 2016</b> <ul style="list-style-type: none"> <li>The successful programme ended in early December 2016 and was a success. It is intended to run a second programme in 2017 for a further group of staff drawn from a wider range of grades.</li> </ul>

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## Port Health & Public Protection Enforcement Activity Period 2 (August–November) 2016-17

Food Safety	2015-2016 Annual Total	2016-17 Target (where applicable)	Period 2 Total (Year to date totals are shown in brackets)
Programmed inspections	Food Hygiene: 1,014  Food Standards: 303	<b>Food Hygiene:</b> <b>920</b>  <b>Food Standards:</b> <b>617</b>	Food Hygiene: 256 (552)  Food Standards: 84 (167)
Hygiene Emergency Closures	1	N/A	1 (1)
Voluntary closures	5	N/A	0 (1)
Complaints & service requests received	267	N/A	120 (219)
Notices served	13	N/A	4 (37)
Prosecutions	0	N/A	0 (0)

### Period 2 - Food Safety Enforcement Highlights

- In accordance with recent Food Standards Agency (FSA) guidance on the safe production of **'lightly cooked' burgers**, the team is required to verify compliance in every premises where these burgers are served. There are more than 60 such premises in the City and investigations highlighted a number of smaller businesses attempting to provide this type of product without appropriate procedures in place; all of these businesses undertook to cease offering this type of food.
- Work with the **national burger chains** which offer 'lightly cooked' burgers continues. The team is one of the founder members of a group of London Boroughs formed in late July to deal with issues arising from such businesses. The team was involved in the **product withdrawal** of cheese from a Scottish cheese-maker associated with an E-coli incident. This incident has been reported extensively in the press and caused some controversy; the City-based cheese seller voluntarily surrendered the product he held.
- There have been a number of **infectious disease outbreaks** associated with Norovirus; these incidents are investigated but it is not always possible to determine a source.
- Officers served a **Hygiene Emergency Prohibition Notice** on the Grand Union Public House to prohibit the preparation and service of food following discovery of an extensive pest infestation and poor hygiene practices.
- The team has secured the services of **two contract officers** (1 FTE) who will assist with food hygiene and safety inspections between January and March 2017 to ensure that annual targets are met.
- As part of recent changes to the **Food Hygiene Rating Scheme** (FHRS), your Committee has approved the introduction of charges for food businesses which ask to be re-rated. The changes to the Scheme are designed to move towards possible mandatory rating display in England (Northern Ireland and Wales have already introduced mandatory display).

## Port Health & Public Protection Enforcement Activity Period 2 (August–November) 2016-17

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

		Hygiene Rating						Total no. of food businesses in the City included in the FHRS
		5	4	3	2	1	0	
Number (%) of food businesses	March 2013	925 (58%)	345 (22%)	171 (11%)	69 (4%)	61 (4%)	12 (1%)	1583
	August 2013	908 (56%)	378 (23%)	168 (10%)	83 (5%)	67 (4%)	25 (2%)	1629
	29 November 2013	903 (55%)	387 (23%)	172 (10%)	98 (6%)	70 (4%)	24 (2%)	1654
	31 March 2014	880 (53%)	374 (23%)	182 (11%)	104 (6%)	74 (5%)	23 (1%)	1661 (incl. 24 awaiting inspection)
	31 July 2014	898 (54%)	374 (23%)	174 (10%)	102 (6%)	67 (4%)	19 (1%)	1661 (incl. 27 awaiting inspection)
	1 December 2014	919 (55%)	380 (23%)	175 (10%)	92 (6%)	58 (4%)	17 (1%)	1675 (incl. 34 awaiting inspection)
	31 March 2015	960 (57%)	361 (21%)	165 (10%)	88 (5%)	64 (4%)	18 (1%)	1692 (incl. 36 awaiting inspection)
	31 July 2015	1014 (59%)	361 (21%)	158 (9%)	77 (4.5%)	58 (3.5%)	8 (0.5%)	1721 (incl. 45 awaiting inspection)
	30 November 2015	1049 (60%)	360 (21%)	147 (8%)	68 (4%)	57 (3%)	10 (1%)	1748 (incl. 57 awaiting inspection)
	31 March 2016	1106 (63%)	320 (18%)	142 (8%)	74 (4%)	56 (3%)	18 (1%)	1756 (incl. 40 awaiting inspection)
	29 July 2016	1163 (66%)	306 (17%)	132 (8%)	60 (3%)	49 (3%)	13 (1%)	1765 (incl. 42 awaiting inspection)
	30 November 2016	1204 (69%)	306 (17%)	117 (7%)	64 (4%)	43 (2%)	6 (<1%)	1740 (incl. 46 awaiting inspection)

## Port Health & Public Protection Enforcement Activity Period 2 (August–November) 2016-17

### '0' rated food businesses in the City

These businesses were rated '0' at 30 November 2016; food businesses will have taken some action to improve and some have been since been re-inspected - further information is given in the 'Details' column.

Premises	Details
<b>Grand Union Public House</b> , Rolls Passage London EC4A 1HL	Inspected on 18 November and again rated zero due to an active mouse infestation and poor hygiene standards. An Hygiene Emergency Prohibition Notice was served to prohibit preparation and service of food due to serious risk of contamination. Two subsequent visits were carried out on 22 and 29 November which confirmed that the health risk condition still existed and the premises was kept closed at that time. A Hygiene Emergency Prohibition Order was granted at City of London Magistrate's Court on 30 November. Further enforcement action is currently being considered. The premises has now reopened for food service following extensive work.
<b>Louie's Bar</b> , Retail Unit 46 Moorgate London EC2R 6EL	Follow up visits have been made since the original inspection and although some improvement has been achieved a further visit will be made on the 19 <sup>th</sup> January and a verbal update will be provided. The food business operator has been advised that there will be no further advisory visits (unless requested) and that poor compliance will be addressed using enforcement action.
<b>Peoples Choice Café</b> , 38 Goswell Road London EC1M 7AA	An inspection was carried out on 16 November and the business awarded a 3 rating (generally satisfactory). Some structural issues remain but works will be completed during Christmas closure. Good progress has been made on food hygiene management and practices. A vast improvement overall.
<b>Sweet News</b> , Retail Unit 2 1 Fleet Place London EC4M 7RA	This business (a newsagent) had a serious rodent problem. A concerted effort has been made to rectify the pest issue. The business has not requested a re-rating and it is not due for another full inspection until April 2017.
<b>Toast</b> , 21 West Smithfield London EC1A 9HY	The pest control issue at the premises has been resolved (following an agreement to close the premises). The business was re-inspected on 4 January and is now rated as a 3.
<b>Wine Lodge Public House</b> , 145 Fenchurch Street London EC3M 6BL	Several follow up (verification) visits have been completed; conditions have improved, although there are still some outstanding issues. If rerated now it would probably be 'generally satisfactory' (a 3 rating).

## Port Health & Public Protection Enforcement Activity Period 2 (August–November) 2016-17

Health & Safety	2015-16 Annual Total	2016-17 Target (where applicable)	Period 2 Total (Year to date totals are shown in brackets)
Programmed Cooling Tower inspections	73	<b>75</b>	19 (41)
Other H&S Inspections	3	<b>N/A</b>	6 (14)
H&S Project visits	0	<b>N/A</b>	3 (7)
Accident and dangerous occurrences notifications	240	<b>N/A</b>	74 (162)
Complaints & service requests received	145	<b>N/A</b>	51 (140)
Notices	0	<b>N/A</b>	0 (0)
Prosecutions	1	<b>N/A</b>	0 (0)

### Period 2 – Health & Safety Enforcement Highlights

- A new **Primary Authority Partnership** has been formed with Churchill Contract Services Ltd. A company which provides a wide range of building services (e.g. cleaning, maintenance and catering) across the UK including in the City.
- The team made a significant contribution to **training on incident investigations** for London Local Authority Health & Safety enforcement officers.
- The team ensured that the risk assessments prepared by the operator of the **Lord Mayor's Show Fireworks** were valid and that the event would be delivered safely.
- One of the team's EHOs was invited to speak at the IRATA (the **International Rope Access Trade Association**) conference in Munich, focussing on rope access and cleaning external facades of buildings using examples of enforcing safe 'working at height' in the City.
- The team has received increased demands from **Primary Authority partners** to carry out reviews of their Health and Safety systems and documents.
- A significant contribution has been made to the **National Leisure Expert Panel's** development of guidance on RIDDOR reporting (i.e. the statutory duty to report workplace accidents and incidents) by the leisure sector, and on the safe operation of 24 hour gyms.
- A member of the team gave a presentation at an **international conference** on 'Slips Trips and Falls' which took place in the City this year.

## Port Health & Public Protection Enforcement Activity Period 2 (August–November) 2016-17

Trading Standards	2015-16 Annual Total	2016-17 Target (where applicable)	Period 2 Total (Year to date totals are shown in brackets)
Inspections and visits	77	N/A	28 (63)
Complaints & service requests received	3,321	N/A	823 (1,533)
Home Authority referrals	101	N/A	36 (99)
Acting as a responsible authority for Licensing Applications	122	N/A	28 (62)
Prosecutions	2	N/A	0 (0)

### Period 2 – Trading Standards Highlights

- The team continues to work in partnership with the CoL Police, Metropolitan Police, HMRC and the Financial Conduct Authority on **Operation Broadway** to disrupt investment fraud in the Square Mile. Meetings take place every two weeks to discuss intelligence and visits are then undertaken to premises in the City of London. Some victims continue to lose significant sums of money and officers work closely with mail forwarding businesses in order to make them fully aware of their obligations when taking on new clients. During the Autumn, Operation Broadway ran an awareness campaign to warn potential investors about how they should protect their money.
- A fixed term contract Trading Standards Officer started work in October to develop the **Operation Broadway model** across Greater London. They have already carried out many joint visits with officers from other London Boroughs and been very well received, enhancing the reputation of the City of London Trading Standards Team.
- The team has continued an investigation involving over 200 victims of an **international commodity investment scam**. Victims have been exposed to a secondary fraud which, thanks to the work of the team, has now been stopped in its tracks. All victims have been contacted and liaison is taking place in order to reunite some of them with the commodity that they have invested in. The commodity is currently in the possession of the Swiss Police and officers are trying their best to overcome potential barriers for it to be returned.
- The team is heavily involved in a **national campaign** with the Chartered Trading Standards Institute, the National Scams Team and Bournemouth University. The campaign focuses on the role that banks can play in protecting consumers from making payments to fraudsters and it links very closely with the 'super complaint' made by Which?
- Officers have continued to work on a project to enforce the new legal provisions relating to the activities of **Letting Agents** within the City. There are serious issues right across London with rogue agents 'ripping off' prospective tenants and we are feeding into a London-wide project on this important area of work.
- In November, officers inspected 13 premises for **illicit tobacco** using the services of a specially trained sniffer dog. No illicit products were found but a clear message has been sent to all retailers selling tobacco in the Square Mile regarding their obligations and preventing the sale of tobacco products at 'pocket money' prices.

## Port Health & Public Protection Enforcement Activity Period 2 (August–November) 2016-17

Pollution	2015-16 Annual Total	2016-17 Target (where applicable)	Period 2 2016-2017 results			
			Total	% Noise complaints resolved	Notices served	Prosecutions
			(Year to date totals are shown in brackets)			
Complaint investigations, noise	1,045	N/A	283 (631)	96.7%	2 1 COPA S60* 1 EPA S80** (7)	0 (0)
Complaint investigations, other	260	N/A	21 (50)	N/A	N/A	0 (0)
Licensing, Planning and Construction Works applications assessed	1,726	N/A	428 (842)	N/A	N/A	N/A
No. of variations (to construction working hours) notices issued	1,151	N/A	328 (650)	N/A	6 COPA S61* (12)	N/A

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

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

### **Period 2 – Pollution Team Highlights**

- The team received the John Connell **Soundscape award** at the Houses of Parliament for the City's approach to soundscape, as laid out in the draft Noise Strategy 2016-2026.
- The team hosted a study visit for **Urban Noise Control Experts from China** to 'Multiplex' at 100 Bishopsgate to learn about the City's approach to controlling construction noise and soundscapes. They are seeking to translate the soundscape ISO standard into a Chinese equivalent to become China's first soundscape standard.
- The City's **infrastructure projects** are progressing well with the team working hard to ensure the environmental impacts of Crossrail, Thames Tideway Tunnel and Bank Station Capacity Upgrade are being continuously monitored and managed by the numerous contractors.

### **Period 2 – Air Quality Team Highlights**

- A **new Air Quality Team** was established in September to reflect the high priority placed on improving air quality and increased workload to deliver policies in the Air Quality Strategy.
- Work commenced on the **Low Emission Neighbourhood** in the Barbican/Golden Lane area. The initial phase of business engagement and construction site audit was completed. 10 additional nitrogen dioxide monitors were established in the low emission neighbourhood area to act as a baseline.
- A **Draft Supplementary Planning Document** was published for consultation.
- The team responded to two air quality consultations from the **Mayor of London**.
- The **idling engine action days** featured on Beijing central TV and the scheme was rolled out across 12 additional London Boroughs.
- Version 2 of the **CityAir App** was released.
- Work commenced to investigate the air quality impact of using **diesel standby generators** for STOR (Short Term Operating Reserve).

## Port Health & Public Protection Enforcement Activity Period 2 (August–November) 2016-17

Animal Health & Welfare	2015-16 Annual total	2016-17 Target (where applicable)	Period 2 2016-2017 results			
			Total	Warning letters	Notices served	Prosecutions
			(Year to date totals are shown in brackets)			
Heathrow Animal Reception Centre						
Throughput of animals (no. of consignments)	22,228	N/A	7,592 (15,667)	12 (21)	0 (0)	3 (7)
Animal Health						
Inspections carried out*	366	N/A	160 (227)	0 (0)	8 (14)	0 (0)
*Due to the legislation, most of the Animal Health licensing inspections are carried out at the end of the calendar year and figures will, therefore, fluctuate across quarters.						

### Period 2 - Animal Health Highlights

- Officers carried out an investigation of a **farm welfare case** with LB Hounslow, which will lead to a prosecution
- As part of our **Primary Authority** promise with Ornamental Aquatic Trade Association (OATA) and Pet Industry Federation (PIF) we ran a successful training course on Pet Shop Inspections, with the trade. As this was oversubscribed it had to be repeated.
- Officers are working closely with Defra to tackle the **illegal importation of puppies**. Due to the actions at Dover by Animal and Plant Health Agency (APHA)/Dog's Trust – following the pilot between CoL and Kent CC in 2015, the number of cases has reduced by over a half in 2016.

### Period 2 - HARC Highlights

- A couple of firsts for the Heathrow Animal Reception Centre (HARC): a **red-footed booby**, which was blown off course and turned up in the UK in October, was returned to the Cayman Islands by British Airways in December; and a shipment of **kangaroos**.
- November was the **busiest November on record**, up nearly 10% on last year (normally a quiet month for HARC).
- **Emotional Support Animal** numbers up by 7% on last year's Period 2.
- The third series of ITV's **Heathrow: Britain's Busiest Airport** is currently being filmed and includes HARC.

## Port Health & Public Protection Enforcement Activity Period 2 (August–November) 2016-17

Port Health	2015-16 Annual total	Target 2016-17 (where applicable)	Period 2 2016-2017 results			
			Total	Cautions	Notices served	Prosecutions
			<i>(Year to date totals are shown in brackets)</i>			
Food Safety inspections and revisits	18	N/A	13 (22)	0 (0)	0 (0)	0 (0)
Ship Sanitation Inspections and Routine Boarding of Vessels	120	N/A	74 (192)	0 (0)	0 (0)	0 (0)
Imported food Not of Animal Origin - document checks	15,823	N/A	4,186 (9,018)	0 (0)	92 (196)	0 (0)
Imported food Not of Animal Origin - physical checks	3,522	N/A	566 (1,346)	0 (0)	N/A	0 (0)
Number of samples taken	339	N/A	111 (215)	N/A	N/A	N/A
Products of Animal Origin Consignments – document checks	10,258	N/A	3,836 (7,109)	0 (0)	15 (28)	0 (0)
Products of Animal Origin Consignments – physical checks	4,046	N/A	1,699 (3,004)	0 (0)	4 (14)	0 (0)
Number of samples taken	228	N/A	75 (142)	N/A	2 (9)	N/A

### **Period 2 – Port Health Highlights**

- The number of CVEDs (**Common Veterinary Entry Documents**) processed during the period January to October was nearly 14% more than in the same period in 2015 (1,153 more CVEDs).
- **Trade at London Gateway** continues to increase steadily (by 39% during January to October 2016). Third country **trade at Tilbury** continues to decrease.
- There was an **increase in income** of more than 19% during January to October 2016 in comparison with the same period in 2015 (£239,954).



	Latest Approved Budget 2016/17 £'000	Budget to Date (Apr-Nov)			Actual to Date (Apr-Nov)			Variance Apr-Nov £'000	Forecast for the Year 2016/17			Notes
		Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000		LAB £'000	Forecast Outturn £'000	Over / (Under) £'000	
<b><u>Port Health &amp; Environmental Services (City Fund)</u></b>												
Coroner	56	27	0	27	20	0	20	(7)	56	57	1	
City Environmental Health	1,825	1,288	(51)	1,237	1,286	(72)	1,214	(23)	1,825	1,843	18	
Animal Health Services	(816)	1,392	(2,036)	(644)	1,329	(2,197)	(868)	(224)	(816)	(1,055)	(239 )	1
Trading Standards	323	211	(16)	195	209	(17)	192	(3)	323	326	3	
Port Offices & Launches	828	2,007	(1,456)	551	1,864	(1,409)	455	(96)	828	848	20	2
<b>TOTAL PORT HEALTH &amp; ENV SRV COMMITTEE</b>	<b>2,216</b>	<b>4,925</b>	<b>(3,559)</b>	<b>1,366</b>	<b>4,708</b>	<b>(3,695)</b>	<b>1,013</b>	<b>(353)</b>	<b>2,216</b>	<b>2,019</b>	<b>(197 )</b>	

**Notes:**  
1. **Animal Health Service** - favourable forecast relates mainly to increased passports for pets income which has been partly offset by reduced quarantine income. Looks likely this will continue until year end, although overall levels may change.  
2. **Port Offices & Launches** - favourable variance to date due to staff vacancies taking longer to fill than anticipated, however, this will be offset at year end by additional agency cover for long term sickness & maternity cover, and new posts now filled. Further underspends relate to substantially lower levels of disposal costs than were anticipated, however, this is unpredictable so may fluctuate. Forecast year end overspend is due to additional work costs to new office space and improvements to connectivity at London Gateway, and lower levels of CVED (Common Veterinary Entry Document) trade at London Gateway than originally projected.

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<b>Committee(s)</b> Port Health & Environmental Services	<b>Dated:</b> 24 January 2017
Committee	
<b>Subject:</b> Port Health & Public Protection Risks	<b>Public</b>
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Information</b>
<b>Report author:</b> John Smith Department of Markets and Consumer Protection	

## Summary

This report has been produced to provide the Port Health & Environmental Services Committee with assurance that risk management procedures in place within the Department of Markets and Consumer Protection are satisfactory and that they meet the requirements of the corporate Risk Management Framework.

Risk is reviewed regularly by the departmental Senior Management Team as part of the on-going management of operations within the Department of Markets and Consumer Protection. In addition to the flexibility for emerging risks to be raised as they are identified, a process exists for in-depth periodic review of the risk register.

The Department of Markets and Consumer Protection have identified a number of departmental risks. Of these, the most significant risks for this Committee to consider are:

- CR21 – Air Quality (Current Risk: RED)
- MCP- HA 002 – Repair Delays (Current Risk: AMBER)
- MCP- HA 003 – IS Systems Failure (Current Risk: AMBER)

## Recommendation(s)

Members are asked to:

- 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.

## Main Report

### Background

1. The Risk Management Framework of the City of London Corporation requires each Chief Officer to report regularly to Committee the key risks faced in their department.

### Current Position

2. This report provides an update of the key risks that exist in relation to the operations of the Port Health & Public Protection Services within the Department of Markets and Consumer Protection. The report also outlines the processes adopted for the on-going review of risk and mitigating actions.

### **Risk Management Process**

3. The Department of Markets and Consumer Protection risk management is a standing agenda item at the monthly Departmental Senior Management Group (SMG) meeting, over and above the suggested quarterly review. SMG receives the risk register for review, together with a briefing note highlighting any changes since the previous review. Consideration is also given as to whether any emerging risks exist for inclusion in the risk register as part of Divisional updates on key issues from each of the Superintendents and Assistant Directors, ensuring that adequate consideration is given to operational risk.
4. Between each SMG meeting, risk and control owners are consulted regarding the risks for which they are responsible, with updates captured accordingly.
5. Regular risk management update reports are provided to this Committee in accordance with the City's Risk Management Framework.

### **Identification of New Risks**

6. New and emerging risks are identified through a number of channels, the main being:
  - Directly by SMG as part of the monthly review process.
  - In response to regular review of delivery of the departmental Business Plan; slippage against key deliverables, for example.
  - Annual, fundamental, risk register review, undertaken by the tier of management below SMG.

The risk register may be refreshed over and above the stated process for review and oversight, in response to emerging issues or changing circumstances.

### **Summary of Key Risks**

7. The Department of Markets and Consumer Protection's Risk Register for Port Health & Public Protection Services, attached as Appendix 1 to this report, includes one Red (Corporate) risk and two Amber risks:

#### **CR21 – Air Quality (Current Risk: RED)**

Cause: Small particulate pollution has chronic health impacts from long term exposure at very low concentrations and is in evidence within the City and central London. There is also a health impact associated with long term and short term exposure to nitrogen dioxide.

Event: Under certain atmospheric conditions there is a higher probability of poor air quality within the City and it is more likely that residents, workers and visitors would suffer the acute consequences.

Effect: The consequences both acute and chronic may include:

An increase in hospital referrals placed upon both emergency services and the NHS for those already suffering from respiratory or cardiovascular conditions (it may also place a strain on City social services).

An increase in deaths, particularly of those already suffering from respiratory or cardiovascular conditions (both residents and workers).

Economic costs such as acting as a deterrent of businesses coming to London or staying and financial penalties for non-compliance with air quality limits.

Persistent poor air quality may affect the longer term health of the City population.

Persistent poor air quality may attract adverse media coverage making the City seem a less attractive place to live and work.

#### **MCP- HA 002 – Repair Delays (Current Risk: AMBER)**

Cause: The Heathrow Animal Reception Centre has experienced significant delays to maintenance and/or repair of equipment and facilities due to be carried out under the corporate repair and maintenance contract.

Event: This could result in future operational difficulties, including security risks.

Effect: The risk of closure of the facility by the enforcing authorities leading to reputational damage and financial loss to the City.

#### **MCP- HA 003 – IS Systems Failure (Current Risk: AMBER)**

Cause: A lack of robustness of Information Technology systems at the Heathrow Animal Reception Centre.

Event: Technical failure of Information Technology systems leading to the loss of computer network facilities and telephones for a period in excess of 24 hours.

Effect: Disruption to service, damage to reputation, temporary loss of income. Possible threat to animal welfare where HARC cannot be notified of airside incidents.

## **Conclusion**

8. Members are asked to note that risk management processes within the Department of Markets and Consumer Protection adhere to the requirements of the City Corporation's Risk Management Framework. Risks identified within the operational and strategic responsibilities of the Department of Markets and Consumer Protection are proactively managed.

## **Appendices**

- Appendix A – Port Health & Public Protection Risk Register Summary
- Appendix B – Risk Matrix

## **Background Papers**

Department Business Plan

Department Risk Review

Department Business Plan Progress Report

## Risk Management Strategy

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**Report Author:** John Smith  
**Generated on:** 22 December 2016




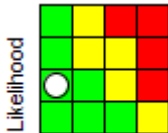

Rows are sorted by Risk Score

Code &amp; Title: CR Corporate Risk Register 1 MCP-HA HARC Risk Register 2


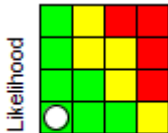

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Action no, Title,	Description	Latest Note	Managed By	Latest Note Date	Due Date
CR21 001a Implement policies	Implement the policies contained in the City of London Air Quality Strategy 2015-2020. The strategy contains 10 policy areas with 60 specific actions. An annual report will be produced demonstrating progress with each action.	This action is now complete.	Jon Averbs	06-Oct-2016	31-Aug-2016
CR21 001b Review Air Quality	Review and assess air quality in line with statutory obligations of the Environment Act 1995. Submit all relevant statutory reports. Approval of all reports by Defra and the GLA will demonstrate compliance with statutory obligations.	This action is now complete.	Jon Averbs	06-Oct-2016	31-Aug-2016
CR21 001c Become an Exemplar Borough	Ensure the City Corporation becomes a Mayor of London Exemplar Borough for air quality.	This action is now complete.	Jon Averbs	06-Oct-2016	29-Dec-2017
CR21 001d Develop communication strategy.	Develop and implement a robust communications strategy to ensure people have sufficient information to reduce their exposure on days of 'high' air pollution.	Comms strategy now in place for the Low Emission neighbourhood	Jon Averbs	12-Dec-2016	31-Dec-2016
CR21 001e Develop plan	Develop and implement a plan for reducing the impact of diesel vehicles on air pollution in the Square Mile. This is to complement the work being undertaken by the Mayor of London to reduce air pollution in the central zone through the implementation of the Ultra Low Emission Zone.	Work has commenced in a Low Emission neighbourhood scheme which will result in a reduction in the number of diesel vehicles in the City	Jon Averbs	12-Dec-2016	31-Dec-2018



Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>MCP-HA 002 Repair Delays</b>  24-Feb-2015 Robert Quest	<b>Cause:</b> The Heathrow Animal Reception Centre has experienced significant delays to maintenance and/or repair of equipment and facilities due to be carried out under the corporate repair and maintenance contract. <b>Event:</b> This could result in future operational difficulties, including security risks. <b>Effect:</b> The risk of closure of the facility by the enforcing authorities leading to reputational damage and financial loss to the City.	 Likelihood Impact	12	There have been no significant repair delays since the last assessment. 11-Jan-2017	 Likelihood Impact	2	31-Mar-2017	  No change

Action no, Title,	Description	Latest Note	Managed By	Latest Note Date	Due Date
MCP-HA 002a Address Needs with Property Services	Meetings between HARC and Property Services to address on-going maintenance needs.	Outstanding issues remain but response times to other issues has been good	Robert Quest	11-Jan-2017	02-Mar-2017
MCP-HA 002b Raise Performance Issues	Maintenance issues/loss of facilities/resource planning concerns/unsatisfactory performance targets raised with C.O.	Property maintenance and IS are still on-going issues which are being addressed accordingly	Tristan Bradfield; Robert Quest	11-Jan-2017	02-Mar-2017

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>MCP-HA 003 IS Systems Failure</b> 24-Feb-2015 Robert Quest	<b>Cause:</b> A lack of robustness of Information Technology systems at the Heathrow Animal Reception Centre. <b>Event:</b> Technical failure of Information Technology systems leading to the loss of computer network facilities and telephones for a period in excess of 24 hours. <b>Effect:</b> Disruption to service, damage to reputation, temporary loss of income. Possible threat to animal welfare where HARC cannot be notified of airside incidents.	 Likelihood	12	There is currently a limited 24 hour support system in place. 11-Jan-2017	 Likelihood	1	31-Mar-2017	 No change

Action no, Title,	Description	Latest Note	Managed By	Latest Note Date	Due Date
MCP-HA 003a Meet with Agilysis.	Meet with Agilysis to determine possibility of 24hr IS support.	Limited 24 hour support is now available. New phone system has yet to be installed.	Robert Quest	11-Jan-2017	02-Jan-2017

# City of London Corporation Risk Matrix (Black and white version)

Note: A risk score is calculated by assessing the risk in terms of likelihood and impact. By using the likelihood and impact criteria below (top left (A) and bottom left (B) respectively) it is possible to calculate a risk score. For example a risk assessed as Unlikely (2) and with an impact of Serious (2) can be plotted on the risk scoring grid, top right (C) to give an overall risk score of a green (4). Using the risk score definitions bottom right (D) below, a green risk is one that just requires actions to maintain that rating.



## Appendix B

### MCP Port Health & Public Protection Risk Report

#### (A) Likelihood criteria

	Rare (1)	Unlikely (2)	Possible (3)	Likely (4)
Criteria	Less than 10%	10 – 40%	40 – 75%	More than 75%
Probability	Has happened rarely/never before	Unlikely to occur	Fairly likely to occur	More likely to occur than not
Time period	Unlikely to occur in a 10 year period	Likely to occur within a 10 year period	Likely to occur once within a one year period	Likely to occur once within three months
Numerical	Less than one chance in a hundred thousand (<10-5)	Less than one chance in ten thousand (<10-4)	Less than one chance in a thousand (<10-3)	Less than one chance in a hundred (<10-2)

#### (C) Risk scoring grid

Likelihood		Impact			
	X	Minor (1)	Serious (2)	Major (4)	Extreme (8)
	Likely (4)	4 Green	8 Amber	16 Red	32 Red
	Possible (3)	3 Green	6 Amber	12 Amber	24 Red
	Unlikely (2)	2 Green	4 Green	8 Amber	16 Red
	Rare (1)	1 Green	2 Green	4 Green	8 Amber

#### (B) Impact criteria

Impact title	Impact title	Definitions
Minor (1)	Minor (1)	<b>Service delivery/performance:</b> Minor impact on service, typically up to one day. <b>Financial:</b> Financial loss up to 5% of budget. <b>Reputation:</b> Isolated service user/stakeholder complaint. <b>Legal/statutory:</b> Litigation claim or fine less than £5000. <b>Safety/health:</b> Minor incident including injury to one or more individuals. <b>Objectives:</b> Failure to achieve one or more service plan objectives.
Serious (2)	Serious (2)	<b>Service delivery/performance:</b> Service disruption 2 to 5 days. <b>Financial:</b> Financial loss up to 10% of budget. <b>Reputation:</b> Adverse local media coverage/multiple service user complaints. <b>Legal/statutory:</b> Litigation claimable fine between £5000 and £50,000. <b>Safety/health:</b> Significant injury or illness causing short-term disability to one or more persons. <b>Objectives:</b> Failure to achieve one or more service plan objectives.
Major (4)	Major (4)	<b>Service delivery/performance:</b> Service disruption > 1-4 weeks. <b>Financial:</b> Financial loss up to 20% of budget. <b>Reputation:</b> Adverse national media coverage 1 to 3 days. <b>Legal/statutory:</b> Litigation claimable fine between £50,000 and £500,000. <b>Safety/health:</b> Major injury or illness/disease causing long-term disability to one or more people. <b>Objectives:</b> Failure to achieve a strategic plan objective.
Extreme (8)	Extreme (8)	<b>Service delivery/performance:</b> Service disruption > 4 weeks. <b>Financial:</b> Financial loss in excess of 35% of budget. <b>Reputation:</b> National publicity more than three days. Possible leading member or chief officer. <b>Legal/statutory:</b> Multiple civil or criminal suits. <b>Safety/health:</b> Fatality or life-threatening illness/disease to one or more persons. <b>Objectives:</b> Failure to achieve a major corporate objective.

#### (D) Risk score definitions

RED	Urgent action required to reduce rating
AMBER	Action required to maintain or reduce rating
GREEN	Action required to maintain rating

This is an extract from the City of London Corporate Risk Management Strategy, published in May 2014.  
Contact the Corporate Risk Advisor for further information. Ext 1297  
Version date: December 2015

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<b>Committee:</b>	<b>Date:</b>
Port Health & Environmental Services - For information	24 January 2017
<b>Subject:</b> Period 2 (Aug-Nov) Business Plan update	<b>Public</b>
<b>Report of:</b> Director of Open Spaces	<b>For Information</b>
<p style="text-align: center;"><b>Summary</b></p> <p>This report updates Members on the performance of the Cemetery &amp; Crematorium Aug-Nov 2016. The Cemetery &amp; Crematorium has continued to perform well and following a number of large grave purchases is currently exceeding its budget targets.</p> <p>The new burial ground at the Shoot is continuing to settle and the newly let and refurbished café appears to be performing well.</p> <p><b>Recommendations</b></p> <p>Members are asked to note this report</p>	

## Main Report

### Background

1. The Open Space's Departmental Business Plan for 2016-19 was approved by your Committee on 24 May 2016. That plan included two specific actions and four Performance Indicators for the Cemetery & Crematorium.
2. The Business Plan reflects the departmental vision which is to "Preserve and protect our world class green spaces for the benefit of our local communities and the environment". This is supported by four departmental objectives:
  - a. Protect and conserve the ecology, biodiversity and heritage of our sites
  - b. Embed financial sustainability across our activities by delivering identified programmes and projects
  - c. Enrich the lives of Londoners by providing high quality and engaging, educational and volunteering opportunities
  - d. Improve the health and wellbeing of the community through access to green space and recreation
3. The vision for the Cemetery and Crematorium is to provide the City of London Cemetery and Crematorium as a model cemetery and crematorium constituting both a site of excellence in bereavement services, a forerunner in cemetery conservation and the greatest choice of burial and cremation facilities in the UK. This together with the Department's vision and objectives inform and direct the work of the service.

## Current Position

4. The Cemetery & Crematorium has performed well during the period April-November of 2016. There were 558 burials and 1580 cremations, resulting in gross income of £328,000.

### Key actions from the business plan

5. The business plan included two actions specific actions for the Cemetery & Crematorium:

Action	Detail	Milestones 16/17	Milestones 17/18	Milestones 18/19-20/12
Continue to develop and implement strategies that direct the management of our open spaces	Development, drafting, consultation and final production of the Cemetery and Crematorium conservation management plan		Cemetery and Crematorium Conservation Management Plan to Committee for approval – 2017/18	
Ensure sustainable provision of the cemetery and crematorium services	Assess and determine the most efficient and effective way to replace the Crematorium's 4 unabated cremators	Project Gateway submitted – early 2017 for Gateway 1 / 2 <b>Progressing</b>		Options appraisal completed and funding agreed – 2018/19  Procurement process completed, contract awarded and cremators installed 2020/21
	Complete the soft and hard landscaping on the Shoot.	Hard landscaping – 2016/17 <b>Complete</b>		Soft landscaping, planting – 2019  Shoot area being used for burials 2020/2021

### Performance Indicators

6. The business plan included twenty four Specific, Measurable, Achievable, Relevant and Time bound (SMART) performance indicators. There were a number which were departmental which applied to the Cemetery:

	2015/16 performance	2016/17 Target	Aug-Nov performance
Retain 15 Green Flags and improve the overall band score achieved across our Green Flag sites by 2018/2019.	15 green flag sites overall band scores 46% = 80+ 27% = 75 – 79 27% = 70 - 74	Retain 15 green flags	15 green flags secured. 46% = 80+ 27% = 75 – 79 27% = 70 - 74  The Cemetery & Crematorium was rated 80+ and also

			received a Green heritage award
Increase the percentage of H&S accidents that are investigated within 14 days.	Feb 15 to Jan 16 = 71%	80%	58% (26 accidents resulting in injury across the department; 15 investigated in 14 days)
Increase the percentage of Open Space's staff who state they are at least satisfied with their workplace in the annual staff wellbeing survey.	90.22%	92%	Annual measure – corporate survey not yet undertaken

7. There were a further four specific indicators for the Cemetery:

	2015/16 performance	2016/17 Target	April-Nov Performance
Maintain our market share of burials in relation to the Cemetery and Crematorium's seven neighbouring Borough's.	6.9%	At least 6.9%	7.7% (April-Oct)
Increase the number of burials.	866	At least 866	558
Increase the number of cremations.	2,516	At least 2,516	1580
As a minimum, achieve local risk Cem & Crem income target.	Achieved	£2,985,000 (April-Nov)	£3,280,000 Income 9.9% above target

## Finance

8. Members will note the continued strong performance of the Cemetery, and the continued expectation that an additional £75,000 income will be generated in 2016/17. This should be put into the perspective of the requirement to achieve Service Based Review savings. The Cemetery was asked to achieve savings of £213,000 to further offset the cost of providing the Cemetery & Crematorium Service. £106,000 of additional income was achieved in 2015/16, with a further £56,000 in 2016/17 and £51,000 in 2017/18. As costs continue to rise, the Superintendent continues to carefully manage his income and expenditure budgets and the Cemetery to ensure a high quality of service is maintained.

## Other issues

9. The lease for the café has been granted and following a period of refurbishment, a soft launch has been taking place since December. The redecoration is a poppy theme which has been well received. A number of changes have been made to the menu which the Superintendent is pleased with. The Superintendent has also been continuing discussions with the tenant at the florists and it is anticipated that these will be concluded, and the new lease signed by the spring.

## **Risk**

10. The Cemetery & Crematoriums risk register is attached as an appendix. The Superintendent has confirmed that all risks are currently managed and controlled. Your Committee previously agreed the removal of the green risks from the register. There are five remaining amber risks – Financial failure; Deterioration of buildings, plant & machinery; Systems Failure; Extreme Weather and Tree & Plant Disease.

## **Corporate & Strategic Implications**

11. The Business Plan identifies how the department's improvement activities will support the aspirations of the organisation, as reflected in the Corporate Plan. The Improvement Actions particularly support the organisation's core value of: Working in partnership.
12. Delivering the Business Plan will support the Corporation's strategic aims to:
  - SA2 - Provide modern, efficient and high quality local services, including policing, within the Square mile for workers, residents and visitors
  - SA3 - Provide valued services, such as education, employment, culture and leisure to London and the nation.
13. In addition it will deliver the key policy priorities: KPP2, KPP3, KPP4, and KPP5 as defined in the [Corporate plan](#).

## **Implications**

14. The Cemetery & Crematorium continues to provide an important service to the local community. Performance has been strong and all risks are currently managed.

## **Conclusion**

15. The Cemetery & Crematorium is meeting or exceeding the targets agreed by your Committee. The Superintendent will continue to progress works related to the replacement of the cremators, and this will be the subject of further reports to your Committee.

## **Appendices**

- Appendix 1 – Risk Register
- Appendix 2 – Budget

## **Background Papers:**

Open Spaces Business Plan 2016/17-2018/19

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**Department of Port Health & Environmental Services Local Risk Revenue Budget - 1st April - 30th November 2016**  
**(Income and favourable variances are shown in brackets)**

**Appendix 1**

	Latest Approved	Budget year to date (Apr-Nov)			Actual year to date (Apr-Nov)			Variance Apr-Jul £'000
	Budget 2016/17 £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	
Open Spaces (City Fund) <small>City of London Cemetery and Crematorium</small>	(1,661)	1,887	(2,985)	(1,098)	1,834	(3,280)	(1,446)	(348)
<b>TOTAL PORT HEALTH AND ENVIRONMENTAL SERVICES COMMITTEE LOCAL RISK</b>	<b>(1,661)</b>	<b>1,887</b>	<b>(2,985)</b>	<b>(1,098)</b>	<b>1,834</b>	<b>(3,280)</b>	<b>(1,446)</b>	<b>(348)</b>

Forecast for the Year 2016/17			Note
LAB £'000	Forecast Outturn £'000	Over / (Under) £'000	
(1,661)	(2,024)	(363)	1
(1,661)	(2,024)	(363)	

**Notes:**

- Income is 9.9% above target for the Cemetery for the opening eight months of the year due to higher than anticipated sales. These sales include a higher number of families choosing graves and interments over cremations. Included within these are sales of two "high end" expensive graves totalling £50,000.  
 Owing to an increase in income at the Cemetery, the Superintendent expects to improve on last year's income figure by at least £75,000, which would lead to income taken coming in at £363,000 over target at year-end.

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# OSD C&C Detailed Risk report

Report Author: Esther Sumner

Generated on: 04 January 2017

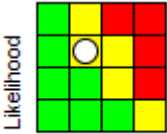
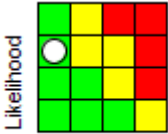



Rows are sorted by Risk Score

Code & Title: OSD CC Cemetery & Crematorium 5

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
OSD CC 002 Financial failure  18-Aug-2015 Gary Burks	<p><b>Causes:</b> Reduction in the number of burials, cremations and grave purchases. Increased unexpected expenditure due to building, plant or machinery failure. Charges too high for local market. Unanticipated high recharges. Insufficient burial space, cremators cannot be operated, poor budget monitoring, increased competition from other providers</p> <p><b>Event:</b> Net agreed budget position not met at year end.</p> <p><b>Impact:</b> Financial and reputational impact. Reduction in quality of service.</p>	<p>Likelihood</p> <p>Impact</p>	6	<p>Cremator maintenance is in a better position than previously and the Superintendent continues to progress works to replace the non-abated cremators.</p> <p>Landscaping works at the Shoot are now complete and this will enhance the operating sustainability of the site.</p> <p>Due to the number of burial options available we can offer graves at a reasonable price but must consider the whole life costs to ensure that we are charging correctly</p> <p><b>03 Jan 2017</b></p>	<p>Likelihood</p> <p>Impact</p>	4	31-Mar-2017	<p>No change</p>

Action no, Title,	Description	Latest Note	Managed By	Latest Note Date	Due Date
OSD CC 002 a Burial management	Review undertaken of remaining and additional burial space. Fees comparisons with neighbouring/competitor facilities used to inform annual fees and charges Consideration when setting fees and charges with 'whole life' costs. Effective relationships developed with funeral directors. Monitor any significant changes in competition or ownership of nearby crematoria Ongoing	As previously, the 'Burial Space Plan for the City of London Cemetery' Report to Port Health and Environmental Services Committee in March 2016 set out current availability and a plan for the next 15 years provision including the new space created by the Shoot and reuse of graves.	Gary Burks	19-Aug-2016	31-Mar-2017
OSD CC 002 b Effective maintenance management	Continue to work with City Surveyors to ensure that planned and preventative maintenance and AWP works for buildings and cremators is effective. Ongoing	Cem & Crem Superintendent continues to work with City Surveyors, CLPS and industry experts to take a cremator replacement project through the Gateway process in the coming years. Consideration of options has commenced	Gary Burks	16-Nov-2016	31-Mar-2017
OSD CC 002 c Budget management	Regular monitoring of income and expenditure and budget adjustments made where appropriate and necessary	Regular and ongoing budget monitoring continues	Gary Burks	19-Aug-2016	31-Mar-2017

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>OSD CC 003 Deterioration of buildings, plant and machinery</b>  19-Aug-2015 Gary Burks	<b>Causes:</b> Inadequate proactive and reactive maintenance; failure to identify and communicate maintenance issues <b>Event:</b> Operational or public buildings become unusable. Plants and trees die. <b>Impact:</b> Service capability disrupted; ineffective use of staff resources; damage to corporate reputation; increased costs for reactive maintenance	 Likelihood Impact	6	As previously, this risk is currently stable as three cremators relined and new analytical panels added so cremators operating well, but little change in relation to Buildings other than front gate has been subject to works.  <b>03 Jan 2017</b>	 Likelihood Impact	3	01-Aug-2017	  No change

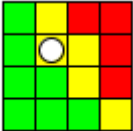
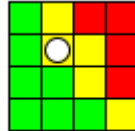

Action no, Title,	Description	Latest Note		Managed By	Latest Note Date	Due Date
OSD CC 003 a Operational Property Review	Implementation of property review which aims to rationalise operational buildings across open spaces.	Cemetery actions complete - no further updates		Gary Burks	16-Nov-2016	31-Jul-2016
OSD CC 003 b Building R&M	Develop relationship with City Surveyors and ways of working to ensure AWP works are delivered Regular meetings with CS's Property Facilities Managers Input into 2017+ R&M specification and tender documents	Actions are ongoing.  Superintendent attended Customer Working Group inputting into new BRM tender. BRM tender returns expected shortly		Gary Burks	16-Nov-2016	31-Jul-2017
OSD CC 003 c BRM contract renewal	The current BRM contract expires in July 2017. It was agreed that the cremators should be removed from the overarching contract and subject to a separate procurement to find a specialist contractor.	The Superintendent is currently working with the City Surveyors and Procurement teams to tender the maintenance of the City Corporations cremators, this will help ensure that maintenance standards for this vital plant and equipment is maintained.			04-Jan-2017	31-Mar-2018

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>OSD CC 009 Systems Failure</b>  01-Jun-2016 Gary Burks	<b>Cause:</b> IT systems including telephony fail <b>Effect:</b> Unable to operate as per normal. Unable to access Gower system. Unable to speak to funeral directors, doctors and internally across the site <b>Impact:</b> Burials and cremations may have to be cancelled/no bookings can be taken. Burials in the wrong graves. Loss of income. Reputational damage	 Likelihood Impact	6	As previously, recent problems with telephony and computer systems did not have a major impact on services because they were managed through use of mobile phones and manual back-up systems. Current and target score to match as a lower target score not able to be achieved until corporate IT becomes more reliable and stable.  <b>03 Jan 2017</b>	 Likelihood Impact	6	31-Mar-2017	  No change

Action no, Title,	Description	Latest Note			Managed By	Latest Note Date	Due Date
OSD CC 009 a Business continuity	Review continuity plans on a regular basis and following significant systems failures Ensure staff are familiar with 'alternate operations' as detailed in the continuity plans IS partners aware that C&C is recognised as a 'critical' service and failures are treated as a priority.	No change:  Use of mobile phones and manual systems has been required due to IT issues.  IT Business partner escalated issues to 'priority' status due to business impact			Gary Burks	04-Jan-2017	31-Mar-2017

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>OSD CC 010</b> <b>Extreme weather</b>  21-Jun-2016 Gary Burks	<b>Cause:</b> Strong winds causing significant tree damage within the cemetery and crematorium landscape <b>Effect:</b> Roads closed, exclusion of the public, disruption to funerals <b>Impact:</b> Significant cost to division and possible loss of income/ negative publicity	 Likelihood	6	There is a residual significant risk as we can do little to change the course of nature, but have systems in place and experienced staff to deal with any such incident  <b>03 Jan 2017</b>	 Likelihood	6	31-Mar-2017	  No change

Action no, Title,	Description	Latest Note		Managed By	Latest Note Date	Due Date
<b>Page 225</b> OSD CC 010 a and damage	A significant storm could (and has in the past) cause significant damage to tree stocks and buildings meaning that for a short period of time the cemetery roads could be closed and block, and one or more buildings could be out of action. Tree inspections Maintain staff with chainsaw qualifications	No change:  Trees are surveyed and inspected with advisory works carried out. A group of staff within the cemetery team are trained in the operation of chainsaws for clearing fallen trees.  It is unlikely that storm damage would close the modern crematorium building but could damage other service chapels and block roads. The cemetery and crematorium service has 6 service chapels.		Gary Burks	04-Jan-2017	31-Mar-2017

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>OSD CC 011</b> <b>Tree and plant diseases</b>  21-Jun-2016 Gary Burks	<b>Cause:</b> Tree Disease or infestation <b>Effect:</b> Loss of tree stock or exclusion of the public from certain areas of the cemetery <b>Impact:</b> Partial closure of site or loss of mature trees and the affect that this would have on the landscape	 Likelihood	6	Efforts across the department are continuing. Trees are surveyed and inspected, departmental experts have been setting pheromone traps in vulnerable tree stock.  <b>03 Jan 2017</b>	 Likelihood	6	31-Mar-2017	  No change

Action no, Title, Page	Description	Latest Note			Managed By	Latest Note Date	Due Date
OSD CC 011 a Tree surveys	Regular monitoring of trees Engagement of specialists where required	Continued monitoring and surveys should flag up tree disease or infestation in the early stages, at which time advice will be sought action taken			Gary Burks	16-Nov-2016	31-Mar-2017



<b>Committee(s)</b>	<b>Dated:</b>
Port Health and Environmental Services Committee	24 January 2017
<b>Subject:</b> Square Mile Coffee Cup Challenge	<b>Public</b>
<b>Report of:</b> Director of the Built Environment	<b>For Information</b>
<b>Report author:</b> Jim Graham, Department of the Built Environment	

## Summary

This report sets out to members of this committee the Cleansing Services plans for a high profile campaign regarding the recycling of disposable coffee cups which will take place in April 2017.

The City is working with Hubbub, an environmental charity, and Simply Cups, a specialist recycling company, to challenge businesses, workers, visitors and residents in the City of London to recycle one million coffee cups during April 2017.

This will be achieved through a mixture of temporary on street recycling bins during the month and signing up businesses, transport stations and coffee retailers to Simply Cups' recycling service. The campaign is wholly funded by coffee retailers and cup manufacturers which will pay for the on street provision and part fund the provision of collection points and recycling service in businesses that join the campaign.

## Recommendation(s)

Members are asked to:

- Note the report.

## Main Report

### Background

1. Contrary to common belief, most disposable coffee cups are not recyclable at the majority of Materials Recycling Facilities due to the plastic inner lining being difficult to separate from the paper composite that makes up outer cup. Not only does this mean they can't be recycled with other materials, they can contaminate the recycling waste stream when mistakenly placed in a mixed dry recycling bin.
2. Understanding of this issue has grown during this year, partly due to a high profile campaign by Hugh Fearnley-Whittingstall's BBC programme War on Waste. With this understanding has also come an increased pressure for coffee retailers and Materials Recycling Facilities to do something about the problem.

3. Whilst we have no definitive figures on the amount of coffee cups used in the City of London per day, with around 400,000 people working in the Square Mile every day we can assume it is a significant amount. After cigarette waste they make up our largest litter issue with around 15% of transects surveyed in our Keep Britain Tidy (KBT) NI 195 environmental condition surveys containing littered disposable coffee cups.

### **Current Position**

4. The Cleansing Team have continuously raised this issue at industry networking events over the past year and as result were approached by Simply Cups and Hubbub in October 2016 to develop a joint campaign that would help raise aware of this problem and create a sustainable infrastructure to recycle cups in the City. The aim is to educate people that disposable coffee cups can be recycled if separated correctly and sent to a specialist recycler and to demonstrate to other cities how coffee cup recycling campaigns can be effective and make a difference.

### **Proposals**

5. The campaign has two main approaches, firstly to recruit as many businesses (targeting those with over 250 employees and who are already members of the Cheapside Business Alliance, Clean City Awards Scheme, Considerate Contractors Scheme and Clean Streets Partnership) as possible to sign up to the Simply Cups recycling service in advance of the April challenge. In addition £22,000 has been secured from coffee retailers to assist in providing businesses with the bins to collect coffee cups and Simply Cups has agreed discounted rates for the initial two years of their service. Secondly, the City will install up to 8 coffee cup shaped on street recycling bins (see Appendix A) and equip all 41 Street Sweepers and Tidy Teams with the ability to collect disposable cups separately for recycling.
6. The Simply Cups service would normally costs companies a £1,000 per annum membership fee and a £1.50 charge per bag of empty cups collected. As most waste collection companies will not take disposable cups as recycling they would need to go in a general waste bag. For comparison Amey are currently charging customers on average £1.72 per bag of general waste. For the campaign Simply Cups are proposing to reduce their bag charge to £1.20 per bag and reduce the membership to £250 per annum for two years. Please note these figures are indicative and may slightly change as the campaign is finalised.
7. The target to collect one million cups during April has been chosen to achieve maximum publicity for the campaign. The collected cups will be counted at Simply Cups recycling facility by weight using an average cup weight to ascertain the total. The real aim behind the challenge is to sign up as many businesses as possible to Simply Cups to create a sustainable infrastructure for the recycling of disposable cups in the City of London.
8. In agreeing the support of main coffee retailers and manufacturers we have also been able to get Costa Coffee and Pret-a-Manger to agree to install recycling

bins in their shops in the City of London, not just for the duration of the campaign but for foreseeable future too. We have also already signed up Network Rail at Liverpool Street (and are due to meet with Managers at Fenchurch Street) to install bins and ensure cups collected by their cleaners are included in the scheme. These two sources of cups, along with those collected by the City street cleansing teams, should provide a sizeable contribution to the target and City of London Officers will continue to seek more high profile partnerships, especially with other coffee retailers, over the next three months.

9. During the campaign month, currently proposed as April, there will be on street promotional events held by our Street Environment Team to raise awareness of the issue and campaign, direct people to the on street recycling bins and provide information about how their company can get involved. These will be held outside major transport hubs with a large banner to draw attention and 2-3 Officers on hand to speak to approach people and provide information.
10. As part of the campaign the City will identify key coffee cup litter hotspots which will be independently surveyed before, during and after the campaign to gauge the impact of this campaign on people's behaviour. We will use our partner Hubbub, personal visits, social media, our website and printed media to promote the initiative. Surveying of people's awareness and perception of the coffee cup recycling and the effectiveness of the campaign will also be carried out.
11. A press event will be utilised to promote the campaign and the ongoing current total during the month will be updated on line and through social media. The campaign will also organise an event at the end of the month for press and all involved to unveil the final target and future plans.

### **Corporate & Strategic Implications**

12. The campaign fits with the City's strategic aim to create high quality public realm that attracts and responds to new development, enhances the historic environment and is enjoyable to experience.
13. This campaign fits with the Department of the Built Environment's Key Delivery Theme of delivering an attractive inclusive and safe public realm and make the City an even more sustainable place in the future.

### **Implications**

14. The current funding for this campaign has been provided by three coffee retailers, Pret-a-Manger, Costa and Starbucks, along with two coffee cup manufacturers, Bunzl and Huhtamaki.
15. There are no financial costs from Simply Cups to the City for the cups collected on street for recycling during the campaign. There may even be a small cost saving to the City via a reduction in our general tonnage for the month from cups diverted from our on street general waste bins.

16. Officer's time for the on street promotion of the campaign can be combined with current working schedules.
17. Officers have considered the one million cup target and concerns over the PR and reputational issues around not fully achieving this. As we already have three large sources of cups for recycling from the two retailers, Liverpool Street Station, and the City's street cleansing teams, officers believe the target is achievable, and even if it were missed, the amount of cups collected would still be an amount sizeable enough to be proud of achieving. The main aim of this campaign is signing up companies to a cup recycling service, so the legacy of this campaign will not just be the number of cups recycled in April 2017 but also the amount of cups recycled in the future.

## **Conclusion**

18. This campaign has the opportunity to provide the City with not only an ongoing infrastructure to recycle coffee cups but also be a world leader in successfully dealing with this key environmental issue. This opportunity comes at no cost to the City and companies who join the campaign are able to make cost savings on their waste disposal for two years, and then should not see a significant cost increase to continue providing this environmentally friendly disposal service for their staff.

## **Appendices**

- Appendix A – On street coffee cup recycling bin

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Example of an on street coffee cup recycling bin similar to the ones proposed to be used for the campaign in the City.

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<b>Committee:</b> Port Health & Environmental Services	<b>Date:</b> 24 January 2017
<b>Subject:</b> Department of the Built Environment( Cleansing Services) Business Plan Progress Report for Period 1 (August – November), 2016/17	<b>Public</b>
<b>Report of:</b> Carolyn Dwyer, Director of the Built Environment	<b>For Information</b>
<b>Report authors:</b> Jim Graham, Department of the Built Environment Simon Owen, Department of the Built Environment	

## Summary

1. This report sets out the progress made during Period 2 (August – November) against the 2015/18 DBE Business Plan for Public Conveniences, Waste Collection, Street Cleansing, Waste Disposal and Transport Services. It details what has been achieved, and the progress that has been made against the departmental objectives and key performance indicators.
2. At the end of November 2016 the Department of Built Environment was £131k (2.9%) underspent against the local risk budget to date of £4.6m, over all the services now managed by the Director of Built Environment covering the Port Health & Environmental Services Committee. Appendix B sets out the detailed position for the individual services covered by this department.
3. Overall the Director of Built Environment is currently forecasting a year end underspend position of £124k (1.9%) for her City Fund services.

## Recommendations

Members are asked to:

- note the content of this report and the appendices
- receive the report.

## Main Report

### Background

1. The 2015-18 Business Plan of the Department of the Built Environment was approved by this committee on 05 May 2015. As agreed, periodical progress reports will be provided.

### Key Performance Indicators

2. During Period 2 (August – November) of this Business Plan, the management team is monitoring five Key Performance Indicators (KPIs) relevant to the work of this Committee (shown in Appendix A). Performance against the departmental KPIs was mixed, with performance against NI191 (the amount of residual domestic waste per household) remaining slightly under target for the quarter, NI192 (percentage of domestic waste recycled) continuing to be significantly under target, and TPR1 (the number of failing KPIs on the Street

Cleansing, Waste Collection and Ancillary Services contract) significantly failing for the second period in a row.

3. Based on the results of this period the overall figure for NI191 for the year would be within 40kg of the rigorous local target set for the year. This does not take into account any upward adjustment of the housing stock figure used to calculate this KPI which may take place during the year as new residential properties are added.
4. Our NI195 KPI (measuring the amount of land with unacceptable level of litter, detritus, fly tipping and graffiti), which is independently monitored by Keep Britain Tidy, continued to achieve well above the target when measured in October, with only 0.76% of all 300 areas surveyed failing to meet the required standards of cleanliness. This year's overall result remains on track to achieve the target (currently projected to be 0.61%), and Officers have worked hard to insure that, in spite of the issues with the contractor, this year the outcome will only be slightly higher than last year's overall result of 0.21%
5. The Street Cleansing and Refuse Collection KPI (TPR1) has failed to reach the satisfactory level for the second period in a row. Of the suite of 12 KPIS used to measure the contract performance Amey are required to pass 11 of these each month. In August and September they failed 8 KPIS, and in October and November they failed 5 KPIS. The Performance Deduction Mechanism has been invoked and deductions of £24,000 per month will be made until this performance is improved.
6. Officers are working with Amey to bring the contract performance back to a satisfactory level. The majority of Amey's permanent contract management and supervisory positions have now been filled and some improvement brought about by this stability is beginning to be seen. A separate report on this matter has been presented to this committee.

### **Objective Updates**

7. The City Toilet Finder app, launched in April 2015, continues to be success with over 10,500 people having downloaded the app since its launch.
8. The progress of the Recycling Action Plan put in place to improve NI192 performance was detailed in a separate report to this Committee in January 2016. Steady progress against this plan continues with a specific campaign in October around food waste seeing an increase of up to 30% on participating estates.

### **Achievements**

9. Officers continue to work on the implementation out of the Corporate Transport Policy. This has now been launched in all departments and the compulsory online questionnaire and training course for all staff has been released, with approximately 75% having completed this initial stage. The questionnaire identifies people who drive on City of London business and therefore require an online licence check. This is now underway with the first 120 driver's licences in the process of being checked.
10. All four of the City's attended toilets at Eastcheap, Paternoster Square, Royal Exchange and Tower Hill have achieved the British Toilet Association's Platinum Award for 2016. This is the highest possible award from the British



Toilet Association and places in the City of London's toilet provision in their "Premier League" of local authorities.

11. In spite of the slight increase in our NI 195 scores from Keep Britain Tidy, which indicate the percentage of streets with unacceptable levels of litter, detritus graffiti and flyposting, they remain under 1%, as they have been since October 2014. Officers have worked hard to maintain our consistently low level scoring, even with the difficulties experienced with the contract as detailed above.
12. The Clean Streets Partnership has continued to grow, with officers having now signed up 241 companies in total committed to assisting in keeping the areas around their business clean and encouraging staff and customers to reduce litter.
13. We have maintained our Gold Standard accreditation with Transport for London Fleet Operator Recognition Scheme (FORS) which acknowledges excellence in all aspects of safety, fuel efficiency, economical operations and vehicle emissions. This scheme recognises over 4,500 fleets that operate throughout London with only just over 100 of these organisations currently achieving Gold. The FORS scheme is closely linked with CLOCS (Construction, Logistics and Cycle Safety), TfL's work related road risk scheme for lorries, which requires high levels of safety equipment and training for drivers. The City has exceeded the requirements of this scheme in fitting side guards, additional mirrors, audible alarms and cameras to all eligible City vehicles.

### **Financial and Risk Implications**

14. The end of November 2016 monitoring position for Department of Built Environment services covered by Port Health & Environmental Services Committee is provided at Appendix B. This reveals a net underspend to date for the Department of £131k (2.9%) against the overall local risk budget to date of £4.6m for 2016/17.
15. Overall the Director of Built Environment is currently forecasting a year end underspend position of £124k (1.9%) for the City Fund services under her control.
16. The reasons for the significant budget variations are detailed in Appendix B, which sets out a detailed financial analysis of each individual division of service relating to this Committee, for the services the Director of Built Environment supports.
17. The better than budget position at the end of November 2016 is principally due to underspends for Public Conveniences due to reduced pension fund contributions, lower than anticipated costs of agency staff and overtime savings, plus additional income received from toilet barriers. There have also been underspends to date within the Transport Organisation due to a staff vacancy.
18. The Director of Built Environment anticipates this current better than budget position will continue to provide a projected year end underspend, subject to income activity achieving projected levels.

### **Appendices**

- Appendix A – Period 2 KPI results
- Appendix B – Finance Report

## **Background Papers**

DBE Business Plan 2015-18

### **Contact:**

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## Departmental Key Performance Indicators

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

		Target 16/17	Period 1	Period 2	Period 3	Overall
<b>Transportation &amp; Public Realm</b>						
NI 191	To reduce the residual annual household waste per household.	373.4kg	136.01kg	138.72kg		274.73kg
NI 192	Percentage of household waste recycled.	45%	29.83%	27.85%		28.84%
NI 195	Percentage of relevant land and highways from which unacceptable levels of litter, detritus, graffiti and fly-posting are visible.	2%	0.46%	0.76%		0.61%
TPR1	No more than 1 failing KPIs, per month on new Refuse and Street Cleansing contract	<4 per period	6	26		32
<b>Comments:</b> <b>NI191:</b> This figure is only slightly over the target for the year and may be brought down with any upward adjustment of the housing stock figure used to calculate this KPI. <b>NI192:</b> Work continues to increase the percentage of waste recycled as set out in the Recycling Action Plan. There has been a successful food waste campaign in October seeing increases of up to 30% in the participating estates. <b>TPR1:</b> Officers are working with Amey to resolve the issues causing the failure of this KPI, predominantly stemming from a change in Amey's contract management. Officers are also assisting where necessary to ensure that the overall standard of cleanliness is not adversely affected and that major events are successfully delivered.						
DM7	To manage responses to requests under the Freedom of Information act within 20 working days. (Statutory target of 85%)	85%	98%	100%		99%

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Department of Built Environment Local Risk Revenue Budget - 1st April to 30th November 2016  
(Income and favourable variances are shown in brackets)

Appendix B

	Latest Approved Budget 2016/17 £'000	Budget to Date (Apr-Nov)			Actual to Date (Apr-Nov)			Variance Apr-Nov £'000
		Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	
<b><u>Port Health &amp; Environmental Services (City Fund)</u></b>								
Public Conveniences	611	663	(321)	342	675	(358)	317	(25)
Waste Collection	111	676	(578)	98	658	(585)	73	(25)
Street Cleansing	3,609	2,991	(239)	2,752	2,979	(238)	2,741	(11)
Waste Disposal	696	886	(381)	505	895	(395)	500	(5)
Transport Organisation	126	149	(71)	78	112	(63)	49	(29)
Cleansing Management	348	221	0	221	222	0	222	1
Director and Support	988	575	(3)	572	539	(4)	535	(37)
<b>TOTAL PORT HEALTH &amp; ENV SRV COMMITTEE</b>	<b>6,489</b>	<b>6,161</b>	<b>(1,593)</b>	<b>4,568</b>	<b>6,080</b>	<b>(1,643)</b>	<b>4,437</b>	<b>(131)</b>

Forecast for the Year 2016/17			Notes
LAB £'000	Forecast Outturn £'000	Over / (Under) £'000	
611	552	(59 )	1
111	75	(36 )	
3,609	3,604	(5 )	
696	721	25	2
126	84	(42 )	
348	354	6	
988	975	(13 )	
<b>6,489</b>	<b>6,365</b>	<b>(124 )</b>	

**Notes:**  
1. **Public Conveniences** - favourable variance relates mainly to lower than anticipated costs of agency staff, lower employer contributions for staff not in the pension scheme and reductions in overtime costs, plus additional barrier income.  
2. **Transport Organisation** - favourable variance mainly due to a staff vacancy.

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<b>Committee(s)</b>	<b>Dated:</b>
Port Health & Environmental Services Committee – For Information	24012017
<b>Subject:</b> Department of the Built Environment Risk Management – Quarterly Report	<b>Public</b>
<b>Report of:</b> Director of the Built Environment	<b>For Information</b>
<b>Report author:</b> Richard Steele	

## Summary

This report has been produced to provide the Port Health and Environmental Services Committee with assurance that risk management procedures in place within the Department of the Built Environment are satisfactory and that they meet the requirements of the corporate Risk Management Framework.

This report only considers risks managed by the Department of the Built Environment that fall within the remit of the Port Health & Environmental Services Committee.

Risk is reviewed regularly as part of the ongoing management of the operations of the Department of the Built Environment. In addition to the flexibility for emerging risks to be raised as they are identified, a process exists for in-depth periodic review of the risk register.

Since the last report to Members there have been no changes in the list of Corporate or Red risks managed by the department.

There is no Corporate Risk managed by the Department of the Built Environment.

There is one Departmental RED Risk managed by the Department of the Built Environment. This is:

- DBE- TP-01 - Road Traffic Collision caused by City of London staff or contractor who is unfit to drive while on City business (Current Risk: RED - unchanged).

## Recommendation

Members are asked to:

- 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.

## Main Report

### Background

1. The Risk Management Framework of the City of London Corporation requires each Chief Officer to report regularly to Committee the risks faced in their department.
2. Risk Management is a standing item at the Senior Leadership Team meetings.
3. Risk owners are consulted and risks are reviewed between SLT meetings with the updates recorded in the corporate (Covalent) system.
4. Each risk managed by the Department of the Built Environment is allocated to either the Planning & Transportation Committee or the Port Health & Environmental Services Committees. **This report only considers risks managed by the Department of the Built Environment that fall within the remit of the Port Health & Environmental Services Committee.**

Parallel periodic reports are submitted to the Planning & Transportation Committee.

### Current Position

5. This report provides an update on the current risks that exist in relation to the operations of the Department of the Built Environment that fall within the remit of the Port Health and Environmental Services Committee.
6. In order to reduce the volume of information presented, and accordance with the Corporate Risk Management Strategy, this report includes all Corporate and Departmental level risks but not Service Level risks (unless there are changes which are considered to be likely to be of interest to Members).
7. The risk register captures risk across all four divisions within the department, (Transportation & Public Realm, District Surveyor, Development and Policy & Performance) but risks relating to the City Property Advisory Team are managed by the City Surveyor.
8. Members may wish to be assured that in relation to Service Level risk DBE-TP-06 (City Streets / pavements not kept passable during times of snow) the Snow Plan has been reviewed for winter 2016/17; the vehicles calibrated and we are fully stocked with salt (there also provision to purchase additional salt should it be required).

### Risk Management Process

9. Risk and control owners are consulted regarding the risks for which they are responsible at appropriate intervals based on the level of risk and the likelihood that this level will change. In general RED risks are reviewed monthly; AMBER risk are reviewed quarterly; and GREEN risks are reviewed quarterly, 6 monthly or annually depending on the likelihood of change.



10. Changes to risks were, historically, reported to Members as part of the Business Plan report. Members now receive this report quarterly<sup>1</sup> in accordance with the Corporate Risk Management Strategy.
11. Risk and control owners are consulted regarding the risks for which they are responsible quarterly. Historically changes to risks have been reported to Members as part of the Business Plan report. In future the Port Health and Environmental Services Committee will receive this report 4-monthly.
12. All significant risks (including Health & Safety risks) identified by the Department have been added to the Covalent Corporate Risk Management System.

### **Significant Risk Changes**

13. Regular assessments of risks have identified no increase or decrease in the Risk Score any Departmental risk.

### **Identification of New Risks**

14. New risks may be identified at the quarterly review of all risk; through Risk reviews at the Department Management Team; or by a Director as part of their ongoing business management.
15. An initial assessment of all new risks is undertaken to determine the level of risk (Red, Amber or Green). Red and Amber risks will be the subject of an immediate full assessment with Red risks being report to the Department Management Team. Green risks will be included in the next review cycle.
16. No new risks have been identified since the last report.
17. The impact of Brexit continues to be noted in several risk reviews but all relate to the work of the Planning & Transportation Committee.

### **Planning for the Future City**

18. The Department's Business Plan for 2016/19 is focused on the Future City with a vision of 'creating and facilitating the leading future world class City'

It is critical that the department, whilst focused on its vision, continues to deliver its key services and facilitates delivery by our partners. Our risk registers are currently aligned to this work.

As we develop long term ambitious strategies for the Future City through the cross departmental Chief Officer Place Steering Group this will lead to the identification of more strategic risks and opportunities, which in turn will inform those strategies.

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<sup>1</sup> Due to the scheduling of meetings of the Port Health & Environmental Services Committee, and with the agreement of that Committee, these reports are presented at 4 months intervals instead of quarterly.

## Summary of Key Risks

19. The Department of the Built Environment's Risk Register includes one RED risk:

- **Road Traffic Collision caused by City of London staff or contractor who is unfit to drive while on City business (DBE-TP-01)**

This risk is assessed as having Impact 8 (Critical) and Likelihood 2 (Unlikely).

Over 75% of City of London staff have now completed Driver Check (the Training Needs Analysis). However completion is patchy with some departments achieving 100% and others as low as 30%.

Completion of the Corporate Transport Policy online training course by drivers and their managers (as identified by Driver Check) is already over 80%.

Departments with a low completion rate have been contacted and provided with details of who has, and who has not, completed the necessary training. A compliance report will be presented to Chief Officers in early 2017 and the target date for an overall compliance rate of 80% in all aspects (and reduction of the risk from RED to AMBER) has been adjusted accordingly.

20. Members may wish to be aware that routine Contract monitoring has resulted in an increase in the likelihood the Service Level risk DBE-TP-05 (Continued significant service failure by major contractor) from Rare to Unlikely. A detailed rectification plan has been agreed between the City and the contractor to address underperformance on KPI. This plan is subject to weekly monitoring.

## Conclusion

21. Members are asked to note that risk management processes within the Department of the Built Environment adhere to the requirements of the City Corporation's Risk Management Framework and that risks identified within the operational and strategic responsibilities of the Director of the Built Environment are proactively managed

## Appendices

- Appendix 1 – City of London Corporation Risk Matrix
- Appendix 2 – Register of DBE Corporate and Departmental risks (Port Health & Environmental Services Committee)

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## City of London Corporation Risk Matrix (Black and white version)

Note: A risk score is calculated by assessing the risk in terms of likelihood and impact. By using the likelihood and impact criteria below (top left (A) and bottom right (B) respectively) it is possible to calculate a risk score. For example a risk assessed as Unlikely (2) and with an impact of Serious (2) can be plotted on the risk scoring grid, top right (C) to give an overall risk score of a green (4). Using the risk score definitions bottom right (D) below, a green risk is one that just requires actions to maintain that rating.

### (A) Likelihood criteria

	Rare (1)	Unlikely (2)	Possible (3)	Likely (4)
Criteria	Less than 10%	10 – 40%	40 – 75%	More than 75%
Probability	Has happened rarely/never before	Unlikely to occur	Fairly likely to occur	More likely to occur than not
Time period	Unlikely to occur in a 10 year period	Likely to occur within a 10 year period	Likely to occur once within a one year period	Likely to occur once within three months
Numerical	Less than one chance in a hundred thousand (<10-5)	Less than one chance in ten thousand (<10-4)	Less than one chance in a thousand (<10-3)	Less than one chance in a hundred (<10-2)

### (B) Impact criteria

Impact title	Definitions
Minor (1)	<b>Service delivery/performance:</b> Minor impact on service, typically up to one day. <b>Financial:</b> financial loss up to 5% of budget. <b>Reputation:</b> Isolated service user/stakeholder complaints contained within business unit/division. <b>Legal/statutory:</b> Litigation claim or find less than £5000. <b>Safety/health:</b> Minor incident including injury to one or more individuals. <b>Objectives:</b> Failure to achieve team plan objectives.
Serious (2)	<b>Service delivery/performance:</b> Service disruption 2 to 5 days. <b>Financial:</b> Financial loss up to 10% of budget. <b>Reputation:</b> Adverse local media coverage/multiple service user/stakeholder complaints. <b>Legal/statutory:</b> Litigation claimable fine between £5000 and £50,000. <b>Safety/health:</b> Significant injury or illness causing short-term disability to one or more persons. <b>Objectives:</b> Failure to achieve one or more service plan objectives.
Major (4)	<b>Service delivery/performance:</b> Service disruption > 1 - 4 weeks. <b>Financial:</b> Financial loss up to 20% of budget. <b>Reputation:</b> Adverse national media coverage 1 to 3 days. <b>Legal/statutory:</b> Litigation claimable fine between £50,000 and £500,000. <b>Safety/health:</b> Major injury or illness/disease causing long-term disability to one or more people <b>Objectives:</b> Failure to achieve a strategic plan objective.
Extreme (8)	<b>Service delivery/performance:</b> Service disruption > 4 weeks. <b>Financial:</b> Financial loss up to 35% of budget. <b>Reputation:</b> National publicity more than three days. Possible resignation leading member or chief officer. <b>Legal/statutory:</b> Multiple civil or criminal suits. Litigation claim or find in excess of £500,000. <b>Safety/health:</b> Fatality or life-threatening illness/disease (e.g. mesothelioma) to one or more persons. <b>Objectives:</b> Failure to achieve a major corporate objective.

### (C) Risk scoring grid

Likelihood	Impact				
	X	Minor (1)	Serious (2)	Major (4)	Extreme (8)
	Likely (4)	4 Green	8 Amber	16 Red	32 Red
	Possible (3)	3 Green	6 Amber	12 Amber	24 Red
	Unlikely (2)	2 Green	4 Green	8 Amber	16 Red
	Rare (1)	1 Green	2 Green	4 Green	8 Amber

### (D) Risk score definitions

RED	Urgent action required to reduce rating
AMBER	Action required to maintain or reduce rating
GREEN	Action required to maintain rating

This is an extract from the City of London Corporate Risk Management Strategy, published in May 2014.

Contact the Corporate Risk Advisor for further information. Ext 1297

October 2015

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## APPENDIX 2

Generated on: 19 December 2016

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Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>DBE-TP-07 A major incident, such as flooding or fire, makes Walbrook Wharf unusable as a depot</b> 27-Mar-2015 Steve Presland	Cause: A major incident, such as flooding or fire Event: Walbrook Wharf unusable as a depot Impact: Unable to clean streets; collect waste or maintain City of London Police vehicles. City of London unable to meet its contractual arrangements with third parties who use the depot for their commercial purposes.	 Likelihood Impact	4	Loss of the Contract Operations Manager and several key personnel has resulted in the Business Continuity exercise being deferred to Q4 2016/17 and the due date has been adjusted accordingly. This timetable has been agreed with the contractor's new Regional Director.  <b>16 Dec 2016</b>	 Likelihood Impact	4		  No change

Action no, Title,	Description	Latest Note		Managed By	Latest Note Date	Due Date
DBE-TP-07a Business Continuity exercise	Conduct annual DBE business continuity exercise	Loss of the Contract Operations Manager and several key personnel has resulted in the Business Continuity exercise being deferred to Q4 2016/17 and the due date has been adjusted accordingly. This timetable has been agreed with the contractor's new Regional Director.		Steve Presland	16-Dec-2016	31-Mar-2017

<b>Committee(s)</b>	<b>Dated:</b>
Port Health and Environmental Services Committee	24 January 2017
<b>Subject:</b> Street Cleansing, Refuse Collection and Ancillary Service Contract Update	<b>Public</b>
<b>Report of:</b> Director of the Built Environment	<b>For Information</b>
<b>Report author:</b> Jim Graham, Assistant Director Cleansing, DBE	

## Summary

This report considers the recent performance of Amey plc the City Corporation's Street Cleansing, Refuse Collection and Ancillary Services contractor. It details a number of service failures the majority of which stem from a change in the Amey contract management team. The report also sets out measures being taken to return the contract performance to a satisfactory standard and the actions taken by City officers to support delivery of the contract during this period to minimise the effect on street standards.

## Recommendation

Members are asked to:

- Note the report.

## Main Report

### Background

1. The Refuse Collection, Street Cleansing and Ancillary Services Contract was awarded to Enterprise Managed Services Ltd (EMS) for eight years from October 2011. The contract introduced both service improvements and efficiencies and as a result, delivered varied but significant savings of up to £1.1m per annum over the life of the contract.
2. From 2011 to 2016 the contract delivered well, consistently achieving its Key Performance Indicators along with independent inspections by Keep Britain Tidy indicating a general improvement in cleaning standards. Indeed in 2015 the City Corporation was awarded the Chartered Institute of Waste Management's Cleanest City' award.
3. In April 2013 EMS was acquired by Amey (part of Ferrovial SC) without any immediate direct effect on the contract. Amey appointed a new Regional Account Director responsible for the City's contract in April 2016 After an initial handover period the City was informed that Amey were planning to change and merge the contract management of their South East contracts in a cost saving exercise.

This was strenuously rejected by Officers and Amey did not proceed with these plans for the City. However, as part of this process the City's local Contract Manager took voluntary redundancy in August 2016 and two Operation Managers resigned to take new roles elsewhere shortly afterwards.

4. These changes have resulted in a period of instability which has been reflected in a failure to achieve the KPI requirement of 11 out of 12 contract KPIs since May 2016. These failures have led to the Performance Deduction Mechanism set out in the contract being triggered since May resulting in significant payment deductions being made. This position is ongoing and further details of these deductions are detailed in the Implications section below.

### **Current Position**

5. Amey appointed a new Contract Manager in September 2016 without a significant period of handover from the previous Contract or Operations Managers. One Operations Manager was recruited in October and another joined in December. Whilst there had been some performance issues before August (see Appendix A, KPI results for 2016) it was at this point that the significant failure of the KPIs commenced.

For a two month period (August and September) there were service quality issues with insufficient inspections carried out and cleaning standards not consistently reaching the enhanced grade A standard required by the City. Other months saw KPI failures in relation to management issues, such as failure to provide all the staff required, failure to provide accurate contract reports or complete and inspect scheduled work to the required standard.

6. City Cleansing Officers have worked with Amey's new management team to re-explain what is required of the contract, how the KPIs are measured and how the whole reporting processes work. Officers also instructed that a Recovery Action Plan be drawn up by Amey to detail the issues they saw with the contract, explain how these would be addressed and how the resolution of these issues would be monitored and measured.
7. Officers have also stepped in to provide on the ground assistance and expertise at managing the clear up operations after major City events, such as the Great Fire 350 celebrations, the Lord Mayors Show and the New Year's Eve fireworks display. Considerable time has also been spent by City Officer's ensuring that the Winter Maintenance Plan, in case of snow, was prepared and checked and have been involved in resolving issues regarding waste collection failures at estates and schools.
8. During this period our NI195 KPI (measuring the amount of land with unacceptable level of litter, detritus, fly tipping and graffiti), which is independently monitored by Keep Britain Tidy, continued to achieve well above the target when last measured in October, with only 0.76% of all 300 areas surveyed failing to meet the required standards of cleanliness. Therefore, this year's overall result remains on track to achieve the target (currently projected to be 0.61%), and Officers have worked hard to insure that, in spite of the issues with the contractor,



this year the outcome performance will only be slightly worse than last year's overall result of 0.21%.

9. It should be noted that whilst the street cleansing and waste collection elements of the contract are not reaching the required standard, the workshop, police vehicle servicing and other ancillary services provided as part of the overall contract are performing satisfactorily.
10. These service issues come at a pivotal point in the contract's lifetime as Officers are about to commence on work to evaluate whether the extension period of the contract following the initial eight years should be offered to Amey. This decision must be made by December 2017 and will be reported to your committee for decision later this calendar year..

### **Proposals**

11. Officers will continue to regularly meet with Amey to provide the guidance, assistance and support required to ensure the contract performance returns to satisfactory as soon as possible. These meetings will be held at all levels of management, including meeting between the Director of Transportation and Public Realm and Amey's Senior Directors to ensure that all levels of the contract are working towards a positive outcome and providing all the support necessary to achieve this. A further senior level review is to be carried out to establish how a return to good performance can be accelerated.

### **Corporate & Strategic Implications**

12. This contract is an integral part of delivering the City's strategic aim to create high quality public realm that attracts and responds to new development, enhances the historic environment and is enjoyable to experience.
13. This effective delivery of this contract is essential in delivering an attractive inclusive and safe public realm and making the City an even more sustainable place in the future.

### **Implications**

14. Amey has paid the City £120,000 through performance deductions up to November 2016. The KPIs for December have yet to be certified, however it looks likely that they will have failed to reach the required standard (though it should be noted that there is a trend of improvement from previous months). If this is found to be the case then this will bring total deductions this financial year to £144,000 by December 2016.
15. Assuming that the KPIs improve from January and the requirements are met, due to the ratchet mechanism, the deductions would still be made in decreasing increments. This would result in a total deduction for the financial year of £193,000. If performance does not improve the year end total deduction figure would be £218,000. See Appendix B for exact details.

16. The local risk budget will, as a consequence of these deductions, be underspent by the amounts detailed above and this is reflected in the Chamberlain's current projected year end outturn.
17. Officers have ensured that the City is still meeting its legal requirements under the Environmental Protection Act 1974 to ensure that roads, highways and public spaces are kept free from litter (s.89).

### **Conclusion**

Officers are hopeful that the situation will be turned around quickly as a result of the agreed remediation plan and will continue to closely monitor the contract and provide guidance, assistance and support to Amey where needed.

### **Appendices**

- Appendix A – Contract KPI results since October 2015
- Appendix B – Non - public

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# Appendix A – KPI results 2016

<b>Refuse Collection and Street Cleansing KPIs</b>	<b>Targ</b>	<b>Jan-16</b>	<b>Feb-16</b>	<b>Mar-16</b>	<b>Apr-16</b>	<b>May-16</b>	<b>Jun-16</b>	<b>Jul-16</b>	<b>Aug-16</b>	<b>Sep-16</b>	<b>Oct-16</b>	<b>Nov-16</b>
Percentage of streets meeting the enhanced Grade A Standard, including removal of all accessible minor graffiti, when inspected within 15 minutes of the nominated daily clean.	98%	98.3%	98.0%	98%	98%	98.3%	99.6%	98.5%	97.3%	97.7%	100%	98.8%
Number of random inspections recorded per week, within agreed limits for services/days/shifts and a total of at least 800 per month.	800	801	811	800	803	801	807	633	1110	357	845	940
Percentage of independent verification inspections (initially 80 per month) that confirm the results of contractor inspections.	97%	97%	99%	97.9%	100%	100%	97.8%	92.8%	90.6%	N/R	98.3%	100%
Percentage of urgent service requests that are attended with the required time limit.	98%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Percentage of complaints that are second or subsequent complaints (defined to exclude both duplicate complaints and at the other extreme those more than six months apart).	5%	0%	0%	0%	7.6%	25%	20%	50%	47%	46%	52.5%	48%
The number of inspections that do not match with the eyes and ears feedback received.	4	1	1	2	1	0	1	2	N/R	N/R	2	4
Percentage of mechanical sweepers meeting 3.5 hour productivity rate.	100%	100%	100%	100%	100%	100%	100%	N/R	N/R	N/R	50%	55%
Number of defaults issued in the month (target zero).	0	2	1	0	0	3	1	0	13	0	9	16
Number of failures to complete scheduled work, allowing if necessary for agreed contingency arrangements contained within the method statements.	0	0	0	0	0	2	0	0	4	3	8	10
Number of changes to working methods implemented without prior agreement or in an emergency, agreed within two hours.	0	0	0	0	0	0	0	0	0	0	0	0
Percentage of Big Belly Bins emptied within 3 hours of the agreed colour alert.	90%	93.4%	97.9%	96.1%	96%	94%	95.8%	90.3%	80.4%	82.8%	79%	79%
Number of pavement collection points found to have bags not collected when the embargo starts.	5	0	0	2	1	3	3	3	3	2	1	3
<b>Total Passed</b>		<b>11</b>	<b>11</b>	<b>12</b>	<b>11</b>	<b>9</b>	<b>10</b>	<b>8</b>	<b>4</b>	<b>4</b>	<b>7</b>	<b>7</b>



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