

# PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 9 May 2017

Minutes of the meeting of the Port Health & Environmental Services Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Tuesday, 9 May 2017 at 1.45 pm

## Present

### Members:

Jeremy Simons (Chairman)	Deputy Tom Hoffman
Deputy Keith Bottomley (Deputy Chairman)	Deputy Wendy Hyde
Caroline Addy	Deputy Henry Jones
Alexander Barr	Vivienne Littlechild
Adrian Bastow	Andrew McMurtrie
Peter Bennett	Andrien Meyers
Tijs Broeke	Deputy Joyce Nash
Peter Dunphy	John Scott
Mary Durcan	Michael Welbank
Deputy Kevin Everett	Mark Wheatley
Anne Fairweather	Deputy Philip Woodhouse
Graeme Harrower	
Christopher Hill	

### Officers:

Sacha Than	-	Town Clerk's Department
Neil Davies	-	Town Clerk's Department
Carl Locsin	-	Town Clerk's Department
Kate Smith	-	Town Clerk's Department
Jenny Pitcairn	-	Chamberlain's Department
Julie Smith	-	Chamberlain's Department
Paul Chadha	-	Comptroller & City Solicitor's Department
Alison Hurley	-	City Surveyor's Department
Carolyn Dwyer	-	Department of the Built Environment
Jim Graham	-	Department of the Built Environment
Stuart McGregor	-	Department of the Built Environment
Steve Presland	-	Department of the Built Environment
Richard Steele	-	Department of the Built Environment
Jon Averbs	-	Department of Markets & Consumer Protection
Ruth Calderwood	-	Department of Markets & Consumer Protection
David Smith	-	Department of Markets & Consumer Protection
Gary Burks	-	Department of Open Spaces
Joanne Hill	-	Department of Markets & Consumer Protection
Donald Perry	-	Department of Markets & Consumer Protection
Tony Macklin	-	Department of Markets & Consumer Protection
Collin Buttery	-	Department of Open Spaces

**Deputy Kevin Everett in the Chair.**

1. **APOLOGIES**

Apologies for absence were received from Deputy John Absalom, Alderman Sir Paul Judge, Deputy Brian Mooney, Deputy Richard Regan and Deputy Elizabeth Rogula.

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

Tijs Broeke declared an interest in respect of Item 21 due to working for Ford Motor Company.

3. **ORDER OF THE COURT OF COMMON COUNCIL**

The Committee considered the Order of the Court of Common Council of 27 April 2017 appointing the Committee and approving its terms of reference.

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

4. **ELECTION OF CHAIRMAN**

The Committee proceeded to elect a Chairman in accordance with Standing Order No. 29. A list of Members eligible to stand was read and Jeremy Simons, being the only Member expressing willingness to serve, was elected Chairman for the ensuing year and took the Chair.

The Chairman welcomed both new and returning Members to the Committee and thanked those Members no longer on the Committee for their services.

5. **ELECTION OF DEPUTY CHAIRMAN**

The Committee proceeded to elect a Deputy Chairman in accordance with Standing Order No. 30. The Town Clerk read a list of those Members eligible to stand and both Deputy Keith Bottomley and John Scott declared their willingness to serve if elected.

A ballot having been taken, votes were cast as follows:-

Deputy Keith Bottomley	-	16 votes
John Scott	-	8 votes

Deputy Keith Bottomley was therefore duly elected as Deputy Chairman for the ensuing year and thanked the Committee for their support.

6. **MINUTES**

**RESOLVED** – That the public minutes and non-public summary of the meeting held on 24 January 2016 be approved.

## **Matters Arising**

### **Disabled Access to TfL Stations**

A Member explained that at the January meeting of the Committee, the issue of disabled access to TfL stations had been raised. The Member updated the Committee that whilst Crossrail had worked to ensure there was step-free access available at stations, TfL could not guarantee the same level of access to the underground trains within the same stations. The reasons cited for this by TfL included the cost of installation, maintenance and the cost of electricity to operate lifts.

### **Colour Printing**

In response to a question raised by Members at the January meeting of the Committee, the Town Clerk explained that for the purpose of cross cutting savings across the organisation, the Chief Officer Group had agreed to the cessation of colour printing at their meeting in November 2015.

A Member asked that when new printers were being purchased by the City Corporation, that machines which printed in colour at a lower cost be considered.

### **Coffee Cup Recycling Campaign**

In response to a Member's question on the next steps for the coffee cup recycling campaign, the Assistant Director of Cleansing advised that the aims of the first phase had been achieved and it was hoped that this campaign could be rolled out across London. A report would be brought to the July Committee with more details on the next phase for the campaign.

A Member asked that a reminder be sent to all Members advising that coffee cup recycling facilities had been set up in the Members' Room.

## **7. OUTSTANDING ACTIONS**

The Committee received the current list of outstanding actions.

### **Noise Pollution from the London Underground**

The Port Health and Public Protection Director advised that negotiations with TfL have been ongoing to address the issue of noise pollution from London Underground. The next meeting with TfL will take place on 22 June and the Port Health and Public Protection Director asked Members to provide him with any points they would like raised in advance of the meeting. Ward representatives would be invited to the meeting.

### **Middlesex Street Area Enhancement – Phase II**

The Director of Transportation and Public Realm explained that a working group had been set up which was chaired jointly by Deputy Henry Jones and the Deputy Mayor of Tower Hamlets, and that this project would be going to Gateway Three in October. Deputy Jones advised the Committee that a meeting with the Mayor of Tower Hamlets would be taking place later in the month to discuss this project and the regeneration of the Petticoat Lane Market.

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

8. **PRESENTATION ON ONE LESS BOTTLE (TEP)**

The Marine Litter Coordinator for the Thames Estuary Partnership, Kimberly Ferran Holt, gave a presentation to the Committee on the work of the Thames Estuary Partnership using the One Less Plastic Bottle campaign as an example of the nature of their work. The Marine Litter Coordinator explained that the aims of the Thames Estuary Partnership were to encourage recycling, reduce litter, and work with partnership organisations to raise awareness of their campaigns.

In response to a Member's question on whether additional water fountains for refilling water bottles would be rolled out across the City, the Director of Transportation and Public Realm explained that three fountains had been installed within the City and a location was being sought for the installation of a fourth fountain. In response to Members' queries on whether this was a sufficient number of fountains, the Director of Transportation and Public Realm advised that the ambition has been to install one new fountain each year.

The Chairman explained that both the Thames Estuary Partnership and Thames 21 were seeking new Representatives from the City of London Corporation and invited Members to apply for the two positions which would be appointed by the Court of Common Council at its May meeting. The Chairman also invited Members to participate in a litter pick at Denton Wharf on 12 September.

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

9. **APPOINTMENT OF SUB-COMMITTEE CHAIRMEN**

The Committee received a resolution of the Policy and Resources Committee concerning the process for appointing chairmen of sub-committees.

**RESOLVED** – That the Committee note the guidance provided by the Policy and Resources Committee.

10. **UPDATE ON THE HEATHROW ANIMAL RECEPTION CENTRE CONTRACT**

The City Surveyor provided the Committee with an oral update of progress at the Heathrow Animal Reception Centre (HARC).

The City Surveyor explained that following the reporting of an amber risk in relation to the current and future building repairs and maintenance contract at the January meeting of the Committee, works had been taking place to address those issues which included:

- A maintenance regime for the automatic doors had been introduced and these would be serviced regularly.
- An out of hours service had been put in place to allow staff to contact the contractor if issues were to arise outside of regular working hours.
- The boilers would be replaced later in the summer and the fire extinguishers on site had been replaced.

- A new repairs and maintenance contract has been awarded to Skansa. Staff at the HARC had been involved in talks with the new contractor from the outset. This should lead to a closer working relationship.

The City Surveyor explained that as a result of the measures taken, the risk had been downgraded to green.

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

#### 11. **DEPARTMENTAL BUSINESS PLANS 2017/18**

The Committee considered a joint report of the Director of the Built Environment, the Director of Markets and Consumer Protection, and the Director of Open Spaces which sought approval for the 2017/18 business plans for their departments, and also asked Members to provide initial feedback on an early draft of the Corporate Plan 2018-2023.

##### The Corporate Plan

A discussion took place on the draft of the Corporate Plan during which Members raised the following points:

- That a further opportunity should be provided for Members of the Committee to provide feedback.
- That the draft presented before Members was not aligned with the aims of the Committee which provides high quality services to stakeholders both inside and outside of the Square Mile, whereas the Plan appeared to focus on the City.
- That the Corporate Plan would influence future resources therefore the services looked after by the Committee should be included within the Plan to ensure they would not be overlooked financially in the future.
- That the draft only offered a snapshot of the process and it would have been helpful for Members to be provided with the overall process.
- That the Plan should reflect the City Corporation as a promoter of business and the nature of the work of the City Corporation and its Committees.
- That the Plan should include additional information on performance indicators and targets, with timescales and ways to measure success, and information on the main projects and City Corporation customers.
- That the Plan should contain reference to business continuity and emergency planning under the Prosperity section.

Members asked that a further opportunity be provided to the Committee to comment on the Plan before it was submitted to the Court of Common Council.

##### High Level Departmental Business Plans

Members considered the three High Level Business Plans.

Members noted that a more detailed plan for the Department of the Built Environment would be submitted to a future meeting.

A Member asked a question on how the Port Health Service was being developed to provide rapid clearance of imported food and feed consignments

into the UK. The Port Health and Public Protection Director explained that this is a key expectation from ports and importers. Mobile working is one way in which this is being tackled.

A question about the UK's exit from the EU considered whether action should have been taken earlier to look at how relevant legislation may be affected. The Port Health and Public Protection Director advised that a report was being put together on the impact of Brexit and this would be brought before the Committee in the autumn.

Members asked that they be provided with more information on the impact of Brexit on the services looked after by the Committee including worst case scenarios to help with future planning.

#### Port Health and Public Protection Business Plan 2017-2020

A discussion took place on the Port Health and Public Protection Business Plan 2017-2020. In response to a Member's question, the Assistant Director of Public Protection explained that in relation to the cooling tower sites within the City, these were being inspected as part of the programme of work. Members raised concerns that the risks contained with the Port Health & Public Protection summary risk register were out of date and in some cases the targets had not been met. Members agreed that the risks would need to be reviewed and updated before the Committee could approve the Port Health and Public Protection Business Plan 2017-2020 and asked that the updated risk register be reformatted to the standardised template used by other departments across the City Corporation and that a risk be included with reference to the impact of Brexit. Members asked that this be brought back to the July 2017 Committee meeting for approval.

**RESOLVED** – That the Committee:

- a) approve the three high-level business plans of the Department of the Built Environment, Department of Markets and Consumer Protection, and Department of Open Spaces;
- b) note the draft Corporate Plan 2018-2023;
- c) ask that a further opportunity be given for Members to provide comments on the content of the draft Corporate Plan 2018-2023 before it is submitted before the Court of Common Council; and
- d) that the Port Health and Public Protection Business Plan 2017-2020 be brought back to the July 2017 Committee meeting for approval with an updated risk register.

#### 12. **CEMETERY & CREMATORIUM RISK MANAGEMENT**

The Committee received a report of the Director of Open Spaces which provided an update on the management of risks faced by the Cemetery & Crematorium.

**RESOLVED** – That the Committee:

- a) note the risk scoring grid at Appendix 1;

- b) note the departmental risk register outlined in the report and at Appendix 2; and
- c) approve the Cemetery & Crematorium risk register included within Appendix 3.

**13. DEPARTMENT OF THE BUILT ENVIRONMENT RISK MANAGEMENT - PERIODIC REPORT**

The Committee received a report of the Director of the Built Environment which provided the Committee with assurance that risk management procedures in place within the Department of the Built Environment are satisfactory and met the requirements of the corporate Risk Management Framework.

The Director of the Built Environment explained that risk DBE-TP-01 in relation to Road Traffic Collision had been downgraded to an amber risk following a compliance review confirming that 80% of City of London staff had completed the Driver Check questionnaire and 80% of the relevant staff completing the online Corporate Transport Policy training course.

**RESOLVED** – That the Committee note the report and the actions taken in the Department of the Built Environment to monitor and manage effectively risks arising from the department's operations.

**14. PORT HEALTH & PUBLIC PROTECTION RISKS**

The Committee received a report of the Director of Markets and Consumer Protection which provided the Committee with assurance that risk management procedures in place within the Department of Markets and Consumer Protection are satisfactory and meet the requirements of the corporate Risk Management Framework.

The Director of Markets and Consumer Protection advised that the amber risk MCP-HA 003 in relation to IS Systems Failure had been downgraded to a green risk.

**RESOLVED** – That the Committee note the report and the actions taken in the Department of Markets and Consumer Protection to monitor and manage effectively risks arising from the department's operations.

**15. MARKETS AND CONSUMER PROTECTION BUSINESS PLAN 2016-2019: PROGRESS REPORT (PERIOD 3)**

The Committee received a report of the Director of Markets and Consumer Protection which provided an update on progress against the key performance indicators and improvement objectives outlined in the Business Plan of the Port Health and Public Protection Division of the Department of Markets and Consumer Protection for Period 3 (December-March) of 2016-17.

In response to a Member's question on why Jamies Restaurant had been adversely affected by the 'difficult' nature of the building in relation to pest control, but another restaurant in the area had not, the Port Health and Public Protection Director agreed to follow this up directly with the Member.

In response to a Member's question on the resourcing implications as a result of the 30% increase in current calls to the London Gateway Port, the Port Health and Public Protection Director explained that the City Corporation had been anticipating this increase and as a result, had prepared for it accordingly.

In response to a Member's question on the number of noise cases investigated and the low numbers of notices served along with nil prosecutions, the Port Health and Public Protection Director explained that notices would only be served if a complaint could not be resolved informally. If complaints could not be resolved during the period concerned, where possible, they would be rolled over to the next period for further investigation.

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

16. **APPROVAL OF THE HEALTH & SAFETY INTERVENTION PLAN 2017-2018**  
The Committee received a report of the Director of Markets & Consumer Protection which sought approval for the Health & Safety Intervention Plan 2017-2018.

**RESOLVED** – That the Committee approve the key work areas outlined in the report and detailed in the Health & Safety Intervention Plan 2017-2018.

17. **APPROVAL OF THE 2017-2018 FOOD SAFETY ENFORCEMENT PLANS FOR THE CITY AND THE LONDON PORT HEALTH AUTHORITY**  
The Committee received a report of the Director of Markets & Consumer Protection which sought approval for the two Food Service Enforcement Plans; one for the City of London and one for the London Port Health Authority.

**RESOLVED** – That the Committee approve the:

- a) the City of London Food Service Enforcement Plan 2017-2018; and
- b) the London Port Health Authority Food Service Enforcement Plan 2017-2018.

18. **SIGNORE PASQUALE FAVALE BEQUEST - RISK REGISTER 2017**  
The Committee considered a report of the Town Clerk which included a key risks register for the Signore Pasquale Favale Bequest consistent with Charity Commission requirements.

**RESOLVED** – That the Committee review the risk register to confirm that:

- it satisfactorily sets out the risks faced by the charity; and
- appropriate measures are in place to mitigate those risks.

19. **CHARITY COLLECTIONS TERMS OF REFERENCE**  
The Committee considered a report of the Director of Markets and Consumer Protection which outlined the current legislation for managing charity street collection and asked Members to make a recommendation to the Court of Common Council to include this in the terms of reference of the Licensing Committee.

**RESOLVED** – That the Committee make a recommendation to the Court of Common Council that, subject to the prior agreement of the Licensing Committee, the Police, Factories and (Miscellaneous Provisions) Act 1916 be included in the terms of reference of the Licensing Committee.

20. **ENFORCEMENT ACTION TAKEN AGAINST NON-COMPLIANT MASSAGE PARLOURS AND SEX ESTABLISHMENTS**

The Committee considered a report of the Director of Markets and Consumer Protection in relation to a recent petition which called upon the City Corporation to take a number of actions with regards to massage parlours and sex establishments in the Ward of Portsoken.

The Port Health and Public Protection Director explained that investigations had been carried out in this area in the past with no illegal activity having been found, but an investigation would take place and the Committee would be informed of the outcome.

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

21. **COORDINATED ACTION TO DEAL WITH UNNECESSARY VEHICLE ENGINE IDLING**

The Committee received a joint report of the Director of Markets and Consumer Protection and the Director of Built Environment which provided an overview on coordinated action taking place to deal with unnecessary vehicle engine idling.

The Chairman then explained that there were two consultations underway in relation to cleaner air, both of which required a response before the next Committee meeting:

- The Draft Revised UK Air Quality Plan for Tackling Nitrogen Dioxide, with a closing date of 15 June 2017.
- The Emissions surcharge (also known as the T-Charge) and options for enhancing the Ultra Low Emission Zone (ULEZ), with a closing date of 25 June 2017.

The Chairman asked that both responses be circulated to the Committee in draft form to allow Members to contribute their comments. The Committee agreed that the final responses for both consultations should be done under delegated authority by the Town Clerk, in consultation with the Chairman and Deputy Chairman.

**RESOLVED** – That the Committee:

- a) agree that a response should be provided for both the Draft Revised UK Air Quality Plan for Tackling Nitrogen Dioxide and the Ultra Low Emission Zone consultations under delegated authority by the Town Clerk, in consultation with the Chairman and Deputy Chairman; and
- b) note the report.

22. **ELECTRIC VEHICLE CHARGING UPDATE REPORT**

The Committee received a report of the Director of the Built Environment which provided an update on the current provision of electric vehicle charging facilities in the City.

In response to a Member's questions, the Transportation Public Realm Director explained that the City Corporation had been looking into providing charging points for zero emission taxis, but constraints of the street network and also the aesthetic appearance of the public realm had to be taken into account. Two options were being explored such as rapid charging points in the City's car parks, or in rest bays away from the central part of the City. Members raised the point that private hire companies could also prove electric charging provisions for their fleets of cars.

The Transportation Public Realm Director explained that a wider electric vehicle charging strategy report would be brought back to the Committee in the autumn.

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

23. **PROGRESS REPORT - ON-SITE SHREDDING VEHICLE OPERATIONS WITHIN THE SQUARE MILE**

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**RESOLVED:** With two hours having elapsed since the start of the meeting, in accordance with Standing Order No. 40 the Committee agreed at this point to extend the meeting by up to thirty minutes.

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The Committee received a report of the Director of the Built Environment which set out the background and progress to date in relation to document shredding vehicles operating within the Square Mile.

Members welcomed the progress made in relation to reducing on-street shredding operations, but noted that they would like to see more progress and asked whether the Planning and Transportation Committee had looked into whether on-site shredding facilities could be made a requirement for new buildings within the City. The Director of Built Environment agreed to follow this up directly with Members.

The Committee asked that a progress report be brought back before Members in the autumn.

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

24. **JOINT HEALTH AND WELLBEING STRATEGY**

The Committee received a report of the Director of Community and Children's Services which set out the Joint Health and Wellbeing Strategy.

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

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

The following questions were raised by Members of the Committee:

Noise Levels

A Member reported concerns had been raised by residents in relation to a nearby nursery and the level of noise from the children. The Member asked whether there were provisions to enforce acceptable noise levels from nurseries?

The Port Health and Public Protection Director explained that such cases were reviewed and the action taken would depend on the circumstances of each case and its impact on residents, however, officers had been made aware of this specific complaint and it was being investigated.

Fixed Penalty Notices and Commercial Waste

A Member asked how many Fixed Penalty Notices (FPNs) had been issued in the last 12 months to businesses leaving bags of rubbish on the street, during the hours 8am to 6pm, when they are not permitted to do so?

Allied to this, the Member asked if and how the City engages with the commercial waste removal companies used by businesses to remove their rubbish?

The Assistant Director of Cleansing explained that outside the time banding hours, Fixed Penalty Notices (FPNs) are issued under the Environmental Protection Act 1990 for depositing litter. The number of FPNs issued to businesses in the Financial Year 2016/17 was 197.

In relation to the second part of the question, the Assistant Director of Cleansing explained that initial contact had been made with Commercial Waste Carriers during the launch and 'bedding in' of the time banding initiative in the Square Mile in 2012. The operators were invited to sign up to a 'Commitment' to comply with the Time Banding Scheme. Businesses may choose which Waste Carrier they wish to use, of which there are a high number with the number increasing all the time; therefore it is not practical to maintain contact with all of them.

However throughout June, July and August 2015, the City of London Cleansing Department conducted an audit of uncollected bagged waste in the Square Mile prompted by the level of complaints related to rubbish left on the public highways. The results of the audit indicated that the majority of the waste bags were identified as being the responsibility of third party waste carriers. A high proportion of these were the responsibility of four main carriers. Meetings were held with each of the four waste carriers in turn in an effort to drive down the level of waste left on the streets. The Cleansing Department continue to maintain close contact with these four companies.

26. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**  
The Chairman invited Members to attend two upcoming events:
- the Annual River Inspection on 30 June 2017; and
  - the Annual Fishing Experiment on Denton Wharf on 21 October 2017.
27. **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.
28. **NON-PUBLIC MINUTES**  
**RESOLVED** – That the non-public minutes of the meeting held on 24 January 2017 be approved.
29. **DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 31 MARCH 2017**  
The Committee considered a report of debt arrears as of 31 March 2017.
- RESOLVED** – That the Committee note the report.
30. **STREET CLEANSING, REFUSE COLLECTION AND ANCILLARY SERVICE CONTRACT UPDATE**  
The Committee considered a report of the Director of the Built Environment which provided an update on the Street Cleansing, Refuse Collection and Ancillary Service Contract.
- RESOLVED** – That the Committee note the report.
31. **DECISIONS TAKEN UNDER URGENCY PROCEDURES SINCE THE LAST MEETING OF THE COMMITTEE**  
The Committee received a report of action taken by the Town Clerk, in consultation with the Chairman and Deputy Chairman, since the last meeting of the Committee.
- RESOLVED** – That the Committee note the report.
32. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**  
There were no questions.
33. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERED URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**  
The Comptroller and City Solicitor provided the Committee with an update in relation to item 20 of the agenda.

**The meeting ended at 4.07 pm**

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Chairman

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