



Port Health & Environmental Services Committee

Date: TUESDAY, 21 NOVEMBER 2017
Time: 11.00 am
Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

Members:

Jeremy Simons (Chairman)	Deputy Wendy Hyde
Deputy Keith Bottomley (Deputy Chairman)	Deputy Henry Jones
Deputy John Absalom	Vivienne Littlechild
Caroline Addy	Andrew McMurtrie
Alderman Nick Anstee	Andrien Meyers
Alexander Barr	Deputy Brian Mooney
Adrian Bastow	Deputy Joyce Nash
Peter Bennett	Henrika Priest
Tijs Broeke	Deputy Richard Regan
Peter Dunphy	Deputy Elizabeth Rogula
Mary Durcan	John Scott
Deputy Kevin Everett	Michael Welbank
Anne Fairweather	Mark Wheatley
Alderman David Graves	Deputy Philip Woodhouse
Graeme Harrower	Vacancy
Christopher Hill	Vacancy
Deputy Tom Hoffman	

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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 19 September 2017.

For Decision
(Pages 1 - 12)
4. **OUTSTANDING ACTIONS REPORT**
Report of the Town Clerk.

For Information
(Pages 13 - 14)
5. **OPERATIONAL PROPERTY REVIEW - TILBURY DOCK OFFICE**
Report of the Director of Markets and Consumer Protection.

For Decision
(Pages 15 - 18)
6. **STREET TRADING POLICY 2017**
Report of the Director of Markets and Consumer Protection.

For Decision
(Pages 19 - 66)
7. **ILLEGAL STREET TRADING UPDATE**
Report of the Director of Markets and Consumer Protection.

For Decision
(Pages 67 - 78)
8. **45TH CITY OF LONDON THAMES FISHERY RESEARCH EXPERIMENT 2017**
Report of the Director of Markets and Consumer Protection.

For Decision
(Pages 79 - 86)

9. **INTRODUCTION OF EMISSION BASED TARIFFS FOR ON-STREET PARKING & CASHLESS PARKING**
Report of the Director of the Built Environment.
- For Information**
(Pages 87 - 96)
10. **UPDATE TO SCHEME OF DELEGATIONS**
Report of the Director of the Built Environment.
- For Decision**
(Pages 97 - 110)
11. **REVENUE AND CAPITAL BUDGETS - 2018/19**
Joint report of the Chamberlain, Director of the Built Environment, Director of Markets and Consumer Protection, and Director of Open Spaces.
- For Decision**
(Pages 111 - 130)
12. **DRAFT DEPARTMENTAL BUSINESS PLANS 2018/19 - DEPARTMENTS OF: OPEN SPACES, MARKETS AND CONSUMER PROTECTION, BUILT ENVIRONMENT**
Joint Report of the Directors of Open Spaces, Markets and Consumer Protection, and the Built Environment
- For Information**
(Pages 131 - 140)
13. **DEPARTMENT OF THE BUILT ENVIRONMENT (CLEANSING SERVICES) BUSINESS PLAN PROGRESS REPORT FOR PERIOD 1 (APRIL - JULY), 2017/18**
Report of the Director of the Built Environment
- For Information**
(Pages 141 - 152)
14. **PUBLIC SECTOR EQUALITY DUTY PRESENTATION**
Report of the Director of Community and Children's Services.
- For Information**
(Pages 153 - 162)
15. **RESOLUTION TO PLANNING AND TRANSPORTATION COMMITTEE**
Report of the Town Clerk.
- For Information**
(Pages 163 - 168)
16. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

17. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
Any items of business that the Chairman may decide are urgent.
18. **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

19. **NON-PUBLIC MINUTES**
To agree the non-public minutes of the meeting held on 19 September 2017.
For Decision
(Pages 169 - 170)
20. **SIGNOR FAVALE'S MARRIAGE PORTION CHARITY (206949) - A DOWRY REQUEST**
Joint report of the Town Clerk and the Comptroller and City Solicitor.
For Decision
(Pages 171 - 174)
21. **WRITE-OFF OF BAD DEBT**
Report of the Director of Markets & Consumer Protection.
For Decision
(Pages 175 - 178)
22. **WRITE OFF OF BAD DEBT**
Report of the Director of Markets and Consumer Protection.
For Decision
(Pages 179 - 182)
23. **PLANNING & REGULATORY SERVICES CASEWORK MANAGEMENT SYSTEM (PRSCMS) PROJECT GATEWAY 1 / 2 COVERING REPORT**
Joint report of the Director of Markets and Consumer Protection, and Director of the Built Environment.
For Decision
(Pages 183 - 198)
24. **WASTE COLLECTION, STREET CLEANSING AND ANCILLARY SERVICES DELIVERY OPTIONS APPRAISAL**
Report of the Director of the Built Environment.
For Decision
(Pages 199 - 206)

25. **DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD
ENDING 30 SEPTEMBER 2017**
Report of the Director of the Built Environment, the Director of Markets and Consumer Protection, and the Director of Open Spaces.

For Information
(Pages 207 - 216)

26. **WALBROOK WHARF - MEDIUM TERM STRATEGY**
Report of the City Surveyor.

For Information
(Pages 217 - 222)

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

28. **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, 19 September 2017

Minutes of the meeting of the Port Health & Environmental Services Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Tuesday, 19 September 2017 at 10.30 am

Present

Members:

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

In Attendance

Officers:

Sacha Than	- Town Clerk's Department
Carl Locsin	- Town Clerk's Department
Jenny Pitcairn	- Chamberlain's Department
Paul Chadha	- Comptroller & City Solicitor's Department
Carolyn Dwyer	- Director of Built Environment
Steve Presland	- Department of Built Environment
Jim Graham	- Department of Built Environment
Helen Kearney	- Department of Built Environment
Richard Steele	- Department of Built Environment
Samantha Tharme	- Department of Built Environment
Jon Avern	- Markets & Consumer Protection
Ruth Calderwood	- Markets & Consumer Protection
Ben Kennedy	- Markets & Consumer Protection
Rachel Sambells	- Markets & Consumer Protection
Gary Burks	- Open Spaces Department
Esther Sumner	- Open Spaces Department
Warren Back	- City Surveyors
Farrah Hart	- Community and Children's Services
Xenia Koumi	- Community and Children's Services

Alderman Nicholas Anstee was in attendance.

1. **APOLOGIES** Apologies were received from Peter Dunphy, Andrew McMurtrie, Henrika Priest and Deputy Elizabeth Rogula.
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
Mark Wheatley declared an interest at item 5 due to Nomura being an elector in his Ward of Dowgate.
3. **MINUTES**
RESOLVED - That the public minutes of the meeting held on 4 July 2017 be approved.

Matters Arising

Massage Parlours and Sex Establishments

In response to a Member's request for an update, the Director of Markets and Consumer Protection explained that a full survey of the premises highlighted in the petition from residents had been carried out and no contraventions of the law were identified.

Coffee Cup Recycling

The Chairman noted that three signs encouraging Members to use the coffee cup recycling facilities had been placed in the Members' Room.

4. **OUTSTANDING ACTIONS**

The Committee received a current list of the outstanding actions.

Noise Pollution from the London Underground

A Member asked that the City of London Corporation continue to put pressure on TfL on this, noting that the reason given by TfL for not making the changes to resolve the noise pollution issues was due to their not having a sufficient budget. The Member explained that there were high levels of noise throughout the day commencing at 05.10am. The Chairman offered to write a letter on behalf of the Committee to TfL and asked Officers to provide an update at the January meeting of the Port Health and Environmental Services Committee.

Provision of charging facilities for electric vehicles

The Chairman noted this issue would be covered at item six of the agenda and confirmed this could be discharged from the list of outstanding actions.

Garden Waste Recycling Bags for Barbican Residents

The Assistant Cleansing Director explained that a pilot would be conducted providing garden waste bags to the Barbican to assess the cost versus benefit. The Chairman confirmed this item could be discharged from the list of outstanding actions.

RESOLVED – That the outstanding actions be noted.

5. RESPONSE TO RESOLUTION ARISING FROM ANNUAL WARDMOTE: WARD OF DOWGATE

The Committee received a report of the Director of Markets and Consumer Protection providing a response to the resolution passed at the Grand Court of Wardmote on the 9th of May 2017 regarding concerns on air quality in the Ward of Dowgate. The Chairman explained that the response had been sent to the Members of the Ward of Dowgate and it would be considered at the March 2018 Wardmote.

Nina Swallow, the Environmental Health and Safety Officer from Nomura provided the Committee with a presentation on the work their business has been doing to improve air quality within the City.

A discussion took place during which the following points were raised:

- Members noted the importance of demonstrating leadership and innovation in this area and asked whether there could be added monitoring sites, particularly in areas such as Ludgate Hill;
- Members further noted that evidence showed the rapid decrease in NO₂ levels away from road sides and asked whether more could be done to limit traffic within the City. Members asked whether a feedback report could be provided on the traffic management scheme at Bank Junction;
- Members also noted the high levels of pollution from building sites and asked whether the construction companies had signed up for the Air Quality Pledge.

Both the Director of Port Health and Public Protection and the Director of the Built Environment responded to the queries raised by Members and confirmed that:

- additional monitoring sites could be implemented and Members were asked to speak directly with Officers to suggest ideas;
- the Policy and Resources Committee have made decisions on how to tackle road congestion and Officers were in the process of working up action plans to deliver on this;
- the Air Quality team would require six months of data in order to comment on the outcome on pollutants from the Bank Junction scheme, a report could be provided in 2018;
- the equipment used on construction sites is regulated and this is controlled via the planning application, the construction companies are also scored on their compliance with the code of practice.

RESOLVED – That the Committee:

- a) note the report, and;
- b) note that the report had been sent to Members of the Ward of Dowgate, pursuant to the resolution submitted by that Ward to the Grand Court of Wardmote and referred on to this Committee for consideration by the Court of Common Council, whom the Grand Court of Wardmote had tasked with responding.

6. EXTENDING BURIAL SPACE AT THE CITY OF LONDON CEMETERY (THE SHOOT)

The Committee noted a report of the Director of Open Spaces on the status of the Extending Burial Space at the City of London Cemetery (The Shoot). The Chairman advised Members that a visit to the Cemetery and Crematorium would take place on 30 October.

RESOLVED – That the lessons learnt are noted and the project be closed.

7. ELECTRIC VEHICLE CHARGING

The Committee considered a report on the need for electric vehicle (EV) charging in the City of London. The report proposed an overarching policy on charging for electric vehicles, balancing the benefit of providing charging facilities within the Square Mile at appropriate locations whilst guarding against the generation of additional vehicle trips and minimising the impact on the public realm.

A discussion took place during which the following points were raised:

- Members noted that the report proposed placing rapid charging points for taxis in Baynard House car park and raised concerns on this location, noting that charging points at taxi ranks might be more useful. Members added that the location in a car park may attract additional vehicles to the City solely to use the charging points.
- Members raised their concerns on the low number of charging points proposed and noted that the City should be leading the way in this field. Members asked that there be an increased number of charging points and suggested that the plans should be more ambitious.
- Members considered that the City Corporation should be a leader in this area and that in addition to taxis, private cars should be able to use the rapid charging points
- Members asked whether the taxi drivers had been consulted on the proposals.

In response to the queries raised by Members, the Director of Transportation and Public Realm explained that:

- Officers had worked with both TfL and consulted taxi drivers in order to offer the appropriate number of charging points in locations that would be used by drivers. Officers believed that at this point, given the low number of zero emission taxis likely to be in service in 2018, that the new provision would be adequate. It was important to provide a service to the vehicles within the City, but a balance had to be struck in order to ensure the charging points were not an attraction for drivers who did not ordinarily travel into the City, as this would exacerbate the issues of congestion and pollution.
- Discussions had taken place with both the manufacturers of the taxis and the representative bodies of the drivers.
- It was important to bear in mind that the scheme was being funded by TfL. A review had been proposed to take place in December 2018 to assess the effectiveness of the charging points within the locations, but in light of Members' comments, this would be brought forward to July 2018.

- Members asked that the Planning and Transportation Committee be made aware of their concerns on the ambitions of this project, the low number of proposed rapid charging points, and whether TfL had committed enough funding.

It was agreed to send a resolution in response to the Planning and Transportation Committee to communicate the Port Health and Environmental Services Committee's comments and the importance they placed on this issue.

RESOLVED – That:

- a) the report be noted;
- b) a review of the project take place after six months; and
- c) a note of the discussion be sent to the next meeting of the Planning and Transportation Committee.

8. MIDDLESEX STREET AREA ENHANCEMENT PHASE 2: PETTICOAT LANE MARKET IMPROVEMENTS AND PUBLIC REALM

The Committee received a report of the Director of the Built Environment and Director of Markets and Consumer Protection on the project aiming to enhance Petticoat Lane Market and the central section of Middlesex Street between Sandys Row and St Botolph Street. The report outlined the project's aim to celebrate the character and history of the area whilst improving the visitor experience.

A Member asked that consideration be given to the types of stalls within the market, noting that stalls selling cooked food close to vendors selling perfumes could affect trade. A Member also noted the importance of ensuring that those selling cooked food did not dispose of their waste and oil via the drains. The Director of Markets and Consumer Protection confirmed that both points raised would be monitored and that it was illegal to dispose of food in this manner.

RESOLVED – That the report be noted.

9. BUSINESS HEALTHY STRATEGY 2017-20

The committee received a report from the Director of Community and Children's Services introducing the Business Healthy Strategy 2017- 20.

RESOLVED – That:

- a) the report be noted; and
- b) the Business Healthy Strategy 2017-20 be endorsed by the committee.

10. IMPACT OF THE UK LEAVING THE EU (BREXIT) ON PORT HEALTH & PUBLIC PROTECTION

The Committee considered a report by the Director of Markets and Consumer Protection on the key issues and implications for the Port Health and Public Protection Division. The report referred to an independent report that was commissioned to examine the impact of Brexit on the Division. The Director of Markets and Consumer Protection further advised that since the report had been commissioned, there had been further reports released by government.

Members thanked Officers for putting together such a comprehensive report in response to a request for further information earlier in the year.

During discussion the following points were raised:

- Members asked whether there were sufficient dedicated resources to monitor Brexit issues, as per the recommendation within the report.
- Whether the suggested date of March 2018 for the resilience plan was too late for some elements.
- There are seven Official Veterinarians employed by the Corporation and all are nationals of other EU Member States, a Member noted the increased number of EU nationals leaving the UK and raised concerns on the impact this would have should the Veterinarians choose to leave.
- Members noted that all stakeholders are preparing for Brexit, however HMRC has set regulations which would take time to implement should changes occur and it was important to ensure the resilience plan and other checks are in place in these uncertain times.
- Members noted that it would be helpful to receive a communications briefing from the Remembrancer on the party conferences and additional information in relation to Brexit.

In response to the queries raised by Members, the Director of Markets and Consumer Protection confirmed that:

- Cross-collaboration had taken place with other Departments across the City Corporation to ensure that Officers are prepared and further resources would be required.
- There are concerns on what will happen in terms of resilience planning and this area will be given further consideration. Following the progress report due in March 2018, the Department would look further at what will need to be done for the Port Health Authority.
- Officers have been consulting with trade and other associations to look at the implications of Brexit and these talks are ongoing. The Chairman of Policy and Resources has been kept updated with briefings from the Remembrancer's Department and the Director of Markets and Consumer Protection will liaise with the Remembrancer to provide a communications briefing for the Committee.

RESOLVED – That:

- a) the report commissioned by the City Corporation and listed in Appendix 3 should be pursued in more detail, and a progress report provided in March 2018; and
- b) the following key principles should form the basis of negotiations with government and relevant agencies with regard to the functions undertaken by Port Health and Public Protection:
 - i. the same, or an improved, level of consumer protection should be sought for public, animal and environmental health in terms of any proposed changes to regulatory controls after the UK leaves the EU; and

- ii. any changes to the current legislation should be commensurate with the risk posed by different activities and trades, as it is recognised that some enforcement requirements could be streamlined.
- c) the UK should continue to recognise EU controls in order to avoid resourcing implications at the UK border; and this would best be done as part of a reciprocal agreement with mutual recognition, as this would be more sustainable politically, promote regulatory alignment, and facilitate UKEU trade;
- d) full cost recovery for local authorities and port health authorities to enforce relevant legislation is essential, and this should be extended to include those areas not already covered, particularly if they have to undertake additional controls as a result of Brexit;
- e) the current checks at UK and EU borders on third country imports should be maintained to facilitate free movement of goods within the EU, and between the EU and the UK, and the UK should maintain access to existing IT and rapid alert arrangements; and
- f) a communications briefing on Brexit with input from the Remembrancer would be provided to the Committee.

11. **DRAFT CODE OF PRACTICE FOR DECONSTRUCTION AND CONSTRUCTION SITES EIGHT EDITION 2017**

The Committee considered a report on the Draft Code of Practice for Deconstruction and Construction Sites Eighth Edition 2017. The report highlights the Code's aim to set out simply and clearly what constitutes acceptable site practice within the City, and to 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.

A detailed discussion took place during which the following comments were made:

- Members noted the volume of papers as part of this report and asked whether such a high number of documents was necessary.
- Members noted that the report sought approval for a dedicated resource at construction sites for monitoring purposes and commented that this would be helpful, it was noted that the final approval on this would sit with the Planning and Transportation Committee.
- Members who are residents of the Barbican and Golden Lane Estates commented that there had been increased Saturday and Sunday working from construction sites which was extremely noisy for residents, and asked that the City Corporation's position on Saturday Morning Working be reconsidered.
- Members noted that the report stated 13 comments had been received by residents and this report did not take into account the views expressed by the Barbican Association, which represented all residents.
- Members raised their concerns on the factual evidence within Appendix Three and the validity of the legal advice, which had been provided on the basis of this evidence, it was further noted that a second external legal opinion could be helpful in this situation.

- A Member suggested that a working group could be set up to examine how the issue of Saturday Morning Working could be taken forward.
- Members noted that the London Boroughs of Westminster, and Kensington and Chelsea were most comparable with the City with regard to works being carried out in proximity to residents, explaining that both of these Boroughs had banned noisy working on Saturdays.
- A Member noted that whilst there had been an impact on residents, the City Corporation also had a responsibility to the developers and it was important to listen to both sides.

In response to the comments raised by Members, both the Director of the Built Environment and the Director of Port Health and Public Protection explained that:

- The Boroughs of Westminster and Kensington and Chelsea are not directly comparable as their rules focus mainly on residential properties, and the Barbican have more quiet hours than residents in Westminster.
- That there are some works which can only take place on a Saturday due to various reasons such as the safety implications if crane works were to be carried out during the week.
- There is a need for balance and the City is a place with constant development.

A Member proposed that a decision should not be taken at the meeting, but moved that a further evidence based study be undertaken on Saturday Morning Working and the impact this has on both Barbican residents and those in the other residential wards, and the effects on the developers along with the legal implications. It was suggested that consideration be given on whether standard hours should exclude Saturday Morning Working. It was noted and agreed this would take at least six months.

The Comptroller and City Solicitor explained that if the City Corporation were to ban Saturday Morning Working, it would be vulnerable to a legal challenge if a consultation were not to have taken place. The Comptroller and City Solicitor further agreed that a second legal opinion could be sought if necessary.

RESOLVED – That the recommendations be agreed subject to undertaking a consultation and an evidence based study:

- a) the Code be approved and published on 3 October 2017;
- b) the introduction of the proposed monitoring contribution fees set out in Appendix L of the Code be approved with effect from 3 October 2017;
- c) although the final authority lies with the Planning and Transportation Committee, the Port Health and Environmental Services Committee endorse the amendments to the Standard Panning Conditions as shown in Appendix Four; and
- d) a further evidence based study on Saturday Morning Working and the impact this has on both Barbican residents and those in residential wards, and the effects on developments along with the legal implications. It was noted and agreed the study would take at least six months.

12. LOW EMISSION NEIGHBOURHOOD ANNUAL UPDATE

In accordance with Standing Order 40, Members agreed to extend the duration of the meeting.

The Committee received a report of the Director of Markets and Consumer Protection updating members on the Low Emission Neighbourhood Project which commenced in September 2016.

In response to a Member's request for a report on proposals for Beech Street, the Director of Transportation and Public Realm explained that a gateway proposal was being worked up on traffic modeling work and this could be submitted to the Committee at a later date to show how the work stream was progressing.

RESOLVED – that:

- a) Members note the contents of the report and continue to support the activities of the LEN project; and
- b) a gateway report on traffic modeling be provided at a later date for information.

13. MARKETS AND CONSUMER PROTECTION BUSINESS PLAN 2017-2020: PROGRESS REPORT (PERIOD 1)

The Committee received a report from the Director of Markets and Consumer Protection which provided an update on progress against the operational 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 1 (April-July) of 2017-18.

RESOLVED – That the report be noted.

14. PORT HEALTH & PUBLIC PROTECTION RISKS

The Committee received a report from the Director of Markets and Consumer Protection which assured 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.

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

15. PERIOD 1 (APRIL-JULY) CEMETERY & CREMATORIUM BUSINESS PERFORMANCE UPDATE

The committee received a report updating Members on the performance of the Cemetery & Crematorium April-July 2017.

RESOLVED- that

- a) The report be noted; and
- b) the adjustment of Cemetery budget to include an increase in expenditure of £43,500 and a corresponding increase in income to fund a

replacement charging bier, review of the Conservation Management Plan and customer survey be approved.

16. DEPARTMENT OF THE BUILT ENVIRONMENT RISK MANAGEMENT - PERIODIC REPORT

The Committee received a report of the Director of Built Environment produced to provide 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.

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

17. RESOLUTION OF THE POLICE COMMITTEE

The Committee considered a Resolution of the Police Committee.

RESOLVED – That the resolution be noted.

18. ILLEGAL STREET TRADING

The Director of Port Health and Public Protection provided an oral update on illegal street trading.

The Director of Port Health and Public Protection explained that there had been an increase in the police tackling illegal street trading with resources having been dedicated to this area. There were eight prosecutions pending, the confiscation of three ice cream vans and one nut trolley would be going for forfeiture. Officers would press for injunctions where necessary. There were no proposals at present to put up signage.

A Member noted that there was a chain of activity on Millennium Bridge not limited to the nut sellers such as illegal traders and beggars. The Member added that it was important to continue pursuing this, as there was a crime element to this anti-social behaviour. The Director of Port Health and Public Protection explained that whilst the situation could not be monitored 24/7, Officers were doing everything they could to monitor the situation. A report on illegal street trading would be brought before the next Committee meeting with an update on this.

RESOLVED – That the Committee note the update.

19. RESOLUTION OF THE ECONOMIC CRIME BOARD

The Committee considered a Resolution of the Economic Crime Board.

RESOLVED – That the resolution be noted.

20. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

21. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The Director of Transportation and Public Realm explained that two art works by Banksy had appeared in the Beech Street covered roadway area and consideration would need to be given on how to maintain the works.

The Chairman introduced Jonathan Poyner, the Operations Director of the Barbican and Guildhall School, to explain the way forward on this. The Operations Director explained that there were two art works by Banksy plus a third art work by another well-known graffiti artist.

The Operations Director proposed the following plan:

- The Barbican Centre team will have a hi-vis security presence near the art works up to and including Friday 22 September and this is currently in place. The official aim is to keep people off the road and the additional aim is to ensure no one damages it. The team who normally remove graffiti have been informed not to remove the art works;
- following the Basquiat Private View/Press Night, the three art works will be covered in a suitable clear material, e.g. Perspex. This will protect the three art works until after the Basquiat exhibition run, and is a solution used by at least one other Authority;
- after the Basquiat exhibition finishes the City would need to decide a way forward for the medium to long term.

RESOLVED – That the Committee agree to the plan proposed by the Operations Director.

22. **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.

23. **NON-PUBLIC MINUTES**

RESOLVED – That the non-public minutes of the meeting held on 4 July 2017 be approved.

24. **WASTE COLLECTION, STREET CLEANSING AND ANCILLARY SERVICES CONTRACT EXTENSION DECISION**

The Committee considered a report of the Director of the Built Environment which sought approval on endorsing the proposal set out within the report.

RESOLVED – That the Committee endorse the proposal set out within the report.

25. **DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 30 JUNE 2017**

The Committee received a report of Director of the Built Environment, Director of Markets and Consumer Protection and the Director of Open Spaces on Debt Arrears for the period ending 30th of June.

RESOLVED – That the report be noted.

26. REPORT OF ACTION TAKEN

The Committee noted a report which advised 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(A).

RESOLVED – That members note the report.

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

There were no questions.

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

There was no other business.

The meeting ended at 12.55 pm

Chairman

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Port Health & Environmental Services Committee – Outstanding Actions

Item	Date	Action	Officer(s) responsible	To be completed/ progressed to next stage	Progress Update
1.	23 May 2016	Noise Pollution from the London Underground	Director of Port Health and Public Protection	Ongoing	In response to a Member's request for continue pressure on TfL, the Chairmen of the Port Health & Environmental Services would send a letter to TfL on behalf of the Committee and Officers would provide an update in January 2018.
2.	22 Nov 2016	Middlesex Street Area Enhancement – Phase 2	Director of Transportation and Public Realm	October 2017	<p>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.</p> <p>At the Port Health and Environmental Services Committee on 9 May 2017, Members were advised that a working group had been set up and this project had gone to gateway three in October.</p>
3.	4 July 2017	Impact of Brexit	Director of Port Health and Public Protection	November 2017 March 2018	<p>In response to Members' request that a communication briefing on Brexit be provided, an update was circulated on 16 November 2017.</p> <p>A report would be provided to the Committee in March 2018.</p>
4.	4 July 2017	Illegal Street Trading	Director of Port Health and	November 2017	An update report would be brought before the Committee in November 2017.

Item	Date	Action	Officer(s) responsible	To be completed/ progressed to next stage	Progress Update
			Public Protection		
5.	19 September 2017	Electric Vehicle Charging	Director of Transportation and Public Realm	July 2018	Members asked that a review of the Project assessing the effectiveness of the charging points within the locations, be brought forward to July 2018.

Committee(s)	Dated:
Port Health & Environmental Services Committee – For decision	21 November 2017
Corporate Asset Sub (Finance) – For decision	22 November 2017
Subject: Operational Property Review - Tilbury Dock Office	Public
Report of: Director of Markets & Consumer Protection	For Decision
Report author: Jon Averbs, Port Health & Public Protection Director	

Summary

The Port Health Service leases an office at the Port of Tilbury, but due to a decrease in the trade in which the Service has an interest, the accommodation is currently surplus to operational requirements.

However, given that the port is expanding, and the uncertainties of the UK exit from the European Union, it is possible that the office may be needed in the future, so a short-term sub-letting arrangement is proposed.

Recommendations

Members are asked to:

- Declare the Tilbury Dock Office surplus to the Port Health Service requirements for the time being and that it be presented to the Corporate Asset Sub Committee.
- Subject to the Port Health and Environmental Services Committee's agreement to declaring it surplus, the Corporate Asset Sub Committee declare it surplus to the City Corporation's requirements for the time-being, and agree to sub-let the property on a short term of up to 5 years.

Main Report

Background

1. The Port Health Service has traditionally occupied premises in the main docks and ports where it has had a significant operational interest. In the past, this has included the upper River Thames enclosed docks, Sheerness and Thamesport (Isle of Grain), but as trade patterns changed, these have been vacated.

2. The Tilbury Dock Office, which is immediately adjacent to the main gate to the port, was purpose built for the Port Health Service and was opened on 9 June 1984.
3. The current lease is for 60 years from June 1983 (25 ½ years unexpired) and the landlord is the Port of London Authority, which is the owner of the Port of Tilbury.
4. In addition to the Dock Office, the port is obliged to provide office accommodation as part of the Border Inspection Post (BIP) facility where examination of imported food and animal feed is carried out as part of the Port Health Service's statutory responsibilities.

Current Position

5. The main responsibility of the Port Health Service at the Port of Tilbury is to monitor and control food and animal feed imported from third countries, i.e. those outside the European Union. There has been a significant decrease in this trade, such that there is no longer any need for staff to be based at Tilbury on a full-time basis. The accommodation at the BIP is quite adequate for the Service to maintain an appropriate presence at the port, provided that there is sufficient IT capacity and capability which is currently being pursued.
6. Whilst the current level of trade does not require a full-time occupation of the office, the port is expanding and is due to take over the former Tilbury power station site soon. The position regarding the Port Health Service requirements post UK exit from the EU is far from clear, so there may be a need to re-occupy the premises in future.
7. Many of the former shipping lines that called at Tilbury now use London Gateway port. The main back-office administration for both Tilbury and London Gateway is conducted from Manorway House near the latter, which is now the main hub for the Port Health Service.

Options

8. Realistically, there are two options:
 - The lease could be surrendered, subject to negotiations with the landlord, but if the Service does need an office at the port in future, a new premises would need to be identified.
 - The property could be sub-let until such time as the need for Port Health to have a permanent presence at Tilbury is determined.

Proposals

9. Where a site is declared surplus to operational requirements, to achieve alternative use, the Corporate Asset Sub Committee is to be asked to consider other uses by the City Corporation. No other Corporate requirements have been identified for the use of the offices.

10. Whilst the current level of trade at Tilbury does not require a full-time occupation of the office, the port is expanding. The position regarding the Port Health Service requirements post UK exit from the EU is far from clear, so there may be a need to re-occupy the Dock office in future. The disposal of the remainder of the lease of the Dock office is not therefore recommended but disposal by way of short term letting of up to 5 years on normal commercial terms. This would remove the maintenance and financial cost of repairs and place this upon the commercial tenant.
11. The marketability and rental terms would be established by way of an open market letting campaign.
12. The City Surveyor has confirmed that no other Corporate requirements have been identified for the use of the offices.
13. Any holding costs together with the marketing and letting costs will remain the responsibility of the Department of Markets and Consumer Protection.

Corporate & Strategic Implications

14. The Port Health Service has statutory responsibilities at the ports under its jurisdiction which includes the Port of Tilbury. The office accommodation at the Tilbury BIP is currently sufficient for it to fulfil these obligations.

Implications

15. The aim of the Operational Property Review is to encourage the more effective use of operational property and where reasonably practical to identify sites as surplus to operational requirements so that alternate uses can be found for them which reduce the cost of the City's portfolio.

Conclusion

16. The Port Health Service office at Tilbury is surplus to current operational requirements, although this could change in the future. Consequently, a short-term sub-let of the office is recommended.

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Committee(s)	Dated:
Port Health and Environmental Services	21 Nov 2017
Subject: Street Trading Policy 2017	Public
Report of: Director of Markets and Consumer Protection	For Decision
Report author: Peter Davenport - Licensing	

Summary

The City of London (Various Powers) Act 2013 made changes to the long established street trading regime within the City of London. The City Corporation now have the authority to issue temporary street trading licences so that commemorative, seasonal and other special events can include a street trading element.

However, this has led to a certain amount of inflexibility and this report recommends changes to the Policy with three specific exemptions to the Policy as a whole.

The exemptions seek to alter the policy to permit the granting of temporary licences that are not connected with a specific event in the following areas:

- The area around St. Botolph's Church, Aldgate
- Middlesex street between Widegate Street and Bishopsgate
- Middlesex Street between Widegate Street and Sandy's Row

The latter two exemptions permitting the temporary licence to be renewed throughout the year every twenty-one days in line with statutory requirements.

Recommendation(s)

Members are asked to:

- Agree the proposed policy attached as Appendix 1 to this report.

Main Report

Background

1. The City of London (Various Powers) Act 2013 (the 2013 Act) made changes to the long established street trading regime within the City of London. Prior to the

2013 Act the only street trading permitted in the City of London was in part of Middlesex Street and only on Sunday mornings. The one exception being a sole trader near Chancery Lane station who has permitted 'grandfather' rights to trade following boundary changes which brought him into the City of London.

2. By virtue of the 2013 Act, the City Corporation may issue temporary street trading licences for up to 21 days in any area of the City of London. However, paragraph 4.3 of the Street Trading Policy establishes the type of occasion where a temporary licence will be acceptable i.e. as part of a one-off street festival or charity event, seasonal event or a specialist market. It therefore remains the view of the City Corporation that street trading is generally not suitable within the City of London.
3. The circumstance in which a temporary licence will be granted is reiterated in paragraph 4.9 of the Street Trading policy which states, 'Temporary Licences will usually be connected with a particular event. It is expected that the duration of the licence will be the same as the duration of that event, up to the statutory maximum of twenty-one days.'

Problems with current Policy

4. The restriction on granting a temporary licence that is linked to an event has proved inflexible at times. Occasionally, we have been asked to grant a temporary licence where linking it to an event is, or would have been, rather tenuous.
5. The City Corporation's Department of the Built Environment has developed several Area Strategies to provide a detailed framework for transport and environmental improvements. One such strategy is the Aldgate and Tower Area Strategy (the 'Strategy').
6. The aim of this Strategy is to transform the area by encouraging economic growth and regeneration. The delivery of the Strategy will improve the environmental quality within the area and go some way to help strengthen local amenity for the residential community by providing, amongst other things, play, leisure and cultural events all of which may, or could, involve an element of street trading not necessarily connected with a specific event.
7. Part of this Strategy involves the development of Middlesex Street and the Middlesex Street Market. One of the problems currently with the market is that it is hidden from view to pedestrians passing along Bishopsgate. An additional six to eight stalls to the West of Widegate Street would bring the market into view thus encouraging an increased number of visitors.
8. Additionally, the market has to currently cease trading at 14:00 whereas it would improve the market's viability if it could trade to 16:00, the same time as the remainder of the market which falls into Tower Hamlets.
9. The above restrictions are not easy to change as the City of London (Various Powers) Act 1987 only permits trading in that part of Middlesex Street between

the junctions with Widegate Street and Sandys Row and further, only between 09:00 and 14:00.

Recommended Exemptions

10. The Policy has therefore been amended to include the following exemptions to the general principle of temporary licences being granted only in connection with a specific event.
11. Exemption 1: Shall apply in the area between Bishopsgate and the junction of Middlesex Street and Widegate Street. The suggested exemption area is delineated on a map attached as Appendix 9 of the Policy.
12. This exemption will permit temporary licences to be granted to an additional six to eight stalls thus bringing the market as a whole into view of pedestrians passing along Bishopsgate, It is likely that the additional stalls will be for the provision of food both hot and cold.
13. Exemption 2: Shall apply in the area between Widegate Street and Sandy's Row and only on a Sunday between 14:00 and 16:00.
14. This exemption will permit temporary licences to be granted to all current traders to permit trading until 16:00 thus bring them in line with trading hours in Tower Hamlets.
15. Exemption 3: Shall apply to the areas delineated on the map attached as Appendix 10 to the Policy.
16. This exemption will permit temporary licences to be granted in these areas without the need to link trading with an event as stated in paragraphs 4.3 and 4.9 of the Policy. All other aspects of the Policy shall remain and applications will still have to apply and meet the other legislative criteria.

Corporate & Strategic Implications

17. The amendments suggested to the Street Trading Policy will help meet one of the City Corporation's Area Enhancement Strategies (namely Aldgate and Tower Area) aimed at improving the streets and public spaces in the City of London.

Financial Implications

18. Amending the Street Trading Policy in line with the recommended exemptions will slightly increase local risk budget income by £3-4k per annum.

Appendices

Appendix 1 - Street Trading Policy 2017

Background Papers

Street Trading Policy 2014

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City of London Corporation

POLICY & PROCEDURE

Street Trading

(In accordance with section 16H of the
City of London (Various Powers) Act 1987)

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1. Introduction

- 1.1. The purpose of this document is to:
- explain the legislation affecting street trading in the City;
 - set out the Corporation's policy in respect of the regulation of street trading, including its enforcement; and
 - offer guidance as to the procedure that should be followed in seeking a street trading licence.
- 1.2. For many years street trading within the City of London was not permitted except for a Sunday market held in part of Middlesex Street. This general prohibition has now been amended by the City of London (Various Powers) Act 2013 which permits licences to be issued for street trading elsewhere in the City of London under certain circumstances.
- 1.3. Separate provision is made for ice cream trading outside food premises in the City of London (see Section 11).
- 1.4. It is intended to review the Corporation's policy on street trading every three years although minor amendments may be made between general reviews.

2. Definitions

1965 Act: The City of London (Various Powers) Act 1965

1987 Act: The City of London (Various Powers) Act 1987

2013 Act: The City of London (Various Powers) Act 2013

Middlesex Street licence: A licence granted under section 8 of the 1987 Act.

Licensed street trader: A person, including a temporary licence holder, licensed to engage in street trading by a street trading licence granted under the 1987 Act. This includes both Middlesex Street traders and temporary licence holders.

Receptacle:	Includes a vehicle, trailer or stall and any basket, bag, box, vessel, stand, easel, board, tray or other structure or thing which is used as a container for, or for the display of, any article or thing.
Street trading:	The selling or exposing or offering for sale of any article or thing in a street.
Street trading licence:	A licence to engage in street trading granted under the 1987 Act. This includes both Middlesex Street licences and temporary licences.
Temporary licence:	A licence granted under section 11A of the 1987 Act which is valid for a period of up to 21 days.
Trading area:	An area which is specified in a temporary licence as the area within which street trading is permitted.

3. Legislation

- 3.1. The legislation applicable to street trading in the City of London is contained primarily in the City of London (Various Powers) Act 1987 as amended by the 2013 Act.
- 3.2. Licences may be granted under section 8 of the 1987 Act for street trading in the part of Middlesex Street between the junctions with Widegate Street and Sandys Row. Street trading under such a licence can only take place between the hours of 9 a.m. and 2 p.m. on Sundays (other than on Christmas Day when that day falls on a Sunday). Middlesex Street licences expire at the end of each calendar year.
- 3.3. Temporary licences may be granted under section 11A of the 1987 Act. Temporary Licences permit the licence holder to carry on street trading in a designated area set out in the licence for a maximum period of 21 days.
- 3.4. The City of London Corporation may make byelaws under section 21 of the 1965 Act (applicable to Middlesex Street trading only) and section 14 of the 1987 Act (applicable to all street trading) concerning, amongst other things,

the manner in which street trading is carried on and the dimensions of receptacles. One set of byelaws have been made under the 1965 Act and are attached as Appendix 1. No byelaws have yet been made under the 1987 Act.

- 3.5. Sections 8(1) and 11A(4) of the 1987 Act provide that an application for a street trading licence must contain certain information. The grounds for refusing to grant or renew a Middlesex Street licence are set out in section 8 of the Act.
- 3.6. It is an offence under section 16(1) of the 1987 Act for any person to engage in street trading in the City of London other than in accordance with a street trading licence.

4. City Corporation's policy in respect of temporary street trading

- 4.1. As a global financial and business centre with a small resident population and a very large daily workforce, the City requires an environment which meets its special needs. This was recognised at the beginning of the 20th century with the enactment of the City of London (Various Powers) Act 1911. This brought to an end the problems of maintaining order, safety and hygiene created by large numbers of street traders being crowded into the City's many narrow and winding streets.
- 4.2. With one exception to the prohibition, for that part of Middlesex Street which is within the City, the general City restriction on street trading has been maintained until the present day. It remains the view of the Corporation that street trading is generally not suitable within the City. However, the 2013 Act enables the prohibition to be lifted so as to permit street trading to take place for temporary periods in specified areas.
- 4.3. The intention is to enable street trading to take place in relation to one-off street festivals or charity events such as the 800th anniversary celebration for London Bridge in 2009, the annual Smithfield Nocturne, and, where appropriate, for seasonal events such as may occur at Christmas. This could also include, for example, the licensing of short term specialist markets.
- 4.4. In considering an application for a temporary licence, the City Corporation will have in mind environmental and public safety considerations, the public's

right to use and enjoy the highway, together with any other relevant City Corporation policies and strategies. Specific factors to be taken into account will include:

- The proximity and nature of any rail and tube stations, road junctions, and pedestrian crossing points;
- The volume of pedestrian footfall especially at peak times;
- Whether the proposed trading area would enable continued free access to members of the public using the road, pavement, other footpath, footway or walkway or cause obstruction to e.g. pedestrians, prams and wheelchairs;
- The presence of existing street furniture;
- Any other factors which might put safety at risk;
- Whether the proposed street trading might have a negative effect on the character and appearance of the area in particular near heritage sites, conservation areas and listed buildings;
- The number of other temporary licences that have been issued for areas in or near the proposed trading area;
- Other events taking place within the City of London
- The nature of goods proposed to be sold;
- Any relevant factors relating to the applicant;
- Waste disposal arrangements;
- Any adverse impact on private rights – especially impact on access to property/security of premises.

4.5. It is important that the public are able to pass along footpaths without the risk of coming into contact with vehicular and other traffic. In particular those using wheelchairs, mobility vehicles, pushchairs and buggies should be able to pass on pavements. As a guide, there should be a minimum width of unobstructed footway of two metres between the edge of a trading area and the edge of the footway. Where pedestrian flow rates are greater than 1200 persons per hour this distance may be increased, and such distances will need to take account of street furniture such as bollards, benches, cycle racks and bus stops etc. Permission will not be granted where the street trading might interfere with a fire escape. Further details of safe distances and how they should be measured are set out in Appendix 2.

4.6. Other potential hazards which will be considered include the impact on the accessibility of emergency services and whether street trading would result in poor sight lines affecting vehicular or pedestrian traffic. In particular, street

trading will not normally be permitted within five metres of a pedestrian crossing.

- 4.7. To protect the attractiveness of the City's streets, it is important that the granting of a temporary licence does not result in detriment to the street scene. Street trading activity should not cause environmental problems or detract from the amenities of adjacent retailers/occupiers. Regard will be had to any potential problems associated with crime and disorder or anti-social behaviour. Street trading activity should not represent, or be likely to represent, a substantial risk of nuisance to the public or business from noise, particularly in residential areas and close to sensitive premises/areas e.g. schools, banks, listed buildings, conservation areas etc.
- 4.8. Where an event is to take place over a large area, such as a processional route, applications are more likely to be granted where they are along the route designated for that event or close to the event area. In these circumstances the number of temporary street trading licences granted in the same street or area, (where part of a single application), will be of less significance than in other cases. However, consideration will be given to the sufficiency of existing trading outlets to serve the needs of the event.
- 4.9. Temporary Licences will usually be connected with a particular event. It is expected that the duration of the licence will be the same as the duration of that event, up to the statutory maximum of twenty-one days.
- 4.10. In order to restrict the possibility of noise nuisance, the playing of amplified or non-amplified music is unlikely to be permitted unless it is an integral part of the event. Each application will be considered individually taking into account the likelihood of disturbance to residents, businesses and other sensitive premises. Further information can be obtained from the Corporation's Environmental Health Pollution Team or can be found on the Corporation's website ([Noise Pollutionⁱ](#)). Under certain circumstances the playing of music may require a Temporary Event Notice. This would be in addition to the Street Trading Licence. For more information on Temporary Event Notices please go to ([Temporary Event Noticesⁱⁱ](#)).
- 4.11. The use of generators may be permitted subject to the consideration of noise and emissions. Applications must include a detailed location plan indicating full details of generators and associated noise control. Further information can

be obtained from the Corporation's Environmental Health pollution Team or can be found on the Corporation's website.

- 4.12. Artificial lighting will only be permitted if it does not cause a public nuisance.

5. Terms and conditions of licences

Middlesex Street Licences

- 5.1. The conditions (or "prescriptions") which are applied to Middlesex Street licences are set out in section 9 of the 1987 Act. These include the position or place in Middlesex Street where the licensee may trade, the articles which may be traded and the nature of any receptacle or equipment which may be used. A standard set of conditions for a Middlesex Street licence is set out at Appendix 3.
- 5.2. A Middlesex Street Licence is granted to an individual and may not be transferred, sold or sublet to another individual.
- 5.3. A completed indemnity certificate is required before a licence is issued giving evidence of public liability insurance to the minimum value of £2,000,000 per incident.
- 5.4. Failure to comply with any conditions of a Middlesex Street licence may lead to its revocation in addition to any enforcement action.

Temporary Licences

- 5.5. Temporary licences will specify, in addition to the area and time of street trading, the terms and conditions in accordance with which any street trading must take place (section 11A of the 1987 Act). Conditions will include the licence holder's responsibilities to maintain public safety, prevent nuisance and generally preserve the amenity of the locality. The standard conditions for temporary licences, which may be subject to alteration in the circumstances of each case, are set out in Appendix 4.
- 5.6. Permission will not normally be granted for temporary street trading to begin earlier than 09:00 Monday to Friday and 10:00 Saturday or Sunday. The

terminal hour will not normally be later than 21:00 Monday to Friday and 20:00 Saturday or Sunday. In considering the trading times, the Corporation will take into account the need to service the pitch e.g. to stock and re-stock, and the time needed to set up and take down any stall or other receptacle against the likelihood of disturbance to nearby residents and businesses.

- 5.7. A Temporary Licence is granted to an individual and may not be transferred, sold or sublet to another individual.
- 5.8. Where applicable, waste transfer arrangements must be provided on request to a City of London authorised officer. Any arrangement must comply with the City Corporation's Time banding Regulations. Further details can be obtained by clicking ([Time Bandingⁱⁱⁱ](#)).
- 5.9. The licence holder must ensure that there is no litter around his place of trading and in three square metres of the immediate vicinity of the trading area (regardless of whether the litter emanated from his business). The licence holder will ensure any staining of the footpath is removed before the end of trading on each day to the required standards of the City Corporation. Failure to achieve this will result in the City Corporation arranging removal of any staining and recharging the licence holder. The expected rates for additional cleansing can be seen as part of Appendix 11.
- 5.10. A completed indemnity certificate is required before a licence is issued giving evidence of public liability insurance to the minimum value of £2,000,000 per incident. Where the trading area and/or receptacle is large e.g. a marquee, a trading area containing more than two receptacles, the minimum value of public liability insurance may have to be increased. If in doubt as to the amount of insurance required please consult the licensing team.

6 Enforcement of street trading laws

- 6.1 It is an offence under section 16 of the 1987 Act for any person to engage in street trading in the City of London unless they are a licensed street trader who is:
 - trading in accordance with a Middlesex Street licence, or
 - trading in accordance with a temporary licence granted under section 11A of the 1987 Act.

- 6.2 Any person convicted of an offence under section 16 is liable to a fine up to Level 3 on the Standard Scale (£1000).
- 6.3 A police officer or authorised officer of the City Corporation may, where they have reasonable grounds for believing that a person has committed an offence of unlawful street trading, seize any article or thing being offered for sale (whether or not the items are displayed), or any receptacle or equipment being used.
- 6.4 The procedure to be followed for seizure, including information about how goods may be returned, is explained in Appendix 5. Special provision is made for perishable goods and motor vehicles.
- 6.5 The City of London Port Health and Public Protection Department's Enforcement Policy will always be taken into consideration before any enforcement action is taken. The City of London Corporation's general approach is to assist traders in meeting their legal obligations and to work with them in putting things right. Further information on the Enforcement Policy can be found at ([Enforcement Policy](#)^{iv})

7. Making an application for a street trading licence

General

- 7.1 It is recommended that potential applicants contact a licensing officer prior to submitting an application.
- 7.2 In order to obtain a street trading licence, or renew an existing Middlesex Street licence, an application must be made in writing to the City of London Licensing Service.
- 7.3 An application for a Middlesex Street licence must be in the form set out in Appendix 6 (new) or 7 (renewal). An application for a temporary licence must be in the form set out in Appendix 8. There is no renewal process for a temporary licence.
- 7.4 An application form must be accompanied by two recent photographs of the applicant and the appropriate fee.

- 7.5 On receipt of an application form, licensing officers will check to ensure it is completed correctly and complies with all statutory requirements.
- 7.6 Street trading will not normally require planning permission. However the selling of articles on the highway may require planning permission or affect the current planning use of the premises where that premises is connected with the licensed street trader. In these circumstances planning permission must be obtained in the normal way. Similarly, where temporary street trading will involve the closure of a road, a closure order under the Road Traffic Regulation Act 1984 will need to be applied for.
- 7.7 Where an LPG fuelled appliance is to be used, a copy of an up-to-date competent person's form certifying that the appliance has been properly checked and is sound must accompany the application form.

Middlesex Street Licences

- 7.8 Under section 8(2) of the 1987 Act, an application for renewal of a Middlesex Street trading licence should be made no earlier than three months, and no later than two months, before the date on which that licence, unless revoked or surrendered, will cease to be valid.
- 7.9 Late applications will be considered and processed so far as reasonably practicable. However, applicants should be aware that if the application is submitted late it may not be processed before the existing licence ceases to be valid. This may result in a period of time during which the applicant cannot carry on any street trading.
- 7.10 Where a renewal application has been made, and there have been no justified complaints or enforcement issues, and all fees have been paid on time, the licence will normally be renewed.
- 7.11 If an application for a Middlesex Street Licence is refused on the grounds that there is no available space, the applicant will be given the option of having his details added to a waiting list. When a suitable space becomes available, the person next in line on the waiting list will be contacted and invited to re-submit an application form for the now vacant position.

Temporary Licences

- 7.12 Full details of the trader(s), the goods proposed to be sold and the area of trading must be included on the application form. The application form must be accompanied with a plan showing the proposed trading area outlined in red.
- 7.13 Where a number of stall holders come together as part of a single market, event, commemoration, or similar, a single application may be made. Such an application must list the names and addresses of all proposed traders.
- 7.14 Applications should be made no earlier than six months before the date on which a licence is required, and no later than twenty-eight days before the start of the proposed licence. As with Middlesex Street applications, if the application is submitted late it may not be processed in time for the proposed first trading day.
- 7.15 Before the grant of a temporary licence a site visit will be carried out by Licensing Officers and/or other officers of the City Corporation.
- 7.16 The design and appearance of any receptacle which is to be used will need to be agreed with the Licensing team and/or planning officers. If a large structure, the receptacle may need to be inspected by the City Corporation's District Surveyors.

8. Policy Exemptions

Middlesex Street Exemption 1:

- 8.1 There shall be an exemption to the City Corporation's policy on the issuing of temporary street trading licences in the area between Bishopsgate and the junction of Middlesex Street and Widegate Street with regards to paragraphs 3.2 (as it relates to the trading area), 4.3, 4.9 and 5.6 (with regards the commencement time). All other aspects of this policy shall remain applicable.
- 8.2 Temporary licences can be issued to market traders on a Sunday in the area referred to in paragraph 8.1 between the hours of 09:00 and 16:00. This area is delineated on the map shown as Appendix 9.

8.3 Each temporary licence to which Exemption 1 applies shall apply for twenty-one days or less and renewed on an ongoing basis providing there is a 24 period between each temporary licence in order to comply with the requirements of the 1987 Act as amended.

8.4 The Temporary Licence fee to which Exemption 1 applies shall not exceed the fee for a Middlesex Street Licence.

Middlesex Street Exemption 2:

8.5 There shall be a further exemption for all existing market traders (pitch numbers 1 to 58) to permit these traders to continue trading from the current terminal hour of 14:00 to 16:00.

8.6 All existing market traders will, in effect, be granted a temporary street trading licence to trade between 14:00 and 16:00. Paragraphs 3.2 (as it relates to the terminal trading hour), 4.3 and 4.9 shall not apply to Temporary Licences that are granted under Exemption 2. All other aspects of this Policy shall remain applicable.

8.7 Each temporary licence to which Exemption 2 applies shall apply for twenty-one days or less and renewed on an ongoing basis providing there is a 24 period between each temporary licence in order to comply with the requirements of the 1987 Act as amended.

8.8 There shall be no fee for a Temporary Licence granted under Exemption 2.

Aldgate

8.9 There shall be an exemption to the City Corporation's policy on the issuing of temporary street trading licences in the area adjacent to, and in the vicinity of, St. Botolphs Church, Aldgate. This area is delineated in the map shown as Appendix 10.

8.10 A Temporary Licence may be granted within the area shown in Appendix 10 without the need to comply with paragraphs 4.3 and 4.9.

9. Appeal Procedure

- 9.1 Any person aggrieved by the refusal of the City Corporation to grant or, in the case of a Middlesex Street licence, renew, a street trading licence, or by the revocation or variation of a street trading licence, or by any prescription of a Middlesex Street licence, may appeal to the magistrates' court.
- 9.2 Any appeal must be made within fourteen days from the date on which the refusal, revocation, variation or prescription which is the subject of the appeal is notified to such person.
- 9.3 Further details of the appeal procedure can be found in the Licensing section of the City Corporation's website or by contacting the licensing team.

10 Fees and charges

Middlesex Street Licences

- 10.1 The fee for an application for the grant or renewal of a Middlesex Street licence is set in section 10 of the 1987 Act at £5. The fee should be submitted with the application. In the case of a Middlesex Street application, the fee will be returned to the applicant if the application is refused.
- 10.2 In addition to the application fee a further fee will be charged (a 'licence' fee) to recover the City Corporation's costs in issuing and maintaining the licence. Where a licence is granted part way through the year the 'licence' fee will be reduced on a pro-rata basis. For example, if a licence was granted at the beginning of April only 75% of the fee will be payable. The fee for a Middlesex Street licence can be paid on a quarterly basis at no additional cost to the licence holder.
- 10.3 A list of current fees and charges is set out in Appendix 11.

Temporary Licences

- 10.4 The fee for an application for a temporary licence is determined by the City Corporation and is dependent on a number of factors including the length of time for which the licence is granted.

- 10.5 Where the application is for multiple traders and/or trading areas, the fee will be determined individually in each case.
- 10.6 In addition to the application fee, charges may be payable for the removal of refuse or for other services provided to stall holders.
- 10.7 An application for a temporary licence must be accompanied by the relevant total fee. The fee is for the duration of the temporary licence.
- 10.8 A list of current fees and charges is set out in Appendix 11.

11 Sale of Ice Cream

- 11.1 The sale of ice cream is not deemed to be street trading if sold from a receptacle that meets the following criteria:
- The receptacle is located within 15m of the business premises
 - The City Corporation has approved the design, location and purpose of the receptacle
 - The associated business premises are occupied for the purpose of conducting a food business i.e. carrying out any activity related to any stage of production, processing and distribution of food.
- 11.2 Permission to sell ice cream on the street will still require permission under section 115 of the Highways Act 1980.

12 Contacts

Write to: Licensing Service
 Walbrook Wharf
 Upper Thames Street
 EC4R 3TD

Email: licensing@cityoflondon.gov.uk

Telephone: 020 7332 3406

You can also find more information and links to other sources of information on the City of London's website.

-
- i <https://www.cityoflondon.gov.uk/business/environmental-health/environmental-protection/Pages/default.aspx>
 - ii <https://www.cityoflondon.gov.uk/business/licensing/alcohol-and-entertainment/Pages/Temporary%20event%20notice.aspx>
 - iii <https://www.cityoflondon.gov.uk/services/transport-and-streets/clean-streets/Pages/Time-Banding.aspx>
 - iv <https://www.cityoflondon.gov.uk/business/support-promotion-and-advice/trading-standards/Documents/port-health-public-protection-enforcement-policy-september-2014.pdf>

BYELAWS AS TO STREET TRADING

BYELAWS made by the Mayor and Commonalty and Citizens of the City of London acting by the Common Council with respect to Street Trading in the said City pursuant to Section 21 of the City of London (Various Powers) Act, 1965.

1. In these Bylaws:-

“the Act” means the City of London (Various Powers) Act, 1965;

“the Act of 1911” means the City of London (Various Powers) Act, 1911;

“the Corporation” means the Mayor and Commonalty and Citizens of the City of London acting by the Common Council;

“licensed street trader” means a person licensed to engage in street trading by a licence granted under Part III of the Act;

“registered street trader” means a person registered as a street trader under Section 24 of the Act of 1911;

“receptacle” includes a vehicle or stall and any basket, bag, box, vessel, stand, easel, board, tray or other structure or thing which is used (whether or not constructed or adapted for such use) as a container for, or for the display of, any article or thing;

“article or thing” includes any living thing;

“street traders’ certificate” means a certificate issued to a registered street trader under Section 24 of the Act of 1911;

“street trading” means the selling or exposing or offering for sale of any article or thing in a street;

“street trading licence” means a licence to engage in street trading granted under Part III of the Act.

2. A licensed street trader shall not use a receptacle under the authority of a street trading licence unless it is so constructed as to be easily and immediately removable without the necessity of undressing the receptacle, and no accessories shall be attached thereto which would be likely to cause damage to the street.

3. A licensed street trader shall not, except for the purposes of supplying artificial light, cause or permit a receptacle used by him to be connected physically in any manner with any other receptacle, or any premises or property.

Provided that any connection for the purpose of supplying artificial light shall be readily detachable.

4. A licensed street trader shall not use a receptacle for street trading exceeding 7 feet in length, 4 feet 3 inches in width and 10 feet in height measured from the ground level.
5. *[no longer applicable]*
6. A licensed street trader shall not place a receptacle in such a manner as to project over the footway and where practicable shall place the receptacle along the curb-line. A receptacle may have an awning or roof projecting not more than 2 feet to the front and 2 feet to the rear of the receptacle (the front of the receptacle for this purpose is the side facing the footway).

Provided that any such awning or roof, including its supports, if any, shall insofar as they so project be in every part not less than 7 feet above the highway, and no articles or things shall be suspended from such awning or roof so as to reduce the headroom to less than 7 feet.

7. *[no longer applicable]*
8. A licensed street trader or a registered street trader shall not cause or permit any article or thing to project beyond or be placed alongside or around any receptacle used by him or be placed above the height of 10 feet measured from ground level.

Provided that the space immediately beneath the receptacle may be used for the deposit of articles or things, provided always that the street gullies are not obstructed thereby.

9. *[no longer applicable]*
10. *[no longer applicable]*
11. A licensed street trader or his assistant, shall when required by an officer of the City of London Police immediately remove his receptacle, articles or things temporarily, for so long a period as may be necessary from the space in front of any premises where their presence unduly obstructs or hinders the approach to or departure from such premises of persons or vehicles.

12. A licensed street trader or his assistant, or registered street trader, shall immediately remove his receptacle, articles or things temporarily for so long as may be necessary if required to do so by an officer of the City of London Police in the event of an emergency or in the exercise by the Corporation of any of their powers and duties.
13. A licensed street trader whilst engaged in street trading shall produce his street trading licence, [...], for inspection when requested to do so by an officer of the City of London Police or by an Inspector appointed by the Common Council of the City of London under the Shops Act, 1950.
14. *[no longer applicable]*
15. A licensed street trader shall cause all refuse, scraps, waste material, litter or rubbish arising from his street trading to be placed in suitable covered containers which shall be supplied by him and shall be kept exclusively for that purpose and he shall cause all such containers to be kept in a reasonably clean state, regard being had to the purposes for which they are provided, and shall cause such containers to be emptied as often as they are full into Refuse Containers provided by the Corporation.
16. A licensed street trader and any assistant shall demonstrate, offer for sale or sell goods only whilst standing at ground level or whilst sitting on a chair, box or other object placed at ground level, the height of such chair, box or other object not being in excess of 20 inches.
17. A licensed street trader shall not use or cause or permit to be used on any receptacle used by him for street trading, any system of lighting which includes any of the following types of equipment:-
 - (a) equipment not readily detachable.
 - (b) electricity leads exceeding five yards in length.
 - (c) candles or other naked lights unless the same are surrounded by a non-flammable and windproof shield.
18. The amount of the charges which the Corporation are authorised to make under Section 19 of the Act for the removal of refuse or other services rendered by them to licensed street traders, in respect of expenses incurred by them in the administration of Part III of the Act, and in the cleansing of that part of Middlesex Street in the City of London in which street trading takes place, shall not exceed *[£15 per week]*.

19. Any person who shall offend against any of the foregoing byelaws shall be liable on summary conviction to a penalty not exceeding [£500] and in the case of a continuing offence, to a further penalty not exceeding [???] for each day during which the offence continues after conviction therefor.

Examined.

(Signed) DESMOND HEAP,
Comptroller and City Solicitor

The Common Seal of the Mayor and Commonalty and Citizens of the City of London was affixed to these Byelaws at a duly constituted meeting of the Court of Common Council held on the 29th day of June, 1967 and in my presence.

(Signed) E. H. NICHOLS.
Town Clerk

The Secretary of State this day confirmed the foregoing Byelaws and fixed the date on which they are to come into operation as the first day of November, 1967.

(L.S.) (Signed) H. B. WILSON.
An Assistant Under
Secretary of State

Whitehall
4th October 1967

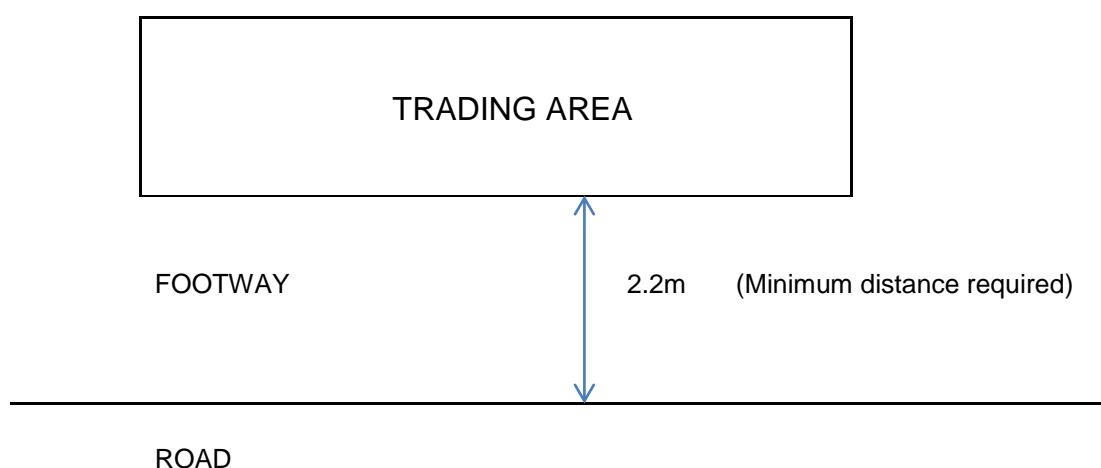
NOTE.

Section 13(2) of the City of London (Various Powers) Act, 1965, is in the following terms.

“(2) A person who is a licensed street trader may, subject to the provisions of this Part of this Act, engage in street trading in that part of Middlesex Street in the City which lies between the junctions of that street with Widegate Street and Sandys Row at any time between the hours of 9 a.m. and 2 p.m. on Sundays other than Christmas Day when that day falls on a Sunday.”

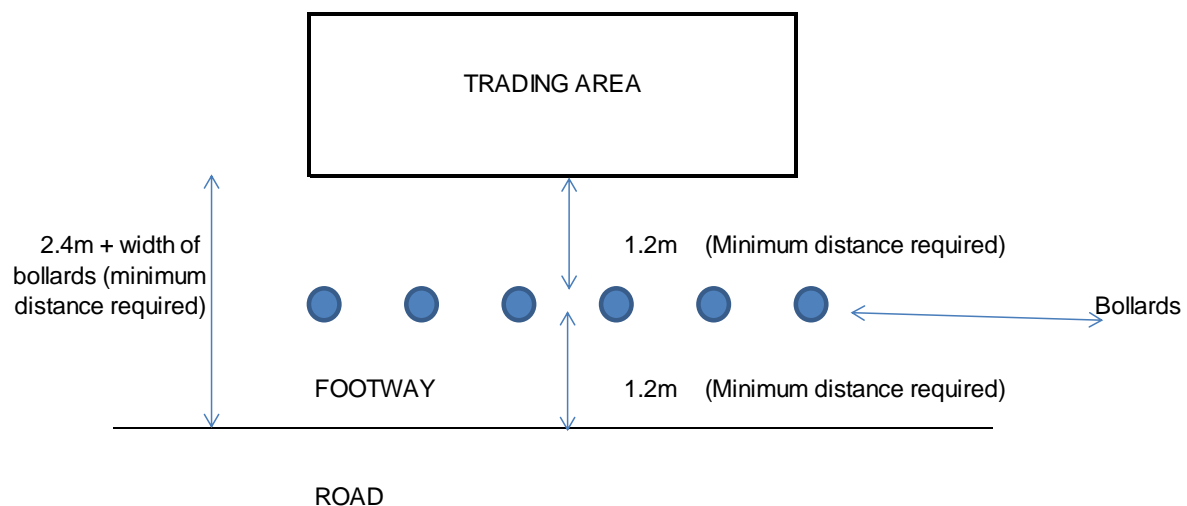
Measurement of Available Footpath

- a) There must be a minimum width of unobstructed footway of 2.0 metres between the edge of the trading area and 200mm from the edge of the footway. The 200mm distance is to allow for the fact that pedestrians cannot be expected to walk on the edge of the footpath.



- b) Please note that the measurement is taken from the edge of the trading area and not the receptacle that may be used for trading. This is to allow for people browsing or queuing at the trader and not interfering with passing pedestrians.
- c) Where pedestrian flow rates are greater than 1200 persons per hour, particularly near a tourist attraction, this distance may be increased taking into consideration the likelihood of pedestrians stopping to observe shop fronts/the attraction etc. There is no exact formula for determining the minimum width of footpath and each case will be determined on its merits. The overriding factor will be the comfort of pedestrians and their ability to pass along the footpath safely.

- d) Where the footpath contains other street furniture such as lamp posts, bollards, parking meters, telephone booths, benches etc., the minimum unobstructed width will be measured between the edge of the trading area and 200mm from the item(s) in question plus the additional distance between the item(s) and 200mm from the edge of the footpath if each distance is not less than 1.2 metres.



- e) The positioning of the trading area should never discourage pedestrians from using the footway. The available pedestrian route must be straight, obvious and unobstructed and not pass through the trading area. An exception may be made where a street market occupies the whole of the Trading Area and the pedestrian route passes through the centre of that market.

Standard Conditions for Middlesex Street Licences

1. The holder of any street trading licence, and any receptacle used for the purpose of street trading, must comply with all relevant road traffic and highways legislation.
2. The holder of any street trading licence, and any receptacle used for the purpose of street trading, must comply with all relevant food hygiene legislation.
3. The licensed street trader shall only trade from a receptacle approved by the Corporation in writing.
4. The licensed street trader shall maintain the receptacle in a clean condition and its structure, where appropriate, shall be kept in good order, repair and condition to the satisfaction of a licensing officer.
5. The licensed street trader shall conduct his business in such manner to ensure that he does not:
 - Cause a nuisance to the occupiers of adjoining property
 - Cause an obstruction to the vehicles or pedestrians using the highway
 - Cause a danger to occupiers of adjoining property or to users of the highway
6. A copy of the licence, suitably protected against the weather, shall be displayed in a prominent position on the stall or vehicle at all times when trading is taking place
7. No process or operation shall be carried out which would give rise to a nuisance by reasons of noise, vibration, smoke or smell.
8. No poster, advertisement, signage or decoration of an unsuitable material or nature shall be displayed, sold or distributed on or about the vehicle or premises. For the purpose of this condition, material is unsuitable if, in the

opinion of an authorised officer of the City Corporation, it is indecent, scandalous, offensive or likely to be harmful to any person likely to apprehend it. Material may also be considered to be unsuitable if it is of such a nature as to distract motorists driving on the highway.

9. Failure to comply with any condition attached to the street trading licence may result in the revocation of that licence

Standard Conditions for Temporary Street Licences

1. The holder of any street trading licence, and any receptacle used for the purpose of street trading, must comply with all relevant road traffic and highways legislation.
2. The holder of any street trading licence, and any receptacle used for the purpose of street trading, must comply with all relevant food hygiene legislation.
3. The licensed street trader shall only trade from a receptacle approved in writing by the Corporation.
4. Trading shall only take place in the area specified on the licence.
5. The licensed street trader may only offer for sale the commodities specified on the licence.
6. The licensed street trader shall maintain the receptacle in a clean condition and its structure, where appropriate, shall be kept in good order, repair and condition to the satisfaction of a City Corporation licensing officer.
7. The licensed street trader shall conduct his business in such manner to ensure that he does not:
 - Cause a nuisance to the occupiers of nearby property
 - Cause an obstruction to the vehicles or pedestrians using the highway
 - Cause a danger to occupiers of nearby property or to users of the highway
8. Refuse storage must be provided adjacent to the trading area. The storage must be of substantial construction and waterproof. The trade waste must be removed at the end of each working day or, if the amount of refuse warrants it, when the container is full, whichever is the sooner.

9. A copy of the licence, suitably protected against the weather, shall be displayed in a prominent position on the stall or vehicle at all times when trading is taking place.
10. No process or operation shall be carried out which would give rise to a nuisance by reasons of noise, vibration, smoke or smell.
11. Nothing in any licence has the effect of granting to the holder any other licence or permissions needed under any other enactment or requirement and the licence holder is specifically advised to obtain such other approvals as may be required.
12. No poster, advertisement, signage or decoration of an unsuitable material or nature shall be displayed, sold or distributed on or about the vehicle or premises. For the purpose of this condition, material is unsuitable if, in the opinion of an authorised officer of the City Corporation, it is indecent, scandalous, campaigning, offensive or likely to be harmful to any person likely to apprehend it. Material may also be considered to be unsuitable if it is of such a nature as to distract motorists driving on the highway.
13. Failure to comply with any condition attached to the street trading licence may result in the immediate revocation of that licence.

Procedure Relating to Seized Items

Goods other than vehicles or perishable goods

- Goods (includes any articles or things) may only be seized if they are to be used as evidence in proceedings for illegal street trading or may be the subject to forfeiture in such proceedings.
- If legal proceedings **have not** been instituted within 28 days of seizure, the goods will be returned to the person from whom the goods were seized before the end of the 28 day period.
- Where legal proceedings **have** been instituted within 28 days of seizure, the goods will be returned to the person from whom they were seized following the conclusion of proceedings.
- If proceedings have been instituted within the 28 day period but discontinued, the goods will be returned to the person from whom they were seized once proceedings have been discontinued.
- Goods will not be returned if the person from whom they were seized, or the owner if different, cannot be identified or refuses to accept them. In these circumstances we will apply to the Courts for a disposal order.
- Goods will not be returned if a forfeiture order is made under section 16C of the 1987 Act.
- Where costs are awarded to the City Corporation following the conclusion of proceedings, and they have not been paid within 28 days of the order for costs being made, goods will not be returned until the costs are paid. In these circumstances, the City Corporation may dispose of the goods and secure the best possible price for them. Where the sum obtained from the disposal of the goods exceeds the costs awarded by the court, the excess shall be returned to the person to whom the goods belong.

Motor Vehicles:

- Vehicles may only be seized if they are to be used as evidence in proceedings for illegal street trading or may be the subject of forfeiture in such proceedings.
- We will make a request to the Secretary of State within 14 days of seizure in order to ascertain the identity of the person from whom the vehicle was seized.

- Where the results of the above request **have been** received by the City Corporation within 14 days of seizure and legal proceedings **have not been** instituted within 28 days of seizure (the 'proceedings period'), the vehicle will be returned to the person from whom it was seized before the end of the 28 day period.
- Where the results of the above request **have not been** received by the City Corporation within 14 days of seizure the 'proceedings period' will be extended to 14 days following receipt of the requested results. In these circumstances, if legal proceedings have not been instituted within the 'proceedings period' the vehicle will be returned to its owner before the expiry of that period.
- Where legal proceedings **have** been instituted within 28 days of seizure, the goods will be returned to the person from whom they were seized, or the vehicle's owner, following the conclusion of proceedings.
- If proceedings have been instituted within the 28 day period but discontinued, the vehicle will be returned to the person from whom they were seized once proceedings have been discontinued.
- A vehicle will not be returned if the person from whom it was seized, or the owner if different, cannot be identified or refuses to accept it. In these circumstances we will apply to the Courts for a disposal order.
- A vehicle will not be returned if a forfeiture order is made under section 16C of the 1987 Act.
- If the vehicle is used for ice cream trading, the owner or registered keeper of the vehicle will be permitted to collect it within three days of notifying us of their intention in writing irrespective of whether legal proceedings are being instituted.
- However, the owner or registered keeper of an ice cream vehicle will not be permitted to collect it if they have been convicted of an offence under s.87 of the 1987 Act (illegal street trading) within three years of the seizure taking place.

Perishable Goods

- Perishable Goods (includes articles or things) may only be seized if they are to be used as evidence in proceedings for illegal street trading or may be the subject of forfeiture in such proceedings.
- Where perishable goods are seized we will give to the person from whom they are seized a notice detailing how the goods may be collected from the Corporation.

- If perishable goods are not collected within 48 hours of seizure the City Corporation may dispose of them. In disposing of perishable goods the City Corporation will secure the best possible price for them. Whilst waiting for perishable goods to be collected the City Corporation will store them at an appropriate temperature.
- If legal proceedings **have not** been instituted within 28 days of seizure, the goods will be returned to the person from whom the goods were seized before the end of the 28 day period (unless disposed of as above)
- Where legal proceedings **have** been instituted within 28 days of seizure, the goods will be returned to the person from whom they were seized following the conclusion of proceedings (unless disposed of as above).
- If proceedings have been instituted within the 28 day period but discontinued, the goods will be returned to the person from whom they were seized once proceedings have been discontinued (unless disposed of as above).
- Goods will not be returned if the person from whom they were seized, or the owner if different, cannot be identified or refuses to accept them. In these circumstances we will apply to the Courts for a disposal order.
- Goods will not be returned if a forfeiture order is made under section 16C of the 1987 Act.
- Where costs are awarded to the City Corporation following the conclusion of proceedings, and they have not been paid within 28 days of the order for costs being made, goods will not be returned until the costs are paid. In these circumstances, the City Corporation may dispose of the goods and secure the best possible price for them. Where the sum obtained from the disposal of the goods exceeds the costs awarded by the court, the excess shall be returned to the person to whom the goods belong
- Where proceedings are not instituted within 28 days of their seizure, and the goods have been disposed of by the City Corporation following non-collection within 48 hours of seizure, compensation may be recovered from the City Corporation by any person who had a legal interest in the goods at the time of their seizure.

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CITY OF LONDON (VARIOUS POWERS) ACT, 1987 (PART III)
APPLICATION FOR A MIDDLESEX STREET TRADING LICENCE

I hereby apply to the City of London Corporation, under Part III of the City of London (Various Powers) Act 1987 for a licence to engage in street trading in Middlesex Street: to be valid until 31 December and supply the following information: -

Please answer all questions in BLOCK CAPITALS

1) FULL NAME AND ADDRESS OF APPLICANT

Name: _____

Address: _____

_____ Postcode: _____

Tel No: (Home) _____ (Work): _____

2)	Date of birth: -----	
3)	Nature of articles and things to be sold or exposed or offered for sale. (These must be precisely defined).	
4)	Type of receptacle or equipment (i.e. stall, trailer, stand, etc.) to be used in connection with street trading. (Not exceeding 7ft x 4ft 3"/ 2.13m x 1.30m per pitch)-	
5)	Location for storage when not trading;	
i)	of articles or things for sale:-	i)
ii)	of receptacle or equipment used in connection with street trading:-	ii)
6)	Do you hold a City of London Corporation Street Trading Licence at present? If so, state	
i)	Licence number	i)
ii)	Pitch number	ii)

7)	Do you hold any other Street Trading Licence or Licences at present? If so, give full details	
8)	Have you ever been refused a Street Trading licence or consent in this or any other area? If yes, give details.	
9)	Do you, or are you involved in any way with any Company or partnership that, own, operate or assist at any retail or wholesale premises at or near Middlesex Street? If yes, give full details.	
10)	Do you understand that you will only be permitted to trade at the pitch prescribed by a Street Trading Licence which may be granted to you and only between the hours of 9am and 2pm on Sundays, and not when that day is also Christmas Day?	
11)	Do you understand that you must also comply with any other legislation which may affect your business, and with Bylaws for the time being in force, which govern street trading within the City?	
12)	I confirm that the £5.00 renewal/application fee has been paid.	

In the event of a street trading licence being granted to me I agree to conform to the conditions in the licence, and to pay such charges as the City of London Corporation may direct for the removal of refuse or other services, for the cost of administration and the cleansing of that part of Middlesex street where the market is held.

Any person who by wilful misrepresentation obtains a Street Trading Licence or the renewal of any such Licence shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Any alterations desired by current traders from the terms and conditions of an existing City of London Corporation Street Trading Licence should be made in writing and enclosed with this application form.

NEW APPLICATIONS will require a £5.00 application fee to accompany this form.

N.B. *(The renewal application fee of £5.00 required from existing traders will be included in the next quarterly invoice and should be paid in the normal way).*

ALL APPLICATIONS will require two passport sized photographs (taken within the preceding twelve months and signed by the applicant on the reverse side), to accompany this form.

I declare that I have checked the information on this application form and to the best of my knowledge and belief it is correct. I further declare that the licence is for my use only.

Signed Date:
(Signature of Applicant)

Completed forms and their enclosures should be returned to:-

**City of London Corporation
Department of Markets & Consumer Protection
Port Health & Public Protection - Licensing Office
P O Box 270
Guildhall
London, EC2P 2EJ.**

Telephone: 020 7332 3406



CITY OF LONDON (VARIOUS POWERS) ACT, 1987 (PART III)
APPLICATION FOR A MIDDLESEX STREET TRADING LICENCE (RENEWAL)

I hereby apply to the City of London Corporation, under Part III of the City of London (Various Powers) Act 1987 for a licence to engage in street trading in Middlesex Street: to be valid until 31 December and supply the following information: -

Please answer all questions in BLOCK CAPITALS

1) FULL NAME AND ADDRESS OF APPLICANT

Name: _____

Address: _____

_____ Postcode: _____

Tel No: (Home) _____ (Work): _____

2)	Date of birth: -----	
3)	Nature of articles and things to be sold or exposed or offered for sale. (These must be precisely defined).	
4)	Type of receptacle or equipment (i.e. stall, trailer, stand, etc.) to be used in connection with street trading. (Not exceeding 7ft x 4ft 3" / 2.13m x 1.30m per pitch)-	
5)	Location for storage when not trading; i) of articles or things for sale:- ii) of receptacle or equipment used in connection with street trading:-	i) ii)
6)	Do you hold a City of London Corporation Street Trading Licence at present? If so, state i) Licence number ii) Pitch number	i) ii)

7)	Do you hold any other Street Trading Licence or Licences at present? If so, give full details	
8)	Have you ever been refused a Street Trading licence or consent in this or any other area? If yes, give details.	
9)	Do you, or are you involved in any way with any Company or partnership that, own, operate or assist at any retail or wholesale premises at or near Middlesex Street? If yes, give full details.	
10)	Do you understand that you will only be permitted to trade at the pitch prescribed by a Street Trading Licence which may be granted to you and only between the hours of 9am and 2pm on Sundays, and not when that day is also Christmas Day?	
11)	Do you understand that you must also comply with any other legislation which may affect your business, and with Bylaws for the time being in force, which govern street trading within the City?	
12)	I confirm that the £5.00 renewal/application fee has been paid.	

In the event of a street trading licence being granted to me I agree to conform to the conditions in the licence, and to pay such charges as the City of London Corporation may direct for the removal of refuse or other services, for the cost of administration and the cleansing of that part of Middlesex street where the market is held.

Any person who by wilful misrepresentation obtains a Street Trading Licence or the renewal of any such Licence shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Any alterations desired by current traders from the terms and conditions of an existing City of London Corporation Street Trading Licence should be made in writing and enclosed with this application form.

NEW APPLICATIONS will require a £5.00 application fee to accompany this form.

N.B. *(The renewal application fee of £5.00 required from existing traders will be included in the next quarterly invoice and should be paid in the normal way).*

ALL APPLICATIONS will require two passport sized photographs (taken within the preceding twelve months and signed by the applicant on the reverse side), to accompany this form.

I declare that I have checked the information on this application form and to the best of my knowledge and belief it is correct. I further declare that the licence is for my use only.

Signed Date:
(Signature of Applicant)

Completed forms and their enclosures should be returned to:-

City of London Corporation
Department of Markets & Consumer Protection
Port Health & Public Protection - Licensing Office
P O Box 270
Guildhall
London, EC2P 2EJ.

Telephone: 020 7332 3406



CITY OF LONDON (VARIOUS POWERS) ACT 1987 (PART III)

APPLICATION FOR A TEMPORARY STREET TRADING LICENCE

I hereby apply to the City of London Corporation, under Part III of the City of London (Various Powers) Act 1987 for a licence to engage in temporary street trading in the City of London.

<i>Please answer all questions in BLOCK CAPITALS</i>		
1.	Full Name and Address of Applicant Name: Address: Post Code:	Tel: No. Home Mobile: Work: Email:
2.	Date of Birth	
3.	Type of Street trading activity proposed and nature of articles and things to be sold or exposed or offered for sale.	
4.	Type of receptacle or equipment (i.e. stall, trailer, stand etc.) to be used in connection with street trading (photograph if possible).	
5.	Area in which it is proposed that street trading will take place (a location plan must accompany this application) See Note 1 below.	
6.	Period (not exceeding twenty one days) for which it is desired that the licence should have effect.	
7.	Particulars of days and times during which trading will take place.	

8.	Is there any proposal to permit by agreement, individuals other than the applicants, to trade under the provisions of any licence granted? See Note 2 below	
9.	Have you ever been refused a Street Trading licence or consent in this or any other area? If yes, please give details	
10.	Do you intend to use generators, other noise making equipment, artificial lighting or intend to play music. If yes, please give details	
11.	Do you understand that you must also comply with any other legislation which may affect your business, and with bylaws for the time being in force, which govern street trading within the City?	

In the event of a Temporary Street Trading Licence being granted to me I agree to conform to the conditions in the licence.

Any person who by wilful misrepresentation obtains a Temporary Street Trading Licence shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

ALL APPLICATIONS must be accompanied by i) two passport sized portrait photographs (taken within the preceding twelve months and signed by the applicant on the reverse side), and, ii) an application fee of £xx.

I declare that I have checked the information on this application form and to the best of my knowledge and belief it is correct.

Signed: Date:

.....
(signature of applicant)

Notes

1. The application must be accompanied by three copies of a site plan, to a scale of 1:50 or larger, which show the precise position of the proposed pitch or pitches to be used for street trading.
2. Where an agreement is proposed between the applicant and any person(s) that provides for such person(s) to become a temporary licence holder by virtue of the temporary licence to which this application relates, you must provide full details of the agreement on the continuation form provided.

Completed forms and their enclosures should be returned to:-
City of London Corporation
Licensing Office
P O Box 207
Guildhall, EC2P 2EJ

CITY OF LONDON (VARIOUS POWERS) ACT 1987 (PART III)

CONTINUATION FORM

**DETAILS OF AGREEMENT WITH PROPOSED
TEMPORARY LICENCE HOLDER(s.11A(4)(f))**

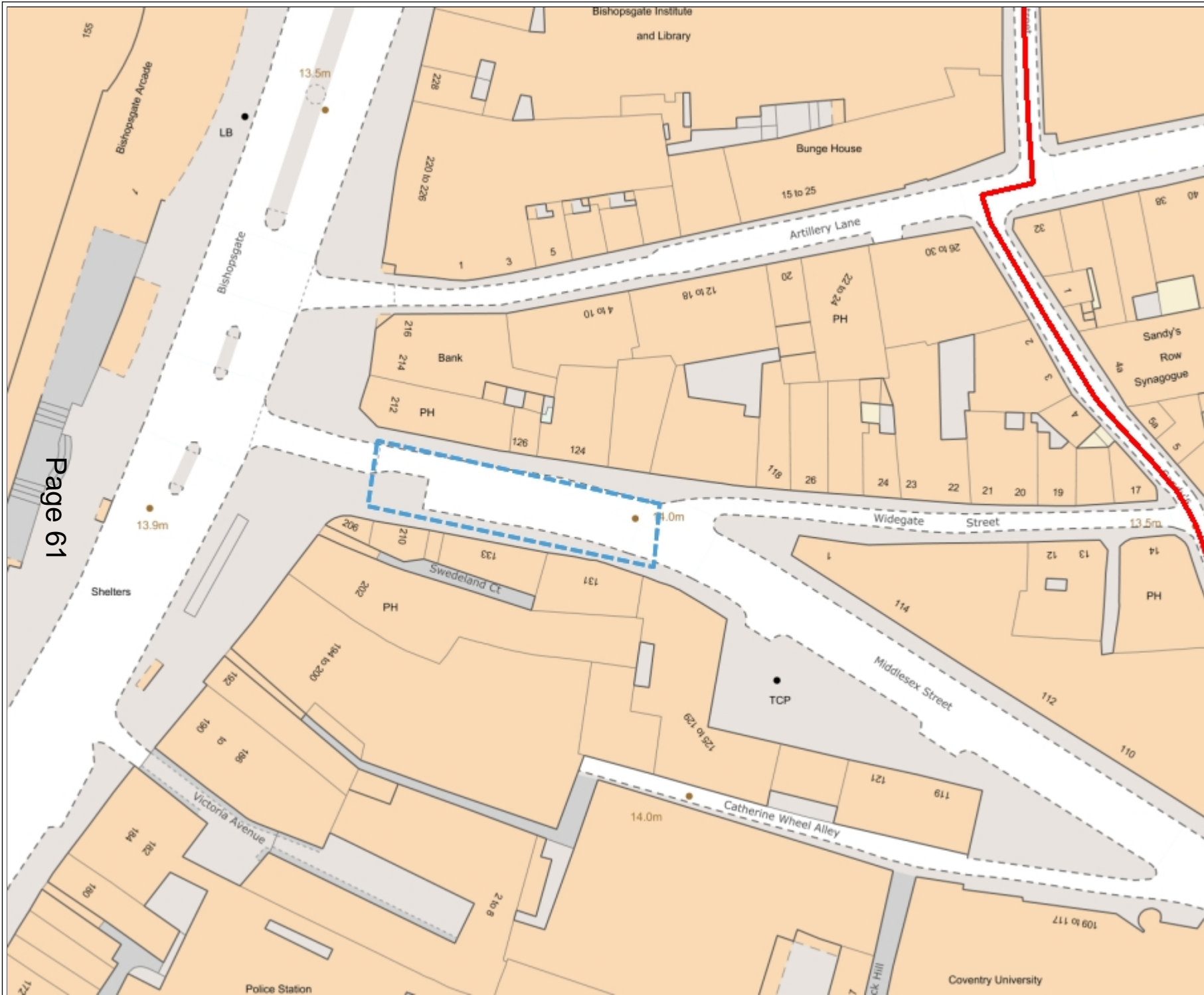
Name of Applicant:

Proposed Trading Dates:

Name(s) of proposed temporary licence holder(s) if different:

Details of Agreement:

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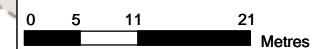


Street Trading Policy - Exemption 1 Area

 City of London
Boundary

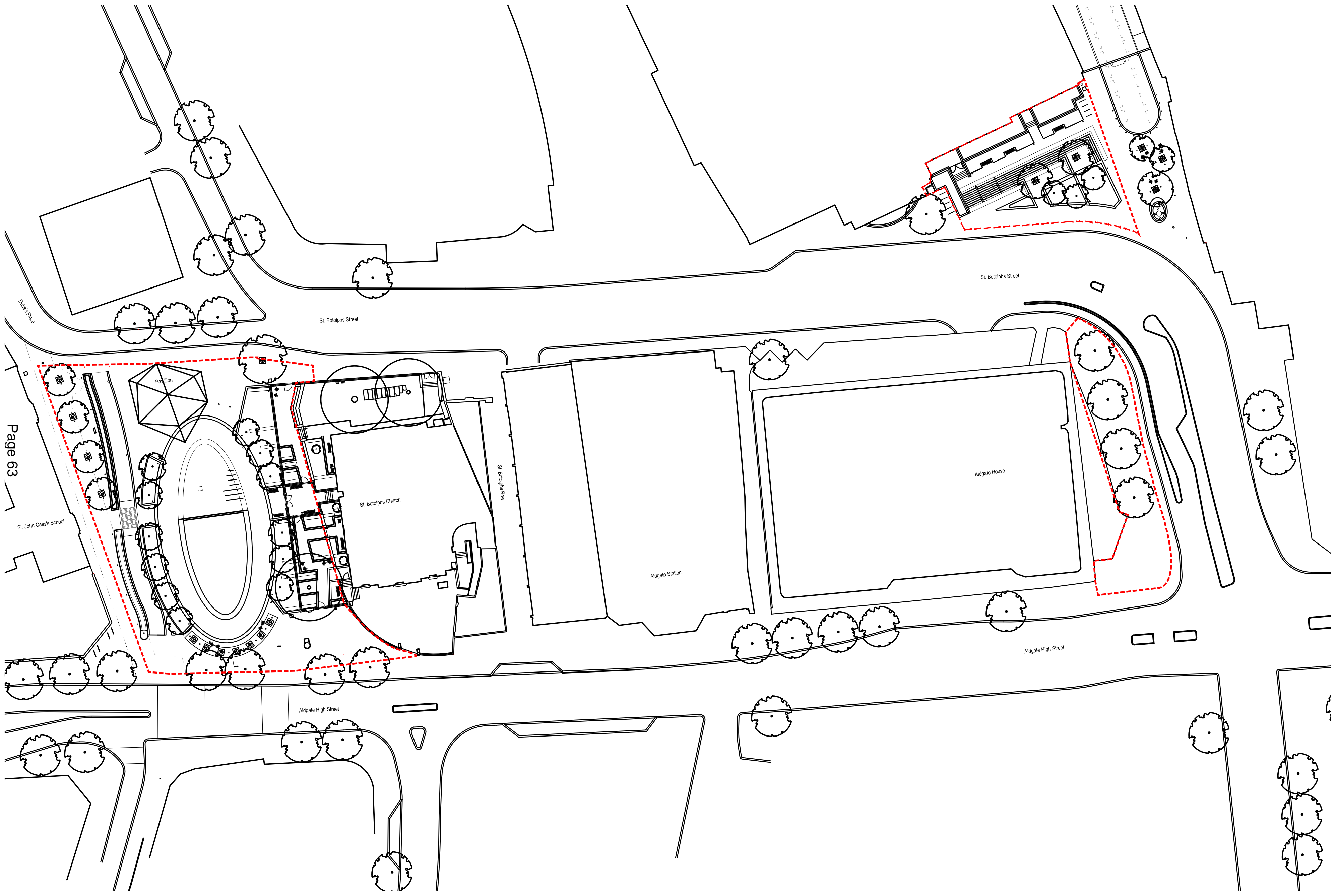
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Peter Davenport

Date Created
18 Oct 2017



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FEES

Middlesex Street Licence

Application Fee (statutory)	£5 (refundable if application not granted)
Annual Fee	£1040 (payable by quarterly invoice)
TOTAL FEE	£1045

(n.b. For persons renewing their licence the £5 application fee will be included in the first quarters invoice.)

Temporary Street Licence

The fee is dependent on a number of factors and will be quoted on receipt of an application form or following discussions with the applicant prior to the application being submitted. Receipt of the full fee will be required before a temporary licence is issued.

The fee will take account of:

- The number of traders
- The size of the trading area
- Whether the trading area has been used before
- The duration of the licence
- Waste disposal arrangements

As an approximate guide the fee will be calculated on the number of officer hours required to manage the application process and ensure licence conditions are being adhered to. This can range from between 1 to 4 hours at £60 per hour.

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Committee(s)	Dated:
Port Health and Environmental Services	21 Nov 2017
Subject: Illegal Street Trading Update	Public
Report of: Director of Markets and Consumer Protection	For Decision
Report author: Peter Davenport - Licensing	

Summary

Following agreement by your committee on 4 July 2017 a number of actions put forward to combat illegal street trading were agreed. This report updates Members on those actions and in particular the additional resources that were recruited and the actions that have been achieved.

Since August 2017 fifty-two illegal traders have been stopped from trading and seven trading receptacles seized including three ice cream vans. Over £5,000 has been awarded in fines and costs from successful prosecutions.

All contracts for the use of temporary staff recruited to combat illegal traders will finish at the end of December 2017. However, additional funding will be sought in order to maintain current enforcement levels.

The report also seeks authorisation to enter a s.101 Agreement with the London Borough of Southwark in order that City Corporation officers can take enforcement action against illegal street traders on the area of Millennium Bridge that falls within the L.B. of Southwark, the area just to the south of London Bridge and the south side of Tower Bridge.

Recommendation(s)

Members are asked to:

- Authorise the City of London Corporation to enter into an agreement under the provisions of S.101 Local Government Act 1972 with the London Borough of Southwark as outlined in paragraphs 18 to 22 of this report.

Main Report

Background

1. The City of London (Various Powers) Act 2013 (the '2013 Act') made changes to the long established street trading regime within the City of London. The 2013 Act introduced, amongst other things, new powers for enforcement officers namely, the power to seize goods being unlawfully sold in addition to the equipment and vehicles used by unlawful street traders.
2. In order to enforce the above legislation Licensing Officers have taken several actions to try and prevent illegal street trading. Since 2009/10 these actions began to eliminate sales of ice cream and other forms of illegal trading, such as the sale of peanuts from trolleys. However, since the end of 2015 and throughout 2016, the illegal traders have become more persistent.
3. Illegal traders are using 'spotters' who relay information back to the vendor as soon as they spot an enforcement officer approach. Many of them are now exhibiting overly aggressive behaviour when an officer attempts to seize their goods and receptacle.
4. A report was submitted to this Committee on 4 July 2017 detailing the many instances of Illegal Street trading since 2009 and the various actions taken by the Licensing Team to prevent this. This Committee agreed a course of action to be taken which included the temporary employment of additional resources.

Enforcement Action Taken Since July 2017

5. On 10 August 2017 a temporary Assistant Licensing Officer was employed to work Saturday and Sunday for two months. His brief was to patrol the bridges within the City of London and other known 'illegal trading' spots to prevent illegal street trading, the main perpetrators being peanut sellers and ice cream vendors. A further Assistant Licensing Officer was recruited on 28 August 2017 on similar terms.
6. On 7 August 2017 a Licensing Officer was recruited for three months partly to act as cover for an officer on long term sick leave but also to support and advise the two Assistant Licensing Officers and to enforce illegal street trading during the week Monday to Friday.
7. The contracts for the two Temporary Assistant Licensing Officers have now expired. The contract for the Licensing Officer has been extended until the end of December 2017.
8. The above 'team' have been patrolling the areas of London Bridge, Southwark Bridge, Blackfriars Bridge, Millennium Bridge, St. Peter's Hill, Distaff Lane, Knight rider Court, St. Pauls Cathedral, Paternoster Row, Water Lane and Thames Path (Blackfriars Bridge to Tower of London).
9. Since the recruitment of additional resources, the following actions have been achieved:

- 31 days of enforcement
 - 52 illegal traders stopped
 - 3 ice cream vans seized (Albeit the vans have to be returned on request where the owner has not been convicted of an offence under the Act within the previous three years)
 - 4 peanut trolleys seized
 - 13 traders prosecuted (including those still pending)
 - 6 prosecutions still pending (Criminal Behaviour Orders to be sought on all six prosecutions)
 - 14 of the last 17 inspection days no illegal trading was found
 - No ice cream vendors seen since 2 September 2017
10. Of the seven successful prosecutions to date the following fines have been awarded:
- Fines £2120 plus one conditional discharge
 - Costs £3216
 - Victim Surcharge £180
 - TOTAL £5516
11. On the thirty-one enforcement days peanut sellers were witnessed on the Southwark side of Millennium Bridge on thirteen occasions.

Other Actions taken since July 2017

12. Legal opinion was sought as to the most effective way to tackle illegal street trading. As a result, criminal behaviour orders will be sought where there is sufficient evidence to merit such an application.
13. Body worn video is being sought for members of the Licensing Team and will be in place during December 2017.
14. Discussions have been held with Safety teams and the Fire Service to see if they can assist in the problem of illegal street trading. Unfortunately, neither service has the resources to commit on a regular basis.
15. Discussions are at an advanced stage with the London Borough of Southwark and an agreement for City Corporation Licensing Officers to tackle illegal traders on the south side of the Bridges is expected by the end of November 2017. Agreement in principle has been given and formal Section 101 agreements are being drawn up by the respective legal teams. Formal approval for the Section 101 Agreements will be required. (see paragraphs 18-22 below).

16. Police assistance is sought on every occasion that goods and/or receptacles are to be seized. Police assistance to date has been instrumental in the seizures that have taken place to date however, no guarantee of assistance can be given due to more pressing Police priorities.
17. Discussions have also been held with the London Borough of Tower Hamlets in order that City Corporation Licensing Officers can enforce illegal trading on the north side of Tower Bridge. Enforcement on the south side is to be included in the agreement with Southwark.

Actions to be taken under the Local Government Act 1972 (s.101 Agreements)

18. To enter into an agreement made under s.101 of the Local Government Act 1972 between the City of London Corporation and the London Borough of Southwark for authorised officers of the City Corporation to discharge the L.B of Southwark's function under s.38 and s.38A, B and C of the London Local Authorities Act 1990.
19. The area within the L.B. of Southwark to which the agreement is to apply will be:
 - The south side of Millennium Bridge (to include the area to the end of the steps and ramp attached to the bridge).
 - An area to the south-east of London Bridge (entering the shopping conclave on the route to the station).
 - The south side of Tower Bridge (to include some of the paved areas under the bridge).
20. The above areas are approximately depicted on photographs which can be seen as Appendices 1 to 3. The exact areas are subject to minor amendment and final agreement by officers from the City Corporation and L.B. of Southwark.
21. The sections referred to in paragraph 18 will permit officers of the City Corporation to enforce unlicensed street trading, to seize goods and receptacles used in street trading, to seek disposal orders and take appropriate action if obstructed in those areas referred to in paragraph 19.
22. To enter into a reciprocal agreement permitting authorised officers of the L.B. of Southwark to similarly prevent unlicensed street trading under s.16(1) and s.16A to G of the City of London (Various Powers) Act 1987. The areas to which this reciprocal agreement is to apply will be the north side of Millennium Bridge and the whole of London Bridge.

Future Actions

23. To continue discussions with the L.B. of Tower Hamlets with the aim of entering into a similar s.101 Agreement to cover the north side of Tower Bridge.
24. Seek funding for additional resources in order to maintain the current level of enforcement once the contracts for all temporary staff have finished.

Corporate & Strategic Implications

25. There are no Corporate and Strategic Implications.

Financial Implications

26. The total cost of the temporary additional resources and enforcement actions to date is:

- 2 x part time Assistant Licensing Officers = £9,000
- 1 x Licensing Officer (time spent on illegal trading) = £7,000
- Legal Advice = £1,000

27. The above sums have been met from the Licensing Service's local risk budget.

Appendices

1. Photograph depicting approximate Agreement area on Millennium Bridge.
2. Photograph depicting approximate Agreement area on London Bridge
3. Photograph depicting approximate Agreement area on Tower Bridge (south side only).

Background Papers

Committee Report – Illegal Street Trading (4 July 2017)

Peter Davenport

Licensing Manager

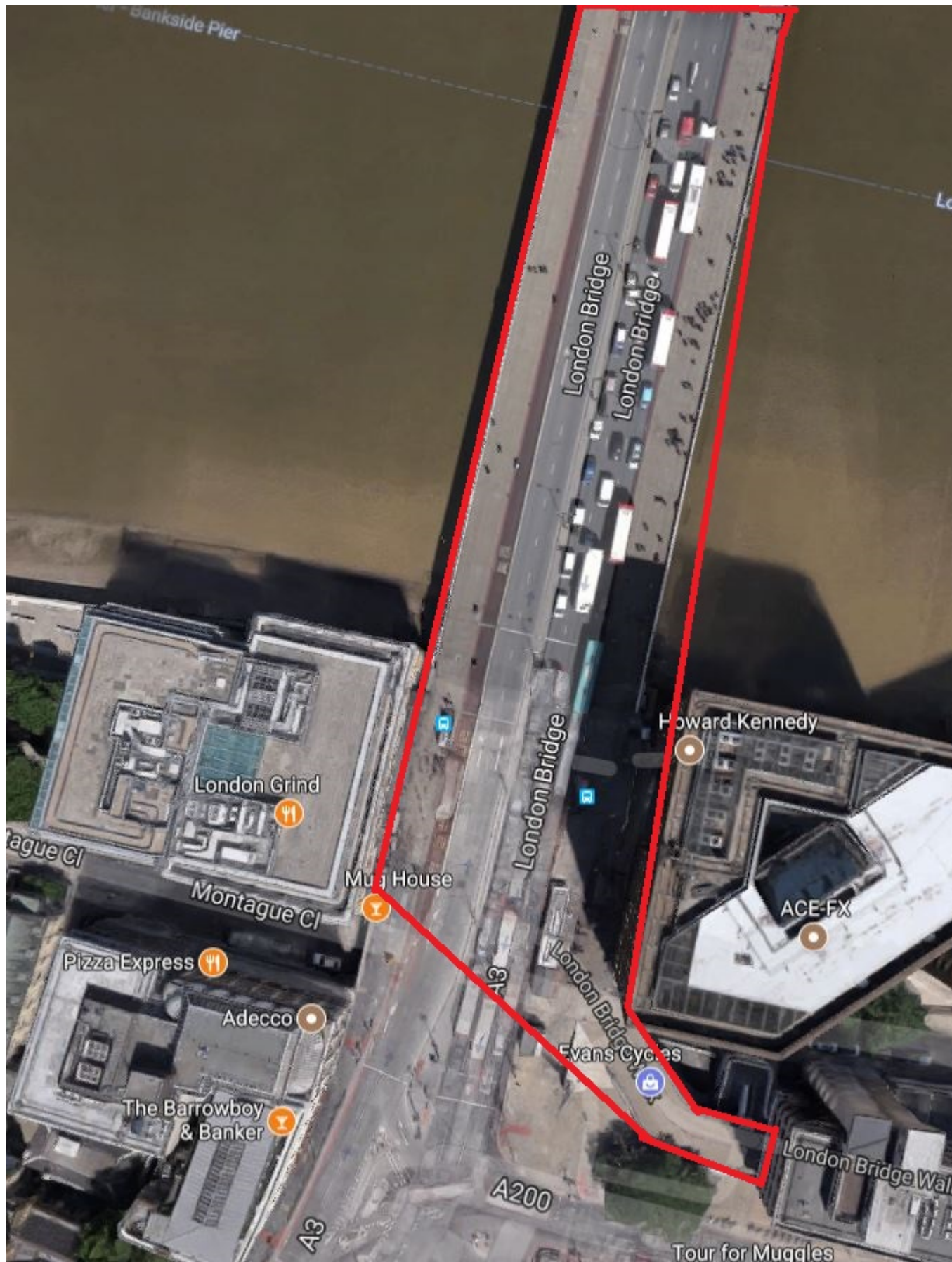
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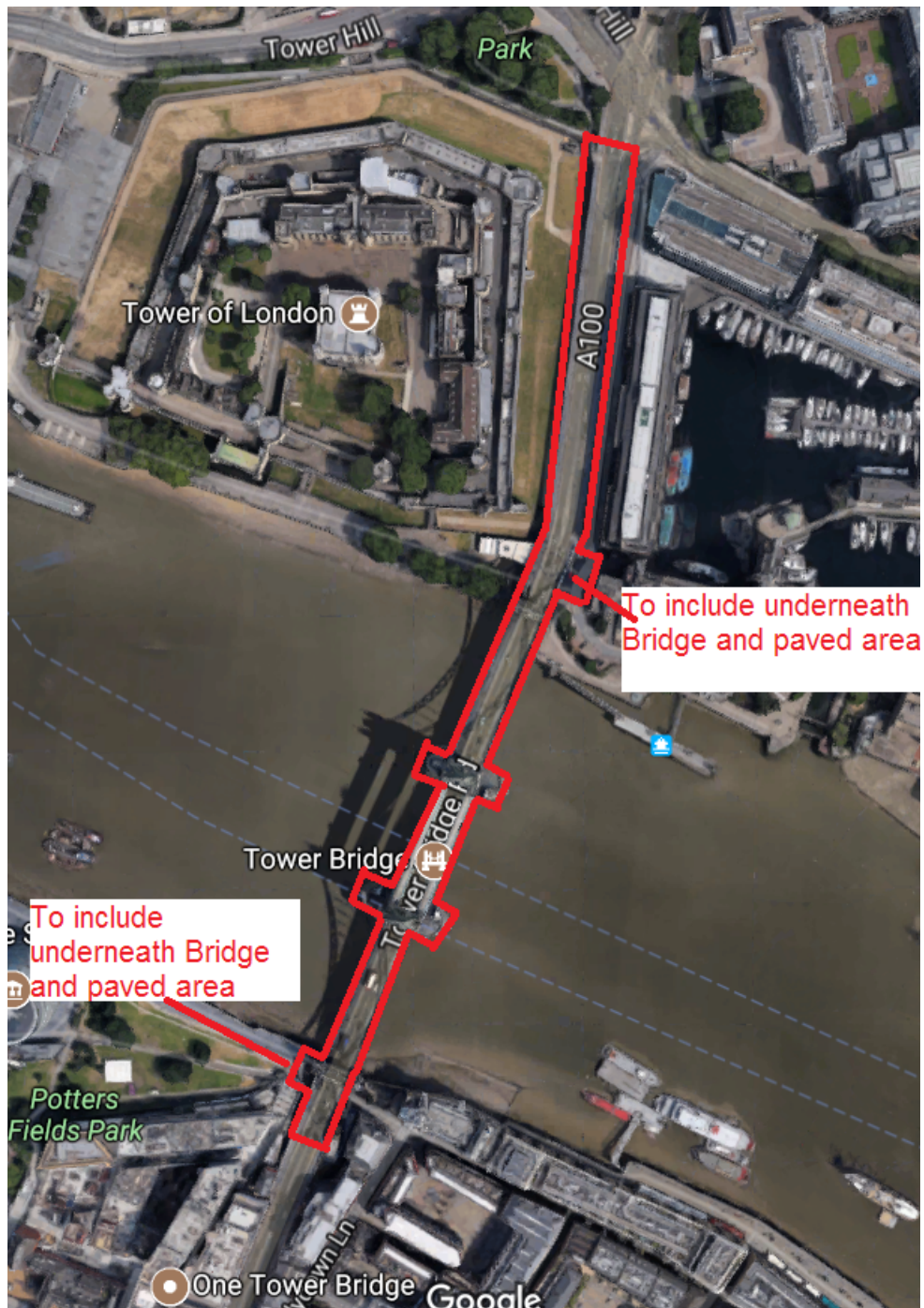
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Committee(s)	Dated:
Port Health and Environmental Services Committee	21 November 2017
Subject: 45 th City of London Thames Fishery Research Experiment 2017	Public
Report of: Director of Markets and Consumer Protection	For Decision
Report author: Jon Avern, Port Health & Public Protection Director	

Summary

The purpose of this report is to inform your Committee of the outcome of the 45th City of London Thames Fishery Research Experiment which took place on Saturday 21 October 2017 along the foreshore of the River Thames, downriver from the Port Health Lower Thames Office in Denton, Gravesend.

Recommendation(s)

Members are asked to:

- Note the content of this report
- Review and approve the grant from City's Cash to partially fund the 2018 event
- Approve the 46th City of London Thames Fishery Research Experiment to take place in 2018

Main Report

Background

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

4. Judging is based on the greatest variety of fish caught and the scoring system rates fish according to scarcity and significance in the context of a cleaner river.

Current Position

5. On Saturday 21 October 2017, 64 adult anglers representing eight teams competed for the Lady Howard Trophy which was awarded to the team with the highest score. Additionally, school teams consisting of five pupils each from the City of London School for Girls and Gravesend Grammar School competed for the School's Trophy. Details of all the competing teams are shown in the summary of results provided in the Appendix to this report.
6. Prizes were also awarded for the largest/ best fish, the best individual catch by an adult and by a member of a school team. In addition, the angler with the overall catch judged to most demonstrate the continuing health and improvement of the River Thames was presented with the Biodiversity Award.
7. Fishing took place between 09:00 and 13:00, and was followed by judging of the largest/best fish by the TAPS. Competitors and guests then gathered in a marquee for lunch and the presentation of awards by esteemed guests. Commemorative badges were presented to all newcomers by your Chairman.
8. The event was attended by:
 - The Lord Mayor of London, Alderman Dr Andrew Parmley, and the Lady Mayoress, Mrs Wendy Parmley
 - Chief Commoner, Mrs Wendy Mead OBE
 - Chairman of Policy and Resources Committee, Deputy Catherine McGuinness
 - Members of the Port Health and Environmental Services Committee
 - Sir David and Lady Valerie Howard
 - Alderman and Sheriff Timothy Hailes
 - Sheriff Neil Redcliffe
 - Sheriff's Consort, Mrs Fiona Adler
 - The Mayor and Mayoress of Gravesham, Cllr Harold and Mrs Veronica Craske
 - Mr Mike Williamson, Master of the Water Conservators' Company

Results

9. 95 fish were caught this year. This was lower than the previous year's total of 135 fish. However, the number of species remained the same at 6 in each year.
10. Details of the fish caught were recorded by stewards and points were awarded based on the recognised scoring system.

Number Caught	Species	Minimum Size		Maximum Size	
		cm	inches	cm	inches
14	Bass	17	6.7	45	17.7
1	Dab	25	9.8	25	9.8
1	Eel	27	10.6	27	10.6
9	Flounder	16	6.3	28	11.0
2	Sole	31	12.2	33	13.0
68	Whiting	14	5.5	32	12.6

Feedback from stakeholders

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

The Institute of Fisheries Management

12. In 1992, the Environment Agency devised the modern Thames estuary fish survey programme, which became the national role model to meet the requirements of the Water Framework Directive. Historic data sets are invaluable in the context of understanding how fish ecology functions in highly dynamic places such as estuaries.
13. Before that work began, the only historic data sets that existed in the Thames were from power station intakes, most now closed. The Thames Fishery Research Experiment, with its long and consistent history back to 1973, stood out as a best practice example.
14. The Institute promotes and encourages more sustainable fisheries management. This has to be based upon a sound evidence base. Estuaries are some of the most productive ecosystems on the planet, supporting major marine fish nursery grounds as well as acting as vital migration corridors for a broad range of life stages and species. However, they are also highly dynamic, with most fish moving continuously in response to rapidly changing flows, salinity, temperature and their own seasonal rhythms. Long term data sets are vital to our growing understanding. The Thames Fishery Research Experiment remains a best practice example for others to follow.

The recreational angling community

15. The water temperatures on 21 October were higher than average for the time of year which explains why approximately one third of the fish landed were those normally associated with the summer seasons. In fact, during the same week, in the lower reaches of the Thames, anglers saw increased numbers of mackerel and some rare visitors such as squid and anchovy.

16. It was encouraging to see a healthy number of small bass being landed. It has now been confirmed that bass are truly endangered throughout the UK so it is pleasing to see reasonable numbers of juveniles frequenting the middle Thames. This confirms the importance of the marine habitat found at Gravesend which supports this important species.
17. Participants in this year's experiment encountered some of the most challenging fishing conditions seen in its history. Fishing commenced following a low tide, and anglers had, therefore, expected that a long cast would be required to reach the water for the first hour. However, a combination of a spring tide and a strong south westerly gale across the area compounded in slowing the flood tide and extending the time for which long casting was necessary. Occasional heavy rain showers did not improve conditions. Nonetheless, those who persevered were rewarded with fish.
18. During the event, anglers continued to apply best practice in fish handling skills resulting in reduced mortality, particularly with whiting, which tend to be a little fragile.
19. Across the country, increasing numbers of local people are taking part in what are being described as 'citizen science' projects. These involve members of the public working alongside marine scientists to assist in data collection for research. It could be said that the City of London Thames Fishery Research Experiment, now in its 45th year, is one of the oldest such projects of this type in the UK.
20. Using the method of sea angling to demonstrate the health of the river not only helps to prove the variety and numbers of the visiting species, but also engages a large group of individuals who are eager to play their part in gathering data for the experiment.

Financial summary

21. Funding was provided through a grant of £5,332 from City's Cash, together with anticipated contributions of £750 from the Fishmonger's company; £225 from the Port of London Authority; £500 from Thames Water; and £500 from Tideway (Thames Tideway Tunnel). The latter two contributions were offered following a direct approach to both organisations earlier this year.
22. The total cost of this year's event was £8,946 and the projected cost to my local risk budget is therefore £1,639 (£369 more than in 2016). These figures do not include staff costs or use of in-house resources.

Proposals

23. The March 2016 Policy and Resources Committee agreed the transfer of funding commitments from Finance Grants Sub Committee to the relevant Committees for ongoing administration.

24. As a result of this transfer, your Committee is required to review and approve the annual grant from City's Cash (currently £5,332) to deliver the Thames Fishery Research Experiment.
25. I propose that your Committee approves the continuation of funding from City's Cash towards this event, which provides valuable scientific information and supports the angling community, so that the 46th City of London Thames Fishery Research Experiment may take place in 2018.

Corporate & Strategic Implications

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

Conclusion

28. The 2017 City of London Thames Fishery Research Experiment was a successful event which was well supported and received by Members and guests. It again provided valuable data and information to associated organisations and the recreational angling community.

Appendices

- Appendix – Summary of Results

Jon Averns

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45th City of London Thames Fishery Research Experiment Summary of Results

Lady Howard Trophy

Place	Team	Fish Caught	Points
1	Essex County Anglers	27	195
2	Kent Angling Team	15	105
3	PLA Angling Team	12	90
4	Public Services Angling Team	15	83
5	Charles Stanley Angling Team	12	80
6	Thamesiders Angling Team	6	30
7	City of London Invitation Team	3	25
8	Port Health and Environmental Services Committee	0	-

School's Trophy

Place	Team	Fish Caught	Points
1	City of London School for Girls	4	20
2	Gravesend Grammar School	1	15

Adult Individual Competition

Place	Name	Team	Fish Caught	Points
1	Barry Cowell	Essex County Anglers	7	65
2	Graham Bolton	Essex County Anglers	7	45
3	Louie Smith	Kent Angling Team	4	40
4	Barry Graves	Essex County Anglers	3	35
=5	David Day	PLA Angling Team	3	25
=5	Guy Yea	Public Services Angling Team	5	25
=5	Mick Sharp	Essex County Anglers	5	25
=5	Neville Broad	Charles Stanley Angling Team	5	25

Student Individual Competition

Place	Team	Fish Caught	Points
=1	City of London School for Girls	3	15
=1	Gravesend Grammar School	1	15
2	City of London School	1	5

Biodiversity Award

The catch, which in the judges' opinion, best demonstrated the continuing health and improvement of the River Thames was awarded to Graham Bolton of Essex County Anglers (1 bass, 3 flounder and 3 whiting).

The Fishmongers' Cup

The best single fish was judged to have been a 45cm bass caught by Simon Clarke of the PLA Angling Team.

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Committee(s)	Dated:
Planning & Transportation Committee – for decision Port Health & Environmental Services – for information and comment	12 December 2017 21 November 2017
Subject: Introduction of Emission Based Tariffs for On-Street Parking & Cashless Parking	Public
Report of: Director of the Built Environment	For Decision

Summary

This report recommends the introduction of a new tariff for on-street parking charges based on variable charging according to their emissions. The report proposes a lower charge for electric (other zero emission capable vehicles), a medium charge for newer petrol and diesel vehicles and a higher charge for more polluting older petrol & diesel vehicles. The aim being to promote the issue and, in some small way, encourage motorists to use more environmentally friendly vehicles. It is proposed to introduce the new tariff in the first quarter 2018/19 allowing for statutory notification and system changes to be made.

In addition, the report recommends the implementation of cashless parking across the majority of the City with a significant further removal of Pay & Display (P&D) machines, only retaining those machines at locations where cash continues to be a popular method of payment.

Members are reminded that a six-months cashless parking trial was implemented in May 2017 so adverse reaction and equalities impact of removing the option of paying cash for on-street parking could be monitored. This report also outlines the successful outcome of that trial, which was introduced in the vicinity of Guildhall.

This report also advises that in future those wanting to pay using coins will be required to pay the higher charge regardless of vehicle type which it is hoped will encourage more payments by phone and as a result an opportunity to remove more P&D machines as they become redundant.

Recommendation(s)

Members are recommended to agree to:

Emission Based Tariff-

- Commence the statutory process for the introduction of a new tariff structure for on-street parking charges based on vehicle type and emissions as outlined paragraph 11 of this report.

Cashless Parking –

- Remove most of the Pay & Display machines for on-street parking payments in the City with the exception of those locations that continue to receive a relatively high level of cash payments, and commence the statutory process to remove the convenience fee of 20p currently applied to each mobile phone parking transaction .
- Delegate to the Director of the Built Environment authority to consider all consultation responses and representations in response to the proposal to introduce a new tariff structure and to determine whether or not to make the necessary Order (subject to being satisfied that no major new issues or significant public concern has arisen during the consultation process). If major new issues or significant public concern have arisen the decision whether or not to introduce the new tariff structure and remove the convenience fee will be brought back to Planning & Transportation Committee.

Main Report

Introduction of New Emission Based On-Street Parking Tariff

Background

1. As part of the Service Based Reviews, Members agreed in February 2015 to increase the hourly rate for on-street parking (P&D) from £4 to £4.80 (purchased in blocks of 15 minutes at a cost of £1.20 each). This increase was implemented on 6 April 2015 and no further increases have taken place since this date. This report recommends the introduction of an emissions based tariff for on-street parking charges to help incentivise motorists to use more environmentally friendly vehicles and promote awareness of the issue generally.

Emissions Based On-Street Parking Charge

2. Improving air quality is one of the Corporation's major objectives and an increasing concern for residents and businesses. Current levels of pollution negatively affect the health of the City's population and in turn its status as global city and leading economic and commercial centre.
3. The current City of London Air Quality strategy was introduced in 2015 and seeks to reduce exposure to pollution through transport related initiatives and raising awareness of air quality issues. There are 10 policy areas, one of which is to seek opportunities for a significant reduction in emissions associated with road traffic in the Square mile.
4. Parking policy plays a key role in supporting the City's initiatives to improve air quality through the issue of Penalty Charge Notices for idling engines (coaches), and provision of electric vehicle charging points installed in City off-street car

parks. The introduction of emissions based tariff for on-street parking is another measure aimed at improving air quality.

5. Diesel is considerably more polluting than petrol. In particular older diesel vehicles (pre 2015) and older petrol vehicles(pre 2005) generally generate the highest pollution. The introduction of emissions-based on-street parking charges, (where in essence “the polluter pays”) is aimed at encouraging greater use of electric vehicles and other zero emission capable vehicles, at the same time as reducing fossil fuel combustion to create a cleaner, healthier environment. Raising parking tariffs and introducing emissions-based tariff not only manages demand and encourages other modes of travel but is also expected to assist in discouraging use of higher polluting vehicles.
6. Fuel type charging has already been introduced in Westminster and it is believed that other neighbouring authorities such as Islington and Camden will soon follow suit. The Mayor of London has also introduced a surcharge on older polluting vehicles driving into the Congestion Charging Zone. Through the adoption of similar initiatives, the City not only aims to reduce pollution levels but also avoid the risk of drivers of older diesel and petrol vehicles choosing to park in the City to avoid higher emission based charges already introduced by neighbouring authorities.
7. RingGo (Cobalt Technologies Ltd) replaced the previous provider for mobile phone parking (PaybyPhone) on 2 March 2017 following a competitive tendering exercise that took place in January 2017. Over 96% of all on-street parking payments are now made using mobile phone technology.
8. The service provided by RingGo can be adapted to allow automatic vehicle checks to be undertaken. In summary the mobile phone payment system can be modified to allow real time DVLA look ups for each vehicle, and depending on fuel type and age apply the relevant charge. The RingGo system can be re-configured to make this adjustment at a cost of approximately £65,000 (first year) and £54,300 for annual licence and operational fees in subsequent years.
9. The number of motorists opting to pay for parking in the City using the traditional P&D machine has significantly reduced in recent years, although there are some areas that continue to have a relatively high intake of coin as outlined in the attached appendix. The P&D machines do not have the mechanism or sophistication to distinguish different types of vehicle e.g. those that are electric, petrol, or diesel as there is no DVLA look up facility in the same way as the mobile phone payment option. Drivers wanting to pay by cash using a P&D machine will therefore have to pay the higher rate of payment, although drivers can opt to pay the discounted parking charge through the RingGo system. This position is likely to encourage more customers to pay for parking using mobile phone.
10. Civil Enforcement Officers contracted by Indigo Parking UK Ltd will use existing systems to determine if correct payment has been made through the RingGo system or alternatively by the Pay & Display ticket displayed on the dashboard of

the vehicle. No special enforcement equipment is required and no change in enforcement procedures is necessary.

Proposal

11. It is intended to introduce a variable car parking tariff regime broadly in line with the Mayor of London's Ultra low Emission Zone (ULEZ) criteria which he advises will now be introduced in April 2019. The Mayor's scheme penalises non ULEZ compliant vehicles entering central London. That is for diesels those non Euro 6 compliant (typically built prior to 2015) and for petrol those non Euro 4 compliant (typically built prior to 2005).
12. The following table illustrates the proposed tariff structure based on vehicle classification e.g. electric/hydrogen/hybrid, petrol (pre/post 2005) and diesel (pre/post 2015). Data on the percentage of vehicles in each category of charging is indicative and has been taken from another central London authority that has already introduced a similar tariff structure provided by RingGo:

Vehicle Type	Electric/ hydrogen/ hybrid Vehicle* (20p per 15 min reduction)	Petrol 2005 onwards (increase 10p)	Diesel (2015 onwards (increase 10p)	Diesel (prior to 2015), petrol (prior to 2005) & payment at P&D Machine (increase 50p)
15 minutes	£1.00 per	£1.30	£1.30	£1.70
Per hour	£4.00	£5.20	£5.20	£6.80
% of Vehicles in each classification	5%	36%	26%	33%

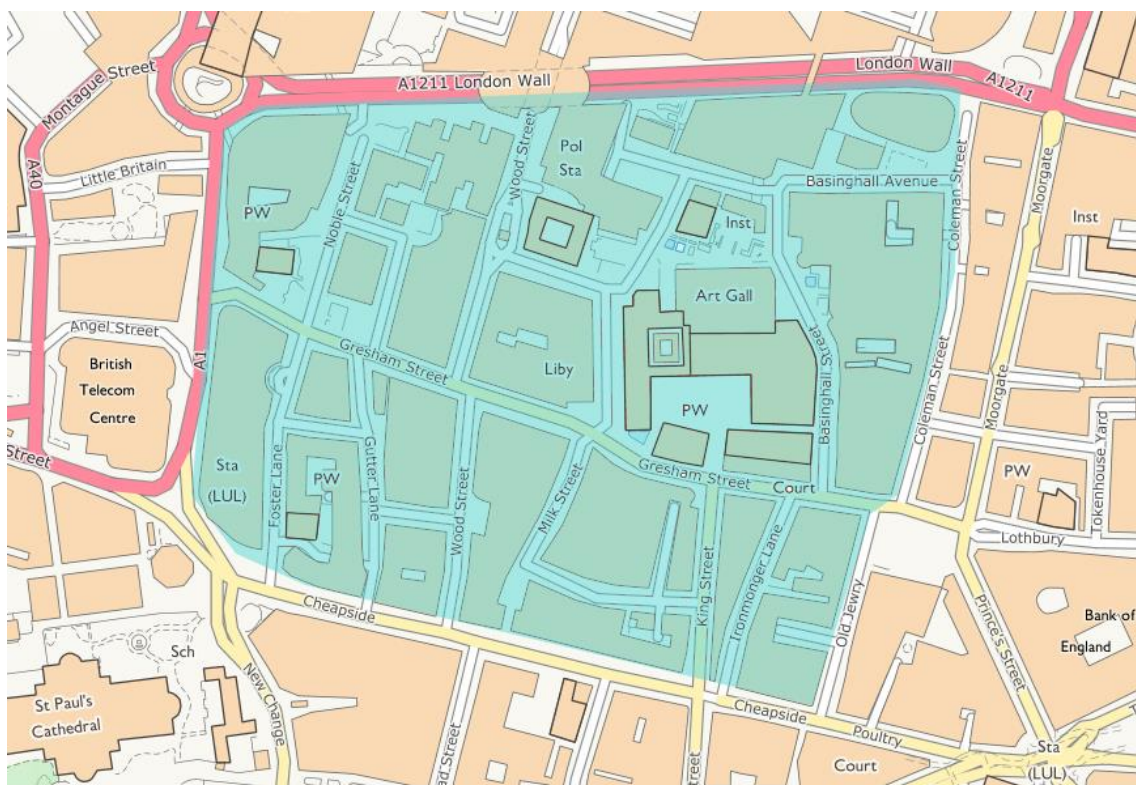
*Current level of parking charge applies

13. The charges above reflect a proposed 20p per 15 minute reduction in the current tariff to help incentivise use of 'Zero Emission Capable' vehicles.
14. The tariff structure is based around the forthcoming ULEZ charging categories as explained above. This provides a common position with the Mayor's ULEZ scheme and therefore, should be more readily understood by drivers.
15. It should be noted that this policy change may result in a move towards greater use off street parking which is in line with current policy of encouraging 'off street' rather than 'on street' parking. However it is proposed to explore a similar approach for our 'off street' car parks in due course, although it is known that this is not currently possible due to the limitations of existing equipment.
16. It is proposed to introduce the new emissions based tariff on 2 April 2018. This proposed date will allow for the statutory consultation process to take place, the implementation of a comprehensive communication strategy, robust testing of new systems and contractual changes to be made to third party providers i.e. RingGo.

Cashless Parking

Background

17. Members are reminded that at their Committee on 10 March 2016, it was agreed to retain a cash option of payment for on-street parking charges through the Pay & Display (P&D) machines. It was also agreed to review the number of P&D machines at locations where cash payments were low with a view to reducing provision where this was practical. In addition Members asked that a cashless parking trial be introduced to determine the impact on users of removing a cash option for parking payments.
18. Whilst industry advice recommends that local authorities in England and Wales should continue to offer customers the option of paying for parking using cash, the success of mobile phone parking in the City means that over 96% of all parking payments are now made using this method with a minority of customers still opting to pay by cash.
19. In the last 18 months 41 P&D machines have been removed or taken out of service (including those for the cashless parking trial). There are currently 75 still in operation including chip & pin enabled machines located in coach bays. As the majority of machines are now more than 10 years old and approaching the end of their useful life, a programme of machine upgrade was agreed in 2016 (Planning & Transportation Committee 4 October 2016) with 22 machines replaced at those locations that take a relatively high level of cash payments. The upgrade of these machines was successfully completed in March 2017.
20. A cashless parking trial was introduced on 15 May 2017 in the vicinity of Guildhall to test the impact of a mobile phone payment only arrangement. Since its introduction, only one customer complaint has been received suggesting that the negative impact of withdrawing the option of paying by cash is minimal. P&D machines were not removed as part of the trial, but taken out of service with signage installed to indicate to customers that payment must be made by mobile phone.
21. The streets that are incorporated into the trial are outlined in the map below:



22. There are 26 locations (served by 36 P&D machines including coach bays) in the City where payment by cash continues to be relatively high and as such there is strong justification for continuing to offer customers a cash payment option through the provision of Pay & Display machines (P&D) at these locations. These locations are outlined in the attached appendix and tend to be on the City fringes near residential areas, around the Temple and Liverpool Street station.

Convenience Fee

23. The mobile phone payment contract with RingGo is operated at no cost to the City as the convenience fee covers the cost of providing the service and is added to the parking charge paid by the customer. If an extensive rollout of cashless parking took place, there is arguably no justification in continuing with the convenience fee as motorists would have no other payment option (with the exception of those locations that might continue to be served by P&D machines as outlined in the appendix). It is therefore proposed to remove the convenience fee at the same time as introducing the new tariff.

24. Members are also advised that there are plans to ban credit and debit card surcharges on Visa and Mastercard payments from January next year following a directive from the European Union. Whilst the 20p convenience fee is not a surcharge on the card payment but a charge to cover the cost of providing the service, by continuing to add a convenience fee to a mobile phone parking payment is likely to attract adverse reaction from drivers.

25. At present the income generated from the convenience fee is approximately £100,000 pa.. However with the proposed changes in the tariff for on-street parking, including the introduction of a higher charge for more polluting vehicles, the additional cost of no longer applying the convenience fee is expected to be off-set by an increase in revenue raised from the parking tariff review. Details of this are outlined further in the report.
26. P&D machine maintenance costs for 2017/18 are budgeted at £54,000, with additional costs of around £5,000 for consumables and £18,000 for cash collection services. Although long-term machine maintenance costs will be reduced with the removal of the majority of P&D machines, they will not be eliminated altogether with an element of costs for maintenance, consumables and cash collection remaining for the small number of machines still in operation..

Risks

27. Although mobile payment technology is popular and a high number of customers use the RingGo service, removing a high number of P&D machines and limiting the options to pay by cash at most locations in the City introduces risk and vulnerabilities. However this proposal still retains an element of cash payment for on street parking, and cash payments continue to be offered in the City's off street car parks.
28. Whilst the RingGo service is reliable with a current system availability of 99.9%, without a cash alternative the system is not fully resilient. The system of payment is also dependent on customers having a mobile phone that works across all locations and does not take into account variances in mobile phone coverage e.g. "black spots" that exist in the City.
29. On a national basis, cash continues to be the preferred payment option for parking and few local authorities have moved to a fully mobile payment solution. Removal of paying by cash to a mobile only payment solution is dependent on having a valid credit or debit card, and a working mobile phone. The outcome of an Equalities Impact Assessment highlights this as a minimal risk.
30. Whilst street clutter in the City would be reduced through the removal of P&D machines, additional on-street signage is required to show tariff information, conditions of use and indicate the payment method. The costs associated with this have been estimated to be in the region of £20,000, which can be met from local risk funds.

Corporate, Financial & Strategic Implications

31. Parking charges are set at a level to manage demand and meet the City's transport policy aims. The previous uplift of charges introduced in 2015 resulted in an increase in parking income of approximately £120,000. Through the introduction of emissions-based tariff the projected increase in income for 2018/19 is anticipated to be in the region of £180,000 net taking into account

costs associated with the removal of the convenience fee and signage, and savings achieved in machine maintenance and cash collection as outlined in the table below. Although the purpose of introducing the tariff change is not simply to generate income but instead aimed at incentivising the use of more environmentally friendly vehicles, as well as covering costs of administration.

32. Whilst it is difficult to accurately estimate the additional revenue generated through the introduction of a new tariff structure it is expected to be in the region of £400,000 (net £180,000 in 2018/19). This increase in income will be used to offset the cost of implementation and removal of the convenience fee that is currently applied to mobile phone payments. Indicative costs are outlined in the following table:

£	Financial Year 2018/19
Additional Income	(£400,000) estimated
System Changes (RingGo)	£65,000
Removal of Convenience Fee	£100,000
Additional Signage	£20,000
Removal of Machines (based on £400 per machine)	£20,000
Reduction in maintenance costs based on fewer machines	(£30,000)
Reduction in cash collection charges based on fewer machines	(5,000)
Behavioural Change e.g. reduction in older vehicles using City streets to park.	£50,000
Net Income	£180,000

33. The City is authorised to operate and set parking charges under Section 46 of the Road Traffic Regulation Act 1984. In exercising its functions under the Road Traffic Regulations Act 1984 the City, as traffic authority must have regard to amongst other things, the provision of adequate parking facilities and securing the expeditious, convenient and safe movement of vehicles and other traffic (including pedestrians) having regard to the amenity, the national air quality strategy and any other relevant matters. The environmental benefits of the proposals are consistent with these considerations.

34. In accordance with section 55 of the Road Traffic Regulations Act 1984, income received from on-street parking charges is held in the On-Street Parking Account, which can only be used by the City for highway improvements and other traffic related or environmental measures. Additional costs associated with the introduction of emissions-based tariff and removal of the convenience fee can be legitimately covered by this surplus.

35. There is a requirement to publish proposals on the introduction of parking charges prior to changes made to the Traffic Management Orders. This will be done through publication of the proposals in the local press in accordance with the Local Authorities Traffic Order (Procedure)(England & Wales) Regulations 1996. In addition, a coordinated communication strategy to include signage, posting on social media, website information and leaflet distribution will be undertaken.
36. The proposed tariffs will support wider policy objectives to reduce traffic and emissions from remaining vehicles. A full review of parking, both on and off street will be undertaken during the development of the City Corporation's Transport Strategy. The review will include further analysis of the potential to use parking charges and restrictions such as electric only parking bays to incentivise the switch to less polluting vehicles.
37. These proposals link to the City's Strategic Aims of providing modern, efficient and high quality local services and policing within the Square Mile for works, residents and visitors with a view to delivering sustainable outcomes. The continued provision of reliable and effectively managed on-street parking places also supports the City's transport policy objectives including those to improve air quality in the City.
38. Failure to meet the air quality limit values could result in fines being imposed on the United Kingdom, which could be passed down to local authorities under the Localism Act 2011. The Mayor of London has recently published a draft Environment Strategy that details that London Boroughs and the City of London could introduce emission based parking charges as part of their statutory duties to improve air quality.

Conclusion

39. Subject to the recommendations in this report being approved, and to the outcome of the consultation and press notices, it is proposed that all the changes are put into effect in quarter 1 2018/19. Subject to there being no major issues or significant concerns arising from the consultation.
40. The necessary Traffic Management Orders to bring the tariff into force will be made under the Director's delegated authority. If any major issues or significant concerns emerge the proposal will be reported back to Planning & Transportation Committee to decide whether to make the Order to bring the proposed tariff into force.

Ian Hughes

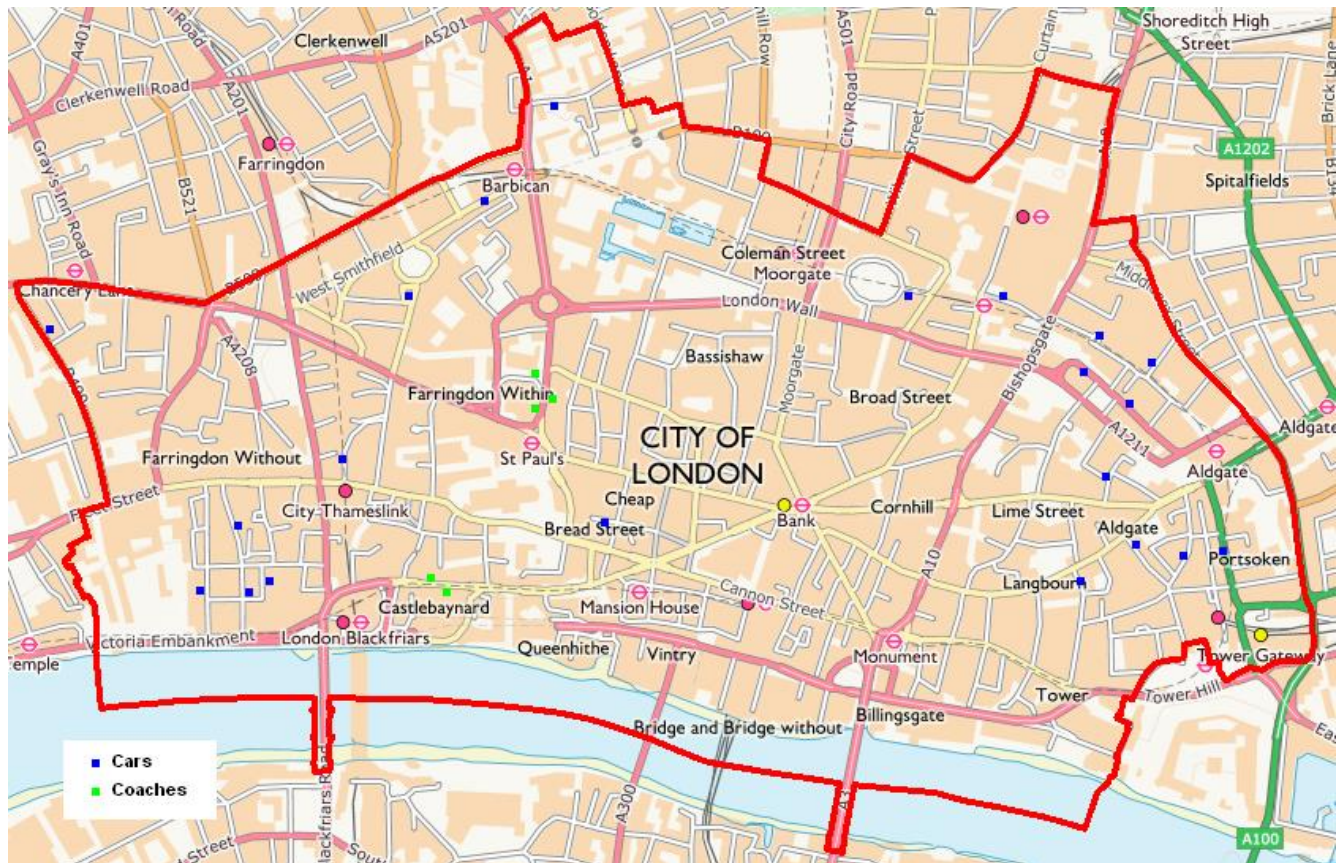
Assistant Director (Highways)

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Appendix 1 Pay & Display Machine Locations

The following map illustrates the proposed locations for P&D machines (highlighted by blue dots)



The specific locations are outlined in the table below:

West Smithfield	John Carpenter Street	Chancery Lane	Devonshire Square	Liverpool Street
Giltspur Street	Temple Avenue	Finsbury Circus	Coleman Street	Creechurch Lane
Long Lane	Carmelite Street	Fann Street	Harrow Place	Limeburner Lane
Houndsditch	Mark Lane	Minories	Whitefriars Street	Watling Street
Jewry Street	Lloyds Avenue	Monument Street	Finsbury Circus	Laurence Poutney Hill
Queen Street				

Committee(s):	Date(s):
Planning & Transportation Committee Port Health & Environmental Committee Court of Common Council	14/11/2017 21/11/2017 07/12/2017
Subject: Update to Scheme of Delegations	Public
Report of: Director of the Department of the Built Environment	For Information
<p style="text-align: center;">Summary</p> <p>The Court of Common Council has delegated some functions to Planning & Transportation Committee and Port Health & Environmental Services Committee. To facilitate the carrying out and administration of these functions, some of them have been delegated down to Chief Officers as set out in the Scheme of Delegations previously approved by the Court of Common Council on 1st May 2014, updated in December 2014, June 2015 and December 2016, to reflect changes in legislation.</p> <p>Minor modifications to legislation and responsibilities have taken place, to Planning & Transportation delegations and these have been reflected in the revised Scheme of Delegations at Appendix A.</p> <p>No modifications to legislation and responsibilities have taken place, to Port Health & Environmental Services delegations.</p> <p>Recommendation(s)</p> <p>Members are asked to:</p> <ul style="list-style-type: none"> • Note the Report • Approve the new and updated delegations as set out in the updated Scheme of Delegations at Appendix A for onward approval by the Court of Common Council. 	

Main Report

Background

1. The Court of Common Council has delegated the exercise of various statutory functions to Port Health & Environmental Services Committee (including responsibility for environmental health) and to the Planning and Transportation Committee. To facilitate the carrying out and administration of these functions, some of them have been delegated down to Chief Officers as set out in the Scheme of Delegations approved by the Court of Common Council on 1st May 2014, updated in December 2014, June 2015 and December 2016.

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

Current Position

3. Principally to include a previously omitted paragraph concerning 'Crossrail' and take account of changes to post titles, revisions to the scheme have been made. All changes have been noted in the table on the front page of the appendix document.

Proposals

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

Corporate & Strategic Implications

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

Implications

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

Consultees

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

Recommendation

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

Appendices

- Appendix A – DBE Revised Scheme of Delegations

Background Papers:

Previous Delegated Powers updated Committee Reports.

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DEPARTMENT OF THE BUILT ENVIRONMENT

DIRECTOR OF THE BUILT ENVIRONMENT

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

Authority

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

Charges

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

REVISIONS

Date	Details
14/11/16	Para 77 re Crossrail – agreed in October 2008 by P&T.
15/06/17	Page 12 - reference to 'Deputy District Surveyor' changed to 'Assistant District Surveyors'
21/08/2017	Page 11 the following text has been deleted : Chief Planning Officer & Development Director - Sections A to E and Paragraph 85 of this document Sections F – H in the absence of the Policy & Performance to Assistant Director (Development Management) – Section A to E Policy & Performance Director - Sections F – H and in the absence of the Chief Planning Officer and Development Director, and Assistant Director (Development Management) Section A - E
21/08/2017	Page 11 the following text has been added : In the absence of the Chief Planning & Development Director, Sections A to E and Paragraph 85 are delegated to Assistant Directors (Development). Then to the Policy & Performance Director. In the absence of the Policy & Performance Director Sections F to H are delegated to the Assistant Director (Policy). Then to the Chief Planning & Development Director.

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

Water and Sewers

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

Highways and Transport

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

22. To issue projection licences on, over or under streets pursuant to schemes where planning permission has already been agreed or renewing existing licences.
23. To be responsible for all functions under the Traffic Management Act 2004 and Regulations made thereunder that relate to the City of London Corporation as a local highway and local traffic authority.
24. To agree consents for temporary highway activities pursuant to the Crossrail Act 2008.
25. To exercise through Civil Enforcement amongst other things, parking management and parking enforcement functions, under the Road Traffic Regulation Act 1984, the Road Traffic Act 1991, the London Local Authorities Acts 1995 – 2012 (LLAA), and the Traffic Management Act 2004 (TMA).

City Walkway

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

Cleansing

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

- 35. To institute proceedings in relation to the Control of Pollution Act 1974.
- 36. To issue notices under section 6 London Local Authorities Act 2004 (abandoned vehicles). [See my previous comments.]
- 37. To institute proceedings in relation to the Environment Act 1995.
- 38. To institute proceedings in relation to the London Local Authorities Act 1995.
- 39. To institute proceedings in relation to the London Local Authorities and Transport for London Act 2003.
- 40. To institute proceedings in relation to the Local Government (Miscellaneous Provisions) Act 1976.
- 41. To institute proceedings in relation to the Highways Act 1980.

Delegations to other Officers

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

Transportation and Public Realm Director – Items 4 - 41

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

Assistant Director (City Transportation) – Item 18

TOWN PLANNING

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

A) Development Management

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

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

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

B) Trees

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

C) Churches

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

D) Environmental Impact

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

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

E) Crossrail

- 75. To agree Crossrail contributions, agree viability assessments and instruct the Comptroller & City Solicitor to secure any necessary planning obligations in respect of Crossrail contributions pursuant to Section 106 of the Town and Country Planning Act 1990.
- 76. To make payments of Crossrail contributions received by the City of London Corporation to the Mayor and/or Transport for London on the basis of the Implementation Protocol between the Mayor, Transport for London and the local planning authorities, subject to such payment being agreed by the Chamberlain.
- 77. Delegated authority be granted to the Chief Planning and Development Director to determine such applications as outlined in the report relating to the programme for requests for approval;
- 78. This authority would not be exercised in respect of more major applications or where objections have been received, without prior consultation with the Town Clerk, in consultation with the Chairman and Deputy Chairman; and
- 79. It be noted that any proposals in respect of over-station development would not be subject to these provisions and would be the subject of the normal planning application process.
- 80. The following functions are delegated to the Policy & Performance Director:

F) Local Plans, Naming and Numbering

- 81. To carry out sustainability appraisal of Local Development Documents under Section 19(5) of the Planning and Compulsory Purchase Act 2004 and to exercise functions under the Environmental Assessment of Plans and Programmes Regulations 2004 including carrying out strategic environmental assessment (including assessments under the Habitats Directive (Council Directive 92/43/EEC)), preparing, publishing and consulting upon screening reports, scoping reports, sustainability commentaries and sustainability appraisal reports.

82. To carry out public consultation in the preparation of Local Development Documents in accordance with the Statement of Community Involvement and the duty to cooperate in Section 33A of the Planning and Compulsory Purchase Act 2004.
83. To carry out surveys under Section 13 of the Planning & Compulsory Purchase Act 2004.
84. To provide any documents necessary to support consultations on Local Development Documents and submission of Local Plans.
85. To prepare and publish monitoring reports on an annual basis in accordance with Section 35 of the Planning & Compulsory Purchase Act 2004
86. To make observations on consultation documents issued by central and local government, statutory bodies etc., where the observations are in accordance with the City's general policy position.
87. To carry out public consultation in the preparation or revision of the Community Infrastructure Levy, in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and the Statement of Community Involvement.
88. To exercise powers under the London Building Acts (Amendment) Act 1939 – Part II relating to street naming and numbering of property.

G) Land Charges

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

H) Lead Local Flood Authority

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

Delegations to other Officers

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

Director of the Built Environment – Section A to H

In the absence of the Chief Planning & Development Director sections A to E, and Paragraph 85 are delegated to Assistant Directors (Development).
Then to : The Policy & Performance Director.

In the absence of the Policy & Performance Director Sections F – H are delegated to the Assistant Director (Policy).
Then to : Chief Planning & Development Director.

Statutory Authorities

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

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

DISTRICT SURVEYOR

The following functions are delegated to the District Surveyor:

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

Delegation to other Officers

The functions of the District Surveyor are also delegated to the Director of the Built Environment and the Assistant District Surveyors.

Committee(s)	Dated:
Port Health and Environmental Services Committee	21/11/2017
Subject: Revenue and Capital Budgets – 2018/19	Public
Report of: The Chamberlain Director of the Built Environment Director of Markets and Consumer Protection Director of Open Spaces	For Decision

Summary

This report is the annual submission of the revenue budgets overseen by your Committee. In particular it seeks approval to the latest revenue budget for 2017/18 and provisional revenue budget for 2018/19, for subsequent submission to the Finance Committee. Details of the Committee's draft capital budget are also provided. The budgets have been prepared within the resources allocated to each Director, including a 2% reduction for efficiency savings.

Business priorities for the forthcoming year include:

Director of the Built Environment

- procurement of a new waste and cleansing contract;
- delivering a reusable drinking water bottle campaign;
- enforcement campaigns in relation to A-boards and other obstructions, smoking related litter, and bagged waste on street during prohibited times.
- Expanding the Clean City Partnership Scheme;

Director of Markets and Consumer Protection

- assessing the impact of Brexit;
- Air Quality developments;
- implementing noise monitoring on building sites;
- continuing to tackle financial fraud;
- increased agile and mobile working;
- investigating alternative methods of service delivery and additional sources of income.

Director of Open Spaces

- completion of the Cemetery and Crematorium Conservation Management Plan review;

- progressing the project to replace four unabated cremators with two larger, fully abated cremators.

Table 1 Summary Revenue Budgets 2017/18 and 2018/19	Original Budget 2017/18 £'000	Latest Budget 2017/18 £'000	Original Budget 2018/19 £'000
Expenditure	(20,694)	(22,305)	(22,393)
Income	12,863	13,767	14,121
Support Services and Capital Charges	(5,730)	(5,681)	(5,895)
Total Net Expenditure	(13,561)	(14,219)	(14,167)

Overall, the 2017/18 latest budget is £14.219m net expenditure, an increase of £658,000 net expenditure compared to the original budget. Main reasons for this increase are:

- Approved carry-forwards of £286,000
- An increase in pay costs due to contribution pay, an increase in the pension contribution rate, and recruitment of apprentices, £597,000
- A reduction in the cost of the City Surveyor's Additional Works Programme during the year due to changes in phasing, £128,000
- Anticipated additional income at the Heathrow Animal Reception Centre, £145,000

The 2018/19 provisional budget is £14.167m net expenditure, an increase of £606,000 net expenditure compared to the original budget for 2017/18. Main reasons for this increase are:

- An increase in pay costs (net of external funding) due to several factors including provisions for pay award, incremental and career grade progression, increase in pension contribution rate, regradings and additional posts, and recruitment of apprentices, £953,000
- A net increase in central and departmental recharge expenditure, £165,000
- Anticipated additional income at the Heathrow Animal Reception Centre, £175,000, London Gateway port £100,000, the Cemetery and Crematorium £165,000, and from waste collection £60,000.

Recommendation(s)

Members are asked to:

- Note the latest 2017/18 revenue budget.

- Review the provisional 2018/19 revenue budget to ensure that it reflects the Committee's objectives and, if so, approve the budget for submission to the Finance Committee.
- Review and approve the draft capital budget.
- Note the Building Repairs and Maintenance asset verification exercise being undertaken by the City Surveyor and agree that any minor changes for 2017/18 latest and 2018/19 original budgets arising from this exercise be delegated to the Chamberlain.
- Authorise the Chamberlain to revise these budgets for changes to the Additional Works Programme, and in respect of recharges.

Main Report

Background

1. This report sets out the latest budget for 2017/18 and the proposed revenue budgets for 2018/19. The revenue budget management arrangements are to:
 - Provide a clear distinction between local risk, central risk and recharge budgets.
 - Place responsibility for budgetary control on departmental Chief Officers.
 - Apply a cash limit policy to Chief Officers' budgets.
2. The budget has been analysed by service expenditure and compared with the original budget for 2017/18. The budget is further analysed between:
 - Local Risk budgets – these are budgets deemed to be largely within the Chief Officer's control.
 - Place responsibility for budgetary control on departmental Chief Officers for Central Risk budgets – these are budgets comprising specific items where a Chief Officer manages the underlying service, but where the eventual financial outturn can be strongly influenced by external factors outside of his/her control or are budgets of a corporate nature (e.g. interest on balances and rent incomes from investment properties).
 - Support Services and Capital Charges – these cover budgets for activities provided by one service to another. The control of these costs is exercised at the point where the expenditure or income first arises as local or central risk.
3. The report also compares the current year's budget with the forecast outturn.
4. In the various tables, expenditure and adverse variances are presented in brackets. Only significant variances (generally those greater than £50,000) have been commented on.

Business Planning Priorities

Director of the Built Environment

5. Business priorities for the Cleansing Service in 2018/19 include:
- Procurement of a new waste and cleansing contract.
 - Delivering a campaign to reduce plastic bottle litter by encouraging the use of reusable drinking water bottles.
 - Delivery of enforcement campaigns in relation to A-boards and other obstructions, smoking related litter, and bagged waste on street during prohibited times.
 - Expanding the Clean City Partnership Scheme through which businesses contract to clean around their own buildings, thereby delivering service efficiencies.
 - Reviewing the effectiveness of the Community Toilet Scheme.
 - Expanding membership of the Clean City Awards Scheme.
 - Reviewing the administration of the London-wide hazardous waste collection service.

Director of Markets and Consumer Protection

6. The Port Health & Public Protection Division business priorities for 2018/19 include:
- The UK leaving the EU – evaluating the impact on services and making suitable preparations..
 - Air Quality – further developments as part of the Low Emission Neighbourhood such as an Ultra Low Emission Zone.
 - Noise control from building sites – implementing site monitoring and the outcome of the consultation on Saturday morning working.
 - Trading Standards will continue to collaborate with partners to tackle financial fraud in the City and beyond.
 - Projects are currently underway to identify additional sources of income generation.
 - Alternative methods of service delivery – Animal Health and Port Health will present proposals to your Committee based on a consultant's report.
 - Greater agile and mobile working by field officers including commencing a project to replace its and DBE's back-office systems with a single system that supports this aim (subject to your Committee's approval in a separate report).

Director of Open Spaces

7. The Superintendent will be focusing on supporting the sustainable operation of the cemetery within the context of the historic landscape. In particular, he will be progressing the replacement of the cremators, and continuing to develop grave reuse. A customer satisfaction survey is currently being developed and the results of this survey will be reported to your Committee next year.

8. The Cemetery & Crematorium was able to achieve its SBR savings through increased income generation, and will continue this approach to meet the on-going 2% efficiency with no allowance for pay or prices. The Superintendent is taking this approach in order to preserve the quality of service required to support a sustainable future for the Cemetery. However, he continues to be mindful of the need to set prices carefully to allow a range of options and prices for the bereaved.
9. The Superintended has started the process of reviewing the Cemetery & Crematorium Conservation Management Plan, and expects to bring a final version to Committee for approval in the summer of 2018.
10. The project to replace the four unabated cremators with two larger, fully abated cremators will continue through the next financial year. It is anticipated that the new cremators will be installed in 2019/20.

Latest Revenue Budget for 2017/18

11. Overall there is an increase of £658,000 in net expenditure between the Committee's original and latest budget for 2017/18. Table 2 overleaf summarises the movements between the original and latest budgets comprising this decrease. A further analysis of the local and central revenue budgets by service is provided in Appendix 1.

Table 2 Latest Revenue Budgets 2017/18	Local or Central Risk	Original Budget 2017/18 £'000	Latest Budget 2017/18 £'000	Movement (Increase)/ Decrease £'000	Variance Reference (Table 3)
EXPENDITURE					
Employees	L	(11,000)	(11,989)	(989)	1a,3,5-7,13
Employees	C	(8)	(8)	0	
Premises Related Expenses	L	(947)	(930)	17	
City Surveyor – Premises Related Expenses	L	(1,088)	(945)	143	8
Transport Related Expenses	L	(475)	(475)	0	
Supplies & Services	L	(1,737)	(2,548)	(811)	1b,4,9-13
Third Party Payments	L	(5,436)	(5,407)	29	14
Contingencies	L	(3)	(3)	0	
Total Expenditure		(20,694)	(22,305)	(1,611)	
INCOME					
Government Grants	L	0	8	8	
Other Grants, Reimbursements and Contributions	L	109	581	472	2,6,9
Customer, Client Receipts	L	12,754	13,178	424	6,11,15
Transfer from Reserves	L	0	0	0	
Total Income		12,863	13,767	904	
TOTAL LOCAL & CENTRAL RISK (EXPENDITURE) / INCOME		(7,831)	(8,538)	(707)	
SUPPORT SERVICES AND CAPITAL CHARGES					
Central Support Services and Capital Charges		(4,184)	(4,315)	(131)	
Recharges within Fund		(1,166)	(1,010)	156	
Recharges across Funds		(380)	(356)	24	
Total Support Services and Capital Charges		(5,730)	(5,681)	49	
TOTAL NET (EXPENDITURE)/ INCOME		(13,561)	(14,219)	(658)	

12. The significant movements in the local and central budgets are explained in Table 3 below.

Table 3 Significant Variances between 2017/18 Original Budget and 2017/18 Latest Budget			
Reason for Variance	Movement Original to Latest Budget 2017/18		
	Expenditure £'000	Income £'000	Net Movement £'000
One-off items:			
1) Approved carry-forwards from 2016/17:			
a) Employees	(156)		(156)
b) Supplies & Services	(130)		(130)
2) FSA grants for feed and food sampling		30	30
3) Allocation for contribution pay funded from the central pot	(79)		(79)
4) Purchase of additional IT equipment to build capacity and improve connectivity at the London Gateway port.	(60)		(60)
5) An increase in employee costs due to:			
a) a 3.5% increase in the employer's pension contribution rate	(272)		(272)
b) additional apprentice posts towards the corporate target, funded from the central pot	(246)		(246)
6) Staff costs for work related to environmental health projects including Thames Tideway Tunnel and Bank Station Capacity Upgrade, fully offset by contribution and fee income.	(154)	154	0
7) Additional temporary staff costs mainly for work in preparation for the tender of the waste collection and street cleansing contract	(65)		(65)
8) Changes to phasing of the City Surveyor's Additional Works Programme	128		128
9) Consultants' fees, works and associated costs for Air Quality projects, fully funded by other contribution income.	(412)	412	0
10) An increase in supplies and services costs for the Cemetery and Crematorium mainly in relation to purchase of a new charging bier, a review of the Conservation Management Plan, and an external customer survey.	(79)		(79)
11) An increase in costs for analysis of samples mainly in relation to increased Port Health checks on Brazilian meat imports. Whilst these costs are recoverable, the additional income is mostly offset by a lower than anticipated level of other income at the Ports.	(70)	16	(54)

12) Consultancy costs for reviews of alternative methods of service delivery and site development and optimisation of the Heathrow Animal Reception Centre	(40)		(40)
13) New costs associated with the development of the Programme Portfolio and the Future Cities Strategy within DBE	(62)		(62)
14) A reduction in the cost of street cleansing due mainly to contract penalties for failure to achieve required KPIs, partly offset by an increase in cost due to the effect of the increase in London Living Wage	44		44
15) Increases in income from:			
a) Heathrow Animal Reception Centre, mainly in relation to the Passports for Pets scheme		145	145
b) Waste collection and recycling		42	42
c) Cemetery and Crematorium		45	45
Minor variations	42	60	102
Total Movement Local and Central Risk	(1,611)	904	(707)

13. The increase of £131,000 in support services and capital charge expenditure between the original and latest budgets shown in Table 2 reflects the net impact of changes in the budgets of central departments and their apportionment between committees, as shown in Appendix 3, reflecting in particular the increase in IT costs due to the corporate IT Transformation Programme.

14. The increase of £156,000 in income from recharges within fund is primarily due to the increase in the cost of the Built Environment Directorate (illustrated in Appendix 1a), of which a large proportion is recharged to the Planning and Transportation Committee.

Proposed Revenue Budget for 2018/19

15. The provisional 2018/19 budgets being presented to your Committee, and under the control of the Directors of the Built Environment, Markets and Consumer Protection, and Open Spaces, have been prepared in accordance with the guidelines agreed by the Policy and Resources and Finance Committees. These include a 2% reduction for efficiency savings. The budget has been prepared within the resources allocated to each Director.

16. Overall there is an increase of £606,000 in net expenditure between the Committee's 2017/18 and 2018/19 original budgets. Table 4 overleaf summarises the movements comprising this decrease. A further analysis of the local and central revenue budgets by service is provided in Appendix 2.

Table 4 Provisional Revenue Budgets 2018/19	Local or Central Risk	Original Budget 2017/18 £'000	Original Budget 2018/19 £'000	Movement (Increase)/ Decrease £'000	Variance Reference (Table 5)
EXPENDITURE					
Employees	L	(11,000)	(12,116)	(1,116)	2-5
Employees	C	(8)	(8)	0	
Premises Related Expenses	L	(947)	(928)	19	
City Surveyor – Premises Related Expenses	L	(1,088)	(1,084)	4	
Transport Related Expenses	L	(475)	(428)	47	
Supplies & Services	L	(1,737)	(2,188)	(451)	5
Third Party Payments	L	(5,436)	(5,640)	(204)	1, 6-7
Contingencies	L	(3)	(1)	2	
Total Expenditure		(20,694)	(22,393)	(1,699)	
INCOME					
Government Grants	L	0	0	0	
Other Grants, Reimbursements and Contributions	L	109	566	457	4-5
Customer, Client Receipts	L	12,754	13,331	577	1,4,7-9
Transfer from Reserves	L	0	224	224	3,6
Total Income		12,863	14,121	1,258	
TOTAL LOCAL & CENTRAL RISK (EXPENDITURE) / INCOME		(7,831)	(8,272)	(441)	
SUPPORT SERVICES AND CAPITAL CHARGES					
Central Support Services and Capital Charges		(4,184)	(4,458)	(274)	
Recharges within Fund		(1,166)	(1,086)	80	
Recharges across Funds		(380)	(351)	29	
Total Support Services and Capital Charges		(5,730)	(5,895)	(165)	
TOTAL NET (EXPENDITURE)/ INCOME		(13,561)	(14,167)	(606)	

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

Table 5			
Movements between 2017/18 Original Budget and 2018/19 Original Budget			
Reason for Movement	Movement 2017/18 to 2018/19		
	Expenditure £'000	Income £'000	Net Movement £'000
1) An increase in employee costs due to: a) a 3.5% uplift in the employer's pension contribution rate; b) additional apprentice posts towards the corporate target, funded from the central pot; c) provision for pay increases due to pay award, incremental and career grade progression; d) a restructure following a review of staffing at the Heathrow Animal Reception Centre, changes in the apportionment of staff in the Department of the Built Environment, and several regradings to reflect current duties across several services	(272) (197) (216) (204)		(272) (197) (216) (204)
2) Estimated costs for tender of the waste collection and street cleansing contract, fully met by a transfer from the LATs reserve (see note 1 below)	(64)	64	0
3) Staff costs for work related to environmental health projects including Thames Tideway Tunnel and Bank Station Capacity Upgrade, mostly offset by fees and other contribution income.	(143)	107	(36)
4) Staff costs, consultants' fees, works and associated costs for Air Quality projects, fully funded by other contribution income.	(395)	395	0
5) An increase in the cost of street cleansing and waste collection due to contract price uplifts together with the effect of the increase in London Living Wage, partly met by a transfer from the LATs reserve	(169)	160	(9)
6) A reduction in street cleansing contract costs as mechanical sweeping was found to be labour intensive and inefficient therefore the operation was reconfigured, resulting in efficiency savings	44		44
7) Additional costs for waste collection from the City's Open Spaces, fully met by income from that Department.	(60)	60	0
8) Anticipated increase in income, in line with current throughput and as a result of planned price increases a) Heathrow Animal Reception Centre b) Cemetery and Crematorium		175 165	175 165
9) An anticipated increase in Port Health income as a result of increasing trade at London Gateway		100	100
Minor variations	(23)	32	9
Total Movement 2017/18 to 2018/19	(1,699)	1,258	(441)

Note 1 - The LATS Reserve holds the income from the sale of allowances under the former Landfill Allowance Trading Scheme, which has been set aside to meet increases in the costs of waste management. The balance on the Reserve after the planned transfers set out above will be £76,000.

18. The increase of £165,000 in support services and capital recharge expenditure reflects the net impact of changes in the budgets of central departments and their apportionment between committees, as shown in Appendix 3.
19. Budgets have provisionally been included for the 2018/19 Additional Works Programme based on bids considered by the Corporate Asset Sub Committee in June 2017. However, a decision on funding of the programme is not due to be made by the Resource Allocation Sub Committee until December 2017. It may therefore be necessary to adjust budgets to reflect the Resource Allocation Sub Committee's decision.
20. The main reason for the increase in cost of the Additional Works Programme is that the value of work identified in the City Surveyor's 20-year programme for 2018/19 has increased in comparison with the combined value of various programmes in the 2017/18 original budget. This is fully offset by a reduction in the cost of planned and reactive maintenance and facilities management.

Table 6 City Surveyor Local Risk	Original Budget 2017/18 £'000	Original Budget 2018/19 £'000	Movement 2017/18 to 2018/19 £'000
Repairs and Maintenance			
Additional Works Programme			
Public Conveniences	24	78	54
Heathrow Animal Reception Centre	140	198	58
Cemetery and Crematorium	549	532	(17)
Planned and Reactive Works			
Public Conveniences	32	25	(7)
Heathrow Animal Reception Centre	48	35	(13)
Port and Launches	19	15	(4)
Cemetery and Crematorium	225	170	(55)
Total Repairs and Maintenance	1,037	1,053	16
Facilities Management	51	31	(20)
Total City Surveyor	1,088	1,084	(4)

21. A summary of the movement in manpower and related staff costs is shown in Table 7 below. The increase in posts is largely due to the appointment of several apprentices.

Table 7 Manpower Statement	Original Budget 2017/18		Original Budget 2018/19	
Service	Manpower Full-time Equivalent	Estimated Cost £'000	Manpower Full-time Equivalent	Estimated Cost £'000
Public Conveniences	3.0	(129)	3.3	(140)
Public Conveniences – Agency Staff	-	(366)	-	(375)
Waste Collection	9.5	(547)	9.2	(562)
Street Cleansing	6.9	(423)	6.5	(414)
Waste Disposal	5.6	(327)	5.1	(298)
Transport Organisation	0.0	(4)	1.0	(53)
Cleansing Services Management	4.0	(303)	4.4	(412)
Built Environment Directorate	6.3	(611)	6.5	(710)
Coroner	1.0	(26)	1.4	(43)
City Environmental Health	24.8	(1,642)	30.1	(1,975)
Animal Health Services	37.2	(1,694)	38.8	(1,865)
Trading Standards	5.0	(298)	5.0	(341)
Port and Launches	45.6	(2,454)	44.3	(2,558)
Cemetery and Crematorium	63.0	(2,184)	68.1	(2,378)
Total Port Health and Environmental Services	211.9	(11,008)	223.7	(12,124)

Potential Further Budget Developments

22. There a number of potential developments which may impact on your Committee's budgets, but which have not been incorporated into the figures presented in this report. The key issues are set out in the following paragraphs.
23. A three-fold increase in reportable deaths and two-fold increase in post mortems and inquests since 2014 has led to a commensurate increase in workload for the Coroner's office. Some additional resource has been added in the short term by recruitment of an apprentice, but a permanent additional officer post will also be required. The Director of Markets and Consumer Protection does not have sufficient local risk resources to meet the cost of this post, and will be seeking additional funds, which will be the subject of a separate report.
24. Your Committee recently approved the latest edition of the Code of Practice for Deconstruction and Construction Sites, including a new schedule of monitoring contribution charges, which was subsequently approved by the Planning and Transportation Committee. The report identified that additional staff will be required to carry out the resulting new work, but at this stage both the level of resource required and likely income are uncertain, although expected to be cost neutral overall.
25. The potential sub-let of the Port Health office at Tilbury, which is surplus to current operational requirements and is the subject of a separate report on your agenda, could generate a net saving of up to £46,000 per annum. The exact

financial impact is subject to the conclusion of the outstanding rent review and of the rental income achieved, as well as the terms and date of commencement of any sub-lease, and as a result cannot yet be determined with any degree of certainty.

26. The Heathrow Animal Reception Centre is investigating new sources of income and alternative methods of service delivery. There is also the potential for redevelopment of the site or relocation, and should any of these projects come to fruition, further reports will be made to your Committee.
27. Members should note that the basis on which repairs and maintenance budgets have been prepared for the latest estimates for 2017/18 include a part year charge from the former repairs and maintenance contractor (MITIE) and 9 months from the new contractor (Skanska), whereas the original 2018/19 budgets are based on the tendered return of the new contractor.
28. Under the terms of the Building Repairs and Maintenance contract, Skanska are undertaking an asset verification exercise which is expected to be completed in February 2018, and the outcome of the review is likely to result in variations to the figures that have been submitted for both the 2017/18 latest and 2018/19 original budgets.
29. Committees are requested to acknowledge this potential change and allow the Chamberlain (in consultation with the City Surveyor) to make the necessary budget adjustments within overall approval, following the asset verification.
30. The provisional nature of the 2018/19 revenue budget recognises that further revisions may be required, particularly in relation to:
 - Decisions on funding of the Additional Works Programme by the Resource Allocation Sub Committee; and
 - Central and departmental recharges

Forecast Outturn 2017/18

31. The forecast outturn for the current year is £14.207m net expenditure, a small underspend of £12,000 compared with the latest budget.

Draft Capital Budget

32. The latest estimated costs for the Committee's draft capital and supplementary revenue projects are summarised in Table 8 overleaf.

Table 8 - Draft Capital Budget						
Service Managed	Project	Exp. Pre 01/04/17 £'000	2017/18 £'000	2018/19 £'000	Later Years £'000	Total £'000
	Authority to start work granted					
Walbrook Wharf	Salt Store Fit-out	0	(313)			(313)
		0	(313)	0	0	(313)

33. Relocation of the Salt Storage facility from West Smithfield to Walbrook Wharf is due to be carried out in the current financial year in order to facilitate redevelopment of the site for the Museum of London and will be funded from City's Cash.

34. The latest Capital and Supplementary Revenue Project budgets will be presented to the Court of Common Council for formal approval in March 2018.

Appendices

- Appendix 1 – 2017/18 Latest Local and Central Risk Revenue Budget: Analysis by Service
- Appendix 2 – 2018/19 Original Local and Central Risk Revenue Budget: Analysis by Service
- Appendix 3 – Support Service and Capital Charges from/to Port Health and Environmental Services Committee

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APPENDIX 1a

2017/18 Latest Budget Analysis by Service: Local and Central Risk Budgets	Original Budget 2017/18			Latest Budget 2017/18			Movement	Variance Reference (Table 3)
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000	£'000	
DIRECTOR OF THE BUILT ENVIRONMENT								
Public Conveniences	(987)	432	(555)	(945)	437	(508)	47	
Waste Collection	(1,028)	911	(117)	(1,045)	953	(92)	25	
Street Cleansing	(4,296)	460	(3,836)	(4,250)	484	(3,766)	70	14
Waste Disposal	(1,415)	668	(747)	(1,382)	673	(709)	38	
Transport Organisation	(240)	130	(110)	(287)	130	(157)	(47)	
Cleansing Services Management	(352)	0	(352)	(434)	0	(434)	(82)	7
Built Environment Directorate	(792)	6	(786)	(990)	14	(976)	(190)	1,3,13
TOTAL DIRECTOR OF THE BUILT ENVIRONMENT	(9,110)	2,607	(6,503)	(9,333)	2,691	(6,642)	(139)	
DIRECTOR OF OPEN SPACES								
Cemetery and Crematorium	(2,889)	4,656	1,767	(3,021)	4,701	1,680	(87)	5,10,15c
TOTAL DIRECTOR OF OPEN SPACES	(2,889)	4,656	1,767	(3,021)	4,701	1,680	(87)	
CITY SURVEYOR								
All Services	(1,088)	0	(1,088)	(945)	0	(945)	143	8
TOTAL CITY SURVEYOR	(1,088)	0	(1,088)	(945)	0	(945)	143	

APPENDIX 1b

2017/18 Latest Budget Analysis by Service: Local and Central Risk Budgets	Original Budget 2017/18			Latest Budget 2017/18			Movement	Variance Reference (Table 3)
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000	£'000	
DIRECTOR OF MARKETS AND CONSUMER PROTECTION								
Coroner	(64)	0	(64)	(124)	0	(124)	(60)	5b
City Environmental Health	(1,815)	65	(1,750)	(2,647)	649	(1,998)	(248)	1,5,6,9
Animal Health Services	(2,153)	3,165	1,012	(2,409)	3,310	901	(111)	5,12,15a
Trading Standards	(315)	19	(296)	(387)	19	(368)	(72)	1a
Port & Launches	(3,260)	2,351	(909)	(3,439)	2,397	(1,042)	(133)	1a,2-5,11
TOTAL DIRECTOR OF MARKETS AND CONSUMER PROTECTION	(7,607)	5,600	(2,007)	(9,006)	6,375	(2,631)	(624)	
COMMITTEE TOTAL	(20,694)	12,863	(7,831)	(22,305)	13,767	(8,538)	(707)	

APPENDIX 2a

2018/19 Original Budget Analysis by Service: Local and Central Risk Budgets	Original Budget 2017/18			Original Budget 2018/19			Movement	Variance Reference (Table 5)
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000	£'000	
DIRECTOR OF THE BUILT ENVIRONMENT								
Public Conveniences	(987)	432	(555)	(988)	437	(551)	4	
Waste Collection	(1,028)	911	(117)	(1,107)	977	(130)	(13)	7
Street Cleansing	(4,296)	460	(3,836)	(4,417)	626	(3,791)	45	5,6
Waste Disposal	(1,415)	668	(747)	(1,396)	688	(708)	39	
Transport Organisation	(240)	130	(110)	(249)	109	(140)	(30)	
Cleansing Services Management	(352)	0	(352)	(455)	64	(391)	(39)	2
Built Environment Directorate	(792)	6	(786)	(894)	6	(888)	(102)	1d
TOTAL DIRECTOR OF THE BUILT ENVIRONMENT	(9,110)	2,607	(6,503)	(9,506)	2,907	(6,599)	(96)	
DIRECTOR OF OPEN SPACES								
Cemetery and Crematorium	(2,889)	4,656	1,767	(3,121)	4,821	1,700	(67)	1a-c,8b
TOTAL DIRECTOR OF OPEN SPACES	(2,889)	4,656	1,767	(3,121)	4,821	1,700	(67)	
CITY SURVEYOR								
All Services	(1,088)	0	(1,088)	(1,084)	0	(1,084)	4	
TOTAL CITY SURVEYOR	(1,088)	0	(1,088)	(1,084)	0	(1,084)	4	

APPENDIX 2b

2018/19 Original Budget Analysis by Service: Local and Central Risk Budgets	Original Budget 2017/18			Latest Budget 2018/19			Movement	Variance Reference (Table 5)
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000	£'000	
DIRECTOR OF MARKETS AND CONSUMER PROTECTION								
Coroner	(64)	0	(64)	(87)	0	(87)	(23)	
City Environmental Health	(1,815)	65	(1,750)	(2,539)	584	(1,955)	(205)	1,3,4
Animal Health Services	(2,153)	3,165	1,012	(2,323)	3,340	1,017	5	1,8a
Trading Standards	(315)	19	(296)	(358)	18	(340)	(44)	1
Port & Launches	(3,260)	2,351	(909)	(3,375)	2,451	(924)	(15)	1,9
TOTAL DIRECTOR OF MARKETS AND CONSUMER PROTECTION	(7,607)	5,600	(2,007)	(8,682)	6,393	(2,289)	(282)	
COMMITTEE TOTAL	(20,694)	12,863	(7,831)	(22,393)	14,121	(8,272)	(441)	

APPENDIX 3

Support Service and Capital Charges from/to Port Health and Environmental Services Committee	Original Budget 2017/18 £'000	Latest Budget 2017/18 £'000	Original Budget 2018/19 £'000
Support Service and Capital Charges			
Admin Buildings	(589)	(538)	(598)
City Surveyor's Employee Recharge	(163)	(205)	(205)
Insurance	(164)	(158)	(159)
IS Recharges - Chamberlain	(572)	(763)	(750)
Capital Charges	(1,532)	(1,512)	(1,645)
Support Services -			
Chamberlain (including CLPS)	(473)	(512)	(483)
Comptroller and City Solicitor	(97)	(1)	(1)
Town Clerk	(512)	(550)	(540)
City Surveyor	(82)	(76)	(77)
Total Support Services and Capital Charges	(4,184)	(4,315)	(4,458)
Recharges Within Funds			
Corporate and Democratic Core – Finance Committee	33	33	33
Walbrook Wharf Depot – Finance Committee	(1,977)	(1,977)	(1,977)
Charity Collection Licensing - Police Committee	18	18	18
Directorate Recharge – Planning and Transportation Committee	760	916	840
Recharges Across Funds			
Directorate Recharge – Markets Committee	(293)	(294)	(289)
Directorate Recharge – Open Spaces Committee	(87)	(62)	(62)
TOTAL SUPPORT SERVICE AND CAPITAL CHARGES	(5,730)	(5,681)	(5,895)

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Committee:	Date:
Port Health and Environmental Services	21 November 2017
Subject: Draft Departmental Business Plans 2018/19 – Departments of: Open Spaces, Markets and Consumer Protection, Built Environment	Public
Report of: Directors of: Open Spaces, Markets and Consumer Protection, Built Environment	For Information
Report authors: Esther Sumner, Open Spaces Don Perry, Markets and Consumer Protection Elisabeth Hannah, Built Environment	

Summary

This report presents for information the draft high-level business plans for the Departments of Open Spaces, Markets and Consumer Protection, and the Built Environment for 2018/19. These are presented alongside the departmental estimate report to enable the draft ambitions and objectives to be discussed in conjunction with the draft budget for the forthcoming year.

Recommendation

Members are asked to note the draft high-level business plans for 2018/19 for the Departments of Open Spaces, Markets and Consumer Protection, and the Built Environment and provide feedback.

Main Report

Background

1. As part of the new framework for corporate and business planning, departments were asked to produce standardised high-level, 2-side summary business plans for the first time in 2017/18. These were presented in draft to Service Committees in January/February and as final for formal approval in May/June. Members generally welcomed these high-level plans for being brief, concise, focused and consistent statements of the key ambitions and objectives for every department.
2. For 2018/19, departments have again been asked to produce high-level plans in draft, this time to be presented to Service Committees alongside the departmental estimate reports, so that draft ambitions can be discussed at the same time as draft budgets. This represents a first step towards integrating budget-setting and priority-setting.
3. Discussions are also taking place on aligning other key corporate processes with the corporate and business plans, such as workforce planning and risk management. Achieving this will represent a significant step towards the City

Corporation being able to optimise its use of resources. The next step will be the presentation of the budget alongside the refreshed Corporate Plan at the Court of Common Council in March.

4. With these key documents in place and a new corporate performance management process being brought forward the City Corporation will be able to drive departmental activities to deliver on corporate priorities and allocate its resources in full knowledge of where it can achieve most impact on the issues and opportunities faced by the City, London and the UK.
5. A revised draft of the Corporate Plan has been produced following consultation with Service Committees and Members between April and July, and is being used for staff engagement between September and November. Members should therefore start to see closer alignment between the departmental business plans and the draft outcomes from the Corporate Plan.
6. Work is also taking place on reviewing the content and format of the supporting detail that will sit beneath the high-level business plans. This includes: information about inputs (e.g. IT, workforce, budgets, property and assets); improved links to risk registers; value for money assessments, and schedules of measures and key performance indicators for outputs and outcomes. This will be a key element in the move towards business planning becoming less of a document production process and more of a joined-up service planning process, linked to corporate objectives.

Draft high-level plans

7. This report presents at Appendices 1, 2, and 3 the draft high-level business plans for 2018/19 for:
 - The Department of Open Spaces
 - The Department of Markets and Consumer Protection
 - The Department of the Built Environment

Department of Open Spaces

8. The Open Spaces Department reports to six service Committees, including Port Health & Environmental Services in respect of the Cemetery and Crematorium. As the Business Plan covers all of the department's activities, those elements relevant to your Committee are shown in black, while other elements are in grey. The current draft high-level plan (Appendix 1) maintains the themes previously approved by Members but there has been some alteration in emphasis to better align with the draft Corporate Plan 2018-23.
9. The Department is in the process of developing a series of outcome statements to explain the links between the corporate plan and the business plan, and to help the department to demonstrate the impact of its activities by focusing on why we do things (and therefore whether this was effective), not what we do. The outcome with immediate relevance to the Cemetery is "Respectful disposal and commemoration of the dead", which contributes to "We are responsible for...the Square Mile's local authority services" within the draft Corporate Plan. If

Members would like to see the developing outcomes framework, this is available on request.

Department of Markets and Consumer Protection

10. The draft high-level business plan draws together the wide range of services provided, and regulatory functions carried out, by the whole Department. As the Department reports to three separate Committees (Port Health and Environmental Services Committee; Licensing Committee; Markets Committee) for discrete aspects of its work, only the information relating to the work of the Port Health and Public Protection Division services, for which this Committee is responsible, is shown in clear, black, font on the copy of the plan at Appendix 2.
11. The ambitions, objectives and performance measures contained within the high-level business plan are underpinned by the Department's statutory duties, core functions and its commitment to supporting corporate priorities.
12. The ambitions set out in the plan align with a number of the outcomes in the draft Corporate Plan 2018-23, particularly those within the strategic objectives to 'Grow the economy' and 'Contribute to a flourishing society'. Much of the work of the Port Health and Public Protection Division is focussed on protecting the environment and ensuring the safety, health and wellbeing of consumers, residents, workers and visitors, through enforcement and regulation.

Department of the Built Environment

13. The draft high-level plan for the Department of the Built Environment (Appendix 3) presents a strategic approach to achieve our vision of 'Creating and facilitating the leading future world class city'. This supports the draft Corporate Plan and ensures we continue to deliver excellent services. Programmes specifically related to the work of this Committee are highlighted below.
14. The high-level plan for the Built Environment presents our strategic aims and objectives for the future, focusing on our portfolio of programmes and strategic ambitions which support the Place, Prosperity and People Groups. The plan brings together the very specific operational services that enable the Business City to flourish.
15. The coloured shapes give Members the ability to follow the ambition theme throughout the plan. This approach also gives the reassurance that the work of the Department is supporting our aims and objectives.
16. The work of the Cleansing and Waste team which is in the remit of this Committee, supports the department in achieving our wider ambitions, in particular:
 - 'Contributing to a flourishing society
 - 'Providing high quality, effective and relevant services for a world class City.
 - 'Providing outstanding public spaces, heritage, attractions, retail and hospitality'

17. The high-level plan is supported by the Department's statutory duties. For this Committee, our regulatory team, based in the Cleansing team ensure the City provides residents, visitors and workers with a clean and safe environment by taking enforcement action on activities such as fly posting, graffiti and littering including smoking related litter. We ensure excellent customer service and a high-quality environment and this team currently provides the first line of response to all 'out of hours' noise complaints and some other areas of enforcement on behalf of the Department of Markets and Consumer Protection.
18. The following programmes contain specific projects relating to the work of this Committee:
- Cleansing and Waste programme: New cleansing and waste contract
 - Eastern City Cluster/Future Public Space: Cleansing supports the healthy streets agenda, particularly around the management of the Eastern City Cluster estate and maintaining the quality of current and future public spaces.

Conclusion

19. This report presents the draft high-level plans for 2018/19 the Departments of Open Spaces, Markets and Consumer Protection, and the Built Environment in order that Members can feed into these plans at an early stage. Final plans will be presented for approval prior to the start of the 2018/19 financial year.

Appendices - Draft high-level business plans 2018/19

- Appendix 1: Department of Open Spaces
- Appendix 2: Department of Markets and Consumer Protection
- Appendix 3: Department of the Built Environment

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We enrich people's lives by providing access to ecologically diverse green spaces and outstanding heritage assets

Our ambitions are that:

- All our habitats are ecologically thriving and diverse ☆
- Our places for commemoration, cultural experiences, enjoyment, exercise, learning, play, wellbeing are accessible, engaging, inclusive, high quality and welcoming to all ✨
- Our heritage is preserved and we share history and stories through our spaces and buildings ✨
- We provide leadership which is grounded in our innovative practices, expertise and research ☆

What we do is: Protect and provide access to green space, preserve heritage, conserve and enhance biodiversity, share history, and provide respectful commemoration and disposal of the dead in a beautiful heritage environment:

Our total budget is:			
	Expenditure (£000)	Income (£000)	Net cost (£000)
City Gardens			
Epping Forest			
Hampstead Heath, Highgate Wood, Queen's Park & Keats House			
Monument			
The Commons (Burnham Beeches, Stoke Common and City Commons)			
Tower Bridge			
West Ham Park			
City of London Cemetery & Crematorium	3,121	(4,821)	(1,700)
Total			

Our top line objectives are:

- Protect and conserve the ecology, biodiversity and heritage of our sites ☆
- Enrich lives by providing high quality, welcoming and engaging, visitor, educational and volunteering opportunities ✨
- Improve the health and wellbeing through inclusive access to green space and heritage ✨
- Embed responsible business practices and ensure our workforce are supported and developed ☆
- Embed efficiency and financial sustainability across our activities and continuously develop our income generating endeavours. (2%)

Departmental programmes and projects

- Ensure our services are inclusive, accessible and welcoming to all (Equalities Board) ✨
- Continuously develop the visitor offer at the department's heritage attractions in terms of content, processes, technology and customer service (2%) ✨
- Increase participation and improve management of sports (Sports Programme) ✨

What we'll measure:

See emerging outcomes framework

Service outcomes

- Ecological condition
- Visitor experience
- Green Flags and Green Heritage awards
- Knowledge of learning participants
- Intention of learning participants to visit again
- Volunteering participation and experience

- Protect our open spaces and generate income from Wayleaves Programme (2%)⚡
- Develop and deliver fundraising options (Fundraising Board) (2%)
- Reduce energy usage and increase energy generation capacity (Energy Efficiency Programme) ® (2%)★
- Reduce fleet operating and maintenance costs (Fleet Programme) ®(2%)★
- Protect our heritage at risk: develop and implement actions at Wanstead Park and Bunhill Fields ⚡®
- Establish a fully accessible education facility at Tower Bridge ⚡
- Achieve a stand-alone visitor centre at the Monument ⚡
- Develop and agree a sustainable model for delivering learning ⚡★

Corporate programmes and projects

- Support the development and delivery of the emerging Responsible Business Strategy ®★
- Provide 14 apprenticeships within the department ★®
- Ensure efficient use of property and reduction in maintenance costs (Operational Property Review)
- Introduce more effective ways of working (Accommodation & Ways of Working Programme) ★
- Support the development of asset management plans and master plans for each site ®⚡

Condition of heritage assets Service outputs

- Number and market share of burials and cremations
- Sports played and efficiency of use: tennis, golf, football
- Customer service standards

Operational

- Accreditations
- Staff satisfaction
- H&S accident investigations
- Sickness absence
- Utility consumption
- Electricity generation
- Website visits and social media engagement

Financial

- Income⚡

How we plan to develop our capabilities this year

- Understand and demonstrate our benefit to society by refining our outcomes framework ⚡®
- Appropriate and effective use of data, including compliance with General Data Protection Regulations ®
- Use GIS to support management of sites and enhance visitor information ⚡
- Develop and implement a fundraising strategy for the parts of the department operating as Charitable Trusts (2%)
- Enhance customer service through use of CRM ⚡

What we're planning to do in the future:

- Deliver opportunities arising from improved management capability from the Open Spaces Bill (2%)⚡⚡⚡
- Improve our approach to workforce planning to support our workforce and ensure our workforce is reflective of the community we serve ★
- Develop the cultural profile of the department's heritage attractions (2%)⚡
- Complete the process of land registration ⚡

We provide vital public services by advising and regulating a wide variety of businesses in the Square Mile and beyond to protect consumers and communities from legislative non-compliance and fraud. We also provide access to fresh produce as a vital link in the food supply chain for London and the South by operating three thriving wholesale food markets.

Our ambitions are that:

- We will demonstrate leadership for London by delivering our Air Quality Strategy 2015-2020 and we will work with others to promote a new Clean Air Act.
- We will operate thriving markets, with modern infrastructure, that meet the needs of buyers, our tenants, and local communities.

We will develop our Port Health service to be the fastest processor of imported food and feed consignments in the UK.

We will develop and expand our Animal Health services to provide world class facilities at Heathrow Animal Reception Centre which accommodate anticipated increases in demand.

- We will set the benchmark nationally for Licensing Policy and other Schemes that promote the Licensing objectives.
- We will meet the current and future needs of our stakeholders by protecting consumers through the enforcement of a wide range of legislation and undertaking appropriate interventions.

What we do is:

Our **Port Health and Public Protection Division** (PH&PP) is sub-divided into three service areas:

- Public Protection provides a comprehensive and effective environmental health, trading standards and licensing service for the City of London, and at times beyond, ensuring that, through monitoring, regulation and enforcement, City residents and businesses can enjoy an environment and services which are, so far as possible, safe and without risk to their health or welfare.
- As London Port Health Authority, the Port Health Service controls imported food and feed, and infectious disease, as well as protecting the environment along 151km of the tidal Thames.
- The Animal Health & Welfare Service provides animal health services to London, including carrying out inspections of pet shops, zoos, dog breeding and riding establishments, and dealing with illegal imports of animals. The service also runs the Animal Reception Centre at Heathrow.

We operate the three City of London **wholesale food markets**:

- As landlords we manage and provide administration, maintenance, cleaning and security services to Billingsgate, New Spitalfields and Smithfield Markets.
- These markets supply fish, fruit, vegetables, flowers, and meat to a host of food service sectors within the South East and beyond.
- Customers range from catering companies, butchers, fishmongers, and greengrocers to restaurants, hotels, schools, street and retail markets, secondary wholesalers, and small local businesses.
- The wholesale markets still turnover some 30% of the fresh produce entering London and are a vital link in the food supply chain.

Our budget for 2018/19 is:

Expenditure	£'000
PH&PP (excl. Licensing)	8,709
Income	
PH&PP (excl. Licensing)	(6,428)
Net Local Risk Expenditure ^{*1}	2,542

^{*1} Excludes Local Risk amounts spent by the City Surveyor

Our top line objectives are:

Service deliverables

1. Evaluate the potential impact of leaving the EU on the services provided by PH&PP and make suitable preparations.
2. Continue to implement a Low Emission Neighbourhood in the City to improve air quality and mitigate the risk of air pollution, including a Low Emission Zone (LEZ).
3. The Licensing Team will continue to expand the Safety Thirst Award Scheme, which aims to reduce crime and anti-social behaviour.
4. The Trading Standards Team will maintain its focus on preventing financial fraud.
5. The Commercial Team will continue to seek to increase the number of compliant food businesses in the City.
6. The Pollution Team will implement the Action Plan of the Noise Strategy 2016-2026.
7. Implement site monitoring of noise from building sites, and the outcome of the consultation on Saturday morning working.
8. Investigate, and begin to implement, new income generation proposals.
9. Complete the delivery of Service Based Review (SBR) measures and historic repair works at Smithfield Market.
10. Build on the findings of the strategic review of markets and produce report for decision by Members.

Corporate programmes and projects

- Air Quality Project: ensure that the City Corporation complies with the new statutory requirements for London Local Air Quality Management. Demonstrate leadership for London by implementing the actions set out in the Air Quality Strategy 2015-2020
- Corporate Apprenticeship Scheme: support the scheme by offering a range of suitable placements for candidates.
- Focus on further reductions in energy usage as part of the Energy Efficiency Programme.
- Secure City Programme: contribute to the development of the Customer Relationship Management (CRM) system as part of delivering the programme's three key initiatives to provide a safer environment for our customers and stakeholders to live and do business in.

Departmental programmes and projects

- Procure and install a multi-lane entry barrier system and pedestrian access control at New Spitalfields Market.
- Identify and take up opportunities to increase income generation in all parts of the department and thereby achieve the corporately required 2% savings target.
- In liaison with the IT Department, continue to develop the use of technology and mobile working solutions.

How we plan to develop our capabilities this year

- Improve working relationships with partners, Government Departments and other agencies through collaboration and sharing information and expertise.
- Refresh our Workforce Plan, including consideration of appropriate proposals for succession planning.
- Continue to develop our leadership capabilities through the departmental Leadership Development Programme.

What we plan to do in the future:

- Identify the potential impacts and opportunities of the UK's exit from the EU and prepare appropriate strategies to address them.
- Improve air quality and manage the risk to our residents and stakeholders. Work with third parties to influence London-wide and national strategies.
- Develop extra facilities at Heathrow Animal Reception Centre to meet anticipated increases in demand and thereby increase income.
- Expand our capacity at the ports in order to accommodate anticipated increased demand.
- Implement the findings of the market testing review for a potential Primary Authority Service Unit.
- Investigate alternative methods of service delivery.

What we'll measure:

1. Preparation and implementation of a plan for active engagement with central government as the exit negotiations progress
2. Levels of air pollution in the City.
3. The number and quality of applications received for the Safety Thirst Award Scheme.
4. The number of reported incidences of City residents experiencing financial fraud.
5. The change in the overall Food Hygiene Ratings Scheme (FHRS) ratings profile for City food establishments.
6. Delivery of key actions.
7. Income generated and the number of sites monitored.
8. Income levels.
9. Income levels at Smithfield Market.
10. Report findings of the review to Markets Committee for decision by May 2018.



Creating and facilitating the leading future world class City - DRAFT -

Our ambitions are to shape the City of the future through:

- ★ Delivering the ultimate flexible-working-space – inspiring, dynamic and secure
- ▲ Being digitally and physically well-connected and responsive
- Providing outstanding public spaces, heritage, attractions, retail and hospitality
- ◆ Offering a focal point for world-class creativity and culture
- Growing the economy
- Contributing to a flourishing society
- ✚ Providing high quality, effective and relevant services for a world class City

The coloured shapes show how 'our ambitions' flow through the 'what we do', 'our top line objectives and Portfolio Programmes

What we do is:

- Help promote and position the City to compete with other world class cities ★▲●◆○✚
- Ensure the City is a welcoming, safe and inclusive place for visitors, workers and residents ★▲●
- Improve public spaces to provide a thriving urban centre ●◆○
- Secure and support innovation to advance technological solutions to major challenges ★▲◆●
- Lead the way in creating a smarter City which supports modern workforces ★▲◆●
- Enable the development of high class architecture to ensure high quality choice of business space ★▲●◆✚
- Develop innovative approaches to safeguarding and sustaining our heritage, built and natural environment ●◆○

2018-19 budget:

	Exp £'000	Inc £'000	Net £'000
Local Risk	34,069	(15,881)	18,188
Central Risk	14,608	(20,355)	(5,747)
Recharges	15,232	(617)	14,615
Total	63,909	(36,853)	27,056

~~GIL income 16/17 £19,515,390~~

~~DBE pot is 40% £7,806,156~~

~~S106 Income 16/17 £1,133,588 (in relation to DBE specific schemes)~~

~~Capital programme value 2016/17 £34m, overall lifetime value of forecast project expenditure~~

What we'll achieve:

- Member decision on Bank Experimental Scheme – Q2 ★▲
- Member approval of the following strategies: Culture Mile Look & Feel strategy, Road Danger Reduction strategy, Eastern City Cluster strategy – Q2 ●◆○✚
- Completion of Aldgate Highway Changes and Public Realm Improvements – Q2 ●
- Deliver safe and easy pedestrian access to and from the three Crossrail stations as well as preventative security measures –Q3 ▲○✚
- Implement new lighting schemes across three of the City's river bridges – Q2 ●◆○
- Contract for new Cleansing and Waste provider– Q3 ✚
- 8 taxi electric charging points installed – Q1 ★▲
- Introduction of a consolidation service for the Guildhall – Q1 ✚
- Facilitation of significant planning applications to deliver the Future City ★▲
- Fully embed processes and procedures for Planning Performance Agreements by Q2 ★▲✚

Our top line objectives are:

- Advancing a flexible infrastructure that adapts to increasing capacity and changing demands. ★▲✚●
- Promoting the construction of high quality, inspiring buildings which attract diverse uses and users ★●
- Developing a smarter approach through use of data and technology ◆○
- Enabling digital connectivity that meets business and lifestyle needs ★▲✚●
- Creating an accessible city which is stimulating, safe and easy to move around in ▲○✚
- To lead and initiate research into microclimate issues for the benefit of London and the UK, and to minimise impact of climate change ●✚
- Empowering a rich and thriving social and cultural offer ★▲●◆◆
- Improving quality of life for workers, residents and visitors ★▲●◆✚



As a Department we have developed a Portfolio of Programmes which will help us deliver our Business plan ambitions and outcomes. The Programmes and 'live' prioritised Projects are listed below.

1. **Cultural Mile programme:** Look & Feel Strategy for the Culture Mile area, Culture Mile and City wayfinding review, Culture Mile 'Pop Up's', Beech Street
2. **Smarter City programme:** Projects still to be finalised
3. **Protective Security Measures Programme:** Projects still to be finalised
4. **Strategic Transport programme:** City Transport strategy, delivering the freight strategy and 'traffic in the City' reduction plan
5. **Strategic Infrastructure programme:** Crossrail, Thames Tideway
6. **Road Danger Reduction and Active Travel programme:** Road Danger Reduction Strategy, road danger reduction annual plan delivery, Bank Junction interim safety scheme
7. **Future Public Space programme:** New public square at Aldgate, churchyard enhancements, long term transformation of Bank Junction
8. **Cleansing and Waste programme:** New cleansing and waste contract
9. **Eastern Cluster Estate Management programme:** Eastern City Cluster area strategy, area security scheme, 22 Bishopsgate.
10. **Policy and Strategy programme:** Local plan, pedestrian and other modelling
11. **Foremost Services programme:** Building control options review, development services review

How we plan to develop our capabilities this year:

- Continue to develop and expand effective partnerships
- Agree a new Waste and Cleansing contract
- Continue to strategically link in with the People, Place, Prosperity Steering groups and Summit Group Develop our presence through communication and promotion
- Advance a consistent approach to programme and project management including clear project prioritisation.
- Embrace and implement new technologies to modernise and enhance business processes through social media, hackathons and digital data sharing
- Develop succession plans and a talent management programme to meet Future City needs
- Embed apprenticeships to meet City needs
- Develop strategies to strengthen resilience and ensure we have the right people in the right place at the right time with the right skills
- Establish a more courageous and radical approach to problem solving and service improvement
- Better understanding of international cultural differences and changing business needs

What we'll measure:

- Achievement of the City's efficiency savings with a balanced budget
- Reduction in the amount of freight using the City's streets
- The increase in the number of cyclists using the City's streets
- The increase in businesses using consolidation centres
- Reduction in the number people killed or seriously injured in road traffic accidents
- The % of City land that has unacceptable levels of litter, detritus, graffiti and flyposting with the aim of the % being less than 2%
- Increase in office floorspace stock and employment
- The SME presence and broader range of occupiers in the City with the intention to increase and strengthen it
- The improvement of public permeability by new routes, open space, greenery and high level access
- Increased number of apprenticeships

What we're planning to do over the coming years

- Managing intensification, diversification of the City and the changing nature of its workforce
- Ensure we have the expertise within the department to deliver a future world class city
- Build on our intellectual capital to develop smart solutions
- Provide relevant, high quality end to end services for City developments
- Create a new public and performance space, piloting latest technologies and innovations
- Transformation of Bank Junction
- Facilitate relocation of Museum of London and the Centre for Music
- Develop behavioural change campaigns to drive a cleaner and more sustainable environment eg a campaign to reduce use of disposable water bottles

Committee: Port Health & Environmental Services	Date: 21 November 2017
Subject: Department of the Built Environment (Cleansing Services) Business Plan Progress Report for Period 1 (April - July), 2017/18	Public
Report of: Carolyn Dwyer, Director of the Built Environment	For Information
Report author: Jim Graham, Department of the Built Environment	

Summary

1. This report sets out the progress made during Period 1 (April – July) 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 the July 2017, the Department of Built Environment was £49k (1.8%) underspent against the local risk budget to date of £2.76m, 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 minimal year end underspend of £6k (0.09%) 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. A high level business plan for 2017-18 was approved by this committee on 09 May 2017 which did not address any changes to the KPI targets set out in the previous plan.

Key Performance Indicators

2. During Period 1 (April - July) 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) being 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 Refuse and Street Cleansing contract) failed for one month of the period addressed in this report.

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. The steady progress of the Recycling Action Plan put in place to improve NI192 performance has continued, with the bin chipping project now completed. This enables the cleansing service to gather information that will identify properties producing a higher than average amounts of waste allowing officers to better target waste reduction activities. A project focussing on the Barbican is about to commence and the findings from this will be used to target specific campaigns and interventions which can be rolled out to other estates.
5. 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, achieved well above the target when measured in July, with only 0.63% of all 300 areas surveyed failing to meet the required standards of cleanliness.
6. Over the past year when there has been a persistent failure in the management and administration of the contract and a failure to pass sufficient contract Key Performance Indicators to satisfy TPR1. This has resulted in financial penalties for Amey.
7. Following urgent meetings between senior client officers and national directors of Amey Environmental Services, a recovery plan was agreed and has been implemented. Amey have now put in place an experienced and dedicated local contract management team. This has been supported by cleansing officers who have provided enhanced mentoring and training support. The benefits have started to be felt during this period. In April four contract KPIs were missed. However, in May, June and July the KPIs were satisfied (only missing one contract KPI per month) and, provided the trend of improved performance continues, the contractor should be free of financial penalties from September 2017.

Objective Updates

8. Alongside overseeing the necessary improvements in the performance of the Refuse Collection, Street Cleansing and Ancillary Services contract officers have been considering the option to extend the contract for another eight years from 2019. A separate report has been brought to this committee for a decision on this matter. Officers have begun to start the necessary preparations should the decision to retender the service be taken.

Achievements

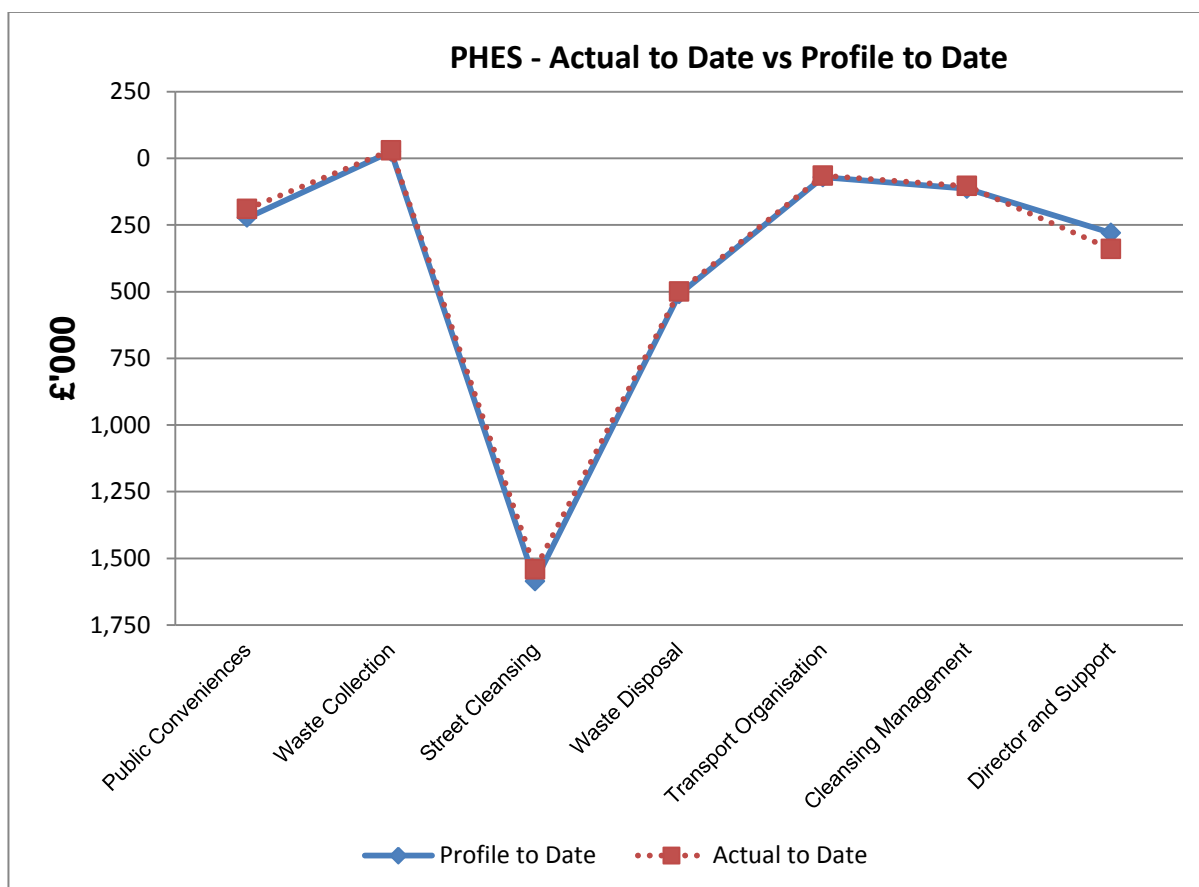
9. In April the City worked with Hubbub, an environmental charity, and Simply Cups, a specialist recycling company, to challenge businesses, workers, visitors and residents in the City of London to recycle half a million coffee cups during the month. The campaign received considerable press and social media

coverage which, along with other on street activities, resulted in the target being met.

10. Our NI 195 scores from Keep Britain Tidy, which indicate the percentage of streets with unacceptable levels of litter, detritus graffiti and flyposting, have remained consistently low at 0.63%, even with the difficulties experienced with the contract over the past year.
11. 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

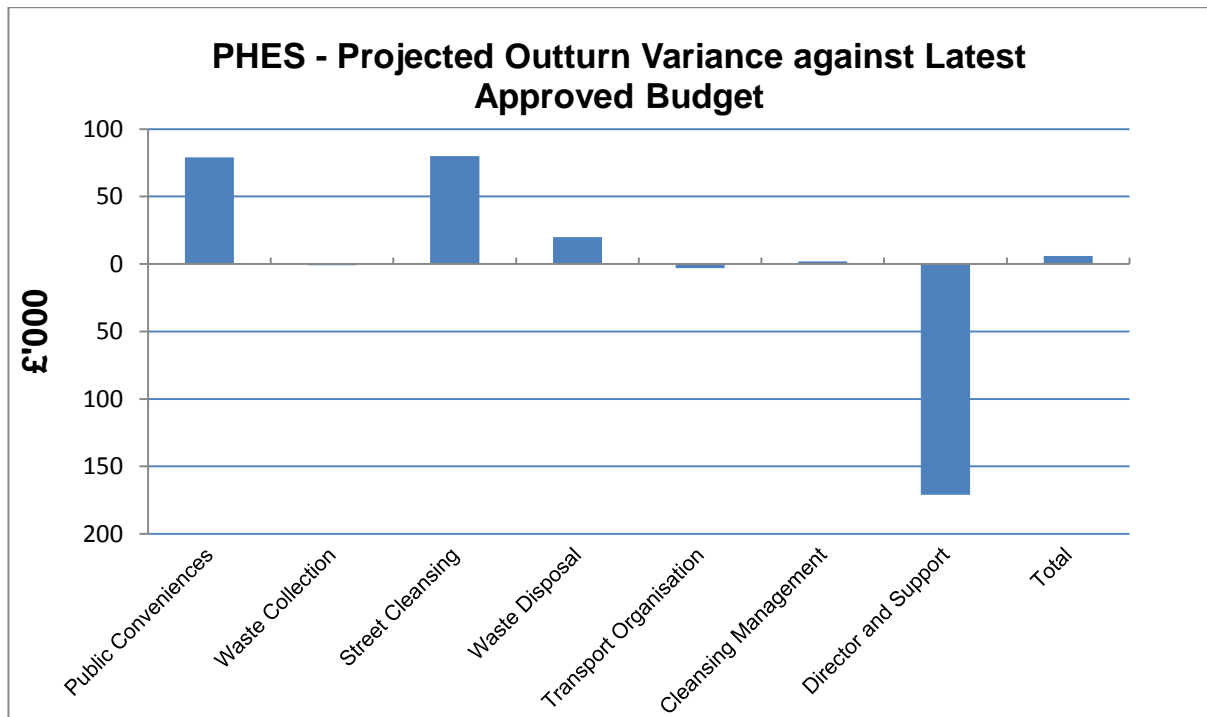
12. The end of July 2017 monitoring position for Department of Built Environment services covered by Port Health & Environmental Services Committee is provided at Appendix B. This reveals a net underspend to date for the Department of £49k (1.8%) against the overall local risk budget to date of £2.76m for 2017/18.



Notes:

1. Graph shows the actual local risk net position against the profiled budget to date for each Division.
2. DBE total actual to date spend of £2.71m is £49k under the profiled budget to date of £2.76m.
3. A position above the baseline is favourable i.e. net income.
4. A position below the baseline is unfavourable i.e. net expenditure.

13. Overall the Director of Built Environment is currently forecasting a minimal year end underspend position of £6k (0.09%) for her City Fund services.



Notes:

1. Zero is the baseline latest approved budget for each Division of Service.
2. Graph shows projected outturn position against the latest approved budget.
3. A variance above the baseline is favourable i.e. either additional income or reduced expenditure.
4. A variance below the baseline is unfavourable i.e. additional expenditure or reduced income.
5. Overall the Department is forecasting an underspend of £6k at year end.

14. 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.
15. The better than budget position at the end of July 2017 is mainly due to underspends for Public Conveniences due to reduced pension fund contributions and additional barrier income. There have also been underspends to date within Street Cleansing service due to penalty deductions imposed on

AMEY for failure to achieve required KPI's and further salary savings for staff not in the pension fund.

16. This favourable position to date has largely been offset by additional Director & Support costs relating to additional staffing costs, funding of study trips and conference expenses, and 'smart & future cities' consultancy costs.
17. The Director of Built Environment anticipates this current better than budget position will continue to year end, subject to income activity maintaining its current high performance.

Appendices

- Appendix A – Period 1 KPI results
- Appendix B – Finance Report

Background Papers

DBE Business Plan 2015-18

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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 17/18	Period 1	Period 2	Period 3	Overall
Transportation & Public Realm						
NI 191	To reduce the residual annual household waste per household.	373.4kg	136.26kg			136.26kg
NI 192	Percentage of household waste recycled.	47%	28.62%			28.62%
NI 195	Percentage of relevant land and highways from which unacceptable levels of litter, detritus, graffiti and fly-posting are visible.	2%	0.63%			0.63%
TPR1	No more than 1 failing KPIs, per month on new Refuse and Street Cleansing contract	<4 per period	7			7
Comments: NI191: 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. NI192: The reviewed and updated Recycling Action Plan is currently being implemented and it is anticipated that this will lead to an increase in the recycling rate. TPR1:						
DM7	To manage responses to requests under the Freedom of Information act within 20 working days. (Statutory target of 85%)	85%	99.25%			

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Department of Built Environment Local Risk Revenue Budget - 1st April to 31st July 2017
(expenditure and unfavourable variances are shown in brackets)

Appendix B

	Latest Approved Budget 2017/18 £'000	Budget to Date (Apr-Jul)			Actual to Date (Apr-Jul)			Variance Apr-Jul £'000
		Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	
<u>Port Health & Environmental Services (City Fund)</u>								
Public Conveniences	(559)	(384)	161	(223)	(350)	160	(190)	33
Waste Collection	(107)	(325)	350	25	(328)	358	30	5
Street Cleansing	(3,887)	(1,715)	128	(1,587)	(1,662)	120	(1,542)	45
Waste Disposal	(744)	(397)	(113)	(510)	(389)	(111)	(500)	10
Transport Organisation	(157)	(99)	28	(71)	(92)	28	(64)	7
Cleansing Management	(360)	(114)	0	(114)	(104)	0	(104)	10
Director and Support	(809)	(290)	10	(280)	(351)	10	(341)	(61)
TOTAL PORT HEALTH & ENV SRV COMMITTEE	(6,623)	(3,324)	564	(2,760)	(3,276)	565	(2,711)	49

Forecast for the Year 2017/18			Notes
LAB £'000	Forecast Outturn £'000	Over / (Under) £'000	
(559)	(480)	79	1
(107)	(108)	(1)	
(3,887)	(3,807)	80	2
(744)	(724)	20	
(157)	(160)	(3)	3
(360)	(358)	2	
(809)	(980)	(171)	
(6,623)	(6,617)	6	

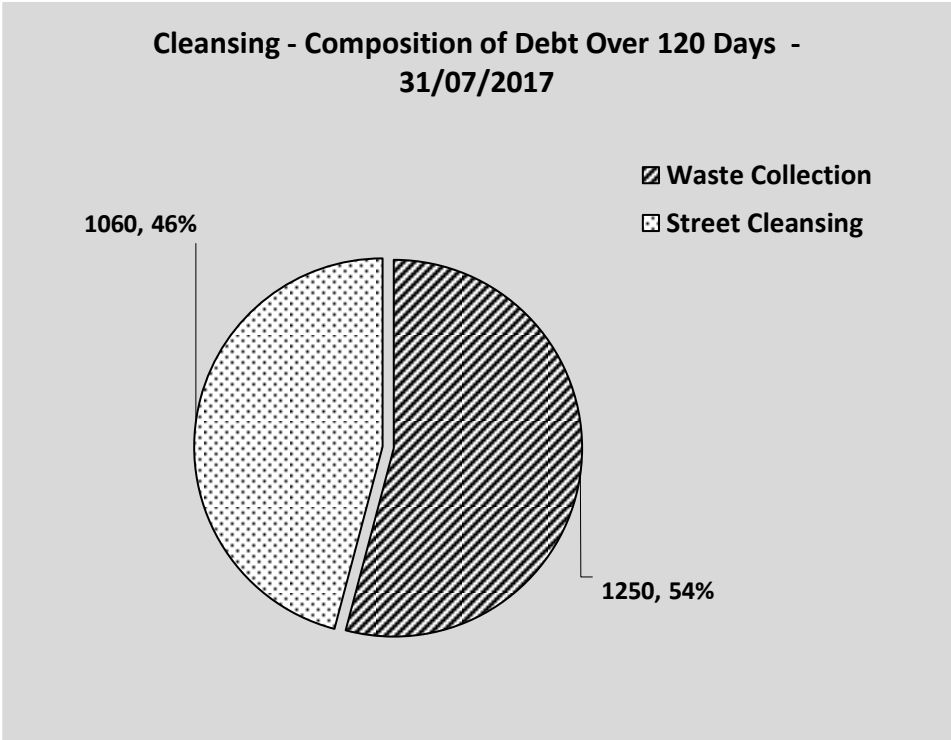
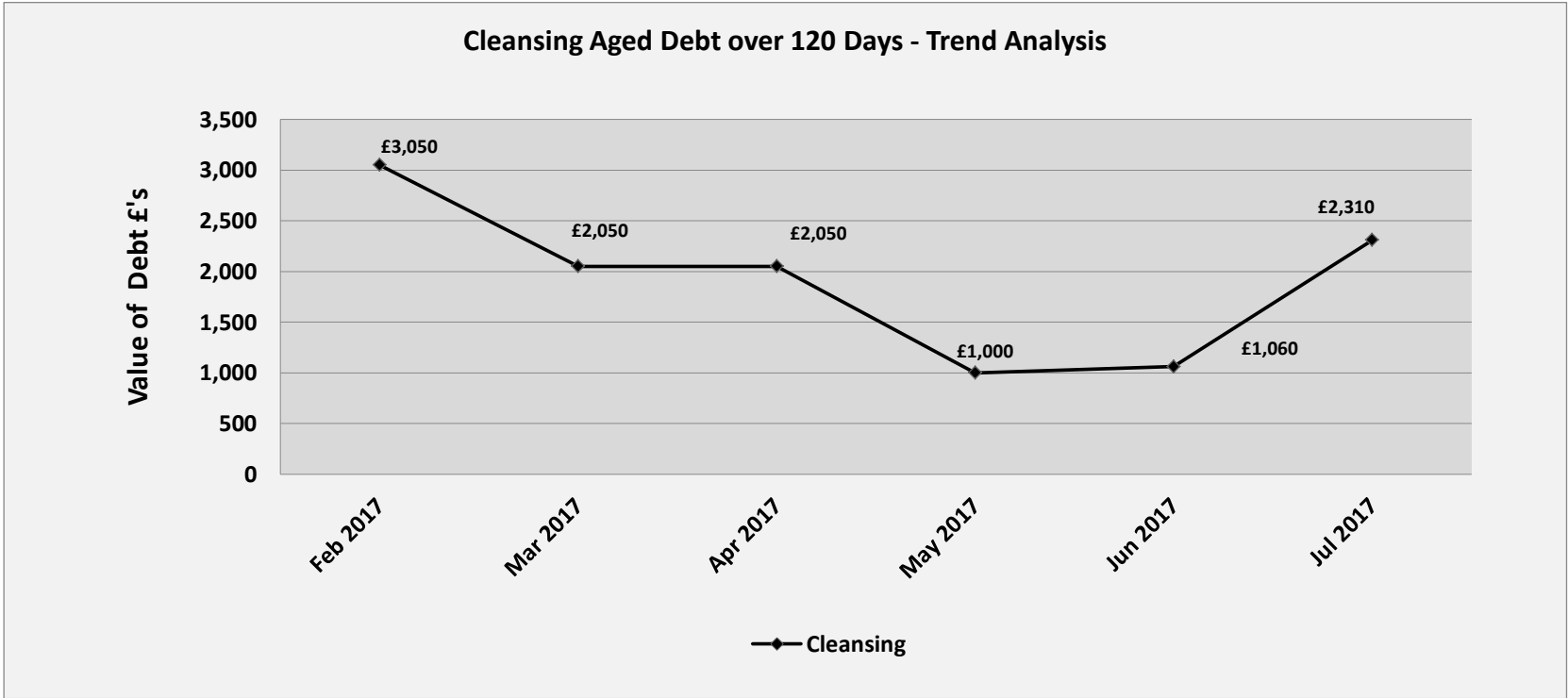
- Notes:**
- 1. **Public Conveniences** - favourable outturn relates to lower costs for staff not in the pension scheme and additional barrier income.
 - 2. **Street Cleansing** - favourable outturn mainly due to contract penalty deductions imposed on AMEY for failure to achieve required KPIs and salary savings for staff not in the pension fund.
 - 3. **Director and Support** - projected overspend due to additional staffing costs, funding of study trips and conference expenses, and 'smart & future cities' consultancy costs.

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Cleansing Aged Debt Over 120 Days - as at 31st July 2017

Department	Debts Exceeding 120 Days					
	28-Feb	31-Mar	30-Apr	31-May	30-Jun	31-Jul
Cleansing	£ 3,050	£ 2,050	£ 2,050	£ 1,000	£ 1,060	£ 2,310

Composition of Debt - 31/07/2017		
Waste Collection	£	1,250
Street Cleansing	£	1,060
	£	2,310



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Committee(s)	Dated:
Community and Children's Services – For Information Establishment Committee – For Information Port Health and Environmental Services Committee – For Information	21112017
Subject: Public Sector Equality Duty presentation	Public
Report of: Director of Community and Children's Services	For Information
Report author: Moushumi Bhadra, Project and Equalities Manager	

Summary

This report provides Members with a brief overview of the City of London Corporation's requirements under the Public Sector Equality Duty, which falls under Section 149 of the Equality Act 2010, and how this applies to our local authority and port health functions.

A brief presentation attached as an Appendix to this report summarises the purpose of the Public Sector Equality Duty (known as the Equality Duty), as well as how Members and Officers demonstrate 'due regard' to the Equality Duty.

Recommendation(s)

Members are asked to:

- Note the report.

Main Report

Background

1. An Equality Duty briefing session was delivered by Officers from the Equality and Inclusion Board as part of the Member Development Programme in June 2017. This session was designed to raise awareness among Members of the City of London Corporation's requirements to pay 'due regard' to the Equality Duty in relation to its local authority and port health functions.
2. Following this, the Equality and Inclusion Board agreed that Officers from the Equality and Inclusion (E&I) Board should provide a report summarising the contents of this briefing session to Establishment Committee; Community and Children's Services Committee; and Port Health and Environmental Services Committee in order to raise awareness among committees that oversee decisions relating to local authority and port health functions.

Current Position

Public Sector Equality Duty

3. In 2011, the Public Sector Equality Duty (known as the Equality Duty) came into force. The Equality Duty requires public authorities, in carrying out their local authority and port health functions, to have due regard to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
4. These are known as the three 'aims' of the Equality Duty. Under the Equality Duty, there are nine protected characteristics whose protected status was enhanced within the Equality Act 2010:
 - Race and ethnicity
 - Disability
 - Religion or belief
 - Age
 - Sexual orientation
 - Gender
 - Gender reassignment
 - Pregnancy and maternity
 - Marriage and civil partnership
5. The Equality Duty requires public authorities to pay due regard to the Equality Duty for all services, including policy making, employment, planning and procurement. It also applies to any private bodies or voluntary organisations that carry out public functions on our behalf, such as any commissioned services.

Governance arrangements for equality and inclusion

6. The Equality and Inclusion (E&I) Board, chaired by the Town Clerk and co-chaired by the Director for Human Resources and the Director for Community and Children's Services, is the officer-led governing body for equality and inclusion in the City of London Corporation. The Equality and Inclusion Board reports on a quarterly basis to Summit Group and to Establishment Committee. The E&I Board also produce an annual report which summarises how the organisation is meeting the aims of the Equality Duty.

How do Officers demonstrate due regard to the Equality Duty?

7. Officers must demonstrate due regard to the Equality Duty when developing proposals and designing services that will have an impact on people (i.e. City residents, service users, workers, tourists and any other City of London customers) in relation to local authority or port health functions.

8. Officers are required to disclose whether there are any implications relating to equality and inclusion under the 'Corporate Implications' heading in Committee reports.
9. Officers can complete an Equality Analysis, an in-depth analytical tool to assess the equalities implications of a proposal on service users. An Equality Analysis will pay particular consideration to the needs of individuals who fall under the protected characteristics of the Equality Duty.

How do Members demonstrate due regard to the Equality Duty?

10. In the 'Equality Act 2010: Technical Guidance on the Public Sector Equality Duty in England', the Equality Duty applies to the "Common Council of the City of London in its capacity as a local authority or port health authority". This therefore places a requirement upon Members to scrutinise equalities implications of proposals that relate to local authority or port health functions.
11. If an Equality Analysis has been completed, it should:
 - Be disclosed in the committee report and attached as an appendix to the report
 - Be signed off by the relevant senior officer
 - Be evidence-based to analyse the significance of any positive, negative or a combination of impacts on service users
 - Identify any potential negative impacts and includes meaningful justification for why the proposal should go ahead
 - Include a robust action plan to mitigate any negative impacts and enhance positive impacts if possible.

Proposals

12. It is advised that Members note the legal requirements outlined in the Equality Duty and scrutinise any Equality Analysis proposals that are submitted as part of Committee reports.

Corporate & Strategic Implications

13. The requirement for Officers and Members to pay due regard to the Equality Duty is outlined in the Equality Act 2010, so it is a legal requirement. It is also outlined in the Corporate Plan, as well as the Departmental Business Plan.

Conclusion

14. In ensuring that Officers and Members pay due regard to the Equality Duty, the City of London Corporation meets the requirements of the Equality Act 2010 and:
 - Delivers cost-effective and customer-focused services
 - Places the needs of service users at the heart of policy development
 - Advances equal opportunities and fosters good relations within our communities
 - Meets its commitment to be a leader in equality, diversity and inclusion.

Appendices

- Appendix 1 – Public Sector Equality Duty presentation for Members

Moushumi Bhadra

Project and Equalities Manager

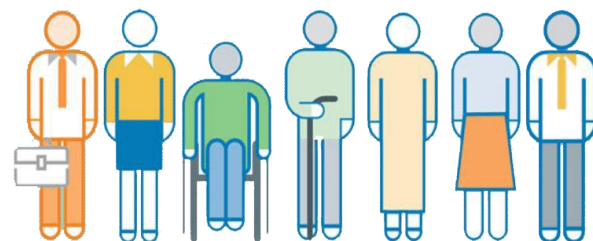
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Member Briefing on the Public Sector Equality Duty

21 November 2017

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What is the Public Sector Equality Duty?

Public authorities must, in exercise of their functions, have **due regard** to the need to:

- Page 158
- **eliminate discrimination, harassment and victimisation**
 - **advance equality of opportunity** between those who share a protected characteristic and those who do not
 - **foster good relations** between those who share a protected characteristic and those who do not



What is 'due regard'?

“In making decisions and in its other day-to-day activities a body subject to the duty must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations...the greater the relevance and potential impact, the higher the regard required by the duty.”

[Technical Guidance on the Public Sector Equality Duty for England para. 2.19 and 2.20](#)

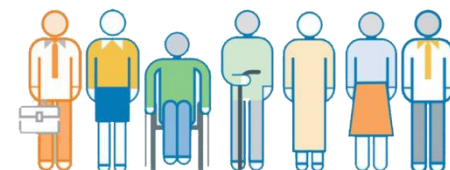
How do Officers demonstrate due regard?

All Officers are asked to disclose whether there are any implications relating to equality and inclusion under 'Corporate Implications' in Committee reports.

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Officers can complete an Equality Analysis to **assess the equalities implications of a proposal on service users**

The [Equality Duty toolkit](#) outlines the full guidance and sets out exactly what needs to be identified in a report to committee

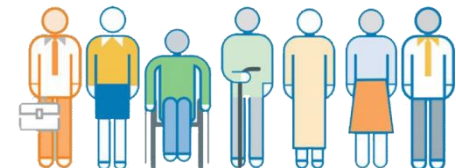


When do Members demonstrate due regard in Committee?

In scrutinising proposals for decisions that affect people (i.e. City residents, service users, workers, tourists):

Page 16

- When implementing or commissioning a new service
- When a service is terminated or reduced in particular areas
- When there are changes to the way a service is delivered e.g. moving to online access only
- Change of eligibility criteria, rules or practice for a service



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Committee	Dated:
Port Health and Environmental Services	21 November 2017
Subject: Resolution to Planning and Transportation Committee	Public
Report of: Town Clerk	For Information
Report author: Sacha Than, Committee and Members' Services Officer	

Summary

At your Port Health and Environmental Services Committee on 19 September 2017, a report was considered on the need for electric vehicle charging in the City of London.

During discussion, Members raised their concerns on the low number of proposed charging points and agreed that a resolution communicating the Committee's comments be provided to your Planning and Transportation Committee.

A resolution was provided to your Planning and Transportation Committee for their 3 October 2017 meeting (see Appendix 1). At this meeting, a discussion took place on Electric Vehicle Charging and the Committee noted that your Port Health and Environmental Services Committee had requested that the proposed review of the success of this charging strategy be brought forward from December 2018 to July 2018 (see Appendix 2).

Recommendation

Members are asked to note the discussion from the 3 October 2017 Planning and Transportation Committee.

Sacha Than

Committee and Members' Services Officer

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TO: **PLANNING AND
TRANSPORTATION COMMITTEE**

3 October 2017

FROM: **PORT HEALTH AND
ENVIRONMENTAL SERVICES
COMMITTEE**

19 September 2017

7. The Committee considered a report on the need for electric vehicle (EV) charging in the City of London. The report proposed an overarching policy on charging for electric vehicles, balancing the benefit of providing charging facilities within the Square Mile at appropriate locations whilst guarding against the generation of additional vehicle trips and minimising the impact on the public realm.

A discussion took place during which the following points were raised:

- Members noted that the report proposed placing rapid charging points for taxis in Baynard House car park and raised concerns on this location, noting that charging points at taxi ranks might be more useful. Members added that the location in a car park may attract additional vehicles to the City solely to use the charging points.
- Members raised their concerns on the low number of charging points proposed and noted that the City should be leading the way in this field. Members asked that there be an increased number of charging points and suggested that the plans should be more ambitious.
- Members considered that the City Corporation should be a leader in this area and that in addition to taxis, private cars should be able to use the rapid charging points
- Members asked whether the taxi drivers had been consulted on the proposals.

In response to the queries raised by Members, the Director of Transportation and Public Realm explained that:

- Officers had worked with both TfL and consulted taxi drivers in order to offer the appropriate number of charging points in locations that would be used by drivers. Officers believed that at this point, given the low number of zero emission taxis likely to be in service in 2018, that the new provision would be adequate. It was important to provide a service to the vehicles within the City, but a balance had to be struck in order to ensure the charging points were not an attraction for drivers who did not ordinarily travel into the City, as this would exacerbate the issues of congestion and pollution.
- Discussions had taken place with both the manufacturers of the taxis and the representative bodies of the drivers.
- It was important to bear in mind that the scheme was being funded by TFL. A review had been proposed to take place in December 2018 to assess the effectiveness of the charging points within the locations, but in light of Members' comments, this would be brought forward to July 2018.
- Members asked that the Planning and Transportation Committee be made aware of their concerns on the ambitions of this project, the low number of proposed rapid charging points, and whether TFL had committed enough funding.

It was agreed to send a resolution in response to the Planning and Transportation Committee to communicate the Port Health and Environmental Services Committee's comments and the importance they placed on this issue.

RESOLVED – That:

- a) the report be noted;
- b) a review of the project take place after six months; and
- c) a note of the discussion be sent to the next meeting of the Planning and Transportation Committee.

PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 3 October 2017

8. REPORTS OF THE DIRECTOR OF THE BUILT ENVIRONMENT

c) Electric Vehicle Charging

The Committee considered a report on the need for electric vehicle (EV) charging in the City of London. The report proposed an overarching policy on charging for electric vehicles, balancing the benefit of providing charging facilities within the Square Mile at appropriate locations whilst guarding against the generation of additional vehicle trips and minimising the impact on the public realm.

Members noted that the report proposed placing rapid charging points for taxis in Baynard House car park and raised concerns on this location, noting that charging points at taxi ranks might be more useful. Members added that the location in a car park might attract additional vehicles to the City solely to use the charging points.

Some Members raised their concerns on the low number of charging points proposed and stated that the City should lead the way in this field. Others considered the paper to set out a proportional response to the need for charging points and that in addition to taxis, private cars should be able to use the rapid charging points

The Director of Transportation and Public Realm explained that Officers had worked with TfL and consulted taxi drivers in order to offer the appropriate number of charging points in locations that would be used by drivers. Officers believed that at the current time, given the low number of zero emission taxis likely to be in service in 2018, the new provision would be adequate. It was important to provide a service to the vehicles within the City, but a balance had to be struck in order to ensure the charging points were not an attraction for drivers who did not ordinarily travel into the City, as this would exacerbate the issues of congestion and pollution. The Director also explained that a sample of taxi drivers had been consulted regarding the appropriateness of using Baynard House car park for the taxi charging points and that all consulted considered this appropriate given the local café nearby.

One Member suggested that if the large rapid charging points were not successful that officers should considering installing the smaller fast charging (22 KW) points. The Committee were reminded that the scheme was currently being funded by TFL whose legal advice was that the smaller charging points would be anti competitive given not all of the new electric taxis would be able to use these points to an equal effect.

Members noted that the Port Health had requested that the proposed review of the success of this charging strategy be brought forward from December 2018 to July 2018.

RESOLVED - To

- 1) Approve the policy to support the installation of electric vehicle charge points at appropriate locations which will take into account the need to guard against additional vehicle trips and have minimal impact on the public realm;
- 2) Approve the implementation of eight rapid charge points for taxis at Baynard House car park; and
- 3) Approve the implementation on a trial basis of a rapid charge point at Noble Street taxi rest bay. To be reviewed and reported back to Planning Transportation Committee after 6 months to determine whether it should be made permanent.

PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

TUESDAY, 19 SEPTEMBER 2017

NOT FOR PUBLICATION

By virtue of paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972.

23. NON-PUBLIC MINUTES

RESOLVED – That the non-public minutes of the meeting held on 4 July 2017 be approved.

24. WASTE COLLECTION, STREET CLEANSING AND ANCILLARY SERVICES CONTRACT EXTENSION DECISION

The Committee considered a report of the Director of the Built Environment which addressed the issue of whether the City Corporation should exercise the contract extension option that it has under its contract for Waste Collection and Street Cleansing.

A Member noted that although Amey had turned the corner with regards to performance against the contract KPI's they had struggled to deliver the services during the contract and much of the success achieved over the years was as a direct result of the officers from the City of London's cleansing department.

RESOLVED – That:

- a) the recommendation that Amey are not offered an extension to the contract which will therefore end on 30 September 2019 (unless Amey choose to shorten the period by serving 18 months' notice before 01 April 2018) be approved; and
- b) the vision for "what success will look like" contained in Appendix Two of the report be approved.

25. DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 30 JUNE 2017

The Committee received a report of Director of the Built Environment, Director of Markets and Consumer Protection and the Director of Open Spaces on Debt Arrears for the period ending 30th of June.

RESOLVED – That the Committee note the report.

26. REPORT OF ACTION TAKEN

The Committee noted a report which advised 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(A).

RESOLVED – That the Committee note the report.

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

There were no questions.

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

There was no other business.

The meeting ended at 12.55 pm

Chairman

**Contact Officer: Sacha Than
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of the Local Government Act 1972.

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