

# PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 25 September 2018

Minutes of the meeting of the Port Health & Environmental Services Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Tuesday, 25 September 2018 at 11.00 am

## Present

### Members:

Jeremy Simons (Chairman)	Alderman David Graves
Deputy Keith Bottomley (Deputy Chairman)	Graeme Harrower
Deputy John Absalom	Christopher Hill
Alderman Nick Anstee	Deputy Tom Hoffman
Alexander Barr	Deputy Wendy Hyde
Adrian Bastow	Deputy Jamie Ingham Clark
Deputy John Bennett	Shravan Joshi
Peter Bennett	Vivienne Littlechild
John Chapman	Andrew McMurtrie
Mary Durcan	Andrien Meyers
Deputy Kevin Everett	Henrika Priest

## In Attendance

### Officers:

Sacha Than	- Town Clerk's Department
Chandni Tanna	- Town Clerk's Department
Christopher Bell	- Chamberlain's Department
Jenny Pitcairn	- Chamberlain's Department
Paul Chadha	- Comptroller & City Solicitor's Department
Warren Back	- City Surveyors' Department
Carolyn Dwyer	- Director of Built Environment
Jim Graham	- Department of the Built Environment
Zahur Khan	- Department of the Built Environment
Steve Presland	- Department of the Built Environment
Richard Steele	- Department of the Built Environment
Kristian Turner	- Department of the Built Environment
David Smith	- Director of Markets and Consumer Protection
Ruth Calderwood	- Markets and Consumer Protection Department
Beth Humphrey	- Markets and Consumer Protection Department
Tony Macklin	- Markets and Consumer Protection Department
Gavin Stedman	- Markets and Consumer Protection Department
Colin Buttery	- Director of Open Spaces
Gary Burks	- Open Spaces Department
Gerry Kiefer	- Open Spaces Department

The Chairman welcomed the new Transportation and Public Realm Director, Zahur Khan.

The Committee placed on record their thanks and best wishes to Steve Presland, the outgoing Transportation and Public Realm Director for his work over the past 11 years. Members were informed that Mr Presland would remain with the City of London Corporation to oversee the implementation of the new cleansing contract.

The Chairman informed the Committee that the annual fishing experiment had taken place on the previous Saturday and that it had been a successful day.

1. **APOLOGIES**

Apologies were received from Caroline Addy, Tijs Broeke, Peter Dunphy, Anne Fairweather, Deputy Joyce Nash, Jason Pritchard, and Mark Wheatley.

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

There were no declarations.

3. **MINUTES**

**RESOLVED** – That the minutes of the meeting held on 16 July 2018 were agreed as a correct record.

**Matters Arising**

Plastic Free City

The Director of the Built Environment explained that a Plastic Free City project Manager had been appointed, starting work during October 2018. In response to a Members' questions on the plastic wrapping of City View Magazine and whether the envelopes used were recyclable; the Director agreed to look into this further.

Nitrogen Dioxide Concentrations at St. Bartholomew's Hospital

The Director of Port Health and Public Protection explained that officers were continuing to measure the air quality at St. Bartholomew's Hospital and there had been a reduction in Nitrogen Dioxide concentrations. Officers would continue to monitor the site.

Bloomberg

In response to a Member's query on writing to Bloomberg, the Assistant Director of Cleansing explained that a meeting was taking place with their Facilities Management Team on 1 October 2018 to discuss the issues of littering as raised at the previous meeting. The Chairman suggested awaiting the outcome of that meeting before taking any further steps.

4. **OUTSTANDING ACTIONS**

The Committee received the current list of outstanding actions.

### Impact of Brexit

The Director of Port Health and Public Protection advised that DEFRA and the Food Standards Agency were engaging more with the City of London Corporation and whilst there were still a number of unknowns with regard to Brexit, the Corporation had a consultant in place to help with negotiations and lobbying. An update report would be provided to the next meeting of the Committee.

### Electric Vehicle Charging

The Director of Transportation and Public Realm advised that a contract had been awarded for the installation of a charging point at Noble Street and it was anticipated this would be operational in November 2018.

A hub of eight to ten charging points was planned for installation at Baynard House, however the technical details were still being worked on and TfL would need to complete their cost benefit appraisal before making a final decision. The Director of Transportation and Public Realm advised that the points were likely to be operational next summer.

In response to a Member's comments that there were a number of charging points in place on the Islington side of Smithfield Market, the Chairman explained these were not 45 kW rapid charging points and noted that the City of London Corporation would continue to look at opportunities to install charging points.

### Gumdrop

The Assistant Director of Cleansing advised that gum receptacles were not a viable option for the City. In response Members raised the following points:

- a new kind of chewing gum had been invented which does not stain the ground, could the City Corporation's links with government compel companies to sell this;
- would it be possible to treat the paving stones to make it harder for chewing gum to stain the ground;

In response, the Assistant Director of Cleansing explained that the pavements within the City were coated; there were 900 cigarette butt and gum bins within the City, and enforcement activities could be stepped up. It was added that the Chartered Institute of Waste Management and Keep Britain Tidy both lobby government, but it was not known whether any influence could be used to compel companies to sell non-stick gum.

This item would now be discharged from the Outstanding Actions report.

### Section 101 Agreements

The Director of Port Health and Public Protection advised that the Section 101 Agreement with Tower Hamlets was in draft form with the Comptroller and City Solicitor's Department. An officer with enforcement powers on the bridges would start work on 1 November 2018. Furthermore, enforcement work had commenced on Millennium Bridge with two carts seized and the traders had not returned since.

### Mosquitoes

The Director of Port Health and Public Protection advise that the steps taken with regards to the mosquitoes had been communicated back to residents via the relevant Member and there had been no further complaints. In response, a Member noted there may be mosquitoes within the Barbican area.

This item would now be discharged from the Outstanding Actions report.

#### 5. **RESOLUTION OF THE PLANNING AND TRANSPORTATION COMMITTEE**

The Committee considered a resolution of the Planning and Transportation Committee inviting a Member of the Port Health and Environmental Services Committee to sit on the Streets and Walkways Sub-Committee.

**RESOLVED** – That Kevin Everett be appointed to the Streets and Walkways Sub-Committee.

#### 6. **PETITION FROM THE BARBICAN RESIDENTS REGARDING TUBE NOISE**

The Committee considered the following petition from residents of the Barbican in relation to operational rail noise from the London Underground which had been referred to it from the Court of Common Council.

##### **Petition:-**

“We, the undersigned residents of the Barbican Estate, conscious of the Mayor’s and Deputy Mayor for Transport’s statement of “complete commitment” to reducing noise pollution arising from TfL’s underground trains and of the Chief Medical Officer’s 2018 identification of noise as second only to air quality as a health damaging pollutant, petition the Mayor to require Transport for London to produce proposals within three months, and to implement measures within six months thereafter, to reduce the high levels of noise and vibration pollution experienced in Barbican homes arising from trains on the sub-surface lines between Barbican and Moorgate stations. Noise levels should be reduced to below the level at which the World Health Organisation judges sleep to be disturbed: that is to a level of 40db outside homes (the equivalent of 19db inside homes).”

The Petition had been presented to the Court by Mary Durcan who thanked Members for the support given, and the work carried out by officers in relation to the survey. Members noted that meetings had taken place with Mark Field MP for the Cities of London and Westminster and GLA Member Unmesh Desai and it was hoped this, alongside the letters from the Committee would have an effect.

The Chairman advised that this matter would be given further consideration at Item Nine.

**RESOLVED** – That the petition be considered by the Committee.

#### 7. **SECTION 101 AGREEMENT WITH THURROCK COUNCIL**

The Committee considered a report of the Director of Markets and Consumer Protection which sought authorisation to enter into an agreement made under s.101 of the Local Government Act 1972 between the City of London Corporation and Thurrock Council.

Members commended the impressive growth in trade at London Gateway noting this was a model of quality work.

In response to a Member's query on increasing capacity, the Director of Port Health and Public Protection advised that the City would be able to meet the increase in throughput, making the Port more efficient and this would minimise the impact of a hard Brexit.

Responding to a Members question on cost benefit analysis, the Chairman noted that the City charges for its services on a cost recovery basis.

**RESOLVED** – That the Committee:

- authorise the City of London Corporation to enter into an agreement under the provisions of s.101 Local Government Act 1972 with Thurrock Council as outlined in this report; and
- authorise the Director of Markets & Consumer Protection, in consultation with the Comptroller & City Solicitor to negotiate and settle the final form of agreement with Thurrock Council, including specific legislation, charging regimes and termination arrangements.

8. **UPDATE ON THE CONSULTATION ON NOISY SATURDAY CONSTRUCTION WORK ACTIVITIES IN THE CITY OF LONDON**

The Committee received a report of the Director of Markets and Consumer Protection informing Members that the consultation undertaken about Saturday working in relation to noisy construction activities was now complete with 725 responses received and detailed analysis underway. A final decision report with recommendations would be presented to the November meetings of this Committee and the Planning and Transportation Committee.

In response to a Member's request that advice on the business and economic impacts of any proposals be sought, the Director of Port Health and Public Protection advised that all aspects of any recommendations would be considered.

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

9. **UPDATE ON THE ISSUE OF OPERATIONAL RAIL NOISE FROM LONDON UNDERGROUND AFFECTING THE BARBICAN ESTATE**

The Committee received a report of the Director of Markets and Consumer Protection which updated Members on the work carried out thus far with regards to the rail noise emanating from the London Underground and its impact on residents of the Barbican Estate. The initial measurements of noise and vibration had been completed and would be used to inform a strategy and

options for mitigation with a further report being brought before the Committee in January 2019.

In response to Members' comments on how different flats could be affected by the rail noise and a query on how the properties were chosen to measure noise levels, the Director of Port Health and Public Protection advised that some of the properties had been suggested by Members, some had been used previously for readings and were subsequently chosen again to ensure the measurements were consistent, and finally some were chosen as the residents had raised complaints in the past. Members were informed that the work was ongoing with further measurements to take place once current track replacement work was completed, and if they were aware of any residents who would like their properties to be used for readings, to let officers know.

In response to a Members' request, the Director of Port Health and Public Protection agreed to provide an interim progress report for the next meeting of the Committee. A Member queried whether clarity could be provided on whether TfL could use section 122 of the Railways Act 1993 as a statutory defence, the Director agreed to look into this further.

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

**10. LOW EMISSION NEIGHBOURHOOD ANNUAL UPDATE**

The Committee received a report of the Director of Markets and Consumer Protection which provided an update of activity over the past 12 months on the Low Emission Neighbourhood project.

**RESOLVED** – That the Committee note the report and support the activities of the project.

**11. BEECH STREET: TRANSPORT AND PUBLIC REALM IMPROVEMENTS**

The Committee considered a report of the Director of the Built Environment in relation to the plans to improve the public realm in Beech Street, the first stage of which requires the removal of traffic. The Director of the Built Environment advised that the Committee was receiving the transport and public realm aspect of the project, and discussions would be taking place between the Chairmen of the Policy and Resources Committee and the Planning and Transportation Committee, and the Deputy Mayor for Transport with the objective of seeking GLA support for the project and to seek assistance in identifying ways in which the project approvals for the traffic can be moved forward faster.

The Chairman noted the length of time for traffic modelling work and asked whether interim measures could be introduced to truncate the process. The Director of the Built Environment explained it was not possible to provide a date on when measures could be introduced as TfL have a fixed audit process which needs to be followed, but officers were looking at whether an abridged model could be considered. In addition, consideration was being given to the eastbound and westbound traffic, the closures of which, would have different implications.

A Member noted the other projects taking place at Old Street and London Wall to reduce traffic and asked whether the City of London Corporation had the opportunity to liaise with the relevant authorities on those schemes, it was added that the westbound traffic caused the most issues at Beech Street and due consideration should be given to this.

Responding, the Director of the Built Environment advised that officers were in communication with both the London Borough of Islington and TfL on the schemes and were providing input. Members were advised that further information would be provided on the Old Street project in due course. With regards to the traffic on Beech Street, the City Surveyor confirmed that introducing a closure for westbound traffic would be more effecting at reducing noxious emissions than an eastbound closure. However, this would in turn cause a greater impact as traffic would reassign over a wider area.

**RESOLVED** – That the Committee endorse the development of two options for reducing traffic in Beech Street.

12. **DRINKING FOUNTAINS - DELIVERING ADDITIONAL WATER REFILL POINTS IN THE CITY'S PUBLIC REALM**

The Committee received a report of the Director of the Built Environment which provided an update on plans to install additional water refill points in the City's public realm. A paper providing 19 potential locations for the water refill points was tabled.

The Director of Transportation and Public Realm advised that two water refill points had been installed within the Aldgate area, and consideration was being given to installing eight further sites from the list of locations tabled before Members.

In response to a Member's query on measuring success, the Director of Transportation and Public Realm advised that this was a challenge, but they could look at sales of single use plastic water bottles, and the number of water bottles collected through street cleaning and refuse collection. The Director added that they recognised the importance of advertising this campaign and would utilise the media to publicise it effectively.

A Member explained that within the City, there was a footway plaque in Poultry relating to the Great Conduit which provided water to the City for the first time and asked officers to look into the feasibility of a water refill point being installed at this location.

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

13. **CHANGE TO WASTE COLLECTION ARRANGEMENTS FOR SERVICED APARTMENTS**

The Committee received a report of the Director of the Built Environment which set out the change to waste collection arrangements for serviced apartments.

In response to Members' questions, the Assistant Director of Cleansing noted it was difficult to identify waste produced from individual properties let through Air B&B as they were part of full apartment blocks, and it was unlikely to be cost effective to separate out this waste, but he offered to look into this. The Assistant Director added that the Cleansing Team would monitor areas once changes had been made to ensure that any fly-tipping would be dealt with effectively.

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

14. **DEPARTMENT OF THE BUILT ENVIRONMENT (CLEANSING SERVICES) BUSINESS PLAN PROGRESS REPORT FOR PERIOD 1 (APRIL - JULY), 2018/19**

The Committee received a report of the Director of the Built Environment which provided an update on progress made during period one against the 2015-2018 DBE Business Plan for Public Conveniences, Waste Collection, Street Cleansing, Waste Disposal and Transport Services.

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

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

The Committee received a report of the Director of the Built Environment which provided assurance that risk management procedures in place within the Department of the Built Environment were satisfactory and met the requirements of the corporate Risk Management Framework. The Director of the Built Environment advised that the compliance rate with the Driver Check was at 92.4%.

In response to a Member's query regarding risk DBE-TP-12 (Cleansing & Waste Contract – Commercial) on why there was a discrepancy between the target risk and the actual risk, the Director of the Built Environment explained that upon reviewing the risk, the likelihood had been downgraded and therefore the risk score had been amended. However, when the risk would next be reviewed the target risk would also be reviewed.

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

16. **MARKETS AND CONSUMER PROTECTION BUSINESS PLAN 2018/2019: PROGRESS REPORT (PERIOD 1)**

The Committee considered a report of the Director of Markets and Consumer Protection which provided an update on progress made by the Port Health and Public Protection Division during Period One of 2018/19 against the Department of Markets and Consumer Protection's High Level Business Plan 2018/19.

The Director brought the Committee's attention to the prestigious RSPCA Gold Footprint Award that had been won by the Animal Health and Welfare team, based at the Heathrow Animal Reception Centre, and an Individual Special

Recognition Award won by Rob Quest, the Assistant Director, Animal Health. The Committee expressed its congratulations to the Assistant Director, Animal Health, and the Animal Health team

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

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

The Committee received a report of the Director of Markets and Consumer Protection which provided assurance that risk management procedures in place were satisfactory.

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

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

The Committee received a report of the Director of Open Spaces which updated Members on the performance of the Cemetery and Crematorium during the period April-July 2018. Appendix Three of the report was tabled.

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

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

There were no questions.

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

The Chairman reminded Members of the annual cemetery visit taking place on 30 October 2018.

21. **EXCLUSION OF THE PUBLIC**

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

22,25	3,5,7
23,24	3

22. **NON-PUBLIC MINUTES**

**RESOLVED** – That the non-public minutes of the meeting held on 16 July 2018 be approved.

23. **WALBROOK WHARF ELECTRICAL INFRASTRUCTURE UPGRADE INCLUDING NEW ELECTRIC VEHICLE CHARGING POINTS.**

The Committee received a joint report of the Director of the Built Environment and City Surveyor which set out the options for upgrading the electrical infrastructure at Walbrook Wharf to accommodate the introduction of new

electric vehicle charging stations for the new fleet of waste collection electrically propelled vehicles.

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

**24. UPDATE ON THE WASTE COLLECTION, STREET CLEANSING AND ANCILLARY SERVICES CONTRACT PROCUREMENT.**

The Committee considered a report of the Director of the Built Environment which provided an update on the Waste Collection, Street Cleansing and Ancillary Services Contract Procurement.

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

**25. DEBT ARREARS - PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD ENDING 30 JUNE 2018**

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

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

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

There were no questions.

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

There was one item of business.

**The meeting ended at 12.23 pm**

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Chairman

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