



## Port Health & Environmental Services Committee

**Date:** TUESDAY, 21 MAY 2019

**Time:** 11.00 am

**Venue:** COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

<b>Members:</b>	Rehana Ameer	Christopher Hill
	Deputy Keith Bottomley (Deputy Chairman)	Deputy Tom Hoffman (Chief Commoner)
	Deputy John Absalom	Deputy Wendy Hyde
	Caroline Addy	Deputy Jamie Ingham Clark
	Alexander Barr	Alderman Sir Roger Gifford
	Adrian Bastow	Shravan Joshi
	Deputy John Bennett MBE	Alderman Gregory Jones Q
	Peter Bennett	Vivienne Littlechild MBE
	Tijs Broeke	Andrien Meyers
	John Chapman	Deputy Brian Mooney
	Peter Dunphy	Deputy Joyce Nash
	Mary Durcan	Henrika Priest
	Deputy Kevin Everett	Jason Pritchard
	Anne Fairweather	Deputy Richard Regan
	Sophie Anne Fernandes	Deputy Elizabeth Rogula
	Graeme Harrower	Jeremy Simons
		Mark Wheatley

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**Lunch will be served at the rising of the Committee.**  
**N.B. 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. **ORDER OF THE COMMON COUNCIL**

Members are asked to note the Order of the Court of Common Council dated 25 April 2019, appointing the Committee and approving its Terms of Reference.

**For Information**  
(Pages 1 - 2)

4. **ELECTION OF CHAIRMAN**

To elect a Chairman in accordance with Standing Order No. 29.

**For Decision**

5. **ELECTION OF DEPUTY CHAIRMAN**

To elect a Deputy Chairman in accordance with Standing Order No. 30.

**For Decision**

6. **ELECTION OF ONE MEMBER TO STREETS AND WALKWAYS**

To appoint a Representative on the Streets and Walkways Sub Committee.

**For Decision**

7. **MINUTES**

To agree the public minutes and summary of the meeting held on Tuesday 5 March 2019.

**For Decision**  
(Pages 3 - 12)

8. **OUTSTANDING ACTIONS**

To note the current list of outstanding actions.

**For Information**  
(Pages 13 - 14)

9. **UPDATE ON THE IMPACT OF THE UK LEAVING THE EU (BREXIT) ON PORT HEALTH AND PUBLIC PROTECTION**

The Interim Director of Consumer Protection and Market Operations to be heard.

**For Information**

10. **DEPARTMENT OF THE BUILT ENVIRONMENT BREXIT UPDATE**  
Report of the Director of the Built Environment.  
**For Information**  
(Pages 15 - 16)
11. **CEMETERY AND CREMATORIUM RISK MANAGEMENT**  
Report of the Director of Open Spaces.  
**For Decision**  
(Pages 17 - 30)
12. **DEVELOPING A LONDON PRIMARY AUTHORITY HUB**  
Report of the Interim Director of Consumer Protection and Market Operations.  
**For Decision**  
(Pages 31 - 36)
13. **FOOD HYGIENE RATING SCHEME - SCORES ON THE DOORS IN THE CITY OF LONDON**  
Report of the Interim Director of Consumer Protection and Market Operations.  
**For Decision**  
(Pages 37 - 42)
14. **MESSAGE AND SPECIAL TREATMENT LICENCE FEES 2019/20**  
Report of the Interim of Director of Consumer Protection and Markets Operations.  
**For Decision**  
(Pages 43 - 50)
15. **PROGRESS REPORT ON MOBILISATION OF THE NEW WASTE AND CLEANSING CONTRACT**  
Report of the Director of the Built Environment.  
**For Decision**  
(Pages 51 - 70)
16. **LITTER INTERVENTION TRIAL**  
Report of the Director of the Built Environment.  
**For Information**  
(Pages 71 - 86)
17. **STREET TRADING: REPEAL OF PART III OF THE CITY OF LONDON (VARIOUS POWERS) ACT 1965**  
Report of the Interim Director of Consumer Protection and Market Operations.  
**For Decision**  
(Pages 87 - 90)

18. **UPDATE ON STREET TRADING ENFORCEMENT FOR THE CITY'S BRIDGES**  
Report of the Interim Director of Consumer Protection and Market Operations.  
**For Information**  
(Pages 91 - 94)
19. **APPROVAL OF THE 2019-2020 FOOD SERVICE ENFORCEMENT PLANS FOR THE CITY AND THE LONDON PORT HEALTH AUTHORITY**  
Report of the Interim Director of Consumer Protection and Market Operations.  
**For Decision**  
(Pages 95 - 134)
20. **APPROVAL OF THE HEALTH AND SAFETY INTERVENTION PLAN 2019-2020**  
Report of the Interim Director of Consumer Protection and Market Operations.  
**For Decision**  
(Pages 135 - 168)
21. **MARKETS AND CONSUMER PROTECTION BUSINESS PLAN 2018/2019: PROGRESS REPORT (PERIOD 3)**  
Report of the Interim Director of Consumer Protection and Market Operations.  
**For Information**  
(Pages 169 - 202)
22. **DEPARTMENT OF THE BUILT ENVIRONMENT RISK MANAGEMENT - PERIODIC REPORT**  
Report of the Director of the Built Environment.  
**For Information**  
(Pages 203 - 212)
23. **PORT HEALTH AND PUBLIC PROTECTION RISKS**  
Report of the Interim Director of Consumer Protection and Market Operations.  
**For Information**  
(Pages 213 - 220)
24. **REVENUE OUTTURN 2018/19**  
Joint report of the Chamberlain, the Director of the Built Environment, the Interim Director of Consumer Protection and Market Operations and the Director of Open Spaces.  
**For Information**  
(Pages 221 - 230)

25. **DRAFT ALCOHOL STRATEGY 2019-23**  
Report of the Director of Community and Children's Services.

**For Information**  
(Pages 231 - 246)

26. **DECISIONS TAKEN UNDER DELEGATED POWERS SINCE THE LAST MEETING OF THE COMMITTEE**  
Report of the Town Clerk.

**For Information**  
(Pages 247 - 248)

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

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

29. **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.

**For Decision**

## **Part 2 - Non-public Agenda**

30. **NON-PUBLIC MINUTES**  
To agree the non-public minutes of the meeting held on Tuesday 5 March 2019.

**For Decision**  
(Pages 249 - 252)

31. **URGENT WAIVER REPORT - PROCUREMENT OF A CONTRACT OFFICIAL VETERINARIAN**  
Report of the Town Clerk.

**For Information**  
(Pages 253 - 254)

32. **PORT HEALTH AND ENVIRONMENTAL SERVICES DEBTORS -PERIOD ENDING 31 MARCH 2019**  
Joint report of the Director of the Built Environment, the Interim Director of Markets and Consumer Protection and the Director of Open Spaces.

**For Information**  
(Pages 255 - 264)

33. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
34. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERED URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

ESTLIN, Mayor	<b>RESOLVED:</b> That the Court of Common Council holden in the Guildhall of the City of London on Thursday 25th April 2019, doth hereby appoint the following Committee until the first meeting of the Court in April, 2020.
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## PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

- Constitution**  
A Ward Committee consisting of,
  - two Aldermen nominated by the Court of Aldermen
  - up to 31 Commoners representing each Ward (two representatives for the Wards with six or more Members regardless of whether the Ward has sides) or Side of Ward.

- Quorum**  
The quorum consists of any nine Members.

- Membership 2019/20**

### ALDERMEN

- 1 Sir Roger Gifford
- 1 Gregory Percy Jones, Q.C.

### COMMONERS

3	Adrian Mark Bastow.....	Aldersgate
22	Joyce Carruthers Nash, O.B.E., Deputy .....	Aldersgate
3	Andrien Gereith Dominic Meyers.....	Aldgate
5	Graeme George Harrower.....	Bassishaw
2	Jamie Ingham Clark, Deputy.....	Billingsgate
2	Shravan Jashvantrai Joshi.....	Bishopsgate
5	Wendy Marilyn Hyde, Deputy.....	Bishopsgate
	(Bread Street has paired with Cordwainer for this appointment).....	Bread Street
5	Keith David Forbes Bottomley, Deputy.....	Bridge and Bridge Without
13	John Alfred Bennett, M.B.E., Deputy.....	Broad Street
19	Kevin Malcolm Everett, Deputy.....	Candlewick
6	Henrika Johanna Sofia Priest.....	Castle Baynard
15	Jeremy Lewis Simons.....	Castle Baynard
3	Tijs Broeke.....	Cheap
1	Sophie Anne Fernandes.....	Coleman Street
3	Alexander Robertson Martin Barr.....	Cordwainer
7	Peter Gerard Dunphy.....	Cornhill
10	Vivienne Littlechild, M.B.E., J.P. ....	Cripplegate
3	Mary Durcan.....	Cripplegate
7	Mark Raymond Peter Henry Delano Wheatley.....	Dowgate
17	Richard David Regan, O.B.E., Deputy.....	Farringdon Within
3	Christopher Hill.....	Farringdon Within
3	Caroline Kordai Addy.....	Farringdon Without
7	John David Absalom, Deputy.....	Farringdon Without
7	John Douglas Chapman.....	Langbourn
3	Elizabeth Rogula, Deputy.....	Lime Street
2	Jason Paul Pritchard.....	Portsoken
21	Brian Desmond Francis Mooney, Deputy.....	Queenhithe
4	Anne Helen Fairweather.....	Tower

1	Rehana Banu Ameer.....	Vintry
3	Peter Gordon Bennett.....	Walbrook

4. **Terms of Reference**

To be responsible for:-

- (a) all the City of London Corporation's environmental health, port health, animal health, consumer protection, licensing (with the exception of those which are in the province of another Committee), public conveniences, street cleansing, refuse collection and disposal, the street trading enforcement functions in the London Local Authorities Act 1990 including any decision as to whether the s.101 arrangements should be discontinued, and cemetery and crematorium functions;
- (b) the implementation of those sections of any Acts of Parliament and/or European legislation which direct that the local authority take action in respect of those duties listed at (a) above;
- (c) the appointment of the Director of the Built Environment (acting jointly with the Planning & Transportation Committee);
- (d) the appointment of the Director of the Markets and Consumer Protection (acting jointly with the Markets and Licensing Committees);
- (e) the appointment of the Director of Open Spaces (acting jointly with the Open Spaces & City Gardens Committee);
- (f) determining any appeals against a decision not to grant City premises a licence under the provisions of the Marriage Act 1994 and the City of London (Approved Premises for Marriage) Act 1996 to conduct civil marriage ceremonies;
- (g) the appointment of the City of London Coroner;
- (h) the Signor Pasquale Favale Bequest (registered charity no. 206949);
- (i) making recommendations to the Court of Common Council in respect of the making and sealing of byelaws for the variance of charges at the Animal Reception Centre.



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

**Tuesday, 5 March 2019**

**Minutes of the meeting of the Port Health & Environmental Services Committee  
held at the Guildhall EC2 at 11.00 am**

**Present:**

**Members:**

Jeremy Simons (Chairman)	Anne Fairweather
Deputy Keith Bottomley (Deputy Chairman)	Alderman David Graves
Deputy John Absalom	Deputy Jamie Ingham Clark
Caroline Addy	Vivienne Littlechild MBE
Alderman Nick Anstee	Andrew McMurtrie
Alexander Barr	Andrien Meyers
Deputy John Bennett MBE	Deputy Brian Mooney
Peter Bennett	Deputy Joyce Nash
John Chapman	Deputy Richard Regan
Mary Durcan	Deputy Elizabeth Rogula
Deputy Kevin Everett	Mark Wheatley

**Officers:**

Rofikul Islam	- Town Clerk's Department
Gemma Stokley	- Town Clerk's Department
Philip Saunders	- Remembrancers Department
Simon Glynn	- Department of the Built Environment
Joe Kingston	- Department of the Built Environment
Leah Coburn	- Department of the Built Environment
Tom Noble	- Department of the Built Environment
Mike Simmonds	- Department of the Built Environment
Zahur Khan	- Department of the Built Environment
Carolyn Dwyer	- Department of the Built Environment
Elizabeth Hannah	- Department of the Built Environment
Julie Smith	- Chamberlain's Department
Jenny Pitcairn	- Chamberlain's Department
Ruth Calderwood	- Markets and Consumer Protection
Jon Averbs	- Markets and Consumer Protection
Gerry Kiefer	- Open Spaces Department
Gary Burks	- Open Spaces Department
Natalie Evans	- Chamberlain's Department
Rachel Pye	- Markets and Consumer Protection
Robin Whitehouse	- Markets and Consumer Protection
Paul Chadha	- Comptroller & City Solicitor's Dept
Carl Locsin	- Town Clerk's Department
Warren Back	- City Surveyor's Department
Samantha Tharme	- Department of the Built Environment

1. **APOLOGIES**

Apologies for absence were received from Christopher Hill, Shravan Joshi, Graeme Harrower, Tom Hoffman, Wendy Hyde, Peter Dunphy, Adrien Myers, Henrika Priest and Tijs Broeke.

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

There were no declarations.

3. **MINUTES**

**RESOLVED**, that the Public Minutes of the meeting held on 15 November 2018 be approved as a correct record.

**Matters Arising:**

New Waste Cleansing Contract (page 5) – The Committee were informed that the new contractor had now signed the contract and returned this to the City Corporation. It was hoped that it would be sealed by the Comptroller and City Solicitor by the end of the week.

Information to Residents on Recycling (page 7) – The Chairman reported that it would not be possible to include details on recycling with residents' council tax bills due to new corporate printing arrangements. It was, however, something that could be actioned for next year

4. **OUTSTANDING ACTIONS**

The Committee received a report of the Town Clerk setting out their current list of outstanding actions.

Updates were provided as follows:

**Electric Vehicle Charging:**

A Members' Briefing took place on the 28 February 2019, where Members were provided with a detailed briefing and the tasks being undertaken by Officers to achieve the milestones were explained. The slides and minutes of this session had subsequently been circulated to all Members of the Committee.

The previous deadline set by Transport for London for the installation of the Noble Street rapid charging point had, unfortunately, been missed and a new date of mid-March had now been given. Officers stated they found this both disappointing and unacceptable and had raised the matter with TfL at the highest level.

Concerning the Baynard House installation, where eight to ten rapid charging points would be introduced this year, design work was progressing rapidly and structural surveys were about to be undertaken.

Officers reported that they had received great support for the concept of "off street installation points", in locations such as carparks, depots and loading bays. They also reported that charging points for taxis and freight would be

prioritised given that these vehicles tended to be the highest polluters in the City. This was also being actively explored by the City's Markets.

Over the next six months the City of London Corporation would be looking at other methods of provision and the use of alternative charging technologies, with the aim of making the City of London Corporation a leader in this field.

The Chairman reported that the ambition of a report coming to Committee in May 2019 had been superseded by a wider piece of work being undertaken by the Department of Built Environment around an Electric Vehicle Charging Action Plan which is expected by November 2019.

#### **S.101 Agreements:**

Tower Hamlets Council's Cabinet approved the agreement on the 7 February 2019. This had subsequently been signed by the City Corporation and returned to Tower Hamlets for finalisation. It was hoped that this would be complete by the end of the week. As soon as this had taken place, active enforcement could commence.

#### **Measurement and mitigation options for operational rail noise from London Underground affecting the Barbican Estate:**

Officers reported that a track walk had taken place last week. Officers and the City's consultant would be meeting with TfL's Head of Track on 11 March 2019 to discuss what could be done to progress the resolution of this matter.

Officers undertook to provide the Committee with an update on this matter via email after the 11 March 2019 meeting.

### **5. UPDATE ON THE IMPACT OF THE UK LEAVING THE EU (BREXIT) ON PORT HEALTH & PUBLIC PROTECTION**

The Committee received a report of the Interim Director of Consumer Protection and Markets Operations updating Members on the impact of the UK leaving the EU (Brexit) on Port Health & Public Protection.

The Interim Director of Consumer Protection and Markets Operations reported that he had now received confirmation from the Food Standards Agency (FSA) that costs incurred this financial year in terms of planning for Brexit would be recovered. Similar assurances were now being sought from the Department for Environment, Food and Rural Affairs.

The Interim Director of Consumer Protection and Markets Operations went on to report that there had been an increase of 56% in animals passing through the Animal Reception Centre as many people attempted to move their pets to the UK ahead of Brexit. However, recent months had also seen a decrease in the levels of produce of animal origin through the Ports. In response to questions around this, Members were informed that this could be attributable to natural trade fluctuations, but that careful consideration needed to be given to the downward trend that had emerged since the end of 2018.

Members were also informed that the City of London Corporation had submitted a bid to the Food Standards Agency (FSA) for additional resources for the next financial year to increase the staffing levels at the London ports in anticipation of increased workloads after Brexit.

In response to questions around other sources of funding, the Interim Director of Consumer Protection and Markets Operations stated that the Department were keen to secure funding from central government in the first instance but that they may also seek to bid for funds from the City's own Brexit Contingency Fund going forward. It was confirmed that an additional sum of approximately £10,000 may be required in the first instance.

In response to a question regarding staffing where concerns had previously been raised in relation to Brexit, the Interim Director reported that the Animal Reception Centre had already employed additional staff and that the Ports were looking to train new staff to a higher level.

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

6. **DEPARTMENT OF THE BUILT ENVIRONMENT: BREXIT UPDATE**

The Committee received report of the Director of the Built Environment updating Members on the potential implications of Brexit for the Department of the Built Environment.

A Member questioned if the Department anticipated making a bid for any funds from the City's Brexit Contingency Fund. Officers stated that there were no plans to do so at this time.

**RESOLVED** – that the Committee note this initial report and that further update reports will be made to subsequent meetings of the Committee.

7. **TFL DIRECT VISION STANDARD CONSULTATION RESPONSE**

The Committee received a report of the Director of the Department of the Built Environment on the TfL Direct Vision Standard Consultation Response.

A Member asked if the City of London Corporation could raise the need for a better bus route between the City and Homerton Hospital with TfL given that many City patients were often sent for appointments here. Officers undertook to raise the matter in future meetings with Transport for London.

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

8. **CITY OF LONDON TRANSPORT STRATEGY, CLEANER AND QUIETER OUTCOME – CONSULTATION RESPONSE**

The Committee received a report of the Director of the Built Environment providing Members with an update on the 'Cleaner and Quieter' outcomes following consultation on the draft Transport Strategy.

Officers reported that the Transport Strategy supported and complemented the City's Air Quality Strategy.

It was noted that the City of London Corporation were working with Transport for London regarding the routing of buses and promoting the use hybrid/electric buses where possible. It was hoped that such vehicles would be used on all City routes by 2020. The City of London Corporation was continuing to push on this and had a target of all vehicles in the City being Zero Emission by 2030.

In response to questions around the 9,500 premature deaths relating to air pollution in London, Officers confirmed that this was a London-wide figure and was drawn from figures published by the Mayor of London. The figure related to people whose deaths had been impacted on and cut short in some way by air pollution.

A Member raised concerns around the high levels of pollution shown on a map in the report for the Tower Hill area which was situated within her Ward. Officers reported that the map had been computer modelled and may be based on assumptions that may be questionable. However, additional monitoring of nitrogen dioxide levels in this area would take place.

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

9. **CONSTRUCTION LEVY - CODE OF PRACTICE FOR DECONSTRUCTION AND CONSTRUCTION SITES NINTH EDITION 2019**

The Committee received a joint report of the Interim Director of Markets and Consumer Protection and the Chief Planning Officer and the Development Director, relative to the Construction Levy – Code of Practice for Deconstruction and Construction Sites Ninth Edition 2019.

A Member commented that the appendix depicting residential units within the City did not provide a clear picture of residential areas within the Square Mile. Officers reported that the map had since been updated online and was indicative of areas where contractors would need to liaise.

A Member asked about costs of the monitoring operation. Officers assured the Committee that the fees were set based on full cost recovery.

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

10. **THE TRANSITION TOWARDS A ZERO-EMISSION FLEET**

The Committee received a joint report of the Department for Built Environment and the Chamberlain's.

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

11. **AGRICULTURE BILL AND FISHERIES BILL**

The Committee received a report of the Remembrancer relative to the Agriculture Bill and Fisheries Bill.

**The Agriculture Bill:**

The Agriculture Bill has widely been welcomed by the National Union of Farmers. Although the Bill has no major impact upon the City of London Corporation, it is of some interest to the City in relation to the Open Spaces that it manages.

**The Fisheries Bill:**

Members were informed that this related to catches by fishing vessels, licences for such vessels and fines for those catching more than their quota.

A Member asked whether Shellfish were covered by the Fisheries Bill. The Remembrancer responded that Shellfish were not part of the catch quota covered by the bill.

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

**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, relative to Drinking Fountains – Delivering Additional Water Refill Points in the City's Public Realm.

Members were informed that the first of eight new refill points was to be installed on Cheapside on 20 March 2019 and that the map accompanying this report depicted future locations for the installation of additional fountains.

A Member questioned why it appeared that all the new fountains were to be installed on the perimeter of the Square Mile as opposed to more centrally. Officers responded that the proposed sites had been mapped out against footfall and available water connections and that an attempt at spreading these evenly throughout the City had been made.

A Member suggested that the Finsbury Circus site might warrant consideration for a future installation following its reopening.

A Member suggested that the City of London Corporation share the information about water fountain locations with businesses which are based in the City so that the information could, in turn, be disseminated to their staff. The City of London Corporation is working to promote water fountains through the Plastic Free City campaign.

Members discussed how the spread of infection might be prevented if users attempted to drink directly from the fountains. The Chairman noted that the fountains were downwards facing, furthermore, Officers also assured the Committee that extensive daily cleaning and regular monitoring regimes are in place, and these will also apply to new fountains.

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

13. **FINAL DEPARTMENTAL HIGH-LEVEL BUSINESS PLANS 2019/20 – DEPARTMENT OF THE BUILT ENVIRONMENT MARKETS & CONSUMER PROTECTION OPEN SPACES**

The Committee considered a joint report of the Director of the Built Environment, the Interim Director Consumer Protection and Markets Operations and the Director of Open Spaces on the Final Departmental High-level Business Plans 2019/20 for the Department of the Built Environment, Markets and Consumer Protection Department and the Open Spaces Department (with the Cemetery and Crematorium).

**RESOLVED** – that the Committee approves the final high-level Business Plans for 2019/20 for the Department of the Built Environment, Markets and Consumer Protection Department, and the Open Spaces Department (including the Cemetery and Crematorium Business Plan).

14. **DRAFT AIR QUALITY STRATEGY**

The Committee considered a report of the Interim Director of Consumer Protection and Markets Operations on the Draft Air Quality Strategy.

Offices informed Members that the Draft Air Quality Strategy paper presented to them was the 3rd Draft Air Quality Strategy, though an action plan had been in place since 2002. The City of London Corporation has a statutory duty to assist the Mayor of London in taking measures to reduce levels of air pollution, as well as a responsibility to improve public health.

The Draft Air Quality Strategy seeks to bring together data and work on improving air quality. It is worth noting that air quality is a priority for the City of London Corporation as it is now underpinning the City of London Corporation's Corporate Plan. As a result of the work undertaken, air quality in the City is improving and will continue to improve.

Officers reported that the City were also currently working with London Councils on the development of a Private Members Bill aimed at reducing emissions. The cross departmental action detailed within the strategy also demonstrated that air quality was a corporate priority for the Corporation. The strategy also referred to the importance of effective communications around this.

The proposed consultation will last for eight weeks, with the launch being imminent. Officers plan to report back to the Committee with their findings in July 2019.

In response to questions, Officers stated that the fact that data showed that the majority of particulate pollution in the City originated elsewhere served to underline the importance of collaborative work. There was an Appendix within the strategy dedicated to this. The Committee requested a better explanation of the premature death figures and suggested that the figures detail the split between those deaths attributable to nitrogen dioxide and those attributable to particulates. Officers undertook to include this breakdown in the final version of the Strategy.

**RESOLVED** – that the Committee approve the content of the draft Air Quality Strategy for public consultation.

**15. THE WALBROOK WHARF OFFICES FRONTING UPPER THAMES STREET - 3RD FLOOR TO BE DECLARED SURPLUS**

The Committee considered a report of the Director of the Built Environment advising Members that DBE vacated the 3rd floor of Walbrook Wharf, Upper Thames Street on 17 December 2018 and to seek Committee authority to declare the 3rd floor surplus to DBE's operational requirements.

The Committee requested that the report be shared with the Corporate Asset Sub (Finance) Committee for information.

**RESOLVED** – that the Committee declare the 3rd floor offices at Walbrook Wharf, Upper Thames Street surplus to operational requirements.

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

**Big Belly Bins:**

A Member reported that the big belly bins at Aldgate Square had recently been overflowing. This had been particularly unpleasant given recent warm weather with smells coming from the bins. He questioned how quickly Officers were advised of the bins being full. Officers reported that a signal was sent from a bin when 80% full, with a KPI then requiring it to be emptied within two hours.

**Low Emission Vehicles:**

A Member asked whether the City could look at its appointment of external contractors in terms of requiring them to provide low emissions vehicles as well as looking at provisions within its own fleet.

The Director of the Built Environment stated that the City followed a responsible procurement code. This approach had been applied to some contracts already, for example, the City's refuse fleet would be the first fully electric refuse fleet in the country. It was her understanding that this would be part of the requirements for new contracts going forward but could not be applied retrospectively to existing external contracts.

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

The Committee received a late, separately circulated report of the Director of the Built Environment relative to Beech Street: Transport and Public Realm Improvements.

Members were informed that the report, which increased the scope of the project, had been welcomed by the Streets and Walkways Sub Committee. The project involves working with Transport for London and Islington. Members had emphasised the need to speed the process and to bring about the temporary road closures.



### **IOC Honorary Fellowship**

The Chairman congratulated the Director of the Built Environment who had recently been awarded an honorary fellowship from the Institute of Couriers. The Director received her award at the IOC fellows' gowning in the House of Lords on 1 March 2019. The fellowship recognises The City's excellent work on green and safe transport initiatives.

The Director thanked the Chairman for his kind words and underlined the efforts of her team in working alongside industry to achieve this prestigious award.

Members suggested that the Chairman write to all involved offering them the Committee's congratulations and thanks.

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

18. **EXCLUSION OF THE PUBLIC**

19. **NON-PUBLIC MINUTES**

**RESOLVED**, that the Non-Public Minutes of the meeting held on 15 November 2018 be approved as a correct record.

20. **PORT HEALTH AND ENVIRONMENTAL SERVICES DEBTORS - PERIOD ENDING 31 DECEMBER 2018**

The Committee received a joint report of the Director of the Built Environment, the Interim Director of Consumer Protection and the Markets Operations and the Director of Open Spaces informing Members of invoiced income outstanding as at 31 December 2018.

21. **WAIVER REPORT - ELECTRIC VAN REPLACEMENT**

The Committee considered and approved a report of the Interim Director Consumer Protection and Market Operations relative to Waiver report - Electric Van replacement.

22. **LONDON GATEWAY - NEW OFFICE ACCOMMODATION**

The Committee considered and approved a report of the Interim Director of Consumer Protection and Markets Operations on the London Gateway – New Office Accommodation.

**RESOLVED** – that the Committee approves the recommendation

23. **PROPOSED CHARGES FOR STREET CLEANSING, WASTE COLLECTION AND PUBLIC CONVENIENCES 2019/20**

The Committee considered and approved a report of the Director of the Built Environment on the Proposed Charges for Street Cleansing, Waste Collection and Public Conveniences 2019/20.

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

There were no questions raised in the non-public session.

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

There were no additional, urgent items of business for consideration in the non-public session.

**26. DELEGATED POWERS - REPORT OF ACTION TAKEN**

**The meeting closed at 12.20 pm**

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Chairman

**Contact Officer: Rofikul Islam**

**Tel. No: 020 7332 1174**

**Rofikul.islam@cityoflondon.gov.uk**

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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<b>Committee(s)</b>	<b>Dated:</b>
Port Health & Environmental Services Committee – For information	21 05 2019
<b>Subject:</b> Department of the Built Environment: ‘Brexit’ Update	<b>Public</b>
<b>Report of:</b> Carolyn Dwyer, Director of the Built Environment	<b>For Information</b>
<b>Report author:</b> Richard Steele, DBE	

## Summary

This short report updates Members on the potential implications of Brexit for the Department of the Built Environment.

The report notes that risks are also being considered corporately and focusses on those issues which have a particular relevance for the Department. A key consideration is to ensure that the plans, strategies, projects and services being delivered by the Department can still be delivered during and after Brexit. The Department’s role in ‘shaping’ the future City will remain important to ensure that it remains a ‘vibrant and thriving City, supporting a diverse and sustainable London within a globally-successful UK’, as set out in the Corporate Plan.

## Recommendation(s)

Members are recommended to:

- Note this report and that further update reports will be made to subsequent meetings of the Committee.

## Main Report

### Background

1. The UK Government’s commitment to the withdrawal of the UK from the EU will have wide ranging implications for the country, the City, the City Corporation and the Department of the Built Environment. It will create opportunities to be seized and risks to be mitigated. The opportunities and risks will depend on the detailed withdrawal arrangements which are yet to be agreed. Meanwhile a priority is to ensure that foreseeable risks have been mitigated where practical and that the service remains resilient in uncertain times.

## **Risks**

2. Risks which apply to all parts of the organisation are being addressed corporately, but these will still need to be mitigated to some extent at departmental level to ensure that the Department remains in a position to implement its business plan. Examples include the potential short-term and longer-term impacts on supply chains, staff retention, income streams and the demand for services. Such risks could affect delivery of the Department's projects and services if they were to constrain availability of staff and materials. They could also affect the Department's income streams and the demand for its services if Brexit were to lead to significant changes in behaviour. These risks affect all departments and the Director of the Built Environment represents the Department at the corporate working group.
3. Brexit will have short-term and long-term effects on economic and employment growth, in the City and elsewhere, depending on the detailed arrangements to be agreed. Whatever those arrangements, London's strong underlying strengths as a global business centre will remain, meaning it is necessary to plan for sustainable long-term growth.

## **Conclusion**

4. At this stage the Department considers that it will be able to deliver its services and implement its business plan during and after Brexit. However the uncertain wider situation means that further updates will continue to be provided by the Director in spoken or written form to subsequent committee meetings as appropriate.

## **Richard Steele**

Department of the Built Environment

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<b>Committee:</b>	<b>Date:</b>
Port Health & Environmental Services	21 May 2019
<b>Subject:</b> Cemetery & Crematorium Risk Management	<b>Public</b>
<b>Report of:</b> Director Open Spaces	<b>For Decision</b>
<b>Report Author:</b> Martin Falder, Project Support Officer	

## Summary

This report provides your Committee with an update on the management of risks faced by the Cemetery & Crematorium. Risk is reviewed regularly by the Department's Senior Leadership Team as part of the ongoing management of the operations of the Department.

The Department has previously reported on nine Departmental Risks. On 8 April 2019 The Open Spaces and City Gardens Committee received and agreed the Departmental risk management report which identified ten Departmental Risks.

There are four risks managed by the Superintendent of the City of London Cemetery & Crematorium that are reported to this Committee. All four are reporting at Amber. One risk which it was previously agreed to stop reporting to committee (OSD CC 003 – Deterioration of buildings, plants, and machinery) has been brought up to Amber. Pending approval, this will resume reporting to committee, to reflect its increased risk status.

## Recommendation

Members are asked to:

- Note the risk scoring grid at Appendix 1
- Approve the divisional risk register outlined in this report and at Appendix 2
- Approve the increase in risk score of OSD CC 003 and its return to reporting at Appendix 2
- Note the risk matrix at Appendix 3
- Note the risk history report at Appendix 4

## Main Report

### Background

1. The Open Spaces Department's risk registers conform to the City's corporate standards as guided by the Risk Management Strategy 2014, and all of our departmental and divisional risks are registered on the Covalent Risk Management System.
2. The Open Spaces Department manages risk through a number of processes including: Departmental and Divisional risk registers, the departmental health and safety improvement group, divisional health and safety groups and risk

assessments. Departmental risks are reviewed by the Department's Senior Leadership Team (SLT) on a regular basis.

### **Current Position**

3. Appendix 2 shows the divisional risks. Officers are undertaking a range of actions at a divisional level and these actions will help to meet the 'target score'. A note updating on each of the risks and the actions underneath them is included. Appendix 3 provides a matrix which lays out the current position and the target position, which is at the same level for all three risks.
4. The Superintendent is currently reporting 4 amber risks to Committee. They are as follows:
  - OSD CC 003 – Deterioration of buildings, plant, and machinery (Amber, 6)
  - OSD CC 009 – Systems Failure (Amber, 6)
  - OSD CC 010 – Extreme Weather (Amber, 6)
  - OSD CC 011 – Tree and Plant Diseases (Amber, 6)
5. OSD CC 003 is being re-activated as a risk due to the risk of breakdown or full failure of the ageing cremators and the arising impact on service provision which would occur if there is not timely replacement. This has caused it to increase to Amber. The target score has also increased to Green, 4 (from score 2) to reflect the new baseline.
6. All other risks remain at the level previously reported. The current score for the remaining three risks is the same as their target score, indicating that we intend to Accept this level of risk and manage them appropriately.

### **Corporate & Strategic Implications**

7. The Departmental and Divisional Risk Registers will help us achieve the Corporate Plan 2018 – 2023 aim to:
  - Shape outstanding environments

Within which they will help deliver the outcomes:

- We have clean air, land and water and a thriving and sustainable natural environment.
  - Open spaces are secure, resilient and well-maintained.
8. The Departmental risk register reflects the risks associated with delivering the Open Spaces Department's Business top line objectives and associated outcomes:
    - A. Open spaces and historic sites are thriving and accessible.
    - B. Spaces enrich people's lives.
    - C. Business practices are responsible and sustainable.

### **Conclusion**

9. The need to systematically manage risk across the Department and at a divisional level for Cemetery & Crematorium is addressed by the production of this risk register, as too are the requirements of the Charity Commission. This document in turn will inform the collective risk across the department's business activities.



**Appendices**

- Appendix 1 – Risk Scoring grid
- Appendix 2 – Cemetery & Crematorium Divisional risk register
- Appendix 3 – Cemetery & Crematorium risk matrix
- Appendix 4 – Risk History Report

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## Appendix 1:

## City of London Corporation Risk Matrix

Note: A risk score is calculated by assessing the risk in terms of likelihood and impact. By using the likelihood and impact criteria below (top left (A) and bottom left (B) respectively) it is possible to calculate a risk score. For example a risk assessed as Unlikely (2) and with an impact of Serious (2) can be plotted on the risk scoring grid, top right (C) to give an overall risk score of a green (4). Using the risk score definitions bottom right below, a green risk is one that just requires actions to maintain that rating.

### Likelihood criteria

	Rare (1)	Unlikely (2)	Possible (3)	Likely (4)
Criteria	Less than 10%	10 – 40%	40 – 75%	More than 75%
Probability	Has happened rarely/never before	Unlikely to occur	Fairly likely to occur	More likely to occur than not
Time Period	Unlikely to occur in a 10 year period	Likely to occur within a 10 year period	Likely to occur once within a one year period	Likely to occur once within three months
Numerical	Less than one chance in a hundred thousand (<10-5)	Less than one chance in ten thousand (<10-4)	Less than one chance in a thousand (<10-3)	Less than one chance in a hundred (<10-2)

Page 1

### Impact Criteria

Impact Title	Definitions
<b>Minor (1)</b>	Service delivery/performance: Minor impact on service, typically up to one day. Financial: financial loss up to 5% of budget. Reputation: Isolated service user/stakeholder complaints contained within business unit/division. Legal/statutory: Litigation claim or find less than £5000. Safety/health: Minor incident including injury to one or more individuals. Objectives: Failure to achieve team plan objectives.
<b>Serious (2)</b>	Service delivery/performance: Service disruption 2 to 5 days. Financial: Financial loss up to 10% of budget. Reputation: Adverse local media coverage/multiple service user/stakeholder complaints. Legal/statutory: Litigation claimable fine between £5000 and £50,000. Safety/health: Significant injury or illness causing short-term disability to one or more persons. Objectives: Failure to achieve one or more service plan objectives.
<b>Major (4)</b>	Service delivery/performance: Service disruption > 1 - 4 weeks. Financial: Financial loss up to 20% of budget. Reputation: Adverse national media coverage 1 to 3 days. Legal/statutory: Litigation claimable fine between £50,000 and £500,000. Safety/health: Major injury or illness/disease causing long-term disability to one or more people objectives: Failure to achieve a strategic plan objective.
<b>Extreme (8)</b>	Service delivery/performance: Service disruption > 4 weeks. Financial: Financial loss up to 35% of budget. Reputation: National publicity more than three days. Possible resignation leading member or chief officer. Legal/statutory: Multiple civil or criminal suits. Litigation claim or find in excess of £500,000. Safety/health: Fatality or life-threatening illness/disease (e.g. mesothelioma) to one or more persons. Objectives: Failure to achieve a major corporate objective.

### Risk Scoring Grid

		Impact			
Likelihood	X	Minor (1)	Serious (2)	Major (4)	Extreme (8)
	Likely (4)	4 Green	8 Amber	16 Red	32 Red
	Possible (3)	3 Green	6 Amber	12 Amber	24 Red
	Unlikely (2)	2 Green	4 Green	8 Amber	16 Red
	Rare (1)	1 Green	2 Green	4 Green	8 Amber

### Risk Definitions

<b>RED</b>	Urgent action required to reduce rating
<b>AMBER</b>	Action required to maintain or reduce rating
<b>GREEN</b>	Action required to maintain rating

This is an extract from the City of London Corporate Risk Management Strategy, published in May 2014

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# OSD C&C Detailed Risk report

Report Author: Martin Falder

Generated on: 29 April 2019



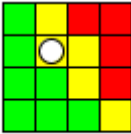
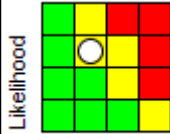

Rows are sorted by Risk Score

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
OSD CC 003 Deterioration of buildings, plant and machinery 19-Aug-2015 Gary Burks	<b>Causes:</b> Inadequate proactive and reactive maintenance; failure to identify and communicate maintenance issues <b>Event:</b> Operational or public buildings become unusable. Plants and trees die. <b>Impact:</b> Service capability disrupted; ineffective use of staff resources; damage to corporate reputation; increased costs for reactive maintenance		6	Funding risk to essential projects could effect the Cemetery and Crematorium's ability to offer cremation and burial services.  29 Apr 2019		4	31-Oct-2020	Increasing

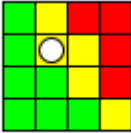
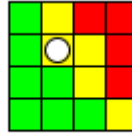

Action no	Action description	Latest Note	Action owner	Latest Note Date	Due Date
OSD CC 003 b	Continue to develop relationship with City Surveyors and ways of working to ensure CWP works are delivered Regular meetings with CS's Property Facilities Managers The Superintendent was engaged in the development of the 2017 R&M specification and tender documents	Actions are ongoing.	Gary Burks	15-Mar-2019	31-Jul-2020
OSD CC 003 d	Until the Cremator replacement project is completed, there is a risk of the ageing cremators breaking down beyond repair and therefore affecting our ability to offer as many cremation times to the public.	Current timeline is aiming to purchase and install a new cremator over summer 2020.	Gary Burks	29-Apr-2019	31-Oct-2020

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>OSD CC 009 Systems Failure</b> 01-Jun-2016 Gary Burks	<b>Cause:</b> IT systems including telephony fail <b>Effect:</b> Unable to operate as per normal. Unable to access Gower system. Unable to speak to funeral directors, doctors and internally across the site <b>Impact:</b> Burials and cremations may have to be cancelled/no bookings can be taken. Burials in the wrong graves. Loss of income. Reputational damage	 Likelihood	6	Current risk score and target score remain unchanged.  <b>16 Apr 2019</b>	 Likelihood	6	31-Mar-2020	 Constant

Action no	Action description	Latest Note			Action owner	Latest Note Date	Due Date
OSD CC 009 a	Review continuity plans on a regular basis and following significant systems failures Ensure staff are familiar with 'alternate operations' as detailed in the continuity plans IS partners aware that C&C is recognised as a 'critical' service and failures are treated as a priority.	Wifi now installed, there have been a number of problems affecting the wider corporation but the Cem and Crem have continued to operate. Manual systems for funeral bookings are still in place. IT systems and software access seem more stable at present.			Gary Burks	16-Apr-2019	31-Mar-2020

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
OSD CC 010 <b>Extreme weather</b> 21-Jun-2016 Gary Burks	<b>Cause:</b> Strong winds causing significant tree damage within the cemetery and crematorium landscape <b>Effect:</b> Roads closed, exclusion of the public, disruption to funerals <b>Impact:</b> Significant cost to division and possible loss of income/ negative publicity	 Likelihood	6	Current and target risk score remain unchanged.  16 Apr 2019	 Likelihood	6	31-Dec-2019	  Constant

Action no	Action description	Latest Note		Action owner	Latest Note Date	Due Date
OSD CC 010 a Page 25	A significant storm could (and has in the past) cause significant damage to tree stocks and buildings meaning that for a short period of time the cemetery roads could be closed and block, and one or more buildings could be out of action. This is managed through: <ul style="list-style-type: none"> <li>Tree inspections</li> <li>Maintain staff with chainsaw qualifications</li> </ul>	Ongoing monitoring action. As previously: <ul style="list-style-type: none"> <li>Trees are surveyed and inspected with advisory works carried out. A group of staff within the cemetery team are trained in the operation of chainsaws for clearing fallen trees.</li> <li>It is unlikely that storm damage would close the modern crematorium building but could damage other service chapels and block roads. The cemetery and crematorium service has 6 service chapels.</li> </ul> No change, with 3,500 trees around the site, the risks associated with high winds remain.		Gary Burks	16-Apr-2019	31-Jul-2020

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>OSD CC 011</b> <b>Tree and plant diseases</b>  21-Jun-2016 Gary Burks	<b>Cause:</b> Tree Disease or infestation <b>Effect:</b> Loss of tree stock or exclusion of the public from certain areas of the cemetery <b>Impact:</b> Partial closure of site or loss of mature trees and the affect that this would have on the landscape	 Likelihood	6	Current and target risk score remain unchanged. Monitoring works are a part of BAU. Actions for this risk are similar to the actions for OSD CC 010, as they focus on active monitoring of tree stock.  <b>16 Apr 2019</b>	 Likelihood	6	31-Mar-2020	  Constant



Appendix 3 – Cemetery & Crematorium Risk Scores & Targets  
**Cemetery & Crematorium Risks and Target Scores**

<b>Likelihood</b>	<i>Likely (4)</i>				
	<i>Possible (3)</i>		<b>OSD CC 003</b> <b>OSD CC 009</b> <b>OSD CC 010</b> <b>OSD CC 011</b>		
	<i>Unlikely (2)</i>		<i>OSD CC 003</i>		
	<i>Rare (1)</i>				
<b>OSD CC Risks</b> <b>April 2019</b>		<i>Minor (1)</i>	<i>Serious (2)</i>	<i>Major (4)</i>	<i>Extreme (8)</i>
		<b>Impact</b>			

- Bold** - Current Score
- Italics* - Target Score
- Bold Italics*** - Current & Target Score Aligned
- - Movement from previous report













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# OSD CC – Risk History Report

Generated on: 29 April 2019



Code	Title	Creation Date	Current Risk Matrix	Current Risk Score	Target risk score rating	Target Risk Score	Recent Reviews	Risk Score	Historical Status	Likelihood Description	Impact Description	Current Risk Trend Icon	Trend
OSD CC 003	Deterioration of buildings, plant and machinery	19-Aug-2015		6		4	29-Apr-2019	6		Possible	Serious		Increasing
							26-Apr-2019	6		Possible	Serious		
							04-Sep-2018	4		Unlikely	Serious		
							14-May-2018	6		Possible	Serious		
							08-Aug-2017	6		Possible	Serious		
OSD CC 009	Systems Failure	01-Jun-2016		6		6	16-Apr-2019	6		Possible	Serious		Constant
							04-Sep-2018	6		Possible	Serious		
							14-May-2018	6		Possible	Serious		
							08-Aug-2017	6		Possible	Serious		
							07-Apr-2017	6		Possible	Serious		
OSD CC	Extreme weather	21-Jun-2016		6		6	16-Apr-2019	6		Possible	Serious		Constant

Code	Title	Creation Date	Current Risk Matrix	Current Risk Score	Target risk score rating	Target Risk Score	Recent Reviews	Risk Score	Historical Status	Likelihood Description	Impact Description	Current Risk Trend Icon	Trend
010							04-Sep-2018	6		Possible	Serious		
							14-May-2018	6		Possible	Serious		
							08-Aug-2017	6		Possible	Serious		
							07-Apr-2017	6		Possible	Serious		
OSD CC 011	Tree and plant diseases	21-Jun-2016		6		6	16-Apr-2019	6		Possible	Serious		Constant
							04-Sep-2018	6		Possible	Serious		
							14-May-2018	6		Possible	Serious		
							08-Aug-2017	6		Possible	Serious		
							07-Apr-2017	6		Possible	Serious		

<b>Committees:</b>	<b>Date(s):</b>
1) Port Health & Environmental Services	For Decision
2) Policy & Resources	For Decision
<b>Subject:</b> Developing a London Primary Authority Hub	<b>Public</b>
<b>Report of:</b> Interim Director of Consumer Protection & Market Operations	<b>For Decision</b>
<b>Report author:</b> Tony Macklin, Assistant Director (Public Protection)	

## Summary

This report seeks Members approval to explore with other local authorities, the potential for working together in partnership to pilot a Primary Authority 'Hub' delivery model for 12 months.

A number of local authorities including the City of London Corporation would pool their collective regulatory and technical expertise and service both their existing and new Primary Authority Partnerships established after the commencement of Hub arrangements.

All the incumbent administrative and account management functions of each Primary Authority Partnership would be handled by two staff in the 'Hub', operating out of the City of London but servicing all member local authorities Primary Authority partners.

Finally, the pilot would test whether or not additional income could be increased from within existing technical staff resources and also if chargeable non-Primary Authority advice is also a viable offering to businesses.

## Recommendations

That:-

- a) Members endorse the approach taken by the Port Health & Public Protection Division to-date; and that
- b) Members further request that:-
  - (i) the Interim Director of Consumer Protection & Markets Operations seeks partnership relationships with other willing local authorities to set up and pilot a Primary Authority "Hub" delivery model as described above in order to test out its efficacy for the future; and
  - (ii) reports back to this Committee at the end of the pilot.

## Main Report

### Background

1. Primary Authority is a government scheme which establishes a working partnership between a business and its chosen local authority regulator for Environmental Health, Trading Standards, Fire and certain Licensing services.
2. The chosen regulator (i.e. the chosen local authority) becomes the Primary Authority for that business, helps it interpret and comply with legal requirements and provides Primary Authority advice to the business which, when implemented by the business at all of its sites, outlets, shops, etc., cannot easily be challenged by other regulators.
3. Primary Authority, therefore, provides confidence for a business, reduces the cost of compliance and ensures consistency of approach. It is the government's preferred means of delivering high-quality regulatory services. Any business can opt into Primary Authority if it chooses and once in place, the statutory scheme operates according to legislation and statutory guidance.
4. There are currently 63,000 partnerships in the UK., the majority of which are for Co-ordinated Primary Authority Partnerships - e.g. involving Trade Associations and all their members. The City of London Corporation (City Corporation) currently operates 15 Primary Authority partnerships, 4 of which are of the Co-ordinated variety with multiple members.
5. In 2017/2018, the consultants, **OneResolution**, carried out a research project across the Port Health & Public Protection Division to evaluate our existing Primary Authority partnerships and to make recommendations about whether to upscale, reduce or maintain those current partnerships. This work has resulted in improvements to our existing primary authority offer, our own in-house quality and has focused our efforts on those partners who will derive the most benefit. As a result, we can be assured that the primary authority services we provide are of top quality and that we are well-positioned to consider next steps. Such an evaluation and the confidence it brings is relatively rare amongst UK local authorities.
6. The potential for joining up with up with other local authorities to offer Primary Authority partnerships as a collective 'Hub' was also explored as this is an increasingly popular delivery model in the UK because of its potential for drawing on a wider pool of technical expertise, of boosting resilience for partnerships, minimising risk and for maximising income.
7. Those preliminary discussions with other London local authorities with similar values have revealed an enthusiasm in up to five of them to start developing ways of working closer together around a 'Hub' model.
8. The project also examined options for the provision of non- Primary Authority business support as well as cost recovery/income generation potential.

## Current Position

9. The 'Hub' model will offer Primary Authority and non-Primary Authority support to businesses, which will generate income to be shared between 'Hub' partners, as well as funding an Account Manager (0.5 FTE) and Admin Support Officer (0.8 FTE).
10. These two posts will collectively together an develop and drive the operation, devise its processes and procedures, promote its services, secure business partnerships and recover income; this leaves the technical expertise of the local authorities to be the technical experts, sharing expertise for niche market advice on specialist subjects - .e.g. working at height
11. The next stage is to test the efficacy of this 'Hub' model and run a pilot project for up to 12 months. However, none of the local authorities whom we have so far discussed this with so has indicated that they have the resources to finance such a pilot, but we feel that this is an opportunity still worth exploring.
12. We, therefore, hope to secure funding of £63,000 through either carry-forward monies or failing that, at a reduced scale initially, through local risk budgets across the Division, given the range of its functions currently and potentially involved in Primary Authority work.

## Options

13. Therefore, there are two essential options:-

**Option One** – do nothing and simply retain our existing Primary Authority partnerships, managed from within existing resources but not growing through our inability to take on any new Primary Authority work that we are periodically approached about. Businesses we turn away would then seek partnerships with other local authorities instead.

or

**Option Two** – seek to increase our income over time through piloting a Primary Authority 'Hub' delivery model with Administrative and Account Management support, offering a collective delivery model which maximises the regulatory expertise of a number of local authorities, all of whom will increase their income initially through full-cost recovery and through potentially providing non-Primary Authority advice on the free market and all without the cost of administrating partnerships and chasing new "leads".

## Recommendations

14. That:-
  - a) Members endorse the approach taken by the Port Health & Public Protection Division to-date; and that
  - b) Members further request that:-

- (i) the Interim Director of Consumer Protection & Markets Operations seeks partnership relationships with other willing local authorities to set up and pilot a Primary Authority “Hub” delivery model as described above in order to test out its efficacy for the future, and
- (ii) reports back to this Committee at the end of the pilot.

### **Financial Implications**

- 15. That should the proposed carry-forward funding of £63,000 not be forthcoming, then a reduced scale pilot, funded through local risk budgets would have to be deployed but would not be able to test the full efficacy of the delivery model.

### **Corporate & Strategic Implications**

#### ***Legal Implications***

- 16. Primary Authority Partnerships operate on a standard government template agreement which can be terminated easily by either party. It is proposed that any relationships entered into between the City Corporation and other local authorities will be under the auspices of a simple Memorandum of Understanding, the route preferred by the Department for Business, Energy & Industrial Strategy (BEIS) who govern the scheme and after consultation with the Comptroller & City Solicitor.

### ***Corporate Plan 2018-2023***

- 17. The principle of regulators supporting businesses underpins a wide cross-section of Corporate and High-Level Business Plan objectives and in particular, the M&CP High-Level Business Plan 2019/2020 as follows:

#### ***Contribute to a flourishing society***

**Outcome 1:** People are safe and feel safe.

**Outcome 2:** People enjoy good health and wellbeing.

#### ***Support a thriving economy***

**Outcome 5:** Businesses are trusted and socially and environmentally responsible.

**Outcome 6:** We have the world’s best regulatory framework and access to global markets.

- 18. Primary Authority also supports the guiding principles from our local Service Plans of:-
  - a) working with businesses and other regulatory partners to make workplaces safer and healthier and more hygienic by providing a level playing field for responsible businesses through advising, promoting, and where necessary, enforcing good standards of risk-based control in all fields;



- b) developing services that contribute to improved management and control of risks by sharing our knowledge and that of other regulatory partners; and
- c) using the range of tools at our disposal effectively to influence businesses' behaviour, keeping the interests of both business and consumers at the heart of what we do.

## **Conclusion**

19. The Primary Authority 'Hub' delivery model offers, through partnership working, the opportunity to maximise the regulatory expertise of a number of local authorities and at the same time generate additional income:-
- a) firstly, from Primary Authority Partnerships; and then going forward,
  - b) from non-Primary Authority business advice.

## **Appendices**

None

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<b>Committee(s)</b>	
1) Port Health & Environmental Services Committee 2) Safer City Partnership Strategy Group	1) 21 May 2019 2) 23 September 2019
<b>Subject:</b> Food Hygiene Rating Scheme – Scores on the Doors in the City of London	<b>Public</b>
<b>Report of:</b> Interim Director of Consumer Protection & Market Operations	<b>1. For Decision</b> <b>2. For information</b>
<b>Report author:</b> Steve Playle, Trading Standards Manager	

## Summary

The Food Hygiene Rating Scheme (FHRS) is designed to allow consumers to make informed choices about where they eat out or shop for take away food. It does this by giving them information about the hygiene standards in food premises observed at the time they were inspected by Environmental Health Officers to check for compliance with legal requirements. A good rating should be a good advert for a food business.

A sample of 140 food premises were checked, and 22 of them (16%) were found to be displaying a FHRS rating sticker that was higher than they were entitled to.

A parallel survey carried out with 75 of the food businesses, found that only 64% of premises bothered to display their rating but 87% of them felt that displaying their rating should be compulsory.

## **Recommendations**

1. Members are asked to:
  1. Note the contents of this report.
  2. Approve sharing of the results of this project with the Food Standards Agency to support the City Corporation's policy that the display of FHRS scores should be mandatory in England.
  3. Approve publicising the results of this project to:-
    - a) raise awareness of the FHRS with consumers;
    - b) encourage consumers to check the rating of food premises on the FSA website before purchasing food; and
    - c) encourage the reporting of premises to Trading Standards that are displaying a misleading rating.

## Main Report

### Background

2. It is a vital aspect of public health that food sold to consumers in restaurants and take aways is prepared and cooked properly to minimise risks to consumers.
3. The Food Standards Agency (FSA) oversees the Food Hygiene Rating Scheme (FHRS) and every premise that deals in food is subject to a thorough inspection by Environmental Health Officers who give a rating from zero (Urgent Improvement Necessary) through to five (Very Good).
4. Once an inspection has been carried out, the food business is provided with a green rating sticker which they can display in the window. It is not a legal requirement in England for food premises to display the green FHRS sticker, so it is entirely possible for a poor score to be concealed from consumers.
5. However, the score is loaded onto the publicly available FSA website <https://ratings.food.gov.uk> so that consumers can at least check how good or bad the premises is in terms of food hygiene.
6. A business that is dissatisfied with the rating given can appeal and request a re-rating inspection upon the payment of a fee to the City Corporation, currently set at £210. An example of a 5 rated FHRS sticker is shown below.



7. It is important to be clear that the FHRS is not a rating of the quality of the food, the level of service or value for money. It is an assessment of how hygienically the food is handled, the condition of the food preparation areas and equipment and how the food business manages its processes and staff and what it does to make sure that food is safe.
8. However, if a food business displays a food hygiene rating that is better than it actually is, it is classed as a “misleading action” under the provisions of the Consumer Protection from Unfair Trading Regulations 2008, legislation enforced by Trading Standards.
9. The City Corporation commits considerable Environmental Health Officer resources to undertake an annual a programme of inspections to food

businesses using a risk-based approach. The scheme is an invaluable source of information for consumers that allows them to make informed choices about where they eat or buy food. Anecdotally, perhaps the scheme is not as widely recognised and used by consumers as it could be, and this may be partly due to the fact that the display of ratings is not compulsory in England.

10. Following the introduction of a mandatory Scheme in Wales in 2013, the number of businesses receiving a rating of '3' (Generally Satisfactory) or above has increased steadily from 87.1% (2013) to 95.6% in 2018. Failure to display stickers in Wales and more recently also in Northern Ireland is a criminal offence, punishable by a fine of up to £1,000.
11. In the City of London, there are approximately 1,800 food premises which is one of the highest densities in the UK. The demand for food premises is high due to the daily influx of nearly half a million workers to the City and also due to high levels of tourism. 88% of food premises in the City are rated either 4 or 5 so standards are very high.
12. Trading Standards Officers decided to conduct a project, primarily to ensure that food businesses in the Square Mile are not misleading consumers by displaying a rating that is false, a criminal offence under the provisions of the Consumer Protection From Unfair Trading Regulations 2008.
13. However, from the outset of this project, it was not the intention to consider prosecutions, but it was something to keep in the back pocket if the circumstances required.
14. At the same time, the opportunity was taken to explore the attitudes of a cross-section of food premises to the FHRS. There is growing debate that it would be a good idea for England to follow the legislation introduced in Wales and Northern Ireland which makes it compulsory to display the rating. This allows consumers to make more informed decisions about where they purchase food and has the potential to drive up standards in the food sector.

### **Work Undertaken**

15. 140 food businesses were selected for further scrutiny because their most recent rating was lower than on the previous inspection. Walk-by visits were then made to see if a misleading sticker was on display. Most of the initial work was conducted by a Level 3 Apprentice attached to the Trading Standards and Commercial Environmental Health teams. The apprentice has been heavily involved in the conception and delivery of this project and is subsequently using it as a vehicle to complete some of the modules on their training course.
16. Out of the 140 food premises checked, 22 of them (16%) were found to be displaying a higher rating than they currently had. Acting on this information, each of these premises then received a visit from a Trading Standards Officer.
17. During each visit, the manager or business owner was spoken to and the purpose of the visit explained. In all cases, the Trading Standards Officer then

instructed the removal of the offending sticker and supervised as the old stickers were removed.

18. Each visit was followed up with a written warning to the food business, reminding them of their legal obligations to ensure that consumers were not being misled. In one case, a food business operator instantly produced a cheque for the City Corporation's £210 fee and requested a fast-track re-rating inspection.
19. Another aspect of the project was to survey food businesses to elicit their awareness of, and attitude to, the FHRS. A total of 75 survey visits were completed and 90% of businesses were aware of the FHRS. That means that, surprisingly, 10% were unaware of the scheme but this might be explained by the fact that, in some cases, business staff spoken to were relatively new employees or relatively junior but left in charge at the time of our visit.
20. Around two thirds (64%) of these premises had a FHRS rating sticker on display in the window but it became apparent that some of the big, national chains had a general policy of not displaying FHRS stickers.
21. Finally, on a positive note, 87% of the businesses spoken to felt that displaying the FHRS sticker should be compulsory.

## **Proposals**

22. The City of London have a representative on the national FHRS User Group, and the FSA have been made aware that our project was being undertaken. FSA are also currently reviewing the safeguards for businesses that are a fundamental part of FHRS. Their review findings have yet to be published.
23. Part of the current FHRS regime, including the mandatory schemes in Wales and Northern Ireland, means that rating stickers cannot be removed by Environmental Health Officers immediately after an inspection results in a down grading. This is because a business can challenge an Officer's opinion on the rating awarded and there is an agreed time period to allow this challenge to be made. It does mean that a business might not remove a previous rating sticker if a challenge isn't made but steps will now be taken to advise them in writing about their responsibilities once the appeal period has passed.
24. The FSA will be provided with a copy of our findings as it provides evidence of current practices and of the attitude of businesses towards displaying their rating. It also helps further support the debate about mandatory display.
25. There is a general direction of travel towards making the display of FHRS stickers compulsory in England and we feel that this would be a positive move. There are key issues with implementing a mandatory scheme in England, but the FSA have always moved to support the position as it allows consumers to make informed decisions about where they eat and purchase their food and it helps drive up standards in food businesses who will be reluctant to display a low score.

26. The overall standards in City food premises have improved since rating schemes were introduced. Mandatory display could further drive-up the standards of food businesses within the Square Mile, providing a better offer for City workers, tourists and residents. Our survey, provides evidence to support mandatory display and indicates many businesses are also supportive.
27. There is a further opportunity for our City of London Comms team to raise awareness of the FHRS, encourage consumers to check the rating of food premises on the FSA website and to encourage the reporting of food premises that are making misleading statements.

## **Recommendations**

28. Members are asked to:
  1. Note the contents of this report.
  2. Approve sharing of the results of this project with the Food Standards Agency to support the City Corporation's policy that the display of FHRS scores should be mandatory in England.
  3. Approve publicising the results of this project to:-
    - a) raise awareness of the FHRS with consumers;
    - b) encourage consumers to check the rating of food premises on the FSA website before purchasing food; and
    - c) encourage the reporting of premises to Trading Standards that are displaying a misleading rating.

## **Financial Implications**

29. The Chamberlain has been consulted and there are no major financial implications for the City Corporation. However, we currently receive between 60 and 70 re-rating requests each year for which we receive £210 per request, which generates income up to £14,700 pa. This would potentially increase should the FHRS scheme become mandatory.

## **Corporate & Strategic Implications**

30. In terms of Corporate & Strategic Implications, the following are relevant to this report.

### ***a) Legal Implications***

31. The Comptroller & City Solicitor has been consulted and has no comments to make.

**b) Corporate Plan 2018-2023**

32. The principle of regulators supporting businesses underpins a wide cross-section of Corporate and High Level Business Plan objectives and in particular, the M&CP High-Level Business Plan 2019/2020 as follows:

***Contribute to a flourishing society***

Outcome 1: People are safe and feel safe.

Outcome 2: People enjoy good health and wellbeing.

***Support a thriving economy***

Outcome 5: Businesses are trusted and socially and environmentally responsible.

Outcome 6: We have the world's best regulatory framework and access to global markets.

**Conclusion**

33. Trading Standards has focussed on a piece of work to complement the inspection work undertaken by colleagues in Environmental Health.
34. 16% of food premises checked were found to be misleading consumers about their FHRs score.
35. A lot of resource is dedicated to inspecting food premises in the Square Mile and anything that the City of London Corporation can do to encourage consumers to make use of the data generated in order to make more informed choices will be worthwhile.

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<b>Committee(s)</b>	<b>Dated:</b>
Port Health and Environmental Services	<b>21 May 2019</b>
<b>Subject:</b> Massage & Special Treatment Licence Fees 2019/20	<b>Public</b>
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Decision</b>
<b>Report author:</b> Peter Davenport - Licensing	

## Summary

The City of London Corporation may set annual fees for those premises requiring a licence for Massage and Special Treatments and for those premises seeking to register for acupuncture, tattooing, ear / cosmetic piercing or electrolysis. The report outlines recent case law which has indicated that the process for setting the fees must be robust, that income received through the licensing process cannot exceed the cost of obtaining that income and the administration part of the fee has to be charged separate to the non-administration part of the fee.

The matters considered by the licensing service in setting the proposed fees are discussed and include all aspects of the licensing process.

The proposed fees will result in similar income compared with previous years.

## Recommendation(s)

Members are asked to:

- Agree the proposed fees for 2019/20 as set out in Appendix 2 (column two).

## Main Report

### Background

1. Part IV of the London County Council (General Powers) Act 1920 permits the City Corporation to set a fee for the administration and inspection costs associated with granting or renewing a licence to permit an establishment to carry on massage or special treatments (MSTs). Examples of the different types of massage and special treatments which require a licence can be seen as Appendix 1.

2. Part V of the Greater London Council (General Powers) Act 1981 permits the City Corporation to set a fee for the administration and inspection costs associated with registering an individual or premises for the practice of acupuncture or the business of tattooing or cosmetic piercing.
3. Part VIII of the Local Government (Miscellaneous Provisions) Act 1982 permits the City Corporation to set a reasonable fee for registering a premises under this Act associated with the practice of electrolysis.
4. Licences are valid for twelve months from the date of grant unless revoked. The licence fee is due for payment at the time of application or prior to renewal.
5. Registrations are valid indefinitely unless suspended or cancelled by an order of court for a contravention of an applicable byelaw.
6. A High Court case held on 16 May 2012 (*R (Hemming and Others) v Westminster City Council*) concluded that the amount of the fee is required to be determined every year and further that a local authority was precluded from making a profit from the licensing regime. A full account of the fee income and expenditure would therefore need to be considered to ensure a surplus is not being made.
7. Successive appeals/decisions in the Court of Appeal, The Supreme Court and the European Court of Justice decided that the fee can include administrative costs involved, the costs of vetting the applicants (in the case of applications for a licence) and the costs of investigating/enforcing the licensing scheme including costs involved in enforcement against those premises that are not licensed.

### **Calculation of Fees for 2019/20**

8. In order to avoid possible complications arising from non-compliance with the Hemming decision, the licensing service has carried out an in-depth examination of the processes that are undertaken in order to administer the licence application/renewal and the costs of investigating compliance with any licence conditions.
9. In determining the proposed fee structure for MST premises the following factors have been taken into account:
  - Officer time spent on processing applications including site inspections and the issue of any licence
  - Officer time spent on the development and maintenance of processes and guidance notes
  - Training of staff as necessary
  - A proportion of the service costs such as accommodation, equipment and central recharges

- Officer time spent on inspections of licensed premises to ensure compliance with terms and conditions of any licence
  - Administration cost and inspections to ascertain compliance with byelaws in relation to the registration of premises and individuals.
10. MST fees for 2019/20 have been calculated on the above basis for each of a number of different types of licence. Half of the proposed fees have stayed the same with the other half increasing or decreasing slightly. Changes in fees are due primarily to the under or over recovery of fees (see paragraph 14). Proposed fees can be seen as Appendix 2. All proposed fees are the total fees and include an element for the administrative element of issuing a licence and an element for inspection and compliance with legislation.
11. The forecast number of applications for each type of licence/registration for 2019/20 can be seen in the table below along with the number of licences/registrations that were actually granted during 2018/19.

	2018/19	2019/20
	Actual	Forecast
New MSTs with lasers	3	4
Renewal of MSTs with lasers	18	18
New MSTs	9	8
Renewal of MSTs	56	56
Premises Registration (without MST licence)	1	2
Premises Registration (with an MST licence)	4	2
Additional registration(s)	0	0
Individual Registration	16	12

### **Proposals/Options**

12. If fees are set lower than those recommended the result will be a deficit for 2019/20 as costs of administering the licence will not be fully met from income received.
13. Fees set higher than those recommended will result in a surplus i.e. an income which exceeds the cost of providing the service.
14. Any such under or over recovery of costs from 2019/20 will be calculated after the end of that financial year and will be carried forward to be taken into consideration in setting fees for 2021/22. The surplus or deficit on each fee type

from 2017/18 has been taken into account when setting the fees for 2019/20. Where this sum is relatively small, i.e. less than £20 per licence, in order to prevent the fees going up one year and down the next, the under or over recovery will be carried over to the next year(s). Where the proposed fee is a reduction from the current fee, this is because we have over-recovered costs in previous years and our forecast cost remains lower than the existing fee, so a reduction is required to avoid continued over-recovery. Ignoring a surplus or deficit could result in the City Corporation being subject to legal challenge.

## **Corporate & Strategic Implications**

15. The proposals within this report meet the requirement to set fees for the licensing of activities within the London County Council (General Powers) Act 1920, the Greater London Council (General Powers) Act 1981 and the Local Government (Miscellaneous Provisions) Act 1982, as they apply to the City of London Corporation.

## **Implications**

16. Setting the recommended fees will result in MST licence estimated income for 2019/20 of £50,000, a surplus of £11,000 against the budgeted income of £39,000. However, the budgeted income assumed a lower cost for inspection of premises than that included in the calculation of the proposed fees; if achieved the additional income will therefore be offset by increased cost so there will be no overall impact on the Licensing Service budget.
17. Setting fees above or below those recommended will have the implications as set out in paragraph 12-14 above.

## **Appendices**

- Appendix 1 – Examples of Massage and Special Treatments
- Appendix 2 – Proposed Fees for 2019/20

## **Background Papers**

None

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**London County Council (General Powers) Act 1920**  
**Licensing of establishments for massage or special treatment**

**Examples of Massage and Special Treatment**

**a. Massage** including but not limited to acupressure, aromatherapy, ayurveda, body massage, bowen technique, champissage (Indian head massage), facial massage, Grinberg method, holistic massage, manual lymphatic drainage, marma therapy, metamorphic technique, reflexology, rolfing, shiatsu, sports massage, stone therapy, thai massage or tui-na.

**b. Manicure** including but not limited to all forms of manicures, nail extensions or pedicures.

**c. Chiropody**

**d. Light** including but not limited to colour therapy, infra-red, lasers / intense pulse light (IPL), lumi-lift / lumi-facial or ultra-violet tanning (sunbeds).

**e. Electric** including but not limited to endermologie, faradism, foot detox, galvanism, high frequency, lumi-lift / lumi-facial, micro current therapy, scenar therapy or ultra sound.

**f. Vapour** including but not limited to facial steamers, halo therapy or steam room.

**g. Baths** including but not limited to fish pedicures, floatation tank, foot detox, hydrotherapy, sauna, spa or thalassotherapy.

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## Special Treatment Licence Fees 2018/19

This document sets out the fees payable for the licensing and/or the registration of:

- premises providing massage or special treatments
- premises that carry on the business of acupuncture, ear piercing or tattooing
- individuals that carry on the practice of, acupuncture, ear piercing or tattooing
- premises that carry on the business of electrolysis.

The fee is made up of 2 parts:

- The Administration element is the cost of processing the application and must be paid at the point the application is made
- The Compliance element is the cost of managing and enforcing the special treatments licensing regime and needs to be paid at the point the licence is granted

**NOTE: Both parts of the fee must be paid before the licence can be granted.** (Important – please read note C)

Application Type	Total Fee	Administration element of fee (See note A below)	Compliance element of fee (See note A below)	Previous Fees 2017/18
<b>New</b> massage and special treatment licence <u>to include laser treatment</u>	<b>£700</b>	£525	£175	£680
<b>Renewal of a</b> massage and special treatment licence <u>to include laser treatment</u>	<b>£635</b>	£475	£160	£635
<b>New</b> massage and special treatment licence <u>No laser treatment</u>	<b>£600</b>	£425	£175	£580
<b>Renewal of a</b> massage and special treatment licence <u>(No laser treatment)</u>	<b>£520</b>	£360	£160	£520



## Special Treatment Fees 2018/19

<b>Registration</b> to provide acupuncture, tattooing, piercing or electrolysis - <b>premises <u>without</u> an MST licence</b>	<b>£330</b>	£330	N/A (see note B)	£340
<b>Registration</b> to provide acupuncture, tattooing, piercing or electrolysis - <b>premises <u>with</u> an MST licence</b>	<b>£260</b>	£260	N/A (see note B)	£250
<b>Additional Registration(s)</b> (Premises)	<b>£250</b>	£250	N/A (see note B)	£250
<b>Registration</b> of an Individual	<b>£45</b>	£45	N/A (see note B)	£45

### Note A:

The Administration element of the fee is not refundable, even for unsuccessful applications as the fee only covers the administration and inspection costs of processing the application.

However, if an application is withdrawn prior to the technical inspection, the cost of the technical inspection will be refunded: **£186** for a new licence with no laser treatment and **£282** for a new licence with laser treatment.

If a licence is surrendered during the period in which it is in force, a refund of the Compliance element of the fee will be given for every full month remaining on the licence.

### Note B:

No part of the fee for a registration is refundable, even for unsuccessful applications, as the fee only covers the administration and inspection costs of processing the application.

### Note C:

The local authority is not permitted to charge for both elements of the fee up front. However, in order to assist customers, we will accept payment for the total fee upon application. In these circumstances the Compliance element of the fee will of course be refunded if the licence is not renewed/granted.

If you do pay just the Administration element of the fee up front the Compliance element will have to be paid before the licence is granted and issued.



<b>Committee:</b> Port Health and Environmental Services Committee – For decision	<b>Date:</b> 21052019
<b>Subject:</b> Progress report on mobilisation of the new waste and cleansing contract	<b>Public</b>
<b>Report of:</b> Carolyn Dwyer, Director of Built Environment	<b>For Decision</b>
<b>Report author:</b> Jim Graham, Assistant Director Cleansing	

## Summary

This report serves to advise Members on progress towards fully mobilising the new Waste Collection, Street Cleansing and Ancillary Services contract. The report sets out that the early termination of the previous contract by Amey plc left both client officers and the new contractor with very little time to prepare for the commencement of the new contract. In addition, the last 3 months of the Amey contract needed a significant amount of City officer resource to closely monitor the contract and ensure satisfactory service delivery through to contract end.

As Members will be aware the new contract was awarded to Veolia ES (UK) Ltd (Veolia) and despite a challenging timetable to prepare for the new contract it commenced, on schedule, at midnight 05 April 2019.

This report considers a number of current issues relating to the full contract mobilisation including the use of Key Performance Indicators (KPIs) to manage the contract (see Appendix 1). Details of the mobilisation plan agreed between client officers and Veolia (see Appendix 2) as are a number of other contractual and/or service issues that are currently being finalised. These include increasing power supply to the depot to facilitate charging of the electric refuse freighters when they are delivered in August 2019.

## Recommendations

Members are asked to:

- Note the report and the commencement of the new contract.
- Note the proposed KPIs at Appendix 1.
- Agree that a further progress report be brought back to this committee in September with a particular focus upon the delivery of the mobilisation Plan as set out at Appendix 2.

## Main Report

### Background

1. On the 8 November 2018 this committee approved the award of the Waste Collection, Street Cleansing and Ancillary Services contract to Veolia ES (UK) Ltd (Veolia) for a period of eight years commencing 6 April 2019. This followed an

approximately six-month early termination of the previous contract by Amey plc (Amey).

2. In response to the time challenges resulting from early termination both the Cleansing Service and Veolia established dedicated teams that worked closely in preparing for the new contract. As a result, despite the significantly reduced time period for contract mobilisation, the new contract commenced on schedule and is now operational.
3. City Corporation officers also dedicated significant resource to overseeing the completion of the Amey contract with a particular focus upon the last 3 months. This resulted in services generally being delivered to a good standard and avoided Amey moving key staffing and other resources away from the City Corporation contract.
4. The commercial waste business has been a particular area for attention in the new contract. It was agreed that, as was the case with Amey plc, the full management and trading operation of the City Corporation's commercial waste business should be transferred to the successful bidder for the life of the contract. Therefore, all bidders were requested to submit a proposed 'royalty payment' in return for this transference of business. Veolia offered 7% of the value of the business revenue at the point of business transfer. The value of the business transferred and hence the royalty payment figure, is currently being finalised. The agreed figure will constitute the minimum annual payment for the life of the contract with Veolia contracted to make an additional pro rata payment, assessed on an annual basis, in relation to any turnover growth.
5. Members agreed in approving what success would look like for the new contract that it should demonstrate sustainability and circular economy principles, which included the ambition for a zero emissions fleet. Therefore, the successful bidder proposed that a number of electric and other low emission vehicles be utilised in this contract including what is believed to be the first all-electric fleet of domestic refuse and recycling collection freighters in the country. It should be noted that all vehicles being procured by Veolia for use on the City Corporation's contract will be zero or low emission and Ultra Low Emission Zone (ULEZ) compliant.

## **Current Position**

### **Initial mobilisation**

6. The Veolia proposal differs from the previous contractor in a number of important ways. For example, timings of street cleaning beats and resource levels have been varied to meet the perceived additional cleansing demands brought about through increased tourism, the increased retail offering and the stronger night time and weekend economies. Refuse round timings have changed too as Veolia have sought to better deploy resources to improve efficiency and service quality.
7. Services changes have all been reviewed by officers with a view to ensuring the proposals will deliver the service quality required. The service detail will however be kept under close review and some, probably minor, adjustments can be

expected over the next few months for example in relation to matters such as timings of shifts and balancing resource allocations. A comprehensive operational review with Veolia is scheduled for August.

8. The short mobilisation time has meant that some vehicles were not available at the commencement of the contract. A number of vehicles will be utilising cutting edge technology, for example the electric refuse freighters. These are currently ordered and in production but are unlikely to be operational until August of this year. Similarly, some specialist cleaning equipment has not yet been delivered, necessitating Veolia agreeing temporary alternative operational arrangements with City Corporation officers. In all cases ULEZ compliance is to be maintained.
9. The short mobilisation period has also impacted the transfer of the commercial waste business. The loss of some data and records by the previous contractor has left Veolia in a difficult position. It has resulted in the customer details being provided to Veolia not being comprehensive. Therefore, Veolia have been working closely with City Corporation officers to review the customer base that has been transferred and establish related bin collection points. Veolia have also put in additional resources to specifically identify their bagged waste customers.
10. Given the initial uncertainty in relation to the commercial customer data base officers have agreed that the 7% annual royalty payment referred to above will be calculated on the substantiated customer base for bin customers after the first three months and bag customers after the first six months.

### **Contract management**

11. The ambition is that this contract will be approached on a partnership basis. However, to be successful close client monitoring will be essential. There will therefore be weekly client/contractor meetings to review performance followed by monthly meetings for which the Assistant Director of Cleansing will be chairman. All of these meetings will be informed by a comprehensive set of performance data produced through the Veolia 'Echo' system. This will include contract performance, health and safety, and productivity data.
12. Whilst a comprehensive set of live performance data is expected to be available as above the contract will primarily be driven through performance of a suite of agreed KPIs. The date that the KPIs will track are set out at Appendix 1. These KPIs are currently being finalised and the contract requires them to be fully implemented following six months after contract commencement. This allows for some testing of the KPIs to ensure they effectively drive service performance. These KPIs will feed into the contract's performance payment mechanism. The contract allows the client to make staged financial deductions for under performance of the first seven KPIs.
13. The first seven KPIs have been chosen because they provide a good measure of overall contract performance and can be accurately monitored through a live contract management system. Resolution of any KPI related service underperformance is incentivised by ratcheting up the sum to be deducted based upon the level of service failure by the end of the month. This differs from the

simple 'pass/fail' approach in the previous contract which provided no incentive for the contractor to address under performance of a KPI during any month that they failed a KPI.

14. In addition to the seven payment related KPIs there are two strategic performance related KPIs the first relating to Veolia's performance in delivering the agreed Annual Improvement Plan and the second in relation to their performance against the agreed contract risk register. These KPIs have been introduced following discussion with the Corporate Procurement Unit as they provide a more strategic assessment of how well the contract is being managed. The contract risk register performance will automatically feed into the Commercial Contract management Scorecard which will be monitored by the Chamberlain's department.
15. Whilst these two performance measures have no financial penalty they do contribute to an overall contract performance score and if rated red for three consecutive months (or 6 months in any rolling year) would leave the contract vulnerable to termination for under performance.
16. The final KPI is focused upon the level of street cleanliness across the City. It will be delivered (as now) through an independent assessment of the City's street cleanliness by Keep Britain Tidy. This will be done every four months on a rolling programme across the life of the contract. Whilst this KPI has no financial or performance weighting it will be used to track the City's cleanliness and identify areas for improvement.
17. Any decision to make a financial deduction in relation to the seven payment KPIs for under performance will be taken at the regular monthly meetings and ratified at a quarterly Partnership Board meeting, the chairmanship of which will be rotated on a six-monthly basis. The Partnership Board will be attended by Directors of both Veolia and the City Corporation's Department of the Built Environment.

### **Embedding the contract**

18. It is expected that it may be up to six months before the contract is fully mobilised. That is not to say that service standards will not be achieved but it is expected to take up to six months to have the contract working as smoothly and effectively as is expected. For example, it will be at least four months before all the proposed new fleet is in place, there are significant staff training needs which will take some time to deliver and initial assumptions on routing (and staffing) will doubtless need to be fine-tuned to maximise performance. There are also a significant number of Human Resources issues that will need to be addressed. These include negotiating changes to operating hours for some staff and recruiting to a number of vacancies.
19. All key issues to be addressed in bedding in this contract over the next six months have been pulled together into a 'contract mobilisation plan' and this is shown at Appendix 2. Following the completion of the 'contract mobilisation plan',

the contractor will be required to produce each year an 'Annual Improvement Plan' Veolia and client officers will be monitoring delivery of this plan through the quarterly Partnership Board meetings. It is also these plans that will be reported to this Committee for approval each year at which time the Committee will also be provided with a performance review based on the previous year's plan.

20. It is envisaged the first formal Improvement Plan will be agreed in 2019 and commence in April 2020. In the interim it is proposed a further progress report on this contract with particular focus on the delivery of the 'contract mobilisation plan' plan is brought to this Committee at its September meeting.

### **Corporate & Strategic Implications**

21. This contract is an integral part of delivering outcomes eleven and twelve of the Corporate Plan, ensuring "We have clean air, land and water and a thriving and sustainable natural environment" and that "Our spaces are secure, resilient and well maintained."
22. This contract will deliver the first fleet in the country of all electric refuse freighters. All other procured vehicles will be low emission and ULEZ compliant. It puts the City Corporation at the forefront of innovation and delivery of sustainable services.
23. The effective delivery of this contract is essential if the City Corporation is to provide a clean and safe public realm and thereby help promote the City of London and ensure that "we are a global hub for innovation in finance and professional services, commerce and culture."

### **Implications**

24. The move to electric vehicles will be limited by the power available within the City of London. Further reports seeking authority to increase the power supply at the depot are currently being taken through the project process and being led by the City Surveyor.

### **Conclusion**

25. The new contract has commenced on schedule despite the challenging time constraints resulting from the early contract termination by Amey.
26. It will take several months before all the proposed vehicles are delivered and the contract is fully embedded. During this time client officers will be scrutinising service delivery and working with Veolia to fine tune the service so as to maximise performance and minimise costs.
27. The contract's performance payment mechanism is anticipated to be an effective mechanism in helping drive performance but will also be kept under regular review.

## **Appendices**

- Appendix 1 – Key Performance Indicators
- Appendix 2 – Mobilisation Plan

## **Background Papers**

- Waste Collection, Street Cleansing and Ancillary Services Contract Final Recommendation – Port Health and Environmental Services Committee – 08/11/2019

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## **Appendix 1 – Key Performance Indicators**

The following are Key Performance Indicators which will be finalised during the first six months of the contract to ensure that they drive service performance.

### **1 Service Defects Issued**

Service defects are issued against items of service failure e.g. failure to collect refuse to schedule or failure to clean to service standards.

### **2 Number of Serious Performance Failures**

A serious performance failure would be defined as a material breach of the terms of contract, serious endemic failure, fraudulent reporting or a failure to have in place agreed health and safety procedures. This would be defined as serious using the City Corporation's Risk Matrix.

### **3 Satisfactory Mechanical Sweeping – “Brushes down” time**

The time that mechanical sweepers are brushes are recorded as down and sweeping against the required time for the scheduled sweep.

### **4 Percentage of Ad Hoc Service Requests Completed on time**

Ad hoc work requested as requested by City officers (which does not require a diversion of resources) and completed within agreed timescales as laid out in the Contract Manual. Monitored through the contractor's work scheduling software which is available for The City to view and interrogate.

### **5 Measure of Street Cleanliness**

Cleanliness is to be measured through joint inspections by the Contractor and the City Corporation. This will ordinarily involve no less than 100 surveys a month over the 7-day working period. The measure will monitor the quality of all manual barrow beat sweeps. Grading will be in line with Keep Britain Tidy's Local Environmental Quality Methodology and will survey the most recently swept transect completed by the sweeper. Scoring will be assessed against an enhanced grade A standard as defined in the specification and will be a percentage score based on a pass/fail basis.

### **6 Number of complaints received**

Complaints will have originated from either a member of the public, a business or an elected Member and, following investigation, upheld as justifiable by client officers.

### **7 Big Belly Solar Bins emptied at agreed levels**

Bins will be required to be emptied within two hours from the moment the contractor receives an alert notification indicating that it requires emptying.

### **8 Keep Britain Tidy LEQ Score**

Independent LEQ scores from Keep Britain Tidy will be monitored but do not count financially or against the contract risk score. However, the Contractor will be expected to utilise results of these reports to feed into the Annual Improvement Plan.

## **Appendix 1 – Key Performance Indicators**

### **9 Achievements against milestones in the Annual Improvement Plan**

The Annual Improvement Plan is a forward-looking plan to improve performance of the contract and realise efficiencies. Each objective within the plan will have associated key milestones to ensure that improvements are delivered. These milestones will be those determined to be deliverable and agreed at the Quarterly Partnership Board, and they will be tracked in Monthly meetings. It is not intended that this process stifles innovation and The City appreciates that to innovate and improve some projects may ultimately fail, the purpose of this KPI is to ensure that objectives can be tracked and progressed.

### **10 Performance against Local Risk Register**

There will be a weekly contract meeting chaired by the City in which contract performance and risk issues may be identified. Any of these issues not resolved by the next Monthly meeting will be included on the Contract Performance and Risk Register along with agreed timeline for delivery.



## Appendix 2 – Mobilisation Milestones

Ref	Milestone Description	Priority level	Proposed Start Date	Proposed Completion Date	Comments
	<b>Veolia Structure and Support</b>				
1	Veolia structure to be fully populated and shared with client including day one and transition to align with structure proposed in bid document	1	25/04/2019	31/07/2019	Current structure shared and all management posts in place apart from Apprentice Technician and one Afternoon EM. Recruitment to be completed by target date of 31/07/19. Additional posts are currently in place to support the mobilisation.
2	Veolia to confirm post of Innovation and recycling officer and identify who will fill it	1	07/09/2019	14/09/2019	Current graduate leaving. Next graduate post to be in place from September who will fill this role.
3	Regional comms manager and officer to work with client on 'Extensive communications' strategy re food waste on estates (eg Brent plan). Will this be included in wider improvement plan?	1	22/04/2019	30/09/2019	Conversation has started between Veolia Regional Communications and CoL to discuss the years plan. Plan to commence from September and to be incorporated within the improvement plan.
4	Timeline for Trade Union engagement and pay award	3	13/05/2019	30/09/2019	To commence as part of the wider union consultation. To be completed by September and all employees will receive backdated pay.
5	Confirmation of local management resources and subsequent monitoring. Detailed schedule for out-of-hours cover	3	06/06/2019	26/04/2019	Completed- Email is now sent out every Thursday detailing weekend cover
6	Regional Veolia support scope to be outlined including what areas and how the CoL accesses this support	3	06/04/2019	30/09/2019	Regional support has been utilised to achieve mobilisation across all business areas. Annual improvement plan (finalised in September) will address projects for the year and will identify the regional support required to draw down on for project implementation.
	<b>Systems Review</b>				

## Appendix 2 – Mobilisation Milestones

7	Delivery of fully functioning and integrated Echo	1	06/04/2019	31/07/2019	The first phase of echo is in place and being utilised by the contact. Next phase has commenced. The last bit of functionality will be in place following the Radio Frequency Identification (RFID) bin weighing capability that will come with the electric vehicles when they arrive. Integration has commenced and to be completed by June 2019
8	Client access to vehicle servicing records including daily driver inspections and defect corrections	3	06/04/2019	13/04/2019	Everything is now available and subject to client audit on request.
9	Client review of operational data – access arrangements and limitations	3	06/04/2019	30/06/2019	Veolia currently use the ECHO system to identify activity and operations on a daily basis. Initial training to client has been provided along with access to data. Final data sharing and familiarisation of system for the client to be completed by June.
10	Review in what format the public can access data to see current position/complain/order services	3	06/04/2019	31/10/2019	Firmstep (City customer relation management software) integration has commenced with anticipated completion in September. A review of public access to data can then be completed.
	<b>Operational Review</b>				
11	RFID weighing fully operational	1	01/07/2019	30/09/2019	RFID functionality with receipt of electric vehicles anticipated in September. This will be subject to vehicle availability from suppliers.
12	Full review of schedules	1	15/05/2019	20/05/2019	Initial meeting between Veolia and the City to review full schedules, to be kept under review and revisited as necessary.
13	Current arrangements with European Recycling platform and Recolight (which relates to the recycling of electric goods) to be embedded with Veolia in new contract	1	06/04/2019	26/04/2019	First WEEE collection has been completed in partnership. Veolia to notify City when

## Appendix 2 – Mobilisation Milestones

					collection of each waste stream is needed going forward.
14	Implementation of Garden Waste Collection	1	01/07/2019	31/07/2019	Garden Waste trial to commence in June on four main estates. Communal bin in each estate.
15	Diarise emergency drills (6 monthly and annual simulated incident exercise)	1	01/06/2019	30/09/2019	Desktop audit to be completed on business continuity plan twice a year. Veolia to work with City Surveyors to be included in internal fire alarms and terrorist attack ENVAC practices.
16	Timeline needed for confidential waste shredding i.e. installation of shredder and start of service.	1	06/04/2019	31/10/2019	Compliant confidential waste operation in place. Veolia are currently monitoring the service and the tonnage generated and following this will review timeline for shredder. This will be then be incorporated into the annual improvement plan. Veolia will initially work with client officers to target areas where on street shredding has caused pollution, noise and congestion/road safety issues.
17	Timeline to be confirmed for electric fleet	1	06/04/2019	30/08/2019	End of August subject to supplier availability.
18	Proposed procedure for reporting accidents/health and safety issues to the client	2	06/04/2019	14/04/2019	Completed. RIVO health and safety monitoring system in place. Serious H&S incidents will be reported directly to the client following incident. Otherwise trend analysis monitored as part of a report in the monthly meeting.
19	Full schedule of food waste and other collections ( times etc) to be provided to client prior to contract commencement	2	18/04/2019	06/07/2019	Completed and agreed with client team. To be reviewed at first quarterly review.

## Appendix 2 – Mobilisation Milestones

20	Asset register to be provided 1 month prior to commencement. Include condition of all transferring assets	2	06/04/2019	30/06/2019	Vehicles and equipment asset register completed. Containers signed off at handover of contract. Full comprehensive list of office equipment to be completed by end of June.
21	Timeline for security training module for operatives in high risk areas	2	06/04/2019	31/08/2019	Basic training complete. To speak with City of London police to provide a briefing to frontline staff over the summer.
22	Identify workforce skills shortage and timeline to rectify	2	20/05/2019	31/07/2019	Skills analysis complete and training needs identified. DCPC (Statutory driver training) needs identified and sessions scheduled in to rectify this. Management training needs plan being built by Veolia people development department.
23	Proposals for maximising diversion of bulky waste to reuse	2	06/04/2019	30/09/2019	Audit underway of bulky waste to identify reuse potential in the City. Following a 6 month audit an understanding of the potential for and level of reuse will be established. From this, a proposal will be set out in detail in next years Improvement Plan which will follow a 12 month plan.
24	Availability of stores management system and confirmation of all assets to be included (bins, bags, diesel, LAT stock etc.) Discussion with CoL around minimum stock levels	3	06/04/2019	01/06/2019	Full audit of stock is being completed to be uploaded into Veolia's stock management system by the beginning of June. Minimum stock levels to be shared with the City by mid May.
25	Arrangements for transfer of stock including number and status of bins in use/store	3	18/03/2019	06/04/2019	Completed
26	Agree depot cleansing schedule and monitor	3	06/04/2019	26/04/2019	Completed- being done at night.
27	Event plan and lead Veolia manager for London Marathon 2019	3	15/04/2019	28/04/2019	Complete
28	WASP asset management programme-date to be agreed for loading all assets	3	06/04/2019	01/06/2019	Stock management system built. Data upload in June following full audit of stock. Training on system to be provided to users.

## Appendix 2 – Mobilisation Milestones

29	Review of power washing at nights and more generally working within night time noise constraints	3	22/04/2019	31/05/2019	A couple of complaints have been received due to the hot power washing occurring at nights. Veolia are sitting with the City to review this and will produce a programme of activities that is complaint free by the end of May.
30	Confirmation that deal with Bright Sparks for Bulky Reuse will be extended into the City	3	01/09/2019	30/09/2019	Audit to take place in September. Given the outcome of this Veolia will liaise with Brightsparks as to their involvement.
31	Review of Clinical Waste Service	3	01/07/2019	30/09/2019	Working group including social services to be established. To commence from July.
32	Implementation of use of foam padded brooms	3	01/06/2019	30/06/2019	Trial to be commenced in June to establish feasibility of their use.
33	Monitoring of provision of graffiti wipes, pliers and scrapers	3	06/04/2019	31/05/2019	These have been made available for frontline operatives. A toolbox talk will be provided as to their correct use.
34	Complete review of effectiveness of ambassador reporting	3	01/09/2019	30/09/2019	Veolia have a shared report to monitor this. Joint review in September as to active use of the echo functionality.
35	Complete review of allocation and effectiveness of working supervisors	3	01/08/2019	31/08/2019	Review of operations including achievement of SLAs to be carried out prior to KPIs going live in September. August operational review meeting.
36	Review of excess waste/spillage reports, bin weights, collection times	3	01/08/2019	31/08/2019	To be included in August operational review.
37	Review of fly tipping procedure	3	01/08/2019	31/08/2019	To be included in August operational review.
38	Review the success of operatives in ambassadorial role	3	01/08/2019	31/08/2019	To be included in August operational review.
39	Avoid long term damage to pavements from power washing by training all the staff involved.	3	06/04/2019	13/10/2019	Complete. All staff using the equipment have been trained. All new staff are inducted and trained prior to use. After 6 months of operation Veolia will meet with the City highways team to review if they have noticed

## Appendix 2 – Mobilisation Milestones

					any significant damage since use of the equipment.
40	Review of Big Belly Bin emptying schedules and performance against KPI	3	01/08/2019	31/08/2019	To be included in August operational review.
41	Review of Cigarette and gum bins washing at least once per month	3	01/08/2019	31/08/2019	To be included in August operational review.
42	A minimum of 6 operational LGV drivers available at all times Oct – Mar (Winter maintenance stand by). Work with neighbouring contracts	3	01/08/2019	31/08/2019	Schedules will reflect cover over these periods. Winter maintenance planning meeting to be held in August.
43	Review provision, cleansing and maintenance of salt bins	3	01/08/2019	31/08/2019	In conjunction with winter service plan and will form part of the winter maintenance planning meeting in August.
44	Review of resources to ensure scheduling is addressing removal of staining from bus stops and outside fast food shops	3	01/08/2019	31/08/2019	To be included in August operational review.
	<b>Contract Manual</b>				
45	Methodology required for specialist cleaning for street furniture that is over-height and for bridges	1	06/04/2019	30/09/2019	Veolia will use extendable poles with operatives trained in use of the equipment. Veolia will comply with the 26 week rolling schedule for cleansing of infrastructure above height. 26 weeks to complete all infrastructure above height. To be included in August operational review.
46	Schedule for recharging batteries for the electric fleet and methodology for managing power within supply constraint	1	06/04/2019	20/04/2019	Complete. Charging plan shared with the City and will be configured into the electrical charging infrastructure power management system. Final schedule will be released after the electrical infrastructure in place.
47	Agree attendees at each stage of governance	1	22/04/2019	26/04/2019	Complete
48	Agree key mobilisation milestones	1	22/04/2019	03/05/2019	Complete

## Appendix 2 – Mobilisation Milestones

49	Agree KPIs including full implementation and monitoring	1	01/02/2019	31/05/2019	Implementation date set. KPIs subject matter agreed and signed off. Final KPI reporting specifics being discussed in conjunction with the City. KPIs to go live from September.
50	Suite of reports to be finalised relating to KPIs and other essential management information.	1	06/04/2019	01/09/2019	Some reports in place with the rest to be complete by end of June. KPI reports to be finalised prior to September.
51	Within 3 months Veolia to produce 'Development timeline' covering the 8 years of contract.	1	06/04/2019	30/06/2019	To be complete by the end of June.
52	Agreement on emergency use of resources from other contracts and define types and numbers of such resources.	3	06/04/2019	26/04/2019	Agreed in principle with neighbouring contracts. Water tanker from Camden already in use to fill the gap prior to vehicle arrival.
53	Winter Maintenance Plan training for Veolia Management	1	01/08/2019	31/08/2019	To be included in August operational review.
	<b>Compliance</b>				
54	All operators trained/ inducted in dangers of working in the road way	1	23/04/2019	06/04/2019	Completed as part of induction. To be refreshed biannually.
55	Business Continuity Plan to be in place at contract start	1	06/04/2019	30/06/2019	First draft in place and complete. Draft to be finalised during first few months of contract.
56	O license in place	1	01/03/2019	06/04/2019	Complete
57	Time line for skill set mapping and detail of first 6 month training programme	1	06/04/2019	26/04/2019	Complete- Management training and driver training assessed. Further review and training programme will be required following the restructure.
58	Agree risk register	1	01/04/2019	15/05/2019	To be agreed and signed off in conjunction with the City
59	FORS bronze achieved in first 6 months	1	06/04/2019	30/09/2019	Target for accreditation to be in place by the end of September
60	Timeline for Veolia's external accreditation to ISO 145001 H&S system (Including details of staff training)	1	06/04/2019	01/04/2020	Target by end of Year 1.
61	Provide regular updates on impact of Brexit	2	06/04/2019	20/04/2019	City added onto Veolia briefing list.

## Appendix 2 – Mobilisation Milestones

62	Confirmation of H&S training for all staff	2	23/03/2019	06/04/2019	Complete. Regular toolbox talks to be provided with a biannual refresher system.
63	Compliance with management systems ISO 9001,14001, 18001	2			Date to be advised
64	Evidence of all insurance documents and provision of these annually	2	01/03/2019	10/04/2019	Completed for 2019. To be sent each year.
65	We need evidence of how twice yearly manual handling training will be tracked and same for wider training and induction proposals	3	06/04/2019	31/05/2019	Each employee has a file that contains all training received as well as a log sheet held for all employees that is monitored by the contract team. Dedicated resource will monitor this. Log sheet can be shared with the City.
66	All cleansing agents and chemicals to be agreed by client before contract commencement. Are they environmentally friendly?	3	06/04/2019	15/05/2019	Review complete and final list supplied to City.
67	Clients to sign off risk assessments, coshh, Environmental impact assessments and sustainability/ Environmental Impact Assessments re all chemicals	3	06/04/2019	31/05/2019	Information provided and currently being reviewed by the City
68	Confirmation that operational managers have IOSH qualification	3	06/04/2019	05/04/2020	Training programme across Year 1 of the contract.
69	Confirmation that first aid needs assessed and first aiders trained and in place	3	06/04/2019	01/10/2019	First aiders identified. Training to be refreshed for all. Additional first aiders have been nominated and training will be provided.
70	Ensure that Contract Manager or other senior management holds a Waste Management Industrial Training Board Certificate of Technical Competence at NVQ level 4 or equivalent.	3	01/03/2019	06/04/2019	Complete
71	All environmental permits in place	1	01/02/2019	06/04/2019	Complete
72	Implementation of process to ensure all personnel and visitors comply with on site H&S	3	01/03/2019	06/04/2019	Complete
	<b>Annual Improvement Plan</b>				



## Appendix 2 – Mobilisation Milestones

73	Opening position and subsequent monitoring of Equality/diversity initiatives and sustainability measures	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
74	Draft annual Recycling Improvement Plan-part of wider Improvement Plan	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
75	Veolia will work with markets and client team to develop improvement plan. This will be led by Veolia's Recycling and Innovation manager	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
76	Relocation of Projects and Innovation team-date required	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
77	Proposals for recycling initiatives and trials including timelines e.g. Reverse vending machine, Estate league tables for recycling, Digital screens to promote recycling, Bar coding trial	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
78	Details of annual recycling celebration (to be sponsored by Veolia) to promote recycling. Need agreement of when, how and how much	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
79	Regular 2 monthly audits of recycling to identify participation rates and contamination. Led by Veolia. Need to agree timetable of meetings to consider resultant actions from both client and contractor	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
80	Agree date for London innovation den and establish membership of innovation board and date for first meeting	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
81	Veolia to produce annual stakeholder engagement plan	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
82	Community workshops to be diarised (per annum)	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.

## Appendix 2 – Mobilisation Milestones

83	Comms plan with target dates for specific initiatives needed.	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
84	First Annual Improvement plan to be developed following initial mobilisation period of 6 months	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
85	Review of Carbon Calculator - old fleet versus current and ant recommendation of carbon efficiencies.	3	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
	<b>Added value</b>				
86	Time line for polystyrene baler	2	06/04/2020	N/A	Year 2 offering
87	Veolia and City Partnership ' deep cleanse service' what is the timeline for this	1	01/09/2019	31/09/19	Following finalisation of valuation of the commercial portfolio after 6 months a plan to promote this service will be put in place.
88	Time line for recycling of Coffee Grounds	2	01/07/2019	30/09/2019	Veolia will explore with the current customer base of the portfolio the appetite for coffee ground collection. This review will commence July- September. Veolia are exploring solutions for widening their coffee ground collection service and therefore will align this project with that. Timeframes TBC.
89	Proposals for additional Give and Take days	3	01/08/2019	30/09/2019	Veolia to undertake first 2 Give and Take days and assess requirements. Following this will review possibilities for additional events.
90	What progress have Veolia made with their work with the GLA to introduce New York style 'material for Art' programme?	3	N/A	N/A	The GLA have currently abandoned their plans for the material for the arts facility due to a lack of funding. They are in the process of looking at alternative ways for fulfilling this project. Veolia remain committed to assisting the GLA wherever possible.

## Appendix 2 – Mobilisation Milestones

91	Timeline and business case for Cup Club and Container recycling	3	01/09/2019	31/09/19	To be discussed at the first annual improvement plan meeting. Will require City sign off of funding.
92	Timeline and business case to introduce PPE recycling.	3	01/09/2019	31/09/19	To be discussed at the first annual improvement plan meeting. Will require City sign off of funding.
93	Use of handheld devices and body worn technology for data input	3	01/09/2019	31/09/19	All employees are carrying handheld devices that allow communication as well as live monitoring of the performance. At annual improvement plan further body technology will be discussed and will be subject to City sign off of additional funding.
94	Relocation of Centre of Excellence to Walbrook Wharf	1	01/08/2019	30/09/2019	To be reviewed after additional power upgrade.

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<b>Committee(s):</b>	<b>Date:</b>
Port Health and Environmental Services – For Information	May 2019
<b>Subject:</b> Litter Intervention Trial	<b>Public</b>
<b>Report of:</b> Carolyn Dwyer – Director of the Built Environment	<b>For Information</b>
<b>Report author:</b> Jim Graham – Assistant Director Cleansing	

## Summary

This report details the Litter Intervention Trial carried out by the Cleansing Service in January and February 2019. The trial was carried in partnership with Keep Britain Tidy and funded by the Department for Environment, Food and Rural Affairs. The intervention involved placing three signs with an antilittering message printed on a mirrored background in three high profile locations around the which were hotspots for “careful” littering. These sites were monitored for two weeks before the trial and two weeks during the trial. The litter monitoring results found that the intervention delivered an average 19.5% reduction in placed litter during the trial across the three sites. It also showed a consistent +1 improvement at each site, based on the NI195 grading system.

## Recommendation

Members are asked to:

- Note the report.
- Note that the intervention will be considered for future use at appropriate locations at different times of the year.

## Main Report

### Background

1. Through the Litter Innovation Fund, Keep Britain Tidy received a grant of £9,918 to pilot a ‘Reflective Litter’ campaign innovation with the City of London. The purpose of the trial was to use innovative poster materials (mirrors) at known ‘careful littering’ hotspots such as benches, ledges and fences, to make litterers stop and think about how leaving litter reflected on their personal image.
2. The project focused on ‘careful littering’ where people place litter in a spot, rather than throwing onto the floor. Those people tend to perceive they are not littering by carefully placing an item. There is strong evidence litter placement is most prevalent in areas of high-footfall outside, such as outside train stations, shops, seated areas and also on public transport. The items that are mostly commonly observed to be carefully placed are newspapers, cigarette butts, coffee cups and drinks bottles/cans.

3. In an age of social media, smart phone and selfies, image seems to be everything. We proposed to use this insight to help people see that they are indeed littering and acting anti-socially when placing an item carefully and that littering can have a negative impact on what people think of them. Using mirrors within the intervention, it looked to 'reflect back' the image of that person, with a message that littering looks bad on all of us. This kind of messaging has been tested before to tackle blatant littering, but never to highlight the that carefully placing an item anywhere other than a bin is just as bad.

## **Current Position**

4. The intervention was installed at three identified key 'litter placement' hotspots, Moorgate outside the Metropolitan University, Royal Exchange and Cheapside near St Pauls Station. The idea was that people would then catch themselves in the 'frame' as they littered and would choose not to do so, raising awareness that the act is indeed anti-social. The University location was specifically chosen to target the intervention at a younger more image aware audience group to see if this further increased or decreased effectiveness.
5. A monitoring and evaluation framework was used to establish the effectiveness of the intervention. This consisted of litter monitoring to identify the impact on littering behaviour (manual litter count and NI195 inspection) and perceptions surveys with members of the public at the site to assess their attitudes towards and awareness of the intervention, and
6. The litter monitoring results found that the intervention delivered an average 19.5% reduction in placed litter during the trial across the 3 sites. It also showed a consistent improvement of +1 grade at each site, based on the NI195 grading system.
7. The litter count of placed items left at each of the trial locations showed that the trial delivered an overall average reduction of 19.5%, with 13.2 items littered daily on average before the trial and 10.9 littered daily on average during the trial. With regard to performance at each location, Moorgate Metropolitan University was the only site that actually saw an increase in the average daily number of placed litter items during the trial. With a daily average of 6.5 items prior to the trial and a daily average of 6.6 during the trial. This was in part skewed by a particularly bad day on the 31 January when street sweeping was suspended due to snow. This saw 22 items of place litter left at Moorgate. Excluding this day the daily average at Moorgate during the trial was 4.9 items and therefore a reduction of 24% from the pre-trial average of 6.5 items.
8. St Pauls delivered the biggest reduction in placed litter during the trial, from an average of 4.4 items per day pre-trial to 2.2 during the trial, seeing almost a 49.6% reduction.
9. Whilst perceptions survey respondents were sceptical about the effectiveness of the posters, and many initially found them difficult to notice, the survey did reveal that 71.30% agreed It was easy to understand what the posters were about and

63.30% agreed that reflective posters like these should be used in other areas to discourage litter.

10. The perceptions survey indicated that larger, more noticeable posters may have had a greater impact on the litter reduction and public perception of the intervention. It was also felt that it would be more apt to conduct the trial in Spring/Summer when the issue of placed litter is more prevalent.

## **Proposals**

11. This intervention has proven to be useful at reducing careful littering in hot spots. Due to the problems with visibility of the signs careful consideration should be given to any future locations that it is used at. However, it should be considered for use at appropriate locations at different times of the year as part of the range of interventions that the Cleansing Service has available to reduce littering. The effect of the seasonal weather conditions on the results in Moorgate indicate that the intervention may have a different impact in better weather conditions. The Cleansing Service will look to trial this again in the summer.

## **Corporate & Strategic Implications**

12. Using this litter intervention project supports outcomes eleven and twelve of the Corporate Plan, ensuring “We have clean air, land and water and a thriving and sustainable natural environment” and that “Our spaces are secure, resilient and well maintained.”

## **Implications**

13. The costs for production of the materials have already been covered by this project and any future costs would be met from local risk budget.

## **Conclusion**

14. This project proved effective in reducing litter at three hotspots for careful littering and will be considered for future use at appropriate locations at different times of the year. It will be added to the range of methods Cleansing use to influence behaviour including targeted education and enforcement using Fixed Penalty Notices (FPNs).

## **Appendices**

- None

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## Appendix 2 – Mobilisation Milestones

Ref	Milestone Description	Priority level	Proposed Start Date	Proposed Completion Date	Comments
	<b>Veolia Structure and Support</b>				
1	Veolia structure to be fully populated and shared with client including day one and transition to align with structure proposed in bid document	1	25/04/2019	31/07/2019	Current structure shared and all management posts in place apart from Apprentice Technician and one Afternoon EM. Recruitment to be completed by target date of 31/07/19. Additional posts are currently in place to support the mobilisation.
2	Veolia to confirm post of Innovation and recycling officer and identify who will fill it	1	07/09/2019	14/09/2019	Current graduate leaving. Next graduate post to be in place from September who will fill this role.
3	Regional comms manager and officer to work with client on 'Extensive communications' strategy re food waste on estates (eg Brent plan). Will this be included in wider improvement plan?	1	22/04/2019	30/09/2019	Conversation has started between Veolia Regional Communications and CoL to discuss the years plan. Plan to commence from September and to be incorporated within the improvement plan.
4	Timeline for Trade Union engagement and pay award	3	13/05/2019	30/09/2019	To commence as part of the wider union consultation. To be completed by September and all employees will receive backdated pay.
5	Confirmation of local management resources and subsequent monitoring. Detailed schedule for out-of-hours cover	3	06/06/2019	26/04/2019	Completed- Email is now sent out every Thursday detailing weekend cover
6	Regional Veolia support scope to be outlined including what areas and how the CoL accesses this support	3	06/04/2019	30/09/2019	Regional support has been utilised to achieve mobilisation across all business areas. Annual improvement plan (finalised in September) will address projects for the year and will identify the regional support required to draw down on for project implementation.
	<b>Systems Review</b>				

## Appendix 2 – Mobilisation Milestones

7	Delivery of fully functioning and integrated Echo	1	06/04/2019	31/07/2019	The first phase of echo is in place and being utilised by the contact. Next phase has commenced. The last bit of functionality will be in place following the Radio Frequency Identification (RFID) bin weighing capability that will come with the electric vehicles when they arrive. Integration has commenced and to be completed by June 2019
8	Client access to vehicle servicing records including daily driver inspections and defect corrections	3	06/04/2019	13/04/2019	Everything is now available and subject to client audit on request.
9	Client review of operational data – access arrangements and limitations	3	06/04/2019	30/06/2019	Veolia currently use the ECHO system to identify activity and operations on a daily basis. Initial training to client has been provided along with access to data. Final data sharing and familiarisation of system for the client to be completed by June.
10	Review in what format the public can access data to see current position/complain/order services	3	06/04/2019	31/10/2019	Firmstep (City customer relation management software) integration has commenced with anticipated completion in September. A review of public access to data can then be completed.
	<b>Operational Review</b>				
11	RFID weighing fully operational	1	01/07/2019	30/09/2019	RFID functionality with receipt of electric vehicles anticipated in September. This will be subject to vehicle availability from suppliers.
12	Full review of schedules	1	15/05/2019	20/05/2019	Initial meeting between Veolia and the City to review full schedules, to be kept under review and revisited as necessary.
13	Current arrangements with European Recycling platform and Recolight (which relates to the recycling of electric goods) to be embedded with Veolia in new contract	1	06/04/2019	26/04/2019	First WEEE collection has been completed in partnership. Veolia to notify City when

## Appendix 2 – Mobilisation Milestones

					collection of each waste stream is needed going forward.
14	Implementation of Garden Waste Collection	1	01/07/2019	31/07/2019	Garden Waste trial to commence in June on four main estates. Communal bin in each estate.
15	Diarise emergency drills (6 monthly and annual simulated incident exercise)	1	01/06/2019	30/09/2019	Desktop audit to be completed on business continuity plan twice a year. Veolia to work with City Surveyors to be included in internal fire alarms and terrorist attack ENVAC practices.
16	Timeline needed for confidential waste shredding i.e. installation of shredder and start of service.	1	06/04/2019	31/10/2019	Compliant confidential waste operation in place. Veolia are currently monitoring the service and the tonnage generated and following this will review timeline for shredder. This will be then be incorporated into the annual improvement plan. Veolia will initially work with client officers to target areas where on street shredding has caused pollution, noise and congestion/road safety issues.
17	Timeline to be confirmed for electric fleet	1	06/04/2019	30/08/2019	End of August subject to supplier availability.
18	Proposed procedure for reporting accidents/health and safety issues to the client	2	06/04/2019	14/04/2019	Completed. RIVO health and safety monitoring system in place. Serious H&S incidents will be reported directly to the client following incident. Otherwise trend analysis monitored as part of a report in the monthly meeting.
19	Full schedule of food waste and other collections ( times etc) to be provided to client prior to contract commencement	2	18/04/2019	06/07/2019	Completed and agreed with client team. To be reviewed at first quarterly review.

## Appendix 2 – Mobilisation Milestones

20	Asset register to be provided 1 month prior to commencement. Include condition of all transferring assets	2	06/04/2019	30/06/2019	Vehicles and equipment asset register completed. Containers signed off at handover of contract. Full comprehensive list of office equipment to be completed by end of June.
21	Timeline for security training module for operatives in high risk areas	2	06/04/2019	31/08/2019	Basic training complete. To speak with City of London police to provide a briefing to frontline staff over the summer.
22	Identify workforce skills shortage and timeline to rectify	2	20/05/2019	31/07/2019	Skills analysis complete and training needs identified. DCPC (Statutory driver training) needs identified and sessions scheduled in to rectify this. Management training needs plan being built by Veolia people development department.
23	Proposals for maximising diversion of bulky waste to reuse	2	06/04/2019	30/09/2019	Audit underway of bulky waste to identify reuse potential in the City. Following a 6 month audit an understanding of the potential for and level of reuse will be established. From this, a proposal will be set out in detail in next years Improvement Plan which will follow a 12 month plan.
24	Availability of stores management system and confirmation of all assets to be included (bins, bags, diesel, LAT stock etc.) Discussion with CoL around minimum stock levels	3	06/04/2019	01/06/2019	Full audit of stock is being completed to be uploaded into Veolia's stock management system by the beginning of June. Minimum stock levels to be shared with the City by mid May.
25	Arrangements for transfer of stock including number and status of bins in use/store	3	18/03/2019	06/04/2019	Completed
26	Agree depot cleansing schedule and monitor	3	06/04/2019	26/04/2019	Completed- being done at night.
27	Event plan and lead Veolia manager for London Marathon 2019	3	15/04/2019	28/04/2019	Complete
28	WASP asset management programme-date to be agreed for loading all assets	3	06/04/2019	01/06/2019	Stock management system built. Data upload in June following full audit of stock. Training on system to be provided to users.

## Appendix 2 – Mobilisation Milestones

29	Review of power washing at nights and more generally working within night time noise constraints	3	22/04/2019	31/05/2019	A couple of complaints have been received due to the hot power washing occurring at nights. Veolia are sitting with the City to review this and will produce a programme of activities that is complaint free by the end of May.
30	Confirmation that deal with Bright Sparks for Bulky Reuse will be extended into the City	3	01/09/2019	30/09/2019	Audit to take place in September. Given the outcome of this Veolia will liaise with Brightsparks as to their involvement.
31	Review of Clinical Waste Service	3	01/07/2019	30/09/2019	Working group including social services to be established. To commence from July.
32	Implementation of use of foam padded brooms	3	01/06/2019	30/06/2019	Trial to be commenced in June to establish feasibility of their use.
33	Monitoring of provision of graffiti wipes, pliers and scrapers	3	06/04/2019	31/05/2019	These have been made available for frontline operatives. A toolbox talk will be provided as to their correct use.
34	Complete review of effectiveness of ambassador reporting	3	01/09/2019	30/09/2019	Veolia have a shared report to monitor this. Joint review in September as to active use of the echo functionality.
35	Complete review of allocation and effectiveness of working supervisors	3	01/08/2019	31/08/2019	Review of operations including achievement of SLAs to be carried out prior to KPIs going live in September. August operational review meeting.
36	Review of excess waste/spillage reports, bin weights, collection times	3	01/08/2019	31/08/2019	To be included in August operational review.
37	Review of fly tipping procedure	3	01/08/2019	31/08/2019	To be included in August operational review.
38	Review the success of operatives in ambassadorial role	3	01/08/2019	31/08/2019	To be included in August operational review.
39	Avoid long term damage to pavements from power washing by training all the staff involved.	3	06/04/2019	13/10/2019	Complete. All staff using the equipment have been trained. All new staff are inducted and trained prior to use. After 6 months of operation Veolia will meet with the City highways team to review if they have noticed

## Appendix 2 – Mobilisation Milestones

					any significant damage since use of the equipment.
40	Review of Big Belly Bin emptying schedules and performance against KPI	3	01/08/2019	31/08/2019	To be included in August operational review.
41	Review of Cigarette and gum bins washing at least once per month	3	01/08/2019	31/08/2019	To be included in August operational review.
42	A minimum of 6 operational LGV drivers available at all times Oct – Mar (Winter maintenance stand by). Work with neighbouring contracts	3	01/08/2019	31/08/2019	Schedules will reflect cover over these periods. Winter maintenance planning meeting to be held in August.
43	Review provision, cleansing and maintenance of salt bins	3	01/08/2019	31/08/2019	In conjunction with winter service plan and will form part of the winter maintenance planning meeting in August.
44	Review of resources to ensure scheduling is addressing removal of staining from bus stops and outside fast food shops	3	01/08/2019	31/08/2019	To be included in August operational review.
	<b>Contract Manual</b>				
45	Methodology required for specialist cleaning for street furniture that is over-height and for bridges	1	06/04/2019	30/09/2019	Veolia will use extendable poles with operatives trained in use of the equipment. Veolia will comply with the 26 week rolling schedule for cleansing of infrastructure above height. 26 weeks to complete all infrastructure above height. To be included in August operational review.
46	Schedule for recharging batteries for the electric fleet and methodology for managing power within supply constraint	1	06/04/2019	20/04/2019	Complete. Charging plan shared with the City and will be configured into the electrical charging infrastructure power management system. Final schedule will be released after the electrical infrastructure in place.
47	Agree attendees at each stage of governance	1	22/04/2019	26/04/2019	Complete
48	Agree key mobilisation milestones	1	22/04/2019	03/05/2019	Complete

## Appendix 2 – Mobilisation Milestones

49	Agree KPIs including full implementation and monitoring	1	01/02/2019	31/05/2019	Implementation date set. KPIs subject matter agreed and signed off. Final KPI reporting specifics being discussed in conjunction with the City. KPIs to go live from September.
50	Suite of reports to be finalised relating to KPIs and other essential management information.	1	06/04/2019	01/09/2019	Some reports in place with the rest to be complete by end of June. KPI reports to be finalised prior to September.
51	Within 3 months Veolia to produce 'Development timeline' covering the 8 years of contract.	1	06/04/2019	30/06/2019	To be complete by the end of June.
52	Agreement on emergency use of resources from other contracts and define types and numbers of such resources.	3	06/04/2019	26/04/2019	Agreed in principle with neighbouring contracts. Water tanker from Camden already in use to fill the gap prior to vehicle arrival.
53	Winter Maintenance Plan training for Veolia Management	1	01/08/2019	31/08/2019	To be included in August operational review.
	<b>Compliance</b>				
54	All operators trained/ inducted in dangers of working in the road way	1	23/04/2019	06/04/2019	Completed as part of induction. To be refreshed biannually.
55	Business Continuity Plan to be in place at contract start	1	06/04/2019	30/06/2019	First draft in place and complete. Draft to be finalised during first few months of contract.
56	O license in place	1	01/03/2019	06/04/2019	Complete
57	Time line for skill set mapping and detail of first 6 month training programme	1	06/04/2019	26/04/2019	Complete- Management training and driver training assessed. Further review and training programme will be required following the restructure.
58	Agree risk register	1	01/04/2019	15/05/2019	To be agreed and signed off in conjunction with the City
59	FORS bronze achieved in first 6 months	1	06/04/2019	30/09/2019	Target for accreditation to be in place by the end of September
60	Timeline for Veolia's external accreditation to ISO 145001 H&S system (Including details of staff training)	1	06/04/2019	01/04/2020	Target by end of Year 1.
61	Provide regular updates on impact of Brexit	2	06/04/2019	20/04/2019	City added onto Veolia briefing list.

## Appendix 2 – Mobilisation Milestones

62	Confirmation of H&S training for all staff	2	23/03/2019	06/04/2019	Complete. Regular toolbox talks to be provided with a biannual refresher system.
63	Compliance with management systems ISO 9001,14001, 18001	2			Date to be advised
64	Evidence of all insurance documents and provision of these annually	2	01/03/2019	10/04/2019	Completed for 2019. To be sent each year.
65	We need evidence of how twice yearly manual handling training will be tracked and same for wider training and induction proposals	3	06/04/2019	31/05/2019	Each employee has a file that contains all training received as well as a log sheet held for all employees that is monitored by the contract team. Dedicated resource will monitor this. Log sheet can be shared with the City.
66	All cleansing agents and chemicals to be agreed by client before contract commencement. Are they environmentally friendly?	3	06/04/2019	15/05/2019	Review complete and final list supplied to City.
67	Clients to sign off risk assessments, coshh, Environmental impact assessments and sustainability/ Environmental Impact Assessments re all chemicals	3	06/04/2019	31/05/2019	Information provided and currently being reviewed by the City
68	Confirmation that operational managers have IOSH qualification	3	06/04/2019	05/04/2020	Training programme across Year 1 of the contract.
69	Confirmation that first aid needs assessed and first aiders trained and in place	3	06/04/2019	01/10/2019	First aiders identified. Training to be refreshed for all. Additional first aiders have been nominated and training will be provided.
70	Ensure that Contract Manager or other senior management holds a Waste Management Industrial Training Board Certificate of Technical Competence at NVQ level 4 or equivalent.	3	01/03/2019	06/04/2019	Complete
71	All environmental permits in place	1	01/02/2019	06/04/2019	Complete
72	Implementation of process to ensure all personnel and visitors comply with on site H&S	3	01/03/2019	06/04/2019	Complete
	<b>Annual Improvement Plan</b>				



## Appendix 2 – Mobilisation Milestones

73	Opening position and subsequent monitoring of Equality/diversity initiatives and sustainability measures	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
74	Draft annual Recycling Improvement Plan-part of wider Improvement Plan	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
75	Veolia will work with markets and client team to develop improvement plan. This will be led by Veolia's Recycling and Innovation manager	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
76	Relocation of Projects and Innovation team-date required	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
77	Proposals for recycling initiatives and trials including timelines e.g. Reverse vending machine, Estate league tables for recycling, Digital screens to promote recycling, Bar coding trial	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
78	Details of annual recycling celebration (to be sponsored by Veolia) to promote recycling. Need agreement of when, how and how much	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
79	Regular 2 monthly audits of recycling to identify participation rates and contamination. Led by Veolia. Need to agree timetable of meetings to consider resultant actions from both client and contractor	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
80	Agree date for London innovation den and establish membership of innovation board and date for first meeting	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
81	Veolia to produce annual stakeholder engagement plan	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
82	Community workshops to be diarised (per annum)	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.

## Appendix 2 – Mobilisation Milestones

83	Comms plan with target dates for specific initiatives needed.	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
84	First Annual Improvement plan to be developed following initial mobilisation period of 6 months	1	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
85	Review of Carbon Calculator - old fleet versus current and ant recommendation of carbon efficiencies.	3	01/09/2019	30/09/2019	Date of first annual improvement plan to be agreed. Will be incorporated within this and baseline data will be provided prior to this.
	<b>Added value</b>				
86	Time line for polystyrene baler	2	06/04/2020	N/A	Year 2 offering
87	Veolia and City Partnership ' deep cleanse service' what is the timeline for this	1	01/09/2019	31/09/19	Following finalisation of valuation of the commercial portfolio after 6 months a plan to promote this service will be put in place.
88	Time line for recycling of Coffee Grounds	2	01/07/2019	30/09/2019	Veolia will explore with the current customer base of the portfolio the appetite for coffee ground collection. This review will commence July- September. Veolia are exploring solutions for widening their coffee ground collection service and therefore will align this project with that. Timeframes TBC.
89	Proposals for additional Give and Take days	3	01/08/2019	30/09/2019	Veolia to undertake first 2 Give and Take days and assess requirements. Following this will review possibilities for additional events.
90	What progress have Veolia made with their work with the GLA to introduce New York style 'material for Art' programme?	3	N/A	N/A	The GLA have currently abandoned their plans for the material for the arts facility due to a lack of funding. They are in the process of looking at alternative ways for fulfilling this project. Veolia remain committed to assisting the GLA wherever possible.

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91	Timeline and business case for Cup Club and Container recycling	3	01/09/2019	31/09/19	To be discussed at the first annual improvement plan meeting. Will require City sign off of funding.
92	Timeline and business case to introduce PPE recycling.	3	01/09/2019	31/09/19	To be discussed at the first annual improvement plan meeting. Will require City sign off of funding.
93	Use of handheld devices and body worn technology for data input	3	01/09/2019	31/09/19	All employees are carrying handheld devices that allow communication as well as live monitoring of the performance. At annual improvement plan further body technology will be discussed and will be subject to City sign off of additional funding.
94	Relocation of Centre of Excellence to Walbrook Wharf	1	01/08/2019	30/09/2019	To be reviewed after additional power upgrade.

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<b>Committee(s):</b>	<b>Date(s):</b>
Port Health and Environmental Services Committee	21 May 2019
Court of Common Council	20 June 2019
<b>Subject:</b> Street Trading: Repeal of Part III of the City of London (Various Powers) Act 1965	<b>Public</b>
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Decision</b>
<b>Report author:</b> Rachel Pye, Assistant Director Public Protection, Department of Markets and Consumer Protection	

## Summary

It is unlawful under the City of London (Various Powers) Act 1965 (“the 1965 Act”) for a person to carry out street trading on a City walkway. However, the powers of enforcement do not extend to seizure and forfeiture which are available in respect of illegal street trading on a street under the City of London (Various Powers) Act 1987 (“the 1987 Act”), as amended by the City of London (Various Powers) Act 2013.

The City Corporation may, acting by the Court of Common Council, appoint a day for the repeal of Part III of the 1965 Act and advertise this date in the London Gazette and a newspaper circulating in the City. The effect of this will be to include City walkways within the street trading regime applied by the 1987 Act and will enable full enforcement including prosecution, seizure and forfeiture and the issuing of temporary street trading licences on City walkways.

## Recommendation(s)

It is recommended that Monday 22<sup>nd</sup> of July 2019 is appointed as the day from which the provisions of Part III of the 1965 Act are repealed and that this date is advertised in the London Gazette and a newspaper circulating in the City.

## Main Report

### Background

1. Currently, Licensing Officers of the Department of Markets and Consumer Protection are authorised to enforce the legislation in respect of street trading within the City of London under the provisions of the City of London (Various Powers) Act 1987.

2. It has recently come to light that there is a difficulty with enforcing the full provisions of the 1987 Act and with issuing temporary street trading licenses on City walkways in that City walkways are not included within the definition of “street” for the purposes of the 1987 Act. The 1965 Act (the predecessor of the 1987 Act for the purposes of street trading and which, for the reasons set out below continues to remain in force) does include City walkways within the definition of “street”.
3. As Part III of the 1965 Act continues in force until repealed, the definition of street trading set out in section 12 also continues. Therefore, it is possible to continue to prosecute for unlawful street trading on City Walkways by applying the provisions of the 1965 Act, but not to seize or apply for forfeiture, or to issue temporary street trading licenses, something that is essential to allow officers to continue to control the scourge of illegal street trading in the City.

### **Current Position**

4. Section 25 (2) of the City of London (Various Powers) Act 1987 repeals Part III of the City of London (Various Powers) Act 1965 (street trading provisions) from such a date that the Corporation may appoint. However, the Corporation cannot appoint a date until the death of the last person entitled to the grant of a 1965 Act registration.
5. The 1965 Act remains in force until such an event has occurred and the City Corporation publishes the appointed date of the repeal of Part III of the 1965 Act.
6. Events have now arisen that there are no persons alive who are entitled to the grant of a 1965 Act licence in that the last two people trading under a 1965 Act license have surrendered their 1965 Act succession licences in exchange for 1987 Act licences.
7. The City Corporation after appointing a day under subsection (2) “*shall publish notice thereof in the London Gazette and in a newspaper circulating in the City*”
8. The Department has obtained advice from the Comptroller and City Solicitor and the Remembrancer on this matter.

### **Proposal**

9. It is proposed that Monday 22<sup>nd</sup> of July 2019 is appointed as the day from which the provisions of Part III of the 1965 Act are repealed and that this date is advertised in the London Gazette and a newspaper circulating in the City.
10. This will enable officers to take enforcement action (prosecutions and seizures) against illegal street trading on City walkways using the 1987 Act provisions and issue temporary street trading licenses on City walkways for events such as street food markets.

## **Corporate & Strategic Implications**

11. This proposal links to two Corporate Plan aims 'Contribute to a flourishing society: people are safe and feel safe' and 'Shape outstanding environments: our spaces are secure, resilient and well-maintained'.
12. The repeal of Part III of the 1965 Act links to the Markets and Consumer Protection Business Plan top line objective 'The Licensing Team will undertake enforcement against illegal street traders, especially on and near City bridges.'

## **Implications**

13. The Comptroller and the Remembrancer have been consulted on this report and their comments are incorporated in the body of the report.

## **Conclusion**

14. There are no longer any persons alive who are entitled to the grant of a 1965 Act licence and to ensure the department's Officers can effectively enforce the provisions of the City's street trading legislation the date of Monday 22<sup>nd</sup> of July 2019 is to be appointed as the day from which the provisions of Part III of the 1965 Act are repealed.

## **Appendices**

None

## **Background Papers:**

None

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<b>Committee(s)</b>	<b>Dated:</b>
Port Health and Environmental Services Committee – For Information	21 May 2019
Planning and Transportation Committee – For Information	24 May 2019
<b>Subject:</b> Update on Street Trading Enforcement for the City's Bridges.	<b>Public</b>
<b>Report of:</b> Jon Averbs, Director of Markets and Consumer Protection	<b>For Information</b>
<b>Report author:</b> Rachel Pye, Markets and Consumer Protection Department	

## Summary

In May 2018 funding from Bridge House Estate was approved for a temporary post managed within the Markets and Consumer Protection Department for a dedicated Licensing Officer at a cost of £100k over a two-year trial period. The officer has been in post since November 2018 and is dedicated to carrying out enforcement activities on the City's Bridges, particularly those bridges, parts of bridges and adjacent areas which are normally within the jurisdiction of neighbouring Local Authorities.

The neighbouring boroughs have now delegated authority to the City to enforce within their boundaries.

The purpose of this report is to update members on progress with enforcement in relation to illegal street trading on the City's bridges.

A full review of effectiveness and future funding will be carried out prior to the end of the two-year trial period.

## Recommendation(s)

Members are asked to:

- Note the contents of the report and that officers will be undertaking a full review prior to the end of the two-year trial period.

## **Main Report**

### **Background**

1. Illegal street traders within the City of London are being proactively enforced by the City's Licensing Team with successful prosecutions and seizure of goods. This has resulted in very limited activity by both peanut sellers and ice cream vans in the City since late 2017.
2. There are, however, ongoing issues with illegal traders (peanut sellers, ice cream vans and sellers of other paraphernalia) on the City's Bridges which is especially prevalent on Millennium Bridge (Southwark south side) and Tower Bridge (Tower Hamlets north side and Southwark south side).
3. City Officers until recently had no enforcement authority on the south side of Millennium and London Bridges and any part of Tower Bridge although they are owned, funded and managed by the Bridge House Estate and this had reflected poorly on the image and reputation of the City.
4. Tower Bridge, which receives circa 830,000 visitors per annum to the exhibition regularly had six peanut sellers (2 on the south and 4 on the north) 7 days a week and attracts ice cream vans, souvenir, paintings and jewellery sellers. Security staff at Tower Bridge had regularly moved these traders on but as they have no powers they return once security have left. In addition, at peak seasonal times they attract other undesirable elements such as gamblers and pickpockets which are reported to the Police who have attended but they disperse immediately.
5. The City's position has always been that illegal traders on City bridges is not acceptable as it is a security and safety concern with having mobile carts containing gas bottles and congestion on narrow pavements. There are also health issues as they attract pigeons and other vermin who deposit their droppings on the structure and pavement accelerating the deterioration and increasing the maintenance liability.
6. To enable enforcement, section 101 agreements were negotiated and secured with Southwark on 23<sup>rd</sup> May 2018 and the London Borough of Tower Hamlets (LBTH) on 2<sup>nd</sup> April 2019 and delegated powers of enforcement passed to City Officers.
7. A dedicated City Bridges Licensing Officer funded by the Bridge House Estate has been in post since November 2018 and is supported by existing resources in the Licensing Team to provide enforcement 7 days a week.
8. This report therefore presents an update summary of progress on the first 6 months for the period November 2018 to April 2019 of the two-year trial of a dedicated Licensing Officer on the City's Bridges.

## Current Position

9. From November 2018 the following City Bridges and their environs receive daily inspections for illegal street trading activity: Blackfriars, Millennium, Southwark, London and Tower Bridges. The Thames Path between Blackfriars and Tower Bridge including Peters Hill and Old Billingsgate are included as are some City locations occasionally frequented by traders such as St Pauls Cathedral and Water Lane. The inspection times are programmed to align with peak trading times and are flexible to respond to trader activities and times of peak visitor activity such as weekends, evenings, special events and bank holidays.
10. In the same time period, there have been 11 peanut receptacles seized (8 on Tower bridge, 2 on the south side of Millennium Bridge and 1 on London Bridge). 25 peanut sellers have been moved on occasions where Police were not available to assist with seizure or where officers were assisting security staff on private land. All 11 seizures will be followed by prosecutions and in addition 3 prosecutions have been supported by CCTV evidence. Officers have also disrupted 79 illegal gambling operations.
11. Relationships with other partners have been strengthened with intelligence flowing between City of London Police, Tower Bridge Security, Her Majesty's Revenue and Customs, Border Force, TFL Traffic Enforcement, LBTH and LB Southwark.
12. As a result of the persistent enforcement activity, the areas now able to be enforced by City Officers remain relatively clear of traders with displacement now affecting the areas surrounding the Tower and Tower Hill tube station. Joint operations with City and LBTH officers have been conducted over the Easter Bank Holiday weekend and subsequent weeks and more are programmed.
13. The current spend on inspection and enforcement funded by the Bridge House Estate to date is summarised as follows:

• Licensing Officer	£19k
• Additional resources for operations	£5k
• Equipment (Bodycams)	<u>£2k</u>
	£26k

Additional support has been provided from existing resources within the Department of Markets and Consumer Protection.
14. There have been significant challenges in delivering the outcomes detailed in this report in that the traders are organised and work together to identify the location of the Licensing Officers current activity and will take the opportunity to trade e.g. if the officer is undertaking a seizure on Tower Bridge the traders will be aware and will attempt to trade on Millennium Bridge. This will be monitored and reviewed as the pilot develops.

## **Proposals**

15. This report does not introduce new proposals but outlines progress on existing commitments.

## **Corporate & Strategic Implications**

16. This workstream links to two Corporate Plan aims 'Contribute to a flourishing society: people are safe and feel safe' and 'Shape outstanding environments: our spaces are secure, resilient and well-maintained'.
17. This work links directly to the Markets and Consumer Protection Business Plan top line objective 'The Licensing Team will undertake enforcement against illegal street traders, especially on and near City bridges.'

## **Implications**

18. To enable a sustained long-term solution to the issue of illegal street trading on the City's Bridges, a larger and permanent resource may be required to deliver the appropriate level of enforcement to deter the numerous, organised and opportunistic traders. This will be the subject of a further report and request for funding from the appropriate committees in due course.

## **Conclusion**

19. Following the success of the Licensing Team in enforcing illegal street trading within the City of London the City has now taken the opportunity to deal with the issues on the City's Bridges.
20. Delegated authorities are now in place for City Officers to enforce in specified areas within the boundaries of Southwark and LBTH.
21. A dedicated City Bridges Licensing Officer has been in place since November 2018 to effectively enforce on the Bridges and be a single point of contact working closely with LB Southwark, LBTH, TFL, HMRC, Border Control, Open Spaces, DBE and City of London Police to apply longer-term control.

## **Back Ground Papers**

- Illegal Street Trading Report – PHES 4 July 2017
- Illegal Street Trading Report – PHES 21 November 2017
- Illegal Street Trading -Item 20(B) – Court of Common Council 8 March 2018
- Funding for Enforcement Officer for City's Bridges – P&T 8 May 2018

## **Rachel Pye**

Assistant Director of Environmental Health and Public Protection

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<b>Committee:</b>	<b>Date:</b>	<b>Item no.</b>
Port Health & Environmental Services Committee	21 May 2019	
<b>Subject:</b> Approval of the 2019-2020 Food Service Enforcement Plans for the City and the London Port Health Authority	<b>Public</b>	
<b>Report of:</b> Interim Director of Consumer Protection & Market Operations	<b>For Decision</b>	
<b>Authors:</b> Tony Macklin, Assistant Director (Public Protection) Gavin Stedman, Assistant Director (Port Health)		

## Summary

This report seeks your Committee's approval for two Food Service Enforcement Plans; one for the City of London and one for the London Port Health Authority.

The Food Standards Agency (FSA) is the central competent authority for the administration of Regulation EC 882/2004 on official food and feed control in the UK and they have powers in the Food Standards Act 1999 to set standards of performance and audit and monitor local authorities. The FSA have set up a Framework Agreement with local authorities in England which we are obliged to follow when developing our food and feed services and planning our enforcement activity.

Under this agreement, the FSA also requires each local food authority to publish an annual Food Service Enforcement Plan for their food safety work and due to the City Corporation being the competent authority for both the City and the London Port Health Authority, we are required to produce such a plan for each service.

## **Recommendations**

We recommend that your Committee approves:

- a) The specific food safety activities set out in Appendix 1 (City Food Safety Enforcement Plan 2019-2020) of the Commercial Environmental Health Team Plan 2019-20, as well as the associated, more cross-cutting activities such as Primary Authority that are also contained therein; and
  - b) The London Port Health Authority Food Service Enforcement Plan 2019-2020
- both of which have been previously circulated electronically and are available in the Members' Reading Room.

## **Main Report**

### **Background**

1. Notwithstanding the UK's impending EU exit, currently set for 31<sup>st</sup> October 2019, the approach to Official Food and Feed Controls currently remains set from Europe with EC Regulation 882/2004 providing the principal framework.
2. The Food Standards Agency (FSA), as the UK central competent authority, has also embarked on a review program, ***Regulating Our Future***, with a new operational model scheduled for 2020. As this change program develops and with it the overall regulatory landscape, local authorities have pledged to continue to support the current regulatory delivery model in the interim to ensure that a clear focus on risk-based priorities remains in place.
3. The City Corporation must ensure that the services we provide to support and achieve business compliance with food safety law address the 'whole package' set out by the FSA and that we deliver this in line with the Government's better regulation agenda.
4. The City Corporation publishes its Food Service Enforcement Plans as the FSA expects as an expression of its commitment to the development of food safety in the Port and City of London and it is our intention to continue to make these plans available to our stakeholders including publishing them on the City of London website.

### **Current Position**

5. This year's plans consider the best ways to use legislative and non-legislative tools most effectively with more being explored so as to keep consumer interests at the heart of what we do and where it is required, influencing business behaviour in the interests of those consumers.
6. We must also however, continue to meet the local needs of City businesses, residents, workers and visitors as set out in the Outcomes of the City of London Corporate Plan 2018-2023; specifically

***Outcome 1: People are safe and feel safe***

***Outcome 2: People enjoy good health and wellbeing; and***

***Outcome 5: Businesses are trusted and socially and environmentally responsible.***

***Outcome 6: We have the world's best regulatory framework and access to global markets.***

7. Both plans set out the direction of future enforcement work in support of these Outcomes and we aim to:-
  - target poor performing food businesses appropriately to secure improvements; and

- work with better performing businesses to ensure they maintain full compliance.

but there are continuing challenges which we face, and these are set out below.

### ***The national Food Hygiene Rating Scheme, FHRS***

8. We remain an advocate of FHRS ensuring that we promote display of rating stickers in premises as well as publishing all ratings on the national [website](#) so that the public can make informed choices on where to eat or purchase food. We believe this helps to push overall food hygiene standards towards improvement and we support mandatory display of rating information in England.<sup>1</sup>

### ***Compliance and dealing with poor performing food businesses***

9. There has been an upward trend in the total number of food businesses trading in our area year on year and hidden behind that there is also the 'churn' of premises of 10-15% but this appears to have now plateaued. The vast majority of our businesses are broadly compliant gradually improving from a baseline figure on 31st March 2013 of 88% to 93% in 2017-18 and at the end of 2018-2019, it was 95.7%, with 71% currently achieving the highest 5 rating.
10. Unfortunately, 76 premises<sup>2</sup> of our current businesses are rated as a zero, 1 or 2 and whilst this is an improvement on previous years, we will continue to concentrate time and resources on these particular businesses to improve their levels of food hygiene compliance and our Key Performance Indicator remains:-

***“To continue to secure a positive improvement in the overall Food Hygiene Rating Scheme profile for City of London food establishments from a baseline profile as at 31<sup>st</sup> March 2013”***

### ***The inspection programmes***

11. The City now has circa 1829 food premises and the total number of inspections due each year has hovered around the 1,000 mark since 2012-2013 and as the FSA previous commented on us in 2015<sup>3</sup>:-

***“The (City Corporation) demonstrated consistent high performance with regard to meeting planned inspection targets of food businesses due an intervention”.***

and this coming year, 979 food hygiene inspections are due. New premises should be inspected within 28 days of opening and if the nature of business alters sufficiently, it too should be inspected.

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1 In October 2016 Northern Ireland joined Wales in making the display of a business' green FHRS score sticker compulsory.

2 As at 25th April 2019

3 [Report on the Audit of Food Law Service Delivery and Food Business Compliance on the City of London](#)

12. The Commercial Environmental Health Team continues to work closely the FSA and other London local authorities on Less Than Thoroughly Cooked (LTTC) foods or “rare burgers” which have become extremely fashionable and popular but which if not prepared correctly according to [the FSA's advice and guidance](#), can be the source of food poisoning and we continue to ensure that those who wish to market, produce and serve such food to the public do it safely and with minimal risks.
13. Finally, we will continue to develop our regulatory influence through our Primary Authority Partnerships with **Virgin Active, Harbour & Jones, Wasabi, Churchill Services Group** and **Shepherd Neame**, providing advice on food safety management systems whilst generating income.

### **Port Health Service**

14. In its capacity as the London Port Health Authority (LPHA), the City of London is responsible for a district extending for 94 miles along the River Thames from Teddington to the outer Estuary. The area includes the London Gateway port together with the ports of Tilbury, Purfleet, Thamesport and Sheerness. The area also includes London City Airport as well as the various docks and dockland areas which have now been redeveloped.
15. In 2018, 241,149 consignments of food arrived at the ports of London Gateway and Tilbury. 231,437 of these were Products Not of Animal Origin (NAO) with the remaining 9,712 being Products of Animal Origin (POAO). The overall numbers of imported food consignments compared to the previous year have increased by over 30% due to the growth in trade at London Gateway. Despite this significant increase in trade, the Port Health Service has marginally improved its turnaround times (the time from arrival of a consignment in the port until cleared by Port Health) from 3.52days in 2017 to 3.33days in 2018.
16. The trade through the ports fluctuates throughout the year depending on the season, weather and demand. However, it is important to note that for NAO products the throughput plateaued in the second half of 2018; but remains over 30% greater than 2017. This is indicative of the ports (mainly London Gateway) attracting new trade in early 2018 and it stabilising as the trade becomes regularised. Trade in the first part of 2019 remains strong, showing an increase of 15% when compared to the same period in 2018.
17. POAO had a significant increase in throughput at the beginning of 2018 and a similar fall in throughput at the end of the year. Although this results in a stable year overall, the last six months are below the levels experienced in 2017. This fluctuation is mainly due to increased vessel divers from Felixstowe in early 2018, which were the result of bad weather and IT system issues. Uncertainty around Brexit may have also encouraged trade to stockpile and/or import directly into the EU. Current trade still remains below that of 2017 when considered over the same period (January to March), with the trade appearing to stabilise to these levels. This will be monitored closely by Port Health.



18. The Port Health service is in discussions with the Food Standards Agency to secure funding for its Brexit preparations; the funding will be used to increase staff resource to meet future demands. The service has been awarded up to £281k for 2018/19 and is in negotiations for 2019/20. As the service operates on a cost recovery basis, it is important that it secures appropriate funding for 2019/20 to ensure that it does not pick up the staffing legacy costs, as it is uncertain whether trade will be displaced to the LPHA.

### **Corporate and Strategic Implications**

19. The two plans reflect the detailed operational work undertaken by our regulatory enforcement teams in support of the strategic aims of the City and through:-
- ensuring by advice and enforcement that the City's business community is legally compliant and that it continues to produce food hygienically and which is safe to eat; and
  - ensuring that food products entering the country through our ports meet the food safety requirements of the whole of the UK.
20. The plans are linked into our Departmental High Level Business Plan through setting out detailed activities which support our Key Performance Indicators.
21. Approval of these Plans will ensure that the City Corporation as both a Food Safety Authority and a Port Health authority meets its fundamental obligations under the requirements of the FSA's Official Controls Framework Agreement.
22. Finally, it is my intention to make these plans available to all stakeholder businesses including publication on the City of London's website. In accordance with the stated intentions of the FSA, this will make the City's intentions transparent and accountable to all relevant parties and also enables any comments received on the documents to be taken into account at the next revision for 2020-2021.

### **Other Implications**

23. There are no other implications that would result from approval of this report.

### **Proposals**

24. It is recommended that your Committee approves:
- the specific food safety activities set out in Appendix 1 (City Food Safety Enforcement Plan 2019-2020) of the Commercial Environmental Health Team Plan 2019-20, as well as the associated, more cross-cutting activities such as Primary Authority that are also contained therein;
- and
- The London Port Health Authority Food Service Enforcement Plan 2019-2020

both of which have been previously circulated electronically and are available in the Members' Reading Room.

## **Conclusion**

25. The attached two service plans are linked to the overall Corporate Plan 2018-2023 and the Markets & Consumer Protection High Level Business Plan 2019-2020 and set a clear and transparent standard for our food safety regulatory work for the year, subject to your approval

## **Background Documents:**

The following documents have been made available in the Members' Reading Room and have also been sent electronically to all Members on this Committee:-

- The Commercial Environmental Health Team Plan 2019-2020
- The London Port Health Authority Food Service Enforcement Plan 2019-2020

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**Department of Markets & Consumer Protection  
Port Health & Public Protection Division  
Commercial Environmental Health Team Plan**

## **Introduction**

The Commercial Environmental Health Team is responsible for regulating food safety (standards and hygiene), occupational health & safety, some statutory nuisances (not noise) and the investigation of certain infectious diseases arising from activities for which we are the enforcing authority. We are part of the Port Health & Public Protection Division (PH&PP) in the Department of Markets & Consumer Protection (M&CP).

Our work also includes food standards and certain health & safety interventions at Smithfield Market. The feedstuffs (animal food) enforcement function in the City is carried out under contract through the Association of London Environmental Health Managers and as part of cross-London delivery model.

Details on the extent of the team's work and our plans for 2019-20 are reported in the sections that follow. There are separate Official Food Control Activities in the Port Health Service which has a separate Food Service Enforcement Plan. In the course of 2018-19 the majority of the river vessels we inspected for food safety were handed back to the Port Health Service and the majority earmarked for an alternative enforcement strategy (as they are low risk for food hygiene)

This plan has been prepared to accord with Food Standards Agency (FSA) and Health & Safety Executive (HSE) frameworks on the planning and delivery of such services. It is also guided by the City Corporation's [Corporate Plan 2018-23](#), the [City & Hackney Joint Strategic Needs Assessment](#) and [The City Joint Health and Wellbeing Strategy](#).

The Corporate plan is designed to be used as a strategic framework to guide thinking and decision-making. We will use it to

identify where we need to innovate, with whom we can collaborate and how we can align and drive all our activities to achieve the greatest possible impact on the things we feel are important.

Some of our planned initiatives can be completed quickly, while others need medium or long-term commitment<sup>1</sup>.

Our **main goals** are to help ensure that:

- Food is hygienically prepared, safe to eat and what it says it is;
- We promote and support a risk based, goal setting regulatory regime.
- Higher risk work activities are properly managed, employers are committed to developing healthier workplaces, contributing to better mental and physical health of City workers
- We regulate in a way that supports businesses to comply and grow whilst not losing sight of the integrity and assurance of safe food for consumers and safe workplaces needing to be at the heart of what we do.

## Principles

Our guiding principles are:

- working with partners to make workplaces safer and healthier, providing a level playing field for responsible employers, by advising, promoting, and where necessary, enforcing good standards of risk control;
- developing services that contribute to improved management and control of risks, sharing our knowledge;
- continuing our dialogue and conversation with stakeholders to improve the service, always looking to provide simple, pragmatic advice and support;
- using the range of tools at our disposal effectively to influence duty holder behaviour and keep the interests of consumers at the heart of what we do;
- ensuring our workforce will be adequately resourced and experienced, enabling the service to fulfil the objectives set in our PH&PP Business Plan and this local Service Plan; and
- encouraging and recognising improvements, being increasingly joined up to deliver improved outcomes and minimise unnecessary burdens on businesses.

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<sup>1</sup> <https://www.local.gov.uk/our-support/efficiency-and-income-generation/demand-management/tools-and-techniques-managing-demand>

## Key Performance Indicators [KPI's]

Our Key performance Indicators (KPIs) are reported to the Port Health & Environmental Services Committee along with other planned activities and key highlights, every 4 months as part of the regular oversight of our work.

- |   |
|---|
| <ul style="list-style-type: none"><li>▪ <b>Continue to secure a positive improvement in the overall Food Hygiene Rating Scheme profile for City of London food establishments from a baseline profile as at 31<sup>st</sup> March 2013</b></li></ul>  |
| <ul style="list-style-type: none"><li>▪ <b>75% food businesses inspected will receive a report/letter detailing the outcome of their inspection <u>within 5 working days</u> and the remainder <u>within 10 working days</u>. This will accord with standards in the FHRS system (the 'brand' standard)</b></li></ul> |
| <ul style="list-style-type: none"><li>▪ <b>All authorised officers to receive/complete the necessary professional development with <u>at least 10 hours</u> CPD on Official Food Controls, tailored to delivery of this Service Plan.</b></li></ul>   |
| <ul style="list-style-type: none"><li>▪ <b>To complete a risk-based intervention programme for cooling towers systems within the year.</b></li></ul>  |

## Regulation Policy

The City Corporation is committed to the principles of the [Regulators' Code](#), a statutory code for all regulators and PH&PP has its own [Policy Statement on Enforcement](#) last approved by the Port Health & Environmental Services Committee in January 2019.

Details of our planned activities and resourcing for them are included below and in the following Appendices:

1. Official Food Controls
2. Health & Safety interventions
3. Background Information & Key Facts

Everything we do is aimed towards contributing to the achievement of the Outcomes in the Corporate Plan 2018-2023

Action	Activities	Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<b>1. Manage the impacts on PH&amp;PP as the regulatory landscape continues to evolve, including issues around EU Exit and the FSA's "Regulating our Future" (RoF) programme</b>	<p>Continue to evaluate the impact of proposed new Regulatory regimes, including the UK's relationship with the EU.</p> <p>Continue to explore and develop our strategic networking; lobby and inform relevant stakeholders of the perceived impact of proposed workstreams, the framework programme as a whole and its likely effect on PH&amp;PP and them.</p> <p>Prepare and align the Commercial EH Team to the potential new regulatory framework for the delivery of (Official) Food Controls,</p> <p>Strengthen and maintain long-term Member commitment to delivery of our duty as enforcers of workplace health &amp; safety.</p> <p>Contribute to workstreams designed to develop the RoF programme; this has occurred in the:-</p> <ul style="list-style-type: none"> <li>• review of food standards;</li> <li>• registration of food premises;</li> <li>• development of UKFSS;</li> <li>• gathering of inspection data designed to inform 'segmentation' and performance monitoring</li> </ul> <p>Consider proposals for maintaining protection of the public during any transition.</p>	<p><b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b></p> <p><b>Outcome 6: The best legal and regulatory framework- (6b.) we will help promote regulatory confidence and influence UK policy and regulation to protect and grow the economy.</b></p> <p>The Commercial EH Team is aligned to take advantage of relevant new regulatory frameworks and is structured and designed so that it;</p> <ul style="list-style-type: none"> <li>• is dynamic enough to keep pace with the changes;</li> <li>• can harness new technologies and;</li> <li>• can adapt to future circumstances.</li> </ul> <p>Publicly commit to the HSE / Local Authority Statement of Commitment on health &amp; safety regulation and embed the principles within this service plan.</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

Action	Activities	Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<p><b>2. Promote and support workplace health and wellbeing: Including the <a href="#">London Healthy Workplace Charter</a></b></p> <p><i>City Corporation Environmental Health Officers, where relevant, to advise on best practice and to signpost to support. Further develop and implement a Healthy Eating Strategy</i></p>	<p>In October 2018 the City Corporation formally pledged to tackle obesity and promote healthier choices by signing the <b>Local Government Declaration on Sugar Reduction and Healthier Food</b>.</p> <p>Work is part of the City &amp; Hackney's Joint Health and Wellbeing Strategy, including mental health and is supported by the 'Business Healthy' initiative.</p> <p>Develop our healthy eating strategy through closer links to Business Healthy and the London Healthy Workplace Charter, Better Health for London and the Healthy Catering Commitments scheme, which is in use in many London Boroughs.</p> <p>Select and develop options appropriate to City food businesses include further engagement with stakeholders, identifying best practice and signposting them to support.</p> <p>Develop the <a href="#">London Healthy Workplace Charter</a> project with partners so the relevant best practice is available and signposted.</p> <p>Develop an app with <a href="#">CityWell</a> for workplace mental health and wellbeing.</p>	<p><b>Outcome 2: People enjoy good health and wellbeing.</b></p> <p><b>Outcome 8: We have access to the skills and talent we need.</b></p> <p>Evidence suggests a healthy workforce can reduce sickness absence, lower staff turnover and boost productivity -good for employers, workers and the wider economy.</p> <p>Engagement with and buy in from, potential businesses using referral mechanisms, e.g. GLA Healthy Workplaces Charter Team, existing networks and resources such as Dept. of Community &amp; Children Services Public Health Team and the Business Healthy initiative.</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

Action	Activities	Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<b>3. Primary Authority Partnership work<sup>2</sup>.</b>  <i>Primary Authority enables businesses to form a legal partnership with one local authority, which then provides assured and tailored advice on complying with environmental health, trading standards and other regulations that local regulators must respect.</i>	<p>The Regulatory Enforcement and Sanctions Act 2008, as amended by the Enterprise Act 2016 establish Primary Authority as a statutory scheme in which a local authority can partner with a business, or with a group of businesses, taking on responsibility for providing regulatory advice and guidance to them and for guiding the way in which they are regulated by all local authorities.</p> <p>In addition to our on-going Primary Authority Partnership work, in late 2017-2018, a research report was commissioned to explore development of an enhanced Primary Authority offering and we will seek to further develop the recommendations and opportunities that flow from the report.</p> <p>Leverage positive business behaviour changes applying a targeted risk-based approach to providing advice and support to relevant businesses.</p> <p>Contribute to the development of London Partnership opportunities.</p>	<p><b>Outcome 6 (6a): we will promote regulatory confidence founded on the rule of law.</b></p> <p><b>Outcome 8: We have access to the skills and talent we need.</b></p> <p><b>Outcome 9: We are digitally and physically well-connected and responsive.</b></p> <p><b>Outcome 10: We inspire enterprise, excellence, creativity and collaboration.</b></p> <p>Improved support for businesses and economic growth to enable them to better manage their key health, safety and food related risks.</p> <p>Ensuring progress towards the Government's better regulation agenda, through providing streamlined and improved regulation.</p> <p>Increased Primary Authority work with Increased income and enhanced reputation for the City of London.</p> <p>Improved working with national and other regulators on the provision of specific advice.</p> <p>Businesses that sign up to a Primary Authority partnership have access to reliable, timely and tailored regulatory advice.</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p> <p>All Team Members</p>

<sup>2</sup> In 1 October 2017 the Enterprise Act 2016 comes into force, Primary Authority is now open to any size of business, and prestart-ups, through an extension and simplification of the scheme



Action	Activities	Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<p><b>4. Further develop the Commercial EH Team in line with the agreed objectives.</b></p> <p><b>Focus on our people and work in collaboration with others.</b></p> <p><b>Produce training and development opportunities for peers.</b></p>	<p>Continue to develop and enhance the competency of our frontline professionals.</p> <p>Further develop our succession and workforce plan and embed the Corporate mechanisms designed to support this process.</p> <p>Develop further training arrangements; job shadowing; mentoring and coaching; using the revised performance development approach in our Corporate appraisal process.</p> <p>Specific training will be developed in line with the FSA and HSE competency frameworks.</p> <p>Further develop agreed meat hygiene training for London authorities in association with peer organisations; allied universities and food professionals utilising Smithfield Market.</p> <p>Further develop health &amp; safety training for peers</p> <p>Continue to improve officers' awareness and understanding of business' needs, how to effectively communicate messages using a broad range of intervention strategies to influence the behaviour of organisations.</p>	<p><b>Outcome 8: We have access to the skills and talent we need.</b></p> <p><b>Outcome 9: We are digitally and physically well-connected and responsive.</b></p> <p><b>Outcome 10: We inspire enterprise, excellence, creativity and collaboration.</b></p> <p>Our workforce is adequately resourced and experienced, enabling the service to fulfil our key objectives.</p> <p>We have a more efficient service and improved staff morale, resulting in a better service for our customers.</p> <p>We are, and we remain an excellent, modern and accountable regulator with improved staff morale focused on delivering a better service for our customers.</p> <p>Our workforce will be well led and experienced, enabling the service to fulfil the objectives set now and for the foreseeable future.</p> <p>Two further Chartered professionals will complete a revised ILM management course and they will be given opportunities to develop further.</p> <p>Advance the development of the two Graduate trainee Environmental Health Practitioners engaged in September 2018 so they have the opportunity to complete their Professional Portfolios and Professional Practice Interviews.</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p> <p>All Team Members</p>

Action	Activities	Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<b>5. Further develop IT and information management systems and capabilities. Improve our online service offer.</b>	<p>Reduce the administrative and reporting burdens that we place on our front line, professionals, while improving for the longer term the information and intelligence we gather to aid our operational planning.</p> <p>Decide what time and attention is focussed on what areas to achieve the greatest benefit thus reducing the burden on compliant businesses.</p> <p>Work to improve our digital customer services streamlining both internal and external processes to everyone's advantage*.</p> <p>Continue the iterative delivery based on user and customer's needs; embed the approach, build capability and confidence and deliver services that enable users to excel.<sup>3</sup></p>	<p><b>Outcome 9: We are digitally and physically well-connected and responsive.</b></p> <p>Faster data and information capture, improved intelligence and targeting enforcement, more effective communication with businesses.</p> <p>The existing Service delivers a streamlined, accessible format with a clear focus on customer requirements</p> <p>We will be better able to better identify poor performing businesses and sectors</p> <p>More 'open data' provision is considered.</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p> <p>Project Lead Officers</p>

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3 Activities to include:-

- further corporate website development;
- online forms (inc. payments);
- sign up to the new FSA food registration system;
- data gathering and development of data analytics (inc. the FSA work on performance management and segmentation in RoF); and
- the development of the Departments management information system (database)

## Appendix 1: City Food Safety Enforcement Plan 2019-20

The backbone of our regulatory work on food control remains a targeted (risk-based) intervention program developed in accordance with the requirements of the Food Law Code. The following table illustrates the food hygiene rating profile of premises in the City of London. **Corporate Outcome: 1: People are safe and feel safe. 2: People enjoy good health and wellbeing. 5: Businesses are trusted. 9: We are digitally and physically well-connected and responsive.**

Rating profile Frequency of Hygiene Inspections	Total number of premises, year				FHRS Rating		
	2015-16	2016-17	2017-18	2018-19	FHRS	(2015-16) (2016-17) (2017-18)	2018-19
<b>A rated</b> 6 monthly inspection	27	15	17	17	0	(15) (7) <b>5</b>	<b>2</b>
<b>B rated</b> Annually	114	123	108	143	1	(60) (39) <b>30</b>	<b>29</b>
<b>C rated</b> 18 monthly	493	518	484	483	2	(75) (76) <b>58</b>	<b>42</b>
<b>D rated</b> Every 2 years	802	872	837	855	3	(141) (101) <b>96</b>	<b>76</b>
<b>E rated =</b> Every 3 years	321	372	362	353	4	(325) (293) <b>271</b>	<b>245</b>
<b>Unrated / awaiting inspection</b>	35	34	41	58	5	(1095) (1224) <b>1259</b>	<b>1290</b>
<b>City Total</b>	1792	1934 <sup>4</sup>	1891	1909 <sup>5</sup>	<b>Awaiting inspection</b>	(35) (34) <b>41</b>	<b>46</b>
				<b>231</b> (ceased trading)	<b>Exempt, excluded etc.</b>	(87) (92) <b>90</b>	<b>99</b>
				<b>251</b> (Businesses registered)	<b>Rated FHRS 3 or better</b>	<b>94.5%,</b> (89.7) <sup>6</sup> (91.4) <sup>7</sup> (93) <sup>8</sup>	<b>95.7</b>
					<b>Total</b>	<b>1850</b> (1777) (1833) (1866)	<b>1829</b>

4 Includes premises that closed during the year

5 Includes establishments in Port Health Services area of responsibility

6 % Compliant 2015-2016

7 % Compliant 2016-2017

8 % Compliant 2018-19

## 1. Food Hygiene inspections

Complete the required risk-based food hygiene interventions: Target >90% of food premises due and any overdue for intervention are inspected. New premises receive an intervention within 28 days of registration (or opening).

Food Hygiene Inspections Rating and Frequency	Done 2013-14	Done 2014-15	Done 2015-16	Done 2016-17	Done 2017-18	Done 2018-2019	DUE 2019-20	Predicted commitment
<b>A</b> rated = Inspected 6 monthly	49	52	45	27	40	29	15	240 hours
<b>B</b> rated = Inspected annually	133	127	121	106	124	103	98	600 hours
<b>C</b> rated = Inspected 18 months	589	335	313	298	312	287	262 (2)	1352 hours
<b>D</b> rated = Inspected 2 yearly	128	313	462	342	347	407	414 (78)	2136 hours
<b>E</b> rated = Inspected ever 3 years	81	97	123	117	44	82	126 (26)	262 hours
Unrated / awaiting inspection	36	39	67	62	129	58	58	120 hours
<b>Totals</b>	<b>980</b>	<b>963</b>	<b>1131</b>	<b>952</b>	<b>867</b>	<b>908</b>	<b>972<sup>9</sup></b>	<b>4710 hours</b>
<b>Approved premises</b>	<b>(1)<sup>10</sup></b>	-	-	-	-		-	

<sup>9</sup> We have had a number of inspection interventions overdue in the last two years. As at the end of 2018-19 we have reduced our backlog (133 premises overdue, of which 42 were due in March 2019) and we are planning to get the backlog removed entirely within this current year. A number of premises (rated Cat E) are now subject to an alternative enforcement strategy; this is currently limited to the low risk river vessels (for food hygiene and undertaken by the Port Health Service).

<sup>10</sup> The premises at Smithfield Market are approved as cutting and associated co-located establishments. Food Hygiene requirements are enforced directly by the FSA including through their national contractor Eville & Jones, whilst the City Corporation carries out interventions in relation to Food Standards and other related matters in the market.

## 2. Food Standards inspections

All high-risk premises are rated in accordance with the intervention rating scheme in part 5 of the code; all others including any overdue inspections are picked up when the next relevant Food Hygiene intervention falls due.

Food Standards Inspections Rating and Frequency	Done 2014-15	Done 2015-16	Done 2016-17	Done 2017-18	Done 2018-2019	Due 2019-20	Predicted commitment
<b>A= Annually</b>	1	1	0	1	0	1	-
<b>B = Two yearly</b>	97	78	97	73	79	172	-
<b>C = Five yearly</b>	175	373	240	252	290	512	-
<b>Unrated</b>		5	-		35	64	-
	-	-	-		-		-
<b>Total</b>	<b>372</b>	<b>457</b>	<b>337</b>	<b>326</b>	<b>369</b>	<b>749</b>	500 hours* <sup>11</sup>

<sup>11</sup> Estimate based upon previous years

**3. To receive and investigate appropriately all requests for service, food incidents and complaints about food and food premises.**

Identify and follow the most appropriate enforcement response in accordance with this plan, our procedures and our enforcement policy

Complaints & Service Requests	2018-19 <sup>12</sup>	2017-18	2016-17	2015-16	2014-15	Predicted commitment
	538	582	321	243	318	<b>616</b> hours <sup>13</sup>

**4. Follow up enforcement action in food premises.**

Identify and follow the most appropriate enforcement response in accordance with this plan our procedures and our enforcement policy

	2018-19	2017-18	2016-17	2015-16	2014-15	Predicted commitment
Letters with legal requirements	684	698	622	614	697	Inc. in Inspection Time quoted above.
Numbers of HIN's	3	5	5	10	15	7.5 per notice
Voluntary Closures	9	4	1	5	9	10 per premises
Emergency Prohibitions	0	0	1	1	0	70 hours per case Court action and case preparation are required. We seek to recover these costs
Legal Proceedings	0	0	0	0	0	2 weeks per case

<sup>12</sup> This does not include Freedom of Information Act requests which a dealt with separately

<sup>13</sup> Estimate based upon times spent on a sample (n=308) of 2018/19 requests

Action	Activities	Outcomes- Corporate Plan objectives are in <b>bold</b>	Responsibility
<b>5- Maintain support for the national Food Hygiene Rating Scheme (FHRS)</b> We will continue to support the FHRS and the development of mandatory display.	<p>It is important for consumer and business confidence that the FHRS system remains credible and objective and the central tenet of the scheme is our risk-based intervention programme.</p> <p><a href="#">Consumers see mandatory display of ratings as a necessary part of any new regulatory model</a><sup>14</sup>.</p> <p>We will consider slight adaptations to the national inspection scheme for lower risk premises and using competent but not fully authorised officers - e.g. Environmental Health Graduates who are completing their Portfolio of Professional Practice.</p> <p>We will consider FSA proposals in respect of Regulating our Future as the move towards the planned regulatory changes due in 2019.</p>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b></p> <p>Public trust in food regulation:-</p> <p>Improvements in the number of businesses that meet minimum compliance levels and, in the number, evidencing 'very good' standards of compliance. We deliver the required (risk based) intervention programme outlined in this plan.</p> <p>Food Business Operators want a 5 FHRS rating, they achieve it and then show it by displaying their sticker enabling customers to see that food safety is a top priority and foremost in their minds.</p> <p>The further development of the re-rating scheme is supported in the City as FHRS itself moves towards alignment with the ones in the devolved Governments of Wales and Northern Ireland (where FHRS is mandatory).</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p>

Action	Activities	Outcomes- Corporate Plan objectives are in <b>bold</b>	Responsibility
<b>6- Focused activity on Food Businesses that are not compliant [in the lower tiers of FHRS (0, 1 &amp; 2)]</b>	<p>Reinforce our intervention strategy with additional follow-ups, including visits and coaching sessions.</p> <p>Use agreed national food safety managements systems such as "Safe Food, Better Business" where these are appropriate. Use on-site inspection reports and mobile working systems. Support the use of ethical business regulation principles.</p> <p>Formal enforcement action will be informed by our current Policy Statement on Enforcement.</p>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b></p> <p>Action against food businesses that fail to fulfil their obligations. Improving standards in riskier food businesses.</p> <p>Reduction in the number of non-complaint food businesses through improved food hygiene performance and with the confidence this will be sustained.</p> <p>At the end of 2014-2015, 170 premises were rated 0,1 or 2 under FHRS and at the end of 2015-2016 it had fallen to 150. The number of non-compliant businesses has declined consistently over the years; at the end of 2018-19, was down to 73 out of 1829 City food businesses (4%).</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p>
<b>7. Develop and implement a risk-based food sampling programme</b>	<p>Consider our Sampling Policy and local, regional and national priorities utilising all intelligence available.</p> <p>Exchange intelligence and findings on sampling results using relevant local and national intelligence, a key element to a robust system of Official Food Controls.</p> <p>If requested, we will acknowledge and respond to any originating local food authority, in respect of inland referrals, confirming any action taken.</p>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b></p> <p>Delivery of a risk-based sampling programme. This work was scaled back in 2018-19 but the intention is to conduct further sampling work in 2019-2020, particularly where it supports other workstreams – e.g. dealing with non-compliant businesses.</p>	<p>Commercial EH Team Manager</p> <p>Lead Sampling Officer</p>



## Appendix 1: City Food Safety Enforcement Plan 2019-20

Action	Activities	Outcomes- Corporate Plan objectives are in <b>bold</b>	Responsibility
<b>8. Work with the FSA on meat hygiene and standards and other initiatives at Smithfield Market.</b>	Interventions including intelligence gathering exercises will be completed.  Other initiatives included work on labelling and traceability and product recalls	<b>Outcome 1: People are safe and feel safe.</b> <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b>  That all meat and meat products that are traded through the market are cut stored, prepared and transport hygienically and safely and that there is traceability of all products from source to end-retailer	Assistant Director (Public Protection)  Commercial EH Team Manager
<b>9. Protect consumers from food fraud and as a result of food incidents / food recalls.</b>	Consider the most appropriate means of disrupting and deterring criminal activity.  Utilise the development of the intelligence Database, IDB within Environmental Health.	<b>Outcome 1: People are safe and feel safe.</b> <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b>  The selection of incidents for further investigation follows our current procedure which itself is informed by any specific criteria from national and co-regulators which we may be obliged to follow or consider.	Assistant Director (Public Protection)  Commercial EH Team Manager
<b>10. The investigation of incidents of infectious disease and non-infectious environmental hazards.</b>	Reactive investigations are conducted using our procedures and following the agreed Public Health England (PHE) protocols	<b>Outcome 1: People are safe and feel safe.</b> <b>Outcome 2: People enjoy good health and wellbeing.</b> <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b> <b>Outcome 12: Spaces are secure, resilient and well-maintained.</b>  Incidents and notification from PHE are followed up using the agreed protocols.	Assistant Director (Public Protection)  Commercial EH Team Manager

## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in bold	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

<b>1. Control of legionella: interventions in cooling towers and other at-risk water systems.</b>  <b>2. Provision of related training / work experience / contribution to regulatory and educational community</b>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 2: People enjoy good health and wellbeing.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b>  <b>Outcome 12: Spaces are secure, resilient and well-maintained.</b></p> <p>Still a high-risk sector in HSE National Priorities (2019-20), cooling tower sites that are non-compliant can remain subject to proactive inspections which includes premises that have:-</p> <ul style="list-style-type: none"> <li>not yet demonstrated the ability to manage their Legionella risk in a sustained manner, and includes new cooling towers / evaporative condensers; and/or</li> <li>relevant enforcement action in the last 5 years and have not yet demonstrated sustained control of Legionella risk.</li> </ul> <p>We currently have 164 cooling towers sites in the City<sup>15</sup>. Twenty-two are currently decommissioned and twenty-two are rated 'A' (high risk)</p> <p>Inspection of all our sites remains a local priority, which was previously endorsed by City of London's Port Health &amp; Environmental Service Committee. The risk of a Legionnaires' disease outbreak affecting the Square Mile is considered an acceptable risk to the public health and design &amp; management regulatory</p>	<p>Risk-based interventions due at 90 sites with cooling towers; revisits and enforcement action taken as necessary; and review status of decommissioned tower sites and follow up accordingly.</p> <p><b>90 sites at 5hrs per site = 450 hrs;</b></p> <p>Engagement with duty holders at new / proposed cooling tower sites: Advice to Principal Designers and Designers<sup>16</sup> including at the pre-application or Planning Application stage of development.</p> <p><b>Estimated time: 70 hrs</b></p> <p>Legionella Control Association Attend quarterly meetings</p> <p>Deliver training for inspectors on legionella and cooling towers (in conjunction with ALEHM and wider).</p> <p>Host / support further professional development events for the regulatory and public health community. Help devise and deliver a Legionella and Cooling Towers Exercise in London*.</p> <p>Builds on development of the revised London Boroughs' Legionella protocol and London Health Protection Teams, operating procedures on Legionella. HSE will also</p>
	<p><sup>15</sup> As at April 2019</p> <p><sup>16</sup> Statutory responsibilities are set out in the Construction Design &amp; Management Regulations 2015</p> <p><a href="http://www.hse.gov.uk/construction/cdm/2015/commercial-clients.htm">http://www.hse.gov.uk/construction/cdm/2015/commercial-clients.htm</a></p>	

## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in <b>bold</b>	Planned activity or resource
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	<p>when compared with any perceived burden from our intervention activity.</p> <p>Cooling towers are being installed on new developments each year; We still note issues with the design of some new installations affecting Legionella risk and work at height, also a City Corporation priority.</p> <p>We have an established intervention protocol and a Cooling Tower Inspection mobile working app developed to aid our work.</p>	<p>be involved.</p> <p>Review and refine the iAuditor Cooling Towers inspection pro forma and the use of data captured at interventions.</p> <p><b>Estimate time: 122.5hrs</b></p> <p><b><u>Estimated Total Time: 622.5 hrs</u></b></p>
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## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in bold	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

<b>3.Event Safety / Crowd control at large scale public gatherings/ events</b>	<p><b>Outcome 1: People are safe and feel safe.</b></p> <p><b>Outcome 2: People enjoy good health and wellbeing.</b></p> <p><b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b></p> <p><b>Outcome 12: Spaces are secure, resilient and well-maintained.</b></p> <p>Large scale events remain a National Priority for 2019-2020.</p> <p>The City Corporation host many high-profile events, and the City are also the enforcement authority for some of the larger higher risk events.</p> <p>Intelligence is shared between the Met Police Service, the City of London Police, LFCDA, London Ambulance, City Corporation's Highways service, etc.</p> <p>Lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue needs to be addressed where this is necessary.</p>	<p>Work with Licensing, Operational and Safety Planning Groups to better understand proposed event plans</p> <p>Work as part of the City Corporation's Safety Advisory Group (SAG) to advise on and help promote risk management and good practice with event organisers.</p> <p>Visits to events to verify the application of appropriate risk control measures.</p> <p>Follow-up action taken as necessary.</p> <p><b><u>Estimated Total Time = 105 hrs</u></b></p>
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## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in bold	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

<p><b>4. Falls from Height related to external building cleaning and servicing</b> Building on valuable work carried out in 2014-18 and in response to demand from businesses and intermediaries.</p>	<p>There are a large number of sites in the City where external Working at Height (WAH) is carried out.</p> <p><b>Outcome 1: People are safe and feel safe.</b> <b>Outcome 2: People enjoy good health and wellbeing.</b> <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b> <b>Outcome 12: Spaces are secure, resilient and well-maintained</b></p> <p>Local intelligence and observations indicate areas of concern and problems with compliance. This has been endorsed by others in the facilities management, 'access' design and operations community,</p> <p>Hazards and risks high: Poor practices, poor design, poor awareness by duty-holders: information from:</p> <ul style="list-style-type: none"> <li>- Findings of advisory visits and training sessions;</li> <li>- views of reputable members of the building access industry through 1-2-1 discussions, meetings and training events.</li> </ul> <p>Building managers usually keen to understand the risks and receptive to awareness raising - e.g. popularity of recent videos and face to face training we have provided</p>	<p>Continue to engage with policy makers such as the All-Party Parliamentary Group (APPG) on Working at Height.</p> <p>Set up a London-based Work At Height forum; input envisaged from FMs, service providers and industry experts. Examine underlying issues throughout Work At Height supply chains. The focus would mainly be on façade access and cleaning but with overlaps in relation to contractor management. The forum will seek to influence safer Work At Height culture. The aim will be for the forum to be industry led.</p> <p>Further enhance the Work at Height web-based offering for stakeholders.</p> <p>Complete a number of further training events and briefings to interested parties (Facilities Managers, etc).</p> <p>Devise and deliver the project brief for a London-wide Commercial Estates project (see 6. Below).</p> <p><b><u>Estimated time= 210hrs</u></b></p>
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## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in bold	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

<b>5. Leisure Expert panel</b>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 2: People enjoy good health and wellbeing.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b>  <b>Outcome 12: Spaces are secure, resilient and well-maintained</b>  <b>Unlocking full potential- working with partners who share our aims.</b></p> <p>We are founder members of the Leisure Expert Panel (LEP), an Industry group bringing together stakeholders in the delivery of health &amp; safety outcomes in the Leisure Sector.</p> <p>There is a particularly high concentration of fitness service providers across range of budgets operating within Square Mile for which we have limited intelligence regarding individual compliance but gain trend data via networking and involvement with LEP.</p> <p>In November 2018 a Gym Staffing guidance document was launched at the LEP annual conference. This was developed from a working group chaired by City of London officers to address a gap in existing guidance and that directly assists our Primary Authority partners in addition to the wider industry where decisions around the level of staffing on fitness floors in gyms are being made.</p>	<p>Represent Local Authority regulatory perspective on the LEP Executive Team (approx. 6 meetings a year in Central London and additional provision of steer / guidance to any relevant working groups formed)</p> <p>We hope to engage with wider groups, e.g. UKActive etc. this year and this might mean extra meetings</p> <p>Attend and contribute time to development of LEP conference (annual) and mini-conferences (2 a year) including active participation as necessary (attendance would be 4 days for 2 officers alone, development likely adds at least 1 more day)</p> <p>Support the LEP Training and Mentoring Programme (delivery of 2 x ½ day training sessions a year)</p> <p>Attend LEP Training Programme events (approx. 2-3 days)</p>
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## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in <b>bold</b>	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

<b>6.All-London Borough Health &amp; Safety Liaison Group (ALBHSLG); Planned project activity</b>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 2: People enjoy good health and wellbeing.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b>  <b>Outcome 12: Spaces are secure, resilient and well-maintained.</b></p> <p>A targeted intervention programme has been identified by an ALBHSLG tasking group with a focus on specific work activities in Commercial Estates.</p> <p>Data and intelligence were collated across all 33 London boroughs which resulted in two health and safety priority areas being identified for the project, namely asbestos (duty to manage) and work at height.</p> <p>A targeted intervention programme has been identified by an ALBHSLG tasking group with a focus on specific work activities in Commercial Estates. Data and intelligence were collated across all 33 London boroughs which resulted in two health &amp; safety priority areas being identified for the project, namely asbestos (duty to manage) and work at height</p>	<p><b>Commercial Estates Project 2019-20.</b></p> <p>A joined-up, targeted and London-wide approach focused on duty-holders who own, operate or manage a range of properties or property portfolios for profit.</p> <p>The aims are:</p> <ul style="list-style-type: none"> <li>• devise the project brief;</li> <li>• develop a project toolkit and accompanying training/ materials for regulators to utilise;</li> <li>• influence supply chains through engagement with larger organisations and assessment of their health &amp; safety management systems;</li> <li>• devise a protocol for intelligence concerning cross-LA duty-holder compliance (using the HELEX online portal);</li> <li>• identify and intervene as necessary with poor performers on the identified priority health &amp; safety outcomes and using a range of enforcement options; and</li> <li>• promote sustainable compliance in duty-holders.</li> </ul>
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## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in bold	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

<b>7. Commercial catering premises using solid fuel cooking equipment</b>	<p><b>Outcome 1: People are safe and feel safe.</b></p> <p>Carbon monoxide poisoning from lack of suitable ventilation and/or unsafe solid fuel cooking appliances in commercial premises remains an HSE National Priority.</p> <p>Project work in London in 2017-18 suggested material breach rates were high.</p>	<p>Continue to survey food premises likely to be using solid fuel appliances (at the time they become due for a food hygiene inspection).</p> <p>Follow-up enforcement in premises where there are matters of evident concern:</p> <p><b><u>Estimated Total = 105hrs</u></b></p>
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## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority	Planned activity or resource
<b>Reactive interventions</b>		
<b>1. Notifications under RIDDOR, LOLER and for Asbestos</b> <b>2. Complaints and service requests</b> <b>3. Massage and Special Treatment Licenses</b>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 2: People enjoy good health and wellbeing.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b>  <b>Outcome 12: Spaces are secure, resilient and well-maintained.</b></p> <p>Incidents / Accidents: decision to investigate in accordance with the <a href="#">Incident Selection Criteria Guidance</a> LAC 22/13<sup>17</sup></p> <p>Evidence obtained during the investigation that health &amp; safety management compliance by the duty holder is of concern across a range of higher risk activities.</p> <p>Massage and Special Treatment (MST) Licences – new premises inspections and annual licence renewal inspections</p>	<p>Initial enquiries: establishing or verifying key facts and further information to inform decision on whether to investigate further and if so to what extent</p> <p>Investigation and any follow-up enforcement action taken in accordance with the HSE's Enforcement Management Model (EMM)</p> <p>Accidents, Incidents, Notifications Estimated = <b>105 hrs</b></p> <p>All complaints, service requests and Notifications estimate = <b>70 hrs</b></p> <p>MST interventions: Estimated time = <b>55 hrs</b></p> <p><b><u>Estimated Total Time= 230hrs</u></b></p>

<sup>17</sup> Health & Safety Executive and Local Authorities Enforcement Liaison Committee (HELA) Incident Selection Criteria [www.hse.gov.uk/lau/lacs/22-13](http://www.hse.gov.uk/lau/lacs/22-13)

### Appendix 3: Background Information & Key Facts about the Team

<b>Human Resources</b>	1 x Assistant Director (0.25 FTE) 1x Commercial Team Manager (1.0 FTE) 8 x EHO posts (7.8 FTE) 1 x Senior Authorised Officer (Smithfield Market) (1.0 FTE) 1x Graduate EHO Trainee post
<b>Financial Resources</b>	2018-19: £808,309.78 2019-20: £859.000
<b>Operational Hours &amp; Contacts</b>	<b>Office hours Monday to Friday</b> - 0900-1700 hrs  <b>Out of Office Hours</b> - 24/7 cover is provided for all environmental health matters by the Dept. of Built Environment's Street Environment Team with an on-call Duty Environmental Health Manager on-call for all alerts, emergencies or incidents.  All calls 24/7 to: <b>020 7606 3030</b>
<b>Location</b>	Port Health & Public Protection Service Walbrook Wharf 78-83 Upper Thames Street London EC4 R 3TD  (Nearest Tube: Cannon Street)

### Profile of the Local Authority

The City of London Corporation is an unusually diverse organisation that supports and promotes the City as the world's pre-eminent financial centre and provides local government and police services for the "Square Mile". It also provides valued services to London and the nation including management of Guildhall Art Gallery, the Barbican Centre, the Central Criminal Court at the Old Bailey, 4,240 hectares of open space, three wholesale food markets and acting as London's Port Health Authority. The City's daytime working population is now approaching 500,000 (483,00) with people working in many different business sectors but largely concentrated in financial and professional services sector. The City is also a popular destination for visitors, especially around St Paul's Cathedral and there are estimated to be over 10,000 visitors each day.

Many industries have grown to service the needs of the businesses and people who work in the City including the provision of food with over 20,000 working in the accommodation and food services sectors. Retail developments including food outlets

### Appendix 3: Background Information & Key Facts about the Team

are expanding in the City and 2018 saw the opening of further retail spaces in and around the Bloomberg site and around Leadenhall Market.

The City remains home to Smithfield Market, the largest wholesale meat market in the UK with over 40 separate establishments approved to operate from the Market in respect for which the City Corporation is the enforcing authority for food standards, with the Food Standards Agency the enforcing authority for food hygiene.

#### **What do we do? - Food Safety and Food Standards**

The Commercial Environmental Health Team inspect premises for food safety according to the FSA'S Food Law Code of Practice<sup>18</sup>. Inspections are based on risk and inspection frequencies calculated using the Code and follow-up interventions which are determined on the extent of an establishment's legal compliance. Officers carrying out these Food Hygiene inspections will also consider the appropriate application of the FSA's current *E. coli* guidance as part of their overall assessment of compliance.

Page 125 We adopted the national Food Hygiene Rating Scheme (FHRS) just before London 2012, and we continue to promote the scheme, to ensure the public know how to determine how well a food business performs in terms of food hygiene. Premises rated 0, 1 or 2 in the FHRS receive additional visits; this is based on work done with poor performing businesses in the City in the last few years which showed there was some success in maintaining or improving compliance through face to face regular contact.

Follow-up interventions now also a requirement of the Food Law Code with the purpose being two-fold: -

- a) to support those willing to make improvements; and
- b) to regularly monitor those who have previously been unable to maintain the required standards between full inspections.

Other interventions, not classed as an audit or an inspection, will continue and include sampling visits and visits to check compliance after complaints and to check progress on implementing remedial action following an inspection. These are a very important part of the service, especially in poor performing businesses, as they help ensure that standards are maintained and improved where required.

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<sup>18</sup> [Food Law Code of Practice](#) remains the one updated March 2017 further revisions were proposed in 2018 as part of Regulating our Future but have yet to be implemented.

## Appendix 3: Background Information & Key Facts about the Team

Each new food business receives a Food Hygiene and Food Standards intervention to assess their compliance with the relevant legislation. We endeavour to do so within 28 days of their opening, and at which point the business is risk-rated to trigger future inspections, to determine any further appropriate intervention and in most cases to give them a public food hygiene rating. The Teams also consider appropriate health & safety interventions during some food controls, including those in new premises and this work is included in the current year's Health & Safety Intervention Plan for the City.

### What do we do? - Health & Safety

The City Corporation are the Health & Safety Enforcing Authority in most workplaces within the City of London. Whilst many employees in the City will not face significant safety hazards as part of their day to day work, there remain a number of high-risk work-related activities such as operation of cooling towers (Legionella risks), window cleaning or maintenance / engineering work required to keep City workplaces and businesses functioning.

We want the City to be more than just a safe place. We would like to positively influence the health of everyone who lives and works in the City, enabling them to live healthily, preventing ill health developing, and promoting strong and empowered groups of individuals who are motivated to drive positive change within their communities and businesses. Work in this area is co-ordinated by the City of London Health and Wellbeing Board.

We deliver our service through a mixture of proactive, evidence-based interventions steered by national and local priorities. Our interventions are focussed on where we might best influence decision making on risks. So, although we carry out risk based formal proactive inspections of the 164 cooling tower sites, much of our work involves providing advice and support to businesses on sensible and proportionate risk management to comply with their legal obligations and includes working with building designers. We also promote award schemes such as the Mayor of London's Healthy Workplaces Charter, as part of our programme on improving workplace health and wellbeing, including mental health.

The health & safety enforcement intervention work carried out is recognised nationally, and internationally, for our work associated with cooling towers and work at height on tall buildings. We often provide advice and training to other UK local enforcement authorities as well as businesses with a national and international profile.

### Advice to Businesses and the Primary Authority Scheme

Advice to businesses is an integral part of the service we provide and forms a significant part of the discussions with businesses including at the design stage for new or refurbishments premises when they may come to our attention through the City's Planning, Building Control and Licensing functions. We are encouraging businesses to use web-based resources to help answer initial enquiries. We use a variety of media to engage with business including Twitter and You Tube to disseminate advice and guidance and to better understand businesses and customers' needs.

The team have Primary Authority Partnerships for food safety and/or health & safety work with several national organisations in the property management, health & fitness, retail, pet retail and contract catering sectors and further information on all of these can be found on the [Primary Authority Register](#).

### Food and Feedstuffs Sampling

The City Corporation is an active contributor to national and regional sampling programs and its sampling program is developed with its neighbours in the SE London Food Group and through the pan-London Food Co-ordinating Group who also takes advice and guidance from Public Health England and Public Analysts so as to develop a sampling plan that considers the co-ordinated programs as well as locally important issues.

### Control and Investigation of Outbreaks and Food Related Infectious Disease

The City Corporation works with Public Health England's North East & North Central London Health Protection Team to investigate outbreaks and selected infectious disease notifications. Health Protection legislation in England has adopted an "all hazards" approach, and in addition to a specified list of infectious diseases in that legislation, there is a requirement to notify cases of other infections or contaminations which could present a significant risk to human health. Local authorities like the City Corporation, have powers and duties to prevent and control risks to human health from infection or contamination, including by chemicals and radiation.

### **Liaison with Other Organisations**

The City is an active member of London various regulatory networks for both food safety and health & safety, linking with government agencies at regional and national level (Food Standards Agency, Health & Safety Executive, Public Health England, etc.).

We represent the City at local and national forums and networks where these increase our influence on and understanding of the communities we regulate and also work with industry partners and stakeholders in such groups and the London Banks' Health & Safety Forum, the Legionella Control Association and the Leisure Industry Panel.

### **Staff Development Plan**

Staff development is managed through the City Corporation's Performance & Development Framework (P&DF) appraisal scheme; there is a new scheme for 2019-20. Specific assessments are also used such as the Regulator's Development Needs Analysis tool. The Continuing Professional Development requirements for Environmental Health Officers as members of the Chartered Institute of Environmental Health and Institute of Occupational Safety & Health etc. are taken also into account<sup>19</sup>. as many of our officers are Chartered members of one or both of these institutes.

### **Quality Assessment and Internal Monitoring**

Monitoring is by way of the City Corporation's annual P&DF appraisal scheme which links individual officers' work directly to this Plan and the overall aims and objectives of the organisation. The workload monitoring process ties in with appraisal objectives and regular meetings are held with officers to monitor how objectives are proceeding. These also consider all enforcement action taken and the officer's interaction with individual food businesses [168 hours pa].

There are also regular bi-weekly team briefings and meetings [234 hours pa] and finally we support the London SE Food Sector and London SE Health & Safety Quadrant's work that reviews the arrangements that are in place to meet our service obligations in these areas [72 hours pa Food, 30 hours pa H&S].

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<sup>19</sup> Under the Food Law Code of Practice, all officers undertaking Official Control of Foodstuffs enforcement work must complete a minimum of 10 hours Food-related CPD each year.

# Port Health Food Safety Enforcement Plan 2019/20

## Service Aims and Objectives

Through this plan, the London Port Health Authority (LPHA) aims to:

- Ensure compliance with legislation related to imported food and animal feed to protect food safety and animal health
- Deliver a high quality, accessible and responsive service to protect, enhance, and improve public, environmental, and animal health throughout the London Port Health district

This Plan aims to ensure that our enforcement remains targeted, proportionate, consistent and transparent, and sets out the framework for its delivery. It has been prepared as required by the Food Standards Agency (FSA) and the content of this Plan provides the basis upon which the LPHA will be monitored and audited by the FSA.

The LPHA also has responsibility for Animal Feeding Stuffs, Shellfish Classification, Infectious Disease Control, Pollution Control and Pest Control.

Shellfish classification forms one of the many tasks performed by the River Division; there are 15 shellfish beds within the Authority's area and 5 beds are monitored on a contractual basis for Swale Borough Council, plus additional samples are taken for FSA projects, as required.

## Scope of the Food and Animal Feed Service

The LPHA is responsible for enforcing legal requirements relating to food safety and food standards for all food and animal feed that is imported through the ports within LPHA area. This includes:

- Operation of the Border Control Posts at London Gateway Port, Port of Tilbury, Thamesport and Purfleet.
- Monitoring for illegal food or animal feed imports at any of the ports within the district
- Carrying out documentary, identity and physical checks on imported consignments of Products of Animal Origin (POAO) and products Not of Animal Origin (NAO)
- Making checks of fish catch certificates to ensure compliance with regulations concerning Illegal, Unreported and Unregulated Fishing
- Sampling food and animal feed for chemical analysis and microbiological examination
- Checking that consignments of imported animal feed comply with the relevant legislation
- Controls relating to food contact materials
- Enforcing contaminants in food legislation
- Verification of organic produce
- Control of infectious diseases and food poisoning, including premises, vessels and aircraft, in liaison with Public Health England
- Control of shellfish harvesting areas including sampling for classification and biotoxin analysis

- Sampling of drinking water supplied to vessels and from fixed points within the port boundary
- Routine boarding of container, cruise, bulk and roll on roll off ships, and the issuing of Ship Sanitation Certificates.
- Food safety and hygiene inspections in 32 premises and craft at dock locations and London City Airport and 96 floating restaurants on the tidal Thames.

## **2018/19 Achievements**

394 POAO and 253 NAO consignments of food and feed were sampled for chemical and bacteriological contamination.

285 samples of shellfish from the Thames Estuary were taken. For the LPHA, 196 for classification, 5 for norovirus and 34 for biotoxins (flesh sample). In addition, 48 water samples were taken for biotoxins. For Swale Borough Council, 40 for classification and 10 for biotoxins (flesh samples), with an additional 10 water samples for biotoxins.

14 POAO unsatisfactory results including one irregularity relating to labelling. 57 NAO unsatisfactory results have been received for chemical, biological and labelling issues. This has resulted in further formal action, including detention and/or destruction of the consignment, for adverse chemical and biological results. Labelling issues are referred to the responsible Trading Standards service at consignment's destination.

Since 30 March 2017, the EU Commission implemented enhanced checks on consignments of meat and meat derived products from Brazil resulting in all consignments being subject to physical examination with 20% of the consignments being also subject to sampling for microbiological standards. This level of enhanced checks was in response to fraudulent activities in Brazil and continue in force at present. This has amounted to 529 samples taken in 2018/19.

79 Food Hygiene inspections were undertaken in 2018/19. No enforcement action was taken as a result of the inspections.

No service complaints were received in 2018/19.

## **Food Safety & Hygiene Inspections**

The Port Health Service undertakes food safety and hygiene inspections of premises and craft at dock locations and London City Airport. 38 inspections are due in 2019/20.

## **Feed and Food Complaints**

The Service follows corporate policy in relation to any complaints and we aim to provide a same day response to all consumer complaints on food matters.



Complaints regarding the actual service provided by LPHA are recorded within the Services ISO System, an investigation is carried out and remedial action is taken where appropriate; this is followed up at regular ISO Management Review meetings.

### **Home Authority Principle and Primary Authority Scheme**

It is our policy to contact the Primary Authority when we become aware of an importer not conforming with the relevant import regulations. We also try to identify and contact Primary Authorities following adverse sample results.

### **Advice to Business**

The LPHA provides advice and support to business in line with the FSA's Code of Practice. The Service aims to maintain and build on existing relationships to encourage businesses to meet their legal obligations and to develop best practice.

Where we cannot provide the advice sought, the enquiry will be referred direct to either a dedicated branch of the FSA, Defra or the Marine Management Organisation (MMO).

On a routine basis, information regarding new "controls" is sent direct to importers and agents. Where necessary, individual meetings are also held with agents, importers and other trade organisations to clarify and discuss legal issues and best practice.

We also provide updates on current issues and offer advice and support in the use of electronic systems such as the TRAdE Control and Expert System (TRACES).

### **Alternative Enforcement Strategy**

The LPHA has also adopted the Food Law Code of Practice (COP) which allows for an alternative enforcement strategy (AES) for low risk premises, i.e. Food Hygiene category E based on the COP risk rating.

All new registrations will have an initial formal inspection and if rated as an E they will then come under the AES. Under the AES the premises will be due an intervention every 3 years and the intention is that a physical inspection will be carried out every 9 years.

Premises and vessels under the AES will receive a specific questionnaire which will be scrutinised by a competent officer to assess if enough information has been obtained. A follow up telephone call may be necessary. Some premises will receive a follow up visit to verify information on the questionnaire and visits, if necessary, will take place following complaints, ID notifications, changes of activity/management or non-return of questionnaire.

It is the intention that the larger E rated premises within the Port, which have comprehensive HACCP documentation, such as large-scale storage facilities and milling plants will still have a visit at each due intervention.

E rated vessels will receive questionnaires and then random, project-based inspections/intelligence gathering visits will take place which will all be recorded on M3.

### **Feed and Food Sampling**

All samples are taken in accordance with Port Health's Sampling Policy. Details regarding the selection, procurement and preparation of samples are contained in the Service's Sampling Plan.

The main aim of our sampling programme is to proactively detect foods outside specific regulation which may be a threat to public or animal health. In addition, we monitor and sample on a risk basis having regard to information from a range of sources including Rapid Alert notifications, FSA / Defra intelligence, previous adverse sample results, new products and random sampling.

POAO are checked at the frequencies set by the European Commission for each country of origin.

In relation to shellfish, the LPHA works on behalf of the FSA who has both EU and UK statutory responsibilities for ensuring that bivalve molluscs are safe for human consumption and meet stringent bacteriological and classification standards. The LPHA's role includes the implementation of an active and rigorous sampling programme.

Sampling plans will change throughout the year to reflect emerging issues and evidence. Therefore, in 2019/20 the Service will aim to undertake the following sampling:

- 90 NAO food/feed samples.
- 172 POAO food/feed samples
- 232 shellfish samples with an additional 60 for Swale Borough Council

Further details can be found in the Port Health Sampling Plan.

### **Control and Investigation of Outbreaks and Infectious Disease**

Port Health Authorities have powers and duties to prevent and control risks to human health from infection or contamination, including by chemicals and radiation. This includes investigating incidents relating to foodborne illnesses in premises and on vessels and in relation to infectious disease control

The Service has an Infectious Disease Protocol that has been drawn up in conjunction with Public Health England (PHE). Close liaison takes place between PHE staff and the LPHA following the protocol to ensure control of the situation.

## **Feed and Food Safety Incidents**

We are committed to responding promptly to all food or feed safety incidents. The Service has arrangements in place to ensure that it is able to respond to Food Alerts issued by the FSA. Warnings are received electronically, and all urgent Food Alerts receive immediate attention and action where necessary. Out of hours arrangements are in place.

Rapid Alert Notifications issued by the European Commission are sent to a designated Officer who is responsible for their distribution amongst LPHA Officers involved in Imported Food Enforcement. LPHA's database, Port Health Interactive Live Information System (PHILIS) can be used to issue reminders when specific products are subject to control.

## **Feed, Food Safety and Standards promotional work, and other non-official controls interventions**

Regular stakeholder events are held to update the trade and discuss current issues. This opportunity is taken to promote the use of Information Technology to speed clearance times.

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<b>Committee:</b>	<b>Date:</b>	<b>Item no.</b>
Port Health & Environmental Services Committee	21 May 2019	
<b>Subject:</b> Approval of the Health & Safety Intervention Plan 2019-2020	<b>Public</b>	
<b>Report of:</b> Director of Markets & Consumer Protection	<b>For Decision</b>	
<b>Authors:</b> Tony Macklin, Assistant Director (Public Protection)		

## Summary

This report seeks your Committee's approval for the Health & Safety Intervention Plan 2019-2020 for which the City of London Corporation is required to obtain Member approval and subsequently publish.

The Health & Safety Executive (HSE) requires local authorities to produce an annual Health & Safety Intervention Plan in accordance with its National Enforcement Code for Local Authorities. Under this code, every authority, such as the City of London Corporation, is required to make a formal, corporate commitment to improving health & safety outcomes locally and all Intervention Plans should be agreed by Members.

In addition to routine intervention work in areas such as inspecting cooling towers, investigating accidents and complaints, specific projects will be undertaken such as:-

- a) leading on the development and execution of the Commercial Estates Project for London;
- b) continuing to promote the GLA's "London Workplace Wellbeing Award"; and
- c) providing information for City businesses, the public and other, wider stakeholders, on key health & safety issues using a variety of methods.

## **Recommendations**

I recommend that your Committee approves the specific health & Safety interventions set out in Appendix 2 (Health & Safety Intervention Plan 2019-2020) of the Commercial Environmental Health Team Plan 2019-20, as well as the associated, more cross-cutting activities such as Primary Authority that are contained therein.

## Main Report

### **Background**

1. In order to be transparent and accountable, local authorities are required to publish plans setting out their enforcement work in key areas, and Health &

Safety is one such area for which we are required to publish such by the Health & Safety Executive, the relevant Government agency.

2. We must also however, continue to meet the local needs of City businesses, residents, workers and visitors and City Corporation's vision and aims as set out in the Corporate Plan 2018-2023; specifically

***Outcome 1: People are safe and feel safe***

***Outcome 2: People enjoy good health and wellbeing; and***

***Outcome 5: Businesses are trusted and socially and environmentally responsible.***

***Outcome 6: We have the world's best regulatory framework and access to global markets.***

and this is achieved through our departmental Business Plan and individual service plans such as this one which detail the work that will be done and by which we are judged overall by our key performance indicators.

3. The highlights of our health & safety intervention work during the past year, 2018-2019, were that we:-
  - a) inspected high risk City cooling towers sites that were due an inspection to assess their systems for managing the risk of Legionnaires' disease;
  - b) refined and are routinely using, a mobile working audit tool to aid cooling towers inspections and data gathering;
  - c) led the review and update of the London Legionellosis Incident Protocol and commenced work with Public Health England and the HSE on an outbreak exercise to be completed in early 2019;
  - d) contributed to improving the knowledge and competence for London and other LA regulators on cooling towers inspection including spending 2 days with colleagues in Northern Ireland whilst at the same time generated income;
  - e) continued to develop our successful campaign to improve safe Working At Height (WAH), using a variety of interventions including the use of health & safety videos, hands-on free training, social media campaigns and supporting the third London Work at Height Seminar held at Guildhall;
  - f) took on Chairperson roles for our regional Health & Safety Liaison Groups – both for our South East Quadrant and the All-London Borough's Group;
  - g) attended the launch in Parliament of the Staying Alive Report in which City of London featured as a case study – originating from the All Party Parliamentary Group research in 2018;
  - h) presented at the Reaching New Heights event concerning work at height and developed/gathered our network for the launch of a London based stakeholder forum to address gaps in supply chain management and work at height safety;
  - i) supported the City of London Police management development programme through providing health and safety training to their future and current leaders;
  - j) influenced the review of the republished 'BS 8580-1:2019 Risk Assessments for Legionella Control. Code of Practice' to the advantage of City of London businesses;

- k) continued to develop our regulatory influence through our Primary Authority Partnerships with **CBRE, Virgin Active, Monsoon Accessorize, Churchill Services Group, Hugo Boss, Shepherd Neame** and **Pure Gym** and a Primary Authority Co-ordinated Partnership<sup>1</sup> with **Assurity Consulting**, providing advice on health & safety management systems, providing training, also generating £29,000 of income;
- l) entered into new Primary Authority Partnerships going forward with **BNP Paribas Real Estate** and **Accenture**; and finally
- m) continued to make a significant contribution to the national Leisure Expert Panel through leading the development and publication of a crucial Fitness Centre Staffing guidance document, supporting and presenting at the fourth London conference and taking a role on the Executive Team to represent the regulatory role.

## Current Position

- 4. Under the Code, Health and Safety Enforcing Authorities (HSEAs), should make adequate arrangements for the enforcement of health and safety; a risk-based intervention plan, agreed by senior management and Members, ensures an accountable and transparent commitment to improving health & safety outcomes as required.
- 5. It provides a principle based framework that recognises the respective roles of business and the regulator in the management of risk, concentrating on four objectives:-
  - a) clarifying the roles and responsibilities of business, regulator and professional bodies;
  - b) outlining the risk-based approach to regulation that HSEAs should adopt with reference to the Regulators' Compliance Code and HSE's Enforcement Policy Statement and the need for effective, targeted interventions that focus on influencing behaviours and improving the management of risk;
  - c) setting out the need for training and competence of all HSEA staff; and
  - d) explaining the arrangements for the collection and publication of HSEAs' data and peer review to give assurance on meeting the requirements of the Code.
- 7. The enforcement operations of all HSEAs are judged against this Code and monitoring information. Each HSEA's health & safety intervention plan should set out their overall aims and priorities and include a range of risk-based appropriate interventions to increase impact, influence behaviours and improve management of risk.

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<sup>1</sup> [Co-ordinated Partnerships](#) are where a franchisor and its franchisees, a sectoral trade association and its members or a single company and other companies that are in the same company group, get together and received assured advice from a partner local authority regulator through a single entity or person.

8. Inspections should only be carried out in highest risk premises and activities such as cooling towers in the City. Other types of interventions include working with networks, intermediaries, raising awareness and education through modern technologies, working with businesses to provide assured advice through the Primary Authority Partnership scheme and participating on industry working groups.
9. These interventions should all be targeted at:-
  - the most serious health & safety risks and/or least well-controlled hazards;
  - those businesses that seek economic advantage from non-compliance with health & safety law;
  - securing action by dutyholders to reduce health & safety risks; and
  - improving health & safety outcomes for employeesand inspections should only be carried out at premises and for activities which are specified as being suitable by the HSE, unless identified as a local priority.
10. As well as the City Corporation's Corporate Plan 2018-2023, the Health & Safety Intervention Plan is also based upon both locally identified risks, and whenever possible, regional and national initiatives.
11. We will continue with our proactive and reactive intervention work on:-
  - a) Legionella risks associated with cooling towers and other at-risk water systems;
  - b) Primary Authority Partnerships;
  - c) the Commercial Estates project and
  - d) investigating accidents and health & safety complaints,
12. We will also be continuing to promote and develop our engagement strategy for promoting the "London Healthy Workplace Award" with colleagues in Public Health, giving City businesses the opportunity to demonstrate their commitment to the health and well-being of their workforce, an area of work closely aligned to the City's own Health & Well-being Board's public health strategy. Mental Health objectives now form part of the HSE's Great Britain Work Well strategy and the Award work undoubtedly contributes to this too.

## **Proposals**

13. I therefore recommend that your Committee approves the specific health & Safety interventions set out in Appendix 2 (Health & Safety Intervention Plan 2019-2020) of the Commercial Environmental Health Team Plan 2019-20, as well as the associated, more cross-cutting activities such as Primary Authority that are that are also contained therein.



## **Corporate & Strategic Implications**

14. The planned health & safety activities reflect the detailed operational work undertaken by regulatory enforcement teams as related to the Corporate Plan 2018-2023; this is achieved through our departmental High Level Business Plan and individual service plans which detail the work that will be done, and which are judged by our key performance indicators.
15. Approval of this plan will ensure that the City meets its fundamental obligations under the requirements of Section 18 and the HSE's National Enforcement Code for Local Authorities.
16. It is also my intention to make the whole Commercial Environmental Health Team Plan available to all stakeholder businesses operating within City of London through publication on the City of London's website.
17. In accordance with the stated policy of the HSE, this will make the City's intentions transparent and accountable to all relevant parties, and also enables any comments received on the various documents to be taken into account at their next revision for 2020-2021.

## **Other Implications**

18. There are no other implications that would result from approval of this report.

## **Conclusion**

19. The Commercial Environmental Health Team Plan 2019-2020 and its specific health & safety activities are linked to the overall Corporate Plan 2018-2023 and the Markets & Consumer Protection High Level Business Plan 2019-2020 and it sets out a clear and transparent standard for our health & safety regulatory work for the year, subject to your approval.

## **Background Documents:**

The following document has been made available in the Members' Reading Room and have also been sent electronically to all Members on this Committee:-

- Commercial Environmental Health Team Plan 2019-2020

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**Department of Markets & Consumer Protection  
Port Health & Public Protection Division  
Commercial Environmental Health Team Plan**

## **Introduction**

The Commercial Environmental Health Team is responsible for regulating food safety (standards and hygiene), occupational health & safety, some statutory nuisances (not noise) and the investigation of certain infectious diseases arising from activities for which we are the enforcing authority. We are part of the Port Health & Public Protection Division (PH&PP) in the Department of Markets & Consumer Protection (M&CP).

Our work also includes food standards and certain health & safety interventions at Smithfield Market. The feedstuffs (animal food) enforcement function in the City is carried out under contract through the Association of London Environmental Health Managers and as part of cross-London delivery model.

Details on the extent of the team's work and our plans for 2019-20 are reported in the sections that follow. There are separate Official Food Control Activities in the Port Health Service which has a separate Food Service Enforcement Plan. In the course of 2018-19 the majority of the river vessels we inspected for food safety were handed back to the Port Health Service and the majority earmarked for an alternative enforcement strategy (as they are low risk for food hygiene)

This plan has been prepared to accord with Food Standards Agency (FSA) and Health & Safety Executive (HSE) frameworks on the planning and delivery of such services. It is also guided by the City Corporation's [Corporate Plan 2018-23](#), the [City & Hackney Joint Strategic Needs Assessment](#) and [The City Joint Health and Wellbeing Strategy](#).

The Corporate plan is designed to be used as a strategic framework to guide thinking and decision-making. We will use it to

identify where we need to innovate, with whom we can collaborate and how we can align and drive all our activities to achieve the greatest possible impact on the things we feel are important.

Some of our planned initiatives can be completed quickly, while others need medium or long-term commitment<sup>1</sup>.

Our **main goals** are to help ensure that:

- Food is hygienically prepared, safe to eat and what it says it is;
- We promote and support a risk based, goal setting regulatory regime.
- Higher risk work activities are properly managed, employers are committed to developing healthier workplaces, contributing to better mental and physical health of City workers
- We regulate in a way that supports businesses to comply and grow whilst not losing sight of the integrity and assurance of safe food for consumers and safe workplaces needing to be at the heart of what we do.

## Principles

Our guiding principles are:

- working with partners to make workplaces safer and healthier, providing a level playing field for responsible employers, by advising, promoting, and where necessary, enforcing good standards of risk control;
- developing services that contribute to improved management and control of risks, sharing our knowledge;
- continuing our dialogue and conversation with stakeholders to improve the service, always looking to provide simple, pragmatic advice and support;
- using the range of tools at our disposal effectively to influence duty holder behaviour and keep the interests of consumers at the heart of what we do;
- ensuring our workforce will be adequately resourced and experienced, enabling the service to fulfil the objectives set in our PH&PP Business Plan and this local Service Plan; and
- encouraging and recognising improvements, being increasingly joined up to deliver improved outcomes and minimise unnecessary burdens on businesses.

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<sup>1</sup> <https://www.local.gov.uk/our-support/efficiency-and-income-generation/demand-management/tools-and-techniques-managing-demand>

## Key Performance Indicators [KPI's]

Our Key performance Indicators (KPIs) are reported to the Port Health & Environmental Services Committee along with other planned activities and key highlights, every 4 months as part of the regular oversight of our work.

- |   |
|---|
| <ul style="list-style-type: none"><li>▪ <b>Continue to secure a positive improvement in the overall Food Hygiene Rating Scheme profile for City of London food establishments from a baseline profile as at 31<sup>st</sup> March 2013</b></li></ul>  |
| <ul style="list-style-type: none"><li>▪ <b>75% food businesses inspected will receive a report/letter detailing the outcome of their inspection <u>within 5 working days</u> and the remainder <u>within 10 working days</u>. This will accord with standards in the FHRS system (the 'brand' standard)</b></li></ul> |
| <ul style="list-style-type: none"><li>▪ <b>All authorised officers to receive/complete the necessary professional development with <u>at least 10 hours</u> CPD on Official Food Controls, tailored to delivery of this Service Plan.</b></li></ul>   |
| <ul style="list-style-type: none"><li>▪ <b>To complete a risk-based intervention programme for cooling towers systems within the year.</b></li></ul>  |

## Regulation Policy

The City Corporation is committed to the principles of the [Regulators' Code](#), a statutory code for all regulators and PH&PP has its own [Policy Statement on Enforcement](#) last approved by the Port Health & Environmental Services Committee in January 2019.

Details of our planned activities and resourcing for them are included below and in the following Appendices:

1. Official Food Controls
2. Health & Safety interventions
3. Background Information & Key Facts

Everything we do is aimed towards contributing to the achievement of the Outcomes in the Corporate Plan 2018-2023

Action	Activities	Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<b>1. Manage the impacts on PH&amp;PP as the regulatory landscape continues to evolve, including issues around EU Exit and the FSA's "Regulating our Future" (RoF) programme</b>	<p>Continue to evaluate the impact of proposed new Regulatory regimes, including the UK's relationship with the EU.</p> <p>Continue to explore and develop our strategic networking; lobby and inform relevant stakeholders of the perceived impact of proposed workstreams, the framework programme as a whole and its likely effect on PH&amp;PP and them.</p> <p>Prepare and align the Commercial EH Team to the potential new regulatory framework for the delivery of (Official) Food Controls,</p> <p>Strengthen and maintain long-term Member commitment to delivery of our duty as enforcers of workplace health &amp; safety.</p> <p>Contribute to workstreams designed to develop the RoF programme; this has occurred in the:-</p> <ul style="list-style-type: none"> <li>• review of food standards;</li> <li>• registration of food premises;</li> <li>• development of UKFSS;</li> <li>• gathering of inspection data designed to inform 'segmentation' and performance monitoring</li> </ul> <p>Consider proposals for maintaining protection of the public during any transition.</p>	<p><b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b></p> <p><b>Outcome 6: The best legal and regulatory framework- (6b.) we will help promote regulatory confidence and influence UK policy and regulation to protect and grow the economy.</b></p> <p>The Commercial EH Team is aligned to take advantage of relevant new regulatory frameworks and is structured and designed so that it;</p> <ul style="list-style-type: none"> <li>• is dynamic enough to keep pace with the changes;</li> <li>• can harness new technologies and;</li> <li>• can adapt to future circumstances.</li> </ul> <p>Publicly commit to the HSE / Local Authority Statement of Commitment on health &amp; safety regulation and embed the principles within this service plan.</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

Action	Activities	Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<p><b>2. Promote and support workplace health and wellbeing: Including the <a href="#">London Healthy Workplace Charter</a></b></p> <p><i>City Corporation Environmental Health Officers, where relevant, to advise on best practice and to signpost to support. Further develop and implement a Healthy Eating Strategy</i></p>	<p>In October 2018 the City Corporation formally pledged to tackle obesity and promote healthier choices by signing the <b>Local Government Declaration on Sugar Reduction and Healthier Food</b>.</p> <p>Work is part of the City &amp; Hackney's Joint Health and Wellbeing Strategy, including mental health and is supported by the 'Business Healthy' initiative.</p> <p>Develop our healthy eating strategy through closer links to Business Healthy and the London Healthy Workplace Charter, Better Health for London and the Healthy Catering Commitments scheme, which is in use in many London Boroughs.</p> <p>Select and develop options appropriate to City food businesses include further engagement with stakeholders, identifying best practice and signposting them to support.</p> <p>Develop the <a href="#">London Healthy Workplace Charter</a> project with partners so the relevant best practice is available and signposted.</p> <p>Develop an app with <a href="#">CityWell</a> for workplace mental health and wellbeing.</p>	<p><b>Outcome 2: People enjoy good health and wellbeing.</b></p> <p><b>Outcome 8: We have access to the skills and talent we need.</b></p> <p>Evidence suggests a healthy workforce can reduce sickness absence, lower staff turnover and boost productivity -good for employers, workers and the wider economy.</p> <p>Engagement with and buy in from, potential businesses using referral mechanisms, e.g. GLA Healthy Workplaces Charter Team, existing networks and resources such as Dept. of Community &amp; Children Services Public Health Team and the Business Healthy initiative.</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

Action	Activities	Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<b>3. Primary Authority Partnership work<sup>2</sup>.</b>  <i>Primary Authority enables businesses to form a legal partnership with one local authority, which then provides assured and tailored advice on complying with environmental health, trading standards and other regulations that local regulators must respect.</i>	<p>The Regulatory Enforcement and Sanctions Act 2008, as amended by the Enterprise Act 2016 establish Primary Authority as a statutory scheme in which a local authority can partner with a business, or with a group of businesses, taking on responsibility for providing regulatory advice and guidance to them and for guiding the way in which they are regulated by all local authorities.</p> <p>In addition to our on-going Primary Authority Partnership work, in late 2017-2018, a research report was commissioned to explore development of an enhanced Primary Authority offering and we will seek to further develop the recommendations and opportunities that flow from the report.</p> <p>Leverage positive business behaviour changes applying a targeted risk-based approach to providing advice and support to relevant businesses.</p> <p>Contribute to the development of London Partnership opportunities.</p>	<p><b>Outcome 6 (6a): we will promote regulatory confidence founded on the rule of law.</b></p> <p><b>Outcome 8: We have access to the skills and talent we need.</b></p> <p><b>Outcome 9: We are digitally and physically well-connected and responsive.</b></p> <p><b>Outcome 10: We inspire enterprise, excellence, creativity and collaboration.</b></p> <p>Improved support for businesses and economic growth to enable them to better manage their key health, safety and food related risks.</p> <p>Ensuring progress towards the Government's better regulation agenda, through providing streamlined and improved regulation.</p> <p>Increased Primary Authority work with Increased income and enhanced reputation for the City of London.</p> <p>Improved working with national and other regulators on the provision of specific advice.</p> <p>Businesses that sign up to a Primary Authority partnership have access to reliable, timely and tailored regulatory advice.</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p> <p>All Team Members</p>

<sup>2</sup> In 1 October 2017 the Enterprise Act 2016 comes into force, Primary Authority is now open to any size of business, and prestart-ups, through an extension and simplification of the scheme



Action	Activities	Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<p><b>4. Further develop the Commercial EH Team in line with the agreed objectives.</b></p> <p><b>Focus on our people and work in collaboration with others.</b></p> <p><b>Produce training and development opportunities for peers.</b></p>	<p>Continue to develop and enhance the competency of our frontline professionals.</p> <p>Further develop our succession and workforce plan and embed the Corporate mechanisms designed to support this process.</p> <p>Develop further training arrangements; job shadowing; mentoring and coaching; using the revised performance development approach in our Corporate appraisal process.</p> <p>Specific training will be developed in line with the FSA and HSE competency frameworks.</p> <p>Further develop agreed meat hygiene training for London authorities in association with peer organisations; allied universities and food professionals utilising Smithfield Market.</p> <p>Further develop health &amp; safety training for peers</p> <p>Continue to improve officers' awareness and understanding of business' needs, how to effectively communicate messages using a broad range of intervention strategies to influence the behaviour of organisations.</p>	<p><b>Outcome 8: We have access to the skills and talent we need.</b></p> <p><b>Outcome 9: We are digitally and physically well-connected and responsive.</b></p> <p><b>Outcome 10: We inspire enterprise, excellence, creativity and collaboration.</b></p> <p>Our workforce is adequately resourced and experienced, enabling the service to fulfil our key objectives.</p> <p>We have a more efficient service and improved staff morale, resulting in a better service for our customers.</p> <p>We are, and we remain an excellent, modern and accountable regulator with improved staff morale focused on delivering a better service for our customers.</p> <p>Our workforce will be well led and experienced, enabling the service to fulfil the objectives set now and for the foreseeable future.</p> <p>Two further Chartered professionals will complete a revised ILM management course and they will be given opportunities to develop further.</p> <p>Advance the development of the two Graduate trainee Environmental Health Practitioners engaged in September 2018 so they have the opportunity to complete their Professional Portfolios and Professional Practice Interviews.</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p> <p>All Team Members</p>

Action	Activities	Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<b>5. Further develop IT and information management systems and capabilities. Improve our online service offer.</b>	<p>Reduce the administrative and reporting burdens that we place on our front line, professionals, while improving for the longer term the information and intelligence we gather to aid our operational planning.</p> <p>Decide what time and attention is focussed on what areas to achieve the greatest benefit thus reducing the burden on compliant businesses.</p> <p>Work to improve our digital customer services streamlining both internal and external processes to everyone's advantage*.</p> <p>Continue the iterative delivery based on user and customer's needs; embed the approach, build capability and confidence and deliver services that enable users to excel.<sup>3</sup></p>	<p><b>Outcome 9: We are digitally and physically well-connected and responsive.</b></p> <p>Faster data and information capture, improved intelligence and targeting enforcement, more effective communication with businesses.</p> <p>The existing Service delivers a streamlined, accessible format with a clear focus on customer requirements</p> <p>We will be better able to better identify poor performing businesses and sectors</p> <p>More 'open data' provision is considered.</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p> <p>Project Lead Officers</p>

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3 Activities to include:-

- further corporate website development;
- online forms (inc. payments);
- sign up to the new FSA food registration system;
- data gathering and development of data analytics (inc. the FSA work on performance management and segmentation in RoF); and
- the development of the Departments management information system (database)

## Appendix 1: City Food Safety Enforcement Plan 2019-20

The backbone of our regulatory work on food control remains a targeted (risk-based) intervention program developed in accordance with the requirements of the Food Law Code. The following table illustrates the food hygiene rating profile of premises in the City of London. **Corporate Outcome: 1: People are safe and feel safe. 2: People enjoy good health and wellbeing. 5: Businesses are trusted. 9: We are digitally and physically well-connected and responsive.**

Rating profile Frequency of Hygiene Inspections	Total number of premises, year				FHRS Rating		
	2015-16	2016-17	2017-18	2018-19	FHRS	(2015-16) (2016-17) (2017-18)	2018-19
<b>A rated</b> 6 monthly inspection	27	15	17	17	0	(15) (7) <b>5</b>	<b>2</b>
<b>B rated</b> Annually	114	123	108	143	1	(60) (39) <b>30</b>	<b>29</b>
<b>C rated</b> 18 monthly	493	518	484	483	2	(75) (76) <b>58</b>	<b>42</b>
<b>D rated</b> Every 2 years	802	872	837	855	3	(141) (101) <b>96</b>	<b>76</b>
<b>E rated =</b> Every 3 years	321	372	362	353	4	(325) (293) <b>271</b>	<b>245</b>
<b>Unrated / awaiting inspection</b>	35	34	41	58	5	(1095) (1224) <b>1259</b>	<b>1290</b>
<b>City Total</b>	1792	1934 <sup>4</sup>	1891	1909 <sup>5</sup>	<b>Awaiting inspection</b>	(35) (34) <b>41</b>	<b>46</b>
				<b>231</b> (ceased trading)	<b>Exempt, excluded etc.</b>	(87) (92) <b>90</b>	<b>99</b>
				<b>251</b> (Businesses registered)	<b>Rated FHRS 3 or better</b>	<b>94.5%,</b> (89.7) <sup>6</sup> (91.4) <sup>7</sup> (93) <sup>8</sup>	<b>95.7</b>
					<b>Total</b>	<b>1850</b> (1777) (1833) (1866)	<b>1829</b>

4 Includes premises that closed during the year

5 Includes establishments in Port Health Services area of responsibility

6 % Compliant 2015-2016

7 % Compliant 2016-2017

8 % Compliant 2018-19

## 1. Food Hygiene inspections

Complete the required risk-based food hygiene interventions: Target >90% of food premises due and any overdue for intervention are inspected. New premises receive an intervention within 28 days of registration (or opening).

Food Hygiene Inspections Rating and Frequency	Done 2013-14	Done 2014-15	Done 2015-16	Done 2016-17	Done 2017-18	Done 2018-2019	DUE 2019-20	Predicted commitment
<b>A</b> rated = Inspected 6 monthly	49	52	45	27	40	29	15	240 hours
<b>B</b> rated = Inspected annually	133	127	121	106	124	103	98	600 hours
<b>C</b> rated = Inspected 18 months	589	335	313	298	312	287	262 (2)	1352 hours
<b>D</b> rated = Inspected 2 yearly	128	313	462	342	347	407	414 (78)	2136 hours
<b>E</b> rated = Inspected ever 3 years	81	97	123	117	44	82	126 (26)	262 hours
Unrated / awaiting inspection	36	39	67	62	129	58	58	120 hours
<b>Totals</b>	<b>980</b>	<b>963</b>	<b>1131</b>	<b>952</b>	<b>867</b>	<b>908</b>	<b>972<sup>9</sup></b>	<b>4710 hours</b>
<b>Approved premises</b>	<b>(1)<sup>10</sup></b>	-	-	-	-		-	

<sup>9</sup> We have had a number of inspection interventions overdue in the last two years. As at the end of 2018-19 we have reduced our backlog (133 premises overdue, of which 42 were due in March 2019) and we are planning to get the backlog removed entirely within this current year. A number of premises (rated Cat E) are now subject to an alternative enforcement strategy; this is currently limited to the low risk river vessels (for food hygiene and undertaken by the Port Health Service).

<sup>10</sup> The premises at Smithfield Market are approved as cutting and associated co-located establishments. Food Hygiene requirements are enforced directly by the FSA including through their national contractor Eville & Jones, whilst the City Corporation carries out interventions in relation to Food Standards and other related matters in the market.

## 2. Food Standards inspections

All high-risk premises are rated in accordance with the intervention rating scheme in part 5 of the code; all others including any overdue inspections are picked up when the next relevant Food Hygiene intervention falls due.

Food Standards Inspections Rating and Frequency	Done 2014-15	Done 2015-16	Done 2016-17	Done 2017-18	Done 2018-2019	Due 2019-20	Predicted commitment
A= Annually	1	1	0	1	0	1	-
B = Two yearly	97	78	97	73	79	172	-
C = Five yearly	175	373	240	252	290	512	-
Unrated		5	-		35	64	-
	-	-	-		-		-
<b>Total</b>	<b>372</b>	<b>457</b>	<b>337</b>	<b>326</b>	<b>369</b>	<b>749</b>	500 hours* <sup>11</sup>

<sup>11</sup> Estimate based upon previous years

**3. To receive and investigate appropriately all requests for service, food incidents and complaints about food and food premises.**

Identify and follow the most appropriate enforcement response in accordance with this plan, our procedures and our enforcement policy

Complaints & Service Requests	2018-19 <sup>12</sup>	2017-18	2016-17	2015-16	2014-15	Predicted commitment
	538	582	321	243	318	<b>616</b> hours <sup>13</sup>

**4. Follow up enforcement action in food premises.**

Identify and follow the most appropriate enforcement response in accordance with this plan our procedures and our enforcement policy

	2018-19	2017-18	2016-17	2015-16	2014-15	Predicted commitment
Letters with legal requirements	684	698	622	614	697	Inc. in Inspection Time quoted above.
Numbers of HIN's	3	5	5	10	15	7.5 per notice
Voluntary Closures	9	4	1	5	9	10 per premises
Emergency Prohibitions	0	0	1	1	0	70 hours per case Court action and case preparation are required. We seek to recover these costs
Legal Proceedings	0	0	0	0	0	2 weeks per case

<sup>12</sup> This does not include Freedom of Information Act requests which are dealt with separately

<sup>13</sup> Estimate based upon times spent on a sample (n=308) of 2018/19 requests

Action	Activities	Outcomes- Corporate Plan objectives are in <b>bold</b>	Responsibility
<b>5- Maintain support for the national Food Hygiene Rating Scheme (FHRS)</b> We will continue to support the FHRS and the development of mandatory display.	<p>It is important for consumer and business confidence that the FHRS system remains credible and objective and the central tenet of the scheme is our risk-based intervention programme.</p> <p><a href="#">Consumers see mandatory display of ratings as a necessary part of any new regulatory model</a><sup>14</sup>.</p> <p>We will consider slight adaptations to the national inspection scheme for lower risk premises and using competent but not fully authorised officers - e.g. Environmental Health Graduates who are completing their Portfolio of Professional Practice.</p> <p>We will consider FSA proposals in respect of Regulating our Future as the move towards the planned regulatory changes due in 2019.</p>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b></p> <p>Public trust in food regulation:-</p> <p>Improvements in the number of businesses that meet minimum compliance levels and, in the number, evidencing 'very good' standards of compliance. We deliver the required (risk based) intervention programme outlined in this plan.</p> <p>Food Business Operators want a 5 FHRS rating, they achieve it and then show it by displaying their sticker enabling customers to see that food safety is a top priority and foremost in their minds.</p> <p>The further development of the re-rating scheme is supported in the City as FHRS itself moves towards alignment with the ones in the devolved Governments of Wales and Northern Ireland (where FHRS is mandatory).</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p>

Action	Activities	Outcomes- Corporate Plan objectives are in <b>bold</b>	Responsibility
<b>6- Focused activity on Food Businesses that are not compliant [in the lower tiers of FHRS (0, 1 &amp; 2)]</b>	<p>Reinforce our intervention strategy with additional follow-ups, including visits and coaching sessions.</p> <p>Use agreed national food safety managements systems such as "Safe Food, Better Business" where these are appropriate. Use on-site inspection reports and mobile working systems. Support the use of ethical business regulation principles.</p> <p>Formal enforcement action will be informed by our current Policy Statement on Enforcement.</p>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b></p> <p>Action against food businesses that fail to fulfil their obligations. Improving standards in riskier food businesses.</p> <p>Reduction in the number of non-complaint food businesses through improved food hygiene performance and with the confidence this will be sustained.</p> <p>At the end of 2014-2015, 170 premises were rated 0,1 or 2 under FHRS and at the end of 2015-2016 it had fallen to 150. The number of non-compliant businesses has declined consistently over the years; at the end of 2018-19, was down to 73 out of 1829 City food businesses (4%).</p>	<p>Assistant Director (Public Protection)</p> <p>Commercial EH Team Manager</p>
<b>7. Develop and implement a risk-based food sampling programme</b>	<p>Consider our Sampling Policy and local, regional and national priorities utilising all intelligence available.</p> <p>Exchange intelligence and findings on sampling results using relevant local and national intelligence, a key element to a robust system of Official Food Controls.</p> <p>If requested, we will acknowledge and respond to any originating local food authority, in respect of inland referrals, confirming any action taken.</p>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b></p> <p>Delivery of a risk-based sampling programme. This work was scaled back in 2018-19 but the intention is to conduct further sampling work in 2019-2020, particularly where it supports other workstreams – e.g. dealing with non-compliant businesses.</p>	<p>Commercial EH Team Manager</p> <p>Lead Sampling Officer</p>



## Appendix 1: City Food Safety Enforcement Plan 2019-20

Action	Activities	Outcomes- Corporate Plan objectives are in <b>bold</b>	Responsibility
<b>8. Work with the FSA on meat hygiene and standards and other initiatives at Smithfield Market.</b>	Interventions including intelligence gathering exercises will be completed.  Other initiatives included work on labelling and traceability and product recalls	<b>Outcome 1: People are safe and feel safe.</b> <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b>  That all meat and meat products that are traded through the market are cut stored, prepared and transport hygienically and safely and that there is traceability of all products from source to end-retailer	Assistant Director (Public Protection)  Commercial EH Team Manager
<b>9. Protect consumers from food fraud and as a result of food incidents / food recalls.</b>	Consider the most appropriate means of disrupting and deterring criminal activity.  Utilise the development of the intelligence Database, IDB within Environmental Health.	<b>Outcome 1: People are safe and feel safe.</b> <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b>  The selection of incidents for further investigation follows our current procedure which itself is informed by any specific criteria from national and co-regulators which we may be obliged to follow or consider.	Assistant Director (Public Protection)  Commercial EH Team Manager
<b>10. The investigation of incidents of infectious disease and non-infectious environmental hazards.</b>	Reactive investigations are conducted using our procedures and following the agreed Public Health England (PHE) protocols	<b>Outcome 1: People are safe and feel safe.</b> <b>Outcome 2: People enjoy good health and wellbeing.</b> <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b> <b>Outcome 12: Spaces are secure, resilient and well-maintained.</b>  Incidents and notification from PHE are followed up using the agreed protocols.	Assistant Director (Public Protection)  Commercial EH Team Manager

## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in bold	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

<b>1. Control of legionella: interventions in cooling towers and other at-risk water systems.</b>  <b>2. Provision of related training / work experience / contribution to regulatory and educational community</b>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 2: People enjoy good health and wellbeing.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b>  <b>Outcome 12: Spaces are secure, resilient and well-maintained.</b></p> <p>Still a high-risk sector in HSE National Priorities (2019-20), cooling tower sites that are non-compliant can remain subject to proactive inspections which includes premises that have:-</p> <ul style="list-style-type: none"> <li>not yet demonstrated the ability to manage their Legionella risk in a sustained manner, and includes new cooling towers / evaporative condensers; and/or</li> <li>relevant enforcement action in the last 5 years and have not yet demonstrated sustained control of Legionella risk.</li> </ul> <p>We currently have 164 cooling towers sites in the City<sup>15</sup>. Twenty-two are currently decommissioned and twenty-two are rated 'A' (high risk)</p> <p>Inspection of all our sites remains a local priority, which was previously endorsed by City of London's Port Health &amp; Environmental Service Committee. The risk of a Legionnaires' disease outbreak affecting the Square Mile is considered an</p>	<p>Risk-based interventions due at 90 sites with cooling towers; revisits and enforcement action taken as necessary; and review status of decommissioned tower sites and follow up accordingly.</p> <p><b>90 sites at 5hrs per site = 450 hrs;</b></p> <p>Engagement with duty holders at new / proposed cooling tower sites: Advice to Principal Designers and Designers<sup>16</sup> including at the pre-application or Planning Application stage of development.</p> <p><b>Estimated time: 70 hrs</b></p> <p>Legionella Control Association Attend quarterly meetings</p> <p>Deliver training for inspectors on legionella and cooling towers (in conjunction with ALEHM and wider).</p> <p>Host / support further professional development events for the regulatory and public health community. Help devise and deliver a Legionella and Cooling Towers Exercise in London*.</p> <p>Builds on development of the revised London Boroughs' Legionella protocol and London Health Protection Teams, operating procedures on Legionella. HSE will also</p>
	<p>15 As at April 2019</p> <p>16 Statutory responsibilities under the Construction Design and Management Regulations 2015</p> <p><a href="http://www.hse.gov.uk/construction/cdm/2015/commercial-clients.htm">http://www.hse.gov.uk/construction/cdm/2015/commercial-clients.htm</a></p>	

## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in <b>bold</b>	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

	<p>when compared with any perceived burden from our intervention activity.</p> <p>Cooling towers are being installed on new developments each year; We still note issues with the design of some new installations affecting Legionella risk and work at height, also a City Corporation priority.</p> <p>We have an established intervention protocol and a Cooling Tower Inspection mobile working app developed to aid our work.</p>	<p>be involved.</p> <p>Review and refine the iAuditor Cooling Towers inspection pro forma and the use of data captured at interventions.</p> <p><b>Estimate time: 122.5hrs</b></p> <p><b><u>Estimated Total Time: 622.5 hrs</u></b></p>
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## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in bold	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

<b>3.Event Safety / Crowd control at large scale public gatherings/ events</b>	<p><b>Outcome 1: People are safe and feel safe.</b></p> <p><b>Outcome 2: People enjoy good health and wellbeing.</b></p> <p><b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b></p> <p><b>Outcome 12: Spaces are secure, resilient and well-maintained.</b></p> <p>Large scale events remain a National Priority for 2019-2020.</p> <p>The City Corporation host many high-profile events, and the City are also the enforcement authority for some of the larger higher risk events.</p> <p>Intelligence is shared between the Met Police Service, the City of London Police, LFCDA, London Ambulance, City Corporation's Highways service, etc.</p> <p>Lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue needs to be addressed where this is necessary.</p>	<p>Work with Licensing, Operational and Safety Planning Groups to better understand proposed event plans</p> <p>Work as part of the City Corporation's Safety Advisory Group (SAG) to advise on and help promote risk management and good practice with event organisers.</p> <p>Visits to events to verify the application of appropriate risk control measures.</p> <p>Follow-up action taken as necessary.</p> <p><b><u>Estimated Total Time = 105 hrs</u></b></p>
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## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in bold	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

<p><b>4. Falls from Height related to external building cleaning and servicing</b> Building on valuable work carried out in 2014-18 and in response to demand from businesses and intermediaries.</p>	<p>There are a large number of sites in the City where external Working at Height (WAH) is carried out.</p> <p><b>Outcome 1: People are safe and feel safe.</b> <b>Outcome 2: People enjoy good health and wellbeing.</b> <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b> <b>Outcome 12: Spaces are secure, resilient and well-maintained</b></p> <p>Local intelligence and observations indicate areas of concern and problems with compliance. This has been endorsed by others in the facilities management, 'access' design and operations community,</p> <p>Hazards and risks high: Poor practices, poor design, poor awareness by duty-holders: information from:</p> <ul style="list-style-type: none"> <li>- Findings of advisory visits and training sessions;</li> <li>- views of reputable members of the building access industry through 1-2-1 discussions, meetings and training events.</li> </ul> <p>Building managers usually keen to understand the risks and receptive to awareness raising - e.g. popularity of recent videos and face to face training we have provided</p>	<p>Continue to engage with policy makers such as the All-Party Parliamentary Group (APPG) on Working at Height.</p> <p>Set up a London-based Work At Height forum; input envisaged from FMs, service providers and industry experts. Examine underlying issues throughout Work At Height supply chains. The focus would mainly be on façade access and cleaning but with overlaps in relation to contractor management. The forum will seek to influence safer Work At Height culture. The aim will be for the forum to be industry led.</p> <p>Further enhance the Work at Height web-based offering for stakeholders.</p> <p>Complete a number of further training events and briefings to interested parties (Facilities Managers, etc).</p> <p>Devise and deliver the project brief for a London-wide Commercial Estates project (see 6. Below).</p> <p><b><u>Estimated time= 210hrs</u></b></p>
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## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in bold	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

<b>5. Leisure Expert panel</b>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 2: People enjoy good health and wellbeing.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b>  <b>Outcome 12: Spaces are secure, resilient and well-maintained</b>  <b>Unlocking full potential- working with partners who share our aims.</b></p> <p>We are founder members of the Leisure Expert Panel (LEP), an Industry group bringing together stakeholders in the delivery of health &amp; safety outcomes in the Leisure Sector.</p> <p>There is a particularly high concentration of fitness service providers across range of budgets operating within Square Mile for which we have limited intelligence regarding individual compliance but gain trend data via networking and involvement with LEP.</p> <p>In November 2018 a Gym Staffing guidance document was launched at the LEP annual conference. This was developed from a working group chaired by City of London officers to address a gap in existing guidance and that directly assists our Primary Authority partners in addition to the wider industry where decisions around the level of staffing on fitness floors in gyms are being made.</p>	<p>Represent Local Authority regulatory perspective on the LEP Executive Team (approx. 6 meetings a year in Central London and additional provision of steer / guidance to any relevant working groups formed)</p> <p>We hope to engage with wider groups, e.g. UKActive etc. this year and this might mean extra meetings</p> <p>Attend and contribute time to development of LEP conference (annual) and mini-conferences (2 a year) including active participation as necessary (attendance would be 4 days for 2 officers alone, development likely adds at least 1 more day)</p> <p>Support the LEP Training and Mentoring Programme (delivery of 2 x ½ day training sessions a year)</p> <p>Attend LEP Training Programme events (approx. 2-3 days)</p>
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## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in <b>bold</b>	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

<b>6.All-London Borough Health &amp; Safety Liaison Group (ALBHSLG); Planned project activity</b>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 2: People enjoy good health and wellbeing.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b>  <b>Outcome 12: Spaces are secure, resilient and well-maintained.</b></p> <p>A targeted intervention programme has been identified by an ALBHSLG tasking group with a focus on specific work activities in Commercial Estates.</p> <p>Data and intelligence were collated across all 33 London boroughs which resulted in two health and safety priority areas being identified for the project, namely asbestos (duty to manage) and work at height.</p> <p>A targeted intervention programme has been identified by an ALBHSLG tasking group with a focus on specific work activities in Commercial Estates. Data and intelligence were collated across all 33 London boroughs which resulted in two health &amp; safety priority areas being identified for the project, namely asbestos (duty to manage) and work at height</p>	<p><b>Commercial Estates Project 2019-20.</b></p> <p>A joined-up, targeted and London-wide approach focused on duty-holders who own, operate or manage a range of properties or property portfolios for profit.</p> <p>The aims are:</p> <ul style="list-style-type: none"> <li>• devise the project brief;</li> <li>• develop a project toolkit and accompanying training/ materials for regulators to utilise;</li> <li>• influence supply chains through engagement with larger organisations and assessment of their health &amp; safety management systems;</li> <li>• devise a protocol for intelligence concerning cross-LA duty-holder compliance (using the HELEX online portal);</li> <li>• identify and intervene as necessary with poor performers on the identified priority health &amp; safety outcomes and using a range of enforcement options; and</li> <li>• promote sustainable compliance in duty-holders.</li> </ul>
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## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority- Corporate Plan objectives are in <b>bold</b>	Planned activity or resource
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**Proactive interventions-** Local Authority (LA) Circular ([LAC 67/2 \(rev 8\)](#)) provides guidance and tools for priority planning and targeting our interventions, it is part of the supplemental guidance that helps us meet requirements of the [National Local Authority Enforcement Code](#)

<b>7. Commercial catering premises using solid fuel cooking equipment</b>	<p><b>Outcome 1: People are safe and feel safe.</b></p> <p>Carbon monoxide poisoning from lack of suitable ventilation and/or unsafe solid fuel cooking appliances in commercial premises remains an HSE National Priority.</p> <p>Project work in London in 2017-18 suggested material breach rates were high.</p>	<p>Continue to survey food premises likely to be using solid fuel appliances (at the time they become due for a food hygiene inspection).</p> <p>Follow-up enforcement in premises where there are matters of evident concern:</p> <p><b><u>Estimated Total = 105hrs</u></b></p>
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## Appendix 2: Health & Safety Intervention Plan 2019-20

Activity	Rationale for intervention: evidence identifying concern and priority	Planned activity or resource
<b>Reactive interventions</b>		
<b>1. Notifications under RIDDOR, LOLER and for Asbestos</b> <b>2. Complaints and service requests</b> <b>3. Massage and Special Treatment Licenses</b>	<p><b>Outcome 1: People are safe and feel safe.</b>  <b>Outcome 2: People enjoy good health and wellbeing.</b>  <b>Outcome 5: Businesses are trusted and socially and environmentally responsible.</b>  <b>Outcome 12: Spaces are secure, resilient and well-maintained.</b></p> <p>Incidents / Accidents: decision to investigate in accordance with the <a href="#">Incident Selection Criteria Guidance</a> LAC 22/13<sup>17</sup></p> <p>Evidence obtained during the investigation that health &amp; safety management compliance by the duty holder is of concern across a range of higher risk activities.</p> <p>Massage and Special Treatment (MST) Licences – new premises inspections and annual licence renewal inspections</p>	<p>Initial enquiries: establishing or verifying key facts and further information to inform decision on whether to investigate further and if so to what extent</p> <p>Investigation and any follow-up enforcement action taken in accordance with the HSE's Enforcement Management Model (EMM)</p> <p>Accidents, Incidents, Notifications Estimated = <b>105 hrs</b></p> <p>All complaints, service requests and Notifications estimate = <b>70 hrs</b></p> <p>MST interventions: Estimated time = <b>55 hrs</b></p> <p><b><u>Estimated Total Time= 230hrs</u></b></p>

<sup>17</sup> Health & Safety Executive and Local Authorities Enforcement Liaison Committee (HELA) Incident Selection Criteria [www.hse.gov.uk/lau/lacs/22-13](http://www.hse.gov.uk/lau/lacs/22-13)

### Appendix 3: Background Information & Key Facts about the Team

<b>Human Resources</b>	1 x Assistant Director (0.25 FTE) 1x Commercial Team Manager (1.0 FTE) 8 x EHO posts (7.8 FTE) 1 x Senior Authorised Officer (Smithfield Market) (1.0 FTE) 1x Graduate EHO Trainee post
<b>Financial Resources</b>	2018-19: £808,309.78 2019-20: £859.000
<b>Operational Hours &amp; Contacts</b>	<b>Office hours Monday to Friday</b> - 0900-1700 hrs  <b>Out of Office Hours</b> - 24/7 cover is provided for all environmental health matters by the Dept. of Built Environment's Street Environment Team with an on-call Duty Environmental Health Manager on-call for all alerts, emergencies or incidents.  All calls 24/7 to: <b>020 7606 3030</b>
<b>Location</b>	Port Health & Public Protection Service Walbrook Wharf 78-83 Upper Thames Street London EC4 R 3TD  (Nearest Tube: Cannon Street)

### Profile of the Local Authority

The City of London Corporation is an unusually diverse organisation that supports and promotes the City as the world's pre-eminent financial centre and provides local government and police services for the "Square Mile". It also provides valued services to London and the nation including management of Guildhall Art Gallery, the Barbican Centre, the Central Criminal Court at the Old Bailey, 4,240 hectares of open space, three wholesale food markets and acting as London's Port Health Authority. The City's daytime working population is now approaching 500,000 (483,00) with people working in many different business sectors but largely concentrated in financial and professional services sector. The City is also a popular destination for visitors, especially around St Paul's Cathedral and there are estimated to be over 10,000 visitors each day.

Many industries have grown to service the needs of the businesses and people who work in the City including the provision of food with over 20,000 working in the accommodation and food services sectors. Retail developments including food outlets

### Appendix 3: Background Information & Key Facts about the Team

are expanding in the City and 2018 saw the opening of further retail spaces in and around the Bloomberg site and around Leadenhall Market.

The City remains home to Smithfield Market, the largest wholesale meat market in the UK with over 40 separate establishments approved to operate from the Market in respect for which the City Corporation is the enforcing authority for food standards, with the Food Standards Agency the enforcing authority for food hygiene.

#### What do we do? - Food Safety and Food Standards

The Commercial Environmental Health Team inspect premises for food safety according to the FSA'S Food Law Code of Practice<sup>18</sup>. Inspections are based on risk and inspection frequencies calculated using the Code and follow-up interventions which are determined on the extent of an establishment's legal compliance. Officers carrying out these Food Hygiene inspections will also consider the appropriate application of the FSA's current *E. coli* guidance as part of their overall assessment of compliance.

Page 165 We adopted the national Food Hygiene Rating Scheme (FHRS) just before London 2012, and we continue to promote the scheme, to ensure the public know how to determine how well a food business performs in terms of food hygiene. Premises rated 0, 1 or 2 in the FHRS receive additional visits; this is based on work done with poor performing businesses in the City in the last few years which showed there was some success in maintaining or improving compliance through face to face regular contact.

Follow-up interventions now also a requirement of the Food Law Code with the purpose being two-fold: -

- a) to support those willing to make improvements; and
- b) to regularly monitor those who have previously been unable to maintain the required standards between full inspections.

Other interventions, not classed as an audit or an inspection, will continue and include sampling visits and visits to check compliance after complaints and to check progress on implementing remedial action following an inspection. These are a very important part of the service, especially in poor performing businesses, as they help ensure that standards are maintained and improved where required.

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<sup>18</sup> [Food Law Code of Practice](#) remains the one updated March 2017 further revisions were proposed in 2018 as part of Regulating our Future but have yet to be implemented.

## Appendix 3: Background Information & Key Facts about the Team

Each new food business receives a Food Hygiene and Food Standards intervention to assess their compliance with the relevant legislation. We endeavour to do so within 28 days of their opening, and at which point the business is risk-rated to trigger future inspections, to determine any further appropriate intervention and in most cases to give them a public food hygiene rating. The Teams also consider appropriate health & safety interventions during some food controls, including those in new premises and this work is included in the current year's Health & Safety Intervention Plan for the City.

### What do we do? - Health & Safety

The City Corporation are the Health & Safety Enforcing Authority in most workplaces within the City of London. Whilst many employees in the City will not face significant safety hazards as part of their day to day work, there remain a number of high-risk work-related activities such as operation of cooling towers (Legionella risks), window cleaning or maintenance / engineering work required to keep City workplaces and businesses functioning.

We want the City to be more than just a safe place. We would like to positively influence the health of everyone who lives and works in the City, enabling them to live healthily, preventing ill health developing, and promoting strong and empowered groups of individuals who are motivated to drive positive change within their communities and businesses. Work in this area is co-ordinated by the City of London Health and Wellbeing Board.

We deliver our service through a mixture of proactive, evidence-based interventions steered by national and local priorities. Our interventions are focussed on where we might best influence decision making on risks. So, although we carry out risk based formal proactive inspections of the 164 cooling tower sites, much of our work involves providing advice and support to businesses on sensible and proportionate risk management to comply with their legal obligations and includes working with building designers. We also promote award schemes such as the Mayor of London's Healthy Workplaces Charter, as part of our programme on improving workplace health and wellbeing, including mental health.

The health & safety enforcement intervention work carried out is recognised nationally, and internationally, for our work associated with cooling towers and work at height on tall buildings. We often provide advice and training to other UK local enforcement authorities as well as businesses with a national and international profile.

### Advice to Businesses and the Primary Authority Scheme

Advice to businesses is an integral part of the service we provide and forms a significant part of the discussions with businesses including at the design stage for new or refurbishments premises when they may come to our attention through the City's Planning, Building Control and Licensing functions. We are encouraging businesses to use web-based resources to help answer initial enquiries. We use a variety of media to engage with business including Twitter and You Tube to disseminate advice and guidance and to better understand businesses and customers' needs.

The team have Primary Authority Partnerships for food safety and/or health & safety work with several national organisations in the property management, health & fitness, retail, pet retail and contract catering sectors and further information on all of these can be found on the [Primary Authority Register](#).

### Food and Feedstuffs Sampling

The City Corporation is an active contributor to national and regional sampling programs and its sampling program is developed with its neighbours in the SE London Food Group and through the pan-London Food Co-ordinating Group who also takes advice and guidance from Public Health England and Public Analysts so as to develop a sampling plan that considers the co-ordinated programs as well as locally important issues.

### Control and Investigation of Outbreaks and Food Related Infectious Disease

The City Corporation works with Public Health England's North East & North Central London Health Protection Team to investigate outbreaks and selected infectious disease notifications. Health Protection legislation in England has adopted an "all hazards" approach, and in addition to a specified list of infectious diseases in that legislation, there is a requirement to notify cases of other infections or contaminations which could present a significant risk to human health. Local authorities like the City Corporation, have powers and duties to prevent and control risks to human health from infection or contamination, including by chemicals and radiation.

### Liaison with Other Organisations

The City is an active member of London various regulatory networks for both food safety and health & safety, linking with government agencies at regional and national level (Food Standards Agency, Health & Safety Executive, Public Health England, etc.).

We represent the City at local and national forums and networks where these increase our influence on and understanding of the communities we regulate and also work with industry partners and stakeholders in such groups and the London Banks' Health & Safety Forum, the Legionella Control Association and the Leisure Industry Panel.

### Staff Development Plan

Staff development is managed through the City Corporation's Performance & Development Framework (P&DF) appraisal scheme; there is a new scheme for 2019-20. Specific assessments are also used such as the Regulator's Development Needs Analysis tool. The Continuing Professional Development requirements for Environmental Health Officers as members of the Chartered Institute of Environmental Health and Institute of Occupational Safety & Health etc. are taken also into account<sup>19</sup>. as many of our officers are Chartered members of one or both of these institutes.

### Quality Assessment and Internal Monitoring

Monitoring is by way of the City Corporation's annual P&DF appraisal scheme which links individual officers' work directly to this Plan and the overall aims and objectives of the organisation. The workload monitoring process ties in with appraisal objectives and regular meetings are held with officers to monitor how objectives are proceeding. These also consider all enforcement action taken and the officer's interaction with individual food businesses [168 hours pa].

There are also regular bi-weekly team briefings and meetings [234 hours pa] and finally we support the London SE Food Sector and London SE Health & Safety Quadrant's work that reviews the arrangements that are in place to meet our service obligations in these areas [72 hours pa Food, 30 hours pa H&S].

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<sup>19</sup> Under the Food Law Code of Practice, all officers undertaking Official Control of Foodstuffs enforcement work must complete a minimum of 10 hours Food-related CPD each year.

<b>Committee(s)</b>	<b>Dated:</b>
Port Health and Environmental Services – For information	21 May 2019
<b>Subject:</b> Markets and Consumer Protection Business Plan 2018/2019: Progress Report (Period 3)	<b>Public</b>
<b>Report of:</b> The Interim Director of Consumer Protection and Market Operations	<b>For Information</b>
<b>Report author:</b> Joanne Hill, Department of Markets and Consumer Protection	

## Summary

This report provides an update on progress made by the Port Health & Public Protection Division (PH&PP) during Period 3 (December-March) of 2018/19 against the Department of Markets and Consumer Protection's (M&CP) High-Level Business Plan 2018/19. The High-Level Plan was approved by your Committee in May 2018.

As previously reported, a new corporate performance management process is currently in development and work is taking place on reviewing the content and format of the supporting detail that will sit beneath high-level business plans. This will be a key element in the move towards business planning becoming a joined-up service planning process that links finance/budgets directly to Corporate Plan outcomes.

During this transitional period for the business planning and reporting process, the format of this report remains the same as in recent years. However, it is acknowledged that, as a result of the transitional arrangements, there is some discontinuity in the numbering of objectives between the High-Level Business Plan and Appendix B to this report.

This report includes updates on progress made against the top line objectives outlined in the Departmental High-Level Business Plan as well as key operational performance indicators, financial information and more detailed statistics and commentary on enforcement activity, achievements and other points that may be of interest to your Committee.

### Key points from the report are that:

- The Trading Standards Team continued its involvement with Operation Broadway, working with enforcement partners to look at the activities of investment fraudsters based in the City. A recent case involved a disruption visit that contributed to a business going into administration, preventing it raising more than £24 million of investment from vulnerable investors.
- The Pollution Control Team has published the Research Report on the 'Sounds of the City' social survey. The findings were presented to the London Noise

Action Forum, will be used for future policy making and have been shared with colleagues across the City of London.

- A draft Air Quality Strategy 2019–2024 was produced and published for consultation.
- Recommendations made by Environmental Health Officers on Working at Height have been incorporated in an All-Party Parliamentary Group report on the subject, entitled 'Staying Alive'.
- Environmental Health Officers in the Commercial Team responded to a Defra consultation on proposals to vary how information is given to consumers following several high-profile allergen incidents and deaths.
- The Heathrow Animal Reception Centre has seen a continued increase in the number of large shipments of rescue animals.
- Numbers of imported food consignments through the Ports have increased by over 30% compared to the previous year, due to the growth in trade at London Gateway. Despite this significant increase in trade, the Port Health Service has improved its turnaround times (i.e. the time from arrival of a consignment in the port until cleared by Port Health).
- At the end of March 2019, M&CP was £18k (0.7%) overspent against the local risk budget of £2,589k, over all the PH&PP services managed by the Director and covered by the Port Health & Environmental Services Committee.

### **Recommendation(s)**

Members are asked to:

- Note the content of this report and its appendices.

## **Main Report**

### **Background**

1. The Department of Markets and Consumer Protection's (M&CP) High-Level Business Plan 2018/19 sets out a number of top level service delivery objectives which the department will work towards during the coming years. In addition, each PH&PP service area measures its performance against local, team-level, operational objectives and performance indicators (PIs).

### **Current Position**

2. To ensure that your Committee is kept informed of progress against the current High-Level Business Plan and local performance measures, progress against PIs (Appendix A) and key improvement objectives (Appendix B) is reported on a periodic (four-monthly) basis, along with a financial summary (Appendix D). This approach allows Members to ask questions and have a timely input to areas of particular importance to them. Members are also encouraged to ask the Director for information throughout the year.
3. Progress against the departmental and team business plans is regularly discussed by Senior Management Groups to ensure any issues are resolved at an early stage.



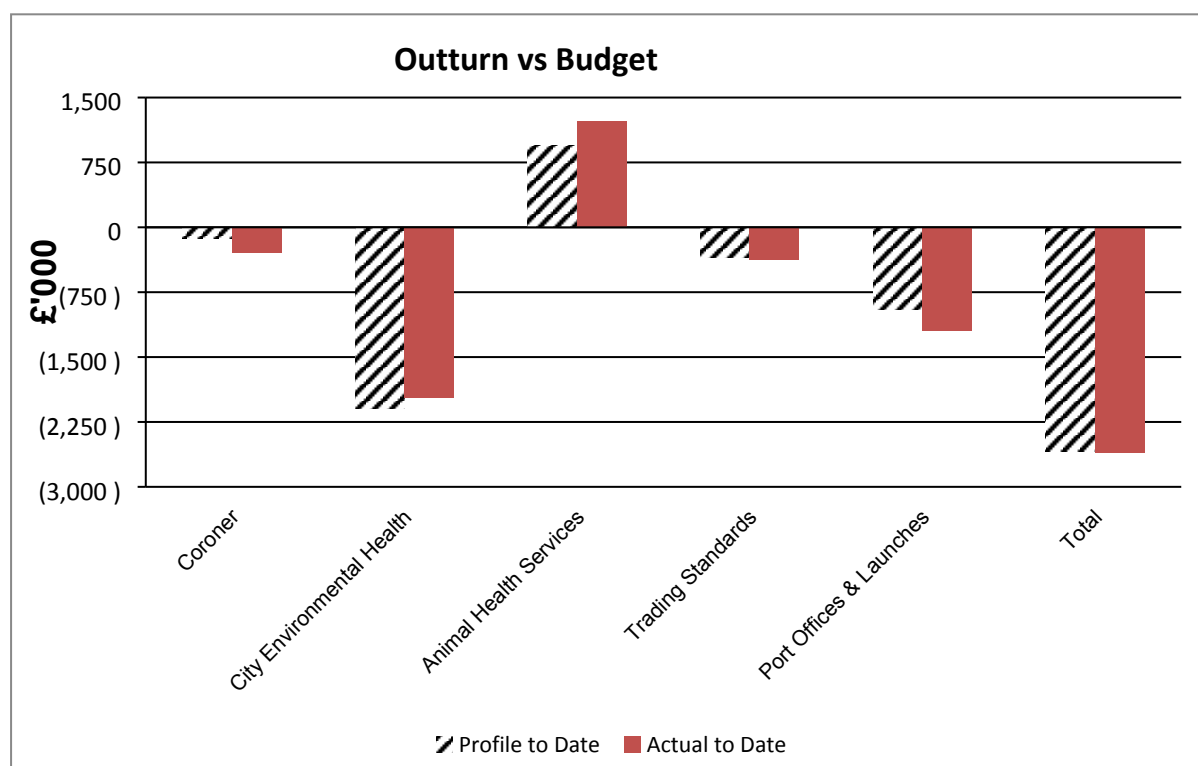
4. In order to provide further information on the work carried out by PH&PP, each periodic report includes a summary of the enforcement activity carried out (Appendix C).

## Corporate & Strategic Implications

5. The monitoring of PIs and key improvement objectives across the Division links to the achievement of the aims and outcomes set out in the Corporate Plan 2018-23.

## Financial Implications

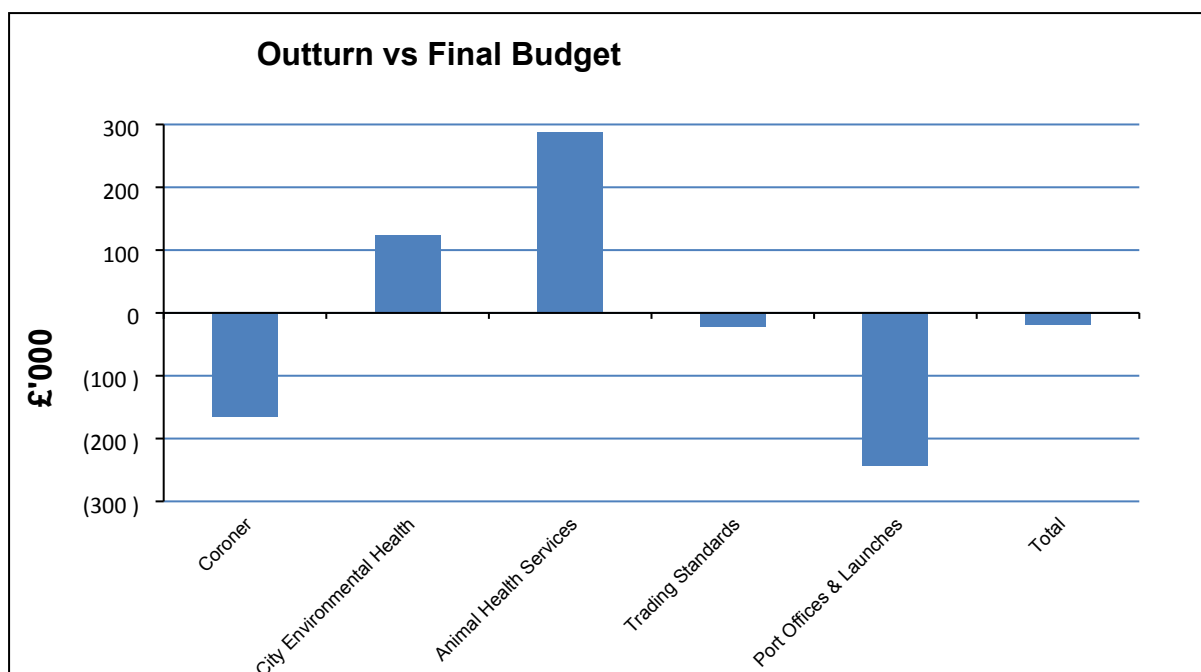
6. The end of March 2019 outturn position for M&CP services covered by the Port Health & Environmental Services Committee is a net overspend for the year for PH&PP of £18k (0.7%) against the overall local risk budget of £2,589k for 2018/19.



### Notes:

1. Graph shows the 2018/19 actual local risk net position against the profiled budget for each Division.
2. A position above the baseline shows overall net income.
3. A position below the baseline shows overall net expenditure.
4. Total actual net exp of £2,607k is £18k over the budget of £2,589k.

7. The reasons for the significant budget variations are set out in the separate Revenue Outturn report to your Committee.



**Notes:**

1. Zero is the baseline final approved budget for each Division of Service.
2. Graph shows outturn position against the final 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 had an overspend of £18k at year end.

8. The worse than budget position at the end of March 2019 is mainly due to increased transfers to the POAO (products of animal origin) reserve at the Ports. Despite a reduction in CVED (Common Veterinary Entry Document) income from that originally budgeted, a surplus POAO trade position was achieved, largely due to newly agreed FSA funding for Brexit preparations, which facilitated an increased transfer to the POAO Reserve at year end for this surplus. Other overspends related to increased costs for the Coroner Service: the employment of one full-time agency staff member; backdated changes to Senior Coroner pay guidance; and additional running costs due to ongoing higher volumes of reported deaths and inquests.
9. These overspends were mainly offset by savings within City Environmental Health for staff vacancies; maternity leave savings; reduced spend on staff training; a reduction in IT hardware spend; and additional income from fees and services provided. Further underspends for the Animal Health Service related mainly to additional income from Passports for Pets trade which is believed to be the result of pets being brought into the country prior to Brexit to avoid any negative impacts of a no-deal or changed arrangements. A corresponding reduction in throughput is expected in early 2019/20. Additional underspends for Animal Health were the result of savings due to staff vacancies.

10. After adjusting for unspent carry forward budgets across the whole of the Department, the Director's adjusted provisional outturn position eligible for carry forward requests is £174k.

### **Consultees**

11. The Town Clerk and the Chamberlain have been consulted in the preparation of this report.

### **Appendices**

- Appendix A – Progress against operational performance indicators, Period 3 2018-19
- Appendix B – Progress against key improvement objectives, Period 3 2018-19
- Appendix C – Enforcement activity, Period 3 2018-19

### **Background Papers**

Final Departmental Business Plan 2018/19 – Markets and Consumer Protection  
(22 May 2018)

### **Contacts**

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**Performance Management Report 2018-19**  
**Period Three: 1 December 2018 – 31 March 2019**

**Department of Markets and Consumer Protection**  
**Port Health and Public Protection Division**

**Progress against Operational Performance Indicators**

↑	The annual performance of this indicator has been <b>above or on target</b> .
↓	The annual performance of this indicator has been <b>below target</b> .

			Annual result 2017-18	Target 2018-19	Actual 2018-19			Annual result 2018-19
					Period 1	Period 2	Period 3	
PI 1	<b>Port Health</b> Proportion of imported food and feed consignments that satisfy the checking requirements cleared within five days.	a) Products of Animal Origin (POAO): Non-fish <sup>*1</sup>	86%	<b>95%</b>	77%	80%	78%	78% <sup>*1</sup> ↓
		b) Products of Animal Origin (POAO): Fish	85%	<b>85%</b>	83%	90%	90%	87% ↑
		c) Products of Non-Animal Origin (PNAO)	N/A	<b>90%</b>	90%	88%	85%	88% <sup>*2</sup> ↓
PI 2	<b>Port Health</b> 90% of imported food and feed consignments (Products of Non-Animal Origin - PNAO) are subjected to mandatory documentary controls within five days.		94.7%	<b>90%</b>	82%	81%	93%	86% <sup>*3</sup> ↓
<sup>*1</sup> Products of Animal Origin imports from Brazil: 70.3% cleared within 5 days. All other third country imports: 89.3% cleared within 5 days. Performance against this indicator was affected by the enhanced checks on meat and meat products from Brazil, which have been in force since April 2017. <sup>*2</sup> Performance against this indicator was negatively affected by the significant increase in Products Not of Animal Origin received during the year. <sup>*3</sup> New KPI for 2018/19 and likely to have been affected by the significant increase in Products Not of Animal Origin. However, performance picked up well during Period 3 as the products and lines became established.								

## Appendix A

		Annual result 2017-18	Target 2018-19	Actual 2018-19			Annual result 2018-19
				Period 1	Period 2	Period 3	
<b>PI 3</b>	<b>Food Safety</b> Over the course of the year, secure a positive improvement in the overall Food Hygiene Ratings Scheme (FHRS) ratings profile for City food establishments compared to the baseline profile at 31 March 2013.	End of year result: Improved profile	<b>Improved profile</b>	N/A	N/A	N/A	<b>Improved profile</b>
<b>PI 4</b>	<b>HARC</b> Less than 1% of missed flights for transit of animals caused by the Animal Reception Centre (ARC).	0%	<b>&lt;1%</b>	0.01%	<1%	0.03%	<b>&lt;1% ↑</b>
<b>PI 3:</b> Annual indicator. The purpose of this indicator is to show an overall improvement in the FHRS rating profile across all City food establishments by the end of the year. The target cannot be expressed as a specific percentage since any increase will indicate achievement. The Service Plan and the ratings profile in Appendix C of this report illustrates the improvements made during the year.							

		Annual result 2017-18	Target 2018-19	Actual 2018-19			Annual result 2018-19
				Period 1	Period 2	Period 3	
<b>PI 5</b>	<b>Pollution Team</b> 90% justifiable noise complaints investigated result in a satisfactory outcome.	95.3%	<b>90%</b>	92%	94.6%	94%	<b>93.2% ↑</b>
<b>PI 6</b>	<b>Trading Standards</b> Respond to all victims of investment fraud identified to the Trading Standards Service within 5 working days to advise on the risk of repeat targeting, assess the need for safeguarding interventions and initiate the safeguarding process where appropriate.	100%	<b>100%</b>	100%	100%	100%	<b>100% ↑</b>
<b>PI 7</b>	<b>Health &amp; Safety</b> Complete the annual risk-based cooling towers inspection programme in order to ensure that the risk of Legionnaires' disease is being effectively managed by all those responsible.	100%	<b>100%</b>	N/A	N/A	N/A	<b>96.5% ↓</b>
<b>PI 5:</b> The percentage of total justified noise complaints investigated resulting in noise control, reduction to an acceptable level and/or prevention measures; complaints may or may not be actionable through statutory action.							
<b>PI 7:</b> Annual indicator. Three cooling tower inspections remain to be completed (at 12 April 2019); two were due in the January-March period; one is seasonal and operates in the summer. These will be completed during Period 1 2019/20.							

	All PH&PP Service areas	Annual result 2017-18	Target 2018-19	Actual 2018-19			Annual result 2018-19
				Period 1	Period 2	Period 3	
PI 8	a) 90% of debts to be settled within 60 days.	59%	90%	69%	88%	66%	66% ↓
	b) 100% of debts settled within 120 days.	77%	100%	76%	96%	89%	89% ↓
<p><b>PI 8:</b> The annual result for this indicator represents the position at the end of the financial year.</p> <p><b>PI 8a:</b> This indicator measures the percentage of overall debt that is less than 61 days old.</p> <p><b>PI 8b:</b> This indicator measures the percentage of overall debt that is less than 121 days old.</p> <p>All debt older than 60 days at the end of March 2019 relates to Port Health and the HARC. All debtors with debts more than 120 days old are being actively chased.</p>							



## Progress against Port Health & Public Protection key improvement objectives 2018-2019

Ref:	Objective	Progress to date
1.	Evaluate the potential impact of leaving the EU on the services provided by PH&PP and make suitable preparations.	<p><b>Period One</b></p> <ul style="list-style-type: none"> <li>Engagement with Government, Trade and professional organisations has been stepped up.</li> <li>A successful application was made to the 'Priorities Investment Pot' to for funding of a consultant who has now started collaborative work.</li> <li>A submission has been made to the Food Standards Agency for financial support.</li> <li>An update report was provided to the July PH&amp;ES Committee.</li> <li>The Animal Health and Welfare Service is working with Defra on the development on Technical Notices (under Non-Disclosure Agreements) which will be used to evaluate the potential impacts and changes required.</li> </ul> <p><b>Period Two</b></p> <ul style="list-style-type: none"> <li>An update report was presented to November PH&amp;ES Committee.</li> <li>Key issues have been identified in the event of no deal, and mitigating measures initiated.</li> <li>The key principles approved by your Committee have been promoted with a wide range of organisations.</li> <li>Engagement with government at all levels has continued.</li> <li>The Port Health Service is still waiting to hear the outcome of its bids to the FSA and Defra for funding to assist with preparing for Brexit.</li> <li>Port Health has hosted visits from the FSA, Defra, the National Farmers Union, and others to highlight the role of Port Health Authorities in protecting Public, Animal and Environmental Health.</li> </ul> <p><b>Period Three</b></p> <ul style="list-style-type: none"> <li>A full update report was presented to March PH&amp;ES Committee.</li> <li>Representation has continued with government at all levels.</li> <li>Funding has been secured from the Food Standards Agency (FSA) regarding the Port Health function for 2018/19 and 2019/20.</li> <li>A bid to Defra was refused but this has been followed up with MHCLG.</li> <li>Given the delays to Brexit, the risk rating has reduced from a red to amber.</li> </ul> <p><u>PORT HEALTH</u></p> <ul style="list-style-type: none"> <li>The Port Health Service secured funding from the FSA to prepare for Brexit; circa £150k. A further bid has been submitted for 2019/20 for circa £500k. Bids (£50k) have also been submitted to undertake Export Health Certificate preparations to assist businesses trade with the EU.</li> <li>The Service has hosted visits by the FSA and Defra as part of the 'no deal' Brexit contingency plans.</li> <li>The Service has helped to develop and test training on a variety of Brexit related issues, including the new import notification system (IPAFFS).</li> <li>The Service continues to provide advice and evidence on and in response to Brexit consultations relating to policy and process.</li> </ul>

Ref:	Objective	Progress to date
2.	Deliver the actions set out in the Air Quality Strategy 2015-2020, including the continued implementation of a Low Emission Neighbourhood in the City and a pilot Ultra Low Emission Vehicle Street to improve air quality and mitigate the risk of air pollution.	<p><b>Period One</b></p> <ul style="list-style-type: none"> <li>• Work has commenced on the feasibility study for a ULEV restriction in Moor Lane.</li> <li>• Several events were held to mark National Clean Air Day 2018.</li> <li>• The electric vehicle charge points were opened in Barbican Estates car parks.</li> <li>• A workshop was held for City businesses on how to reduce emissions from buildings.</li> <li>• A response was sent to Defra on their draft Clean Air Strategy.</li> </ul> <p><b>Period Two</b></p> <ul style="list-style-type: none"> <li>• The Air Quality Team received a National Air Quality Award in the category 'Local Authority &amp; Public Sector Initiative of the Year' for collaborative work at Sir John Cass's Foundation Primary School.</li> <li>• The consultation for Moor Lane Ultra Low Emission Vehicle Street was completed.</li> <li>• An international air quality study day was organised for the department of Business Energy and Industrial Strategy.</li> <li>• The Air Quality Team ran a lunchtime workshop for City businesses on air quality and the supply chain.</li> <li>• Consultation began on proposals for an Emission Reduction Bill.</li> </ul> <p><b>Period Three</b></p> <ul style="list-style-type: none"> <li>• A draft Air Quality Strategy 2019–2024 was produced and published for consultation.</li> <li>• The Moor Lane ULEV street was postponed following consultation.</li> <li>• London Councils Transport and Environment Committee agreed to support the Emission Reduction Bill.</li> <li>• An air quality lunchtime event was held for City Businesses to mark the end of the Low Emission Neighbourhood.</li> <li>• Work commenced on a Low Emission Neighbourhood legacy report.</li> </ul>

Ref:	Objective	Progress to date
3.	The Licensing Team will undertake enforcement against illegal street traders, especially on and near City bridges.	<b>Period One</b> <ul style="list-style-type: none"> <li>Recruitment is underway for a City Bridges Licensing Officer.</li> <li>Enforcement activity commenced targeting Millennium Bridge.</li> <li>Seizures, prosecutions, forfeiture orders and Criminal Behaviour Orders are being pursued.</li> </ul>
		<b>Period Two</b> <ul style="list-style-type: none"> <li>A City Bridges Licensing Officer has been recruited.</li> <li>Enforcement activity targeting the bridges has commenced and there has been a decrease in the number of traders present.</li> <li>A Section 101 agreement with the London Borough of Tower Hamlets is being progressed.</li> </ul>
		<b>Period Three</b> <ul style="list-style-type: none"> <li>A Section 101 agreement with the London Borough of Tower Hamlets has been signed and sealed.</li> <li>The City now has enforcement powers on all City Bridges and active enforcement is underway with the support of the City Police and Tower Bridge security staff.</li> <li>There has been a decrease in the number of traders present.</li> </ul>

Ref:	Objective	Progress to date
4.	The Trading Standards Team will maintain its focus on preventing financial fraud.	<b>Period One</b> <ul style="list-style-type: none"> <li>• Operation Broadway is ongoing.</li> <li>• The Team is planning a project focussing on businesses engaged with cryptocurrencies that have a footprint in the Square Mile.</li> <li>• Ongoing discussions with the Banking sector and other agencies regarding a slower authorised push payments mechanism for vulnerable customers.</li> </ul>
		<b>Period Two</b> Ongoing with: <ul style="list-style-type: none"> <li>• Operation Broadway is ongoing.</li> <li>• Initial visits to businesses engaged with cryptocurrencies that have a footprint in the Square Mile have been completed. More detailed follow-ups are now required.</li> <li>• Discussions continue with the Banking sector and other agencies regarding a slower authorised push payments mechanism for vulnerable customers.</li> </ul>
		<b>Period Three</b> Ongoing with: <ul style="list-style-type: none"> <li>• Operation Broadway continues.</li> <li>• The arrangement of more detailed visits to businesses engaged with cryptocurrencies has been put on hold due to a reduction in the amount of intelligence being received: it appears that the cryptocurrency 'bubble' may have 'burst'.</li> <li>• Discussions continue with the Banking sector and other agencies regarding the introduction of a slower authorised push payments mechanism for vulnerable customers.</li> <li>• Ideas are being developed to deal with financial fraud enablers, including Companies House and wine storage facilities.</li> </ul>

Ref:	Objective	Progress to date
5.	The Commercial Team will continue to seek to increase the number of compliant food businesses in the City.	<b>Period One</b> <ul style="list-style-type: none"> <li>Of the City's 1,844 food premises, 1,646 (89%) are currently 'broadly compliant', i.e. they are rated 3, 4 or 5 under the FSA's Food Hygiene Rating Scheme.</li> <li>1,286 have a rating of 5 and only 5 are rated 0.</li> <li>A detailed breakdown of the current FHRS profile and more information on the 0 rated premises is provided in Appendix C of this report.</li> </ul>
		<b>Period Two</b> <ul style="list-style-type: none"> <li>Of the City's 1,815 food premises, 1,621 (89%) are currently 'broadly compliant', i.e. they are rated 3, 4 or 5 under the FSA's Food Hygiene Rating Scheme.</li> <li>1,274 have a rating of 5, and only 4 are rated 0</li> <li>A detailed breakdown of the current FHRS profile and more information on the 0 rated premises is provided in Appendix C of this report.</li> </ul>
		<b>Period Three</b> <ul style="list-style-type: none"> <li>Of the City's 1,800 food premises, 1,611 (89%) are currently 'broadly compliant', i.e. they are rated 3, 4 or 5 under the FSA's Food Hygiene Rating Scheme.</li> <li>1,290 have a rating of 5, and only 2 are rated 0.</li> <li>A detailed breakdown of the current FHRS profile and more information on the 0 rated premises is provided in Appendix C of this report.</li> </ul>

Ref:	Objective	Progress to date
6.	The Pollution Control Team will implement the Action Plan of the Noise Strategy 2016-2026.	<b>Period One</b> <ul style="list-style-type: none"> <li>A 'Sounds of the City' social survey has been conducted to gather a current evidence base of the perception of how the City sounds. The draft report is being prepared.</li> <li>Engagement with London Underground Ltd (LUL) regarding operational and construction noise from London Underground continued. An independent expert report has been commissioned and sound measurements taken at the worst affected properties.</li> <li>The City's infrastructure projects are progressing well with the team working hard to ensure the environmental impacts of Crossrail, Thames Tideway Tunnel and Bank Station Capacity Upgrade are being continuously monitored and managed by the numerous contractors.</li> </ul>
		<b>Period Two</b> <ul style="list-style-type: none"> <li>Engagement with London Underground Ltd (LUL) regarding operational and construction noise from London Underground is continuing. An independent expert investigation and report has been completed and will be presented to January PH&amp;ES committee. LUL has received a copy of the report and the City is awaiting their response.</li> <li>A 'Sounds of the City' social survey has been conducted to gather a current evidence base of the perception of how the City sounds. The report is being finalised and will be published early in 2019.</li> <li>The City's infrastructure projects are progressing well with the team working hard to ensure the environmental impacts of Crossrail, Thames Tideway Tunnel and Bank Station Capacity Upgrade are being continuously monitored and managed by the numerous contractors.</li> </ul>
		<b>Period Three</b> <ul style="list-style-type: none"> <li>The Research Report on 'The Sounds of the City' social survey has been published and the findings presented to the London Noise Action Forum. The findings will be used for future policy making and have been shared with colleagues across the City of London.</li> <li>Officers continue to work with London Underground Ltd (LUL) on operational rail noise matters affecting the Barbican Estate. An expert report has been discussed with LUL experts and a detailed written response is awaited.</li> <li>The City's infrastructure projects are progressing well with the team working hard to ensure the environmental impacts of Crossrail, Thames Tideway Tunnel and Bank Station Capacity Upgrade are being continuously monitored and managed by the numerous contractors.</li> </ul>
Ref:	Objective	Progress to date

Ref:	Objective	Progress to date
7.	The Pollution Control Team will implement site monitoring of noise from building sites, and the outcome of the consultation on Saturday morning working.	<b>Period One</b> <ul style="list-style-type: none"> <li>The Construction Monitoring Levy outlined in the Code of Construction Practice was written into standard planning conditions from January 2018. Consented developments are being monitored for commencement dates to ensure levy charging is implemented.</li> <li>A Graduate Environmental Health Trainee has been recruited to assist with proactive construction site monitoring.</li> <li>A consultation on Saturday morning construction works has been carried out, receiving 725 responses. The consultation closed on 7 August and the report is being drafted. An interim summary of the results is provided in a separate report to this meeting of the PH&amp;ES Committee.</li> </ul>
		<b>Period Two</b> <ul style="list-style-type: none"> <li>The Construction Monitoring Levy, outlined in the Code of Construction Practice, was written into standard planning conditions from January 2018. Consented developments are being monitored for commencement dates to ensure levy charging is commenced.</li> <li>A consultation on Saturday morning construction works has been carried out. The consultation results report was presented to P&amp;T and PH&amp;ES committees in November. Both committees voted in favour of amending the standard noisy City construction hours to 0900 to 1400 on Saturdays. Implementation is underway.</li> </ul>
		<b>Period Three</b> <ul style="list-style-type: none"> <li>The Construction Monitoring Levy, outlined in the Code of Construction Practice, was written into standard planning conditions from January 2018. Consented developments have now triggered payment and have been contacted in writing to ensure levy charging commences. An update report was presented to March P&amp;T and PH&amp;ES Committees</li> <li>The adjusted Saturday construction hours of 0900 to 1400 were implemented in January 2019; to date, developers and their contractors have complied with the new requirements.</li> </ul>

Ref:	Objective	Progress to date
8.	Investigate, and begin to implement, new income generation proposals for PH&PP Services.	<p><b>Period One</b></p> <p><u>PUBLIC PROTECTION</u></p> <p>A Primary Authority Research Project is being undertaken to investigate options for a “City offer” encompassing:</p> <ul style="list-style-type: none"> <li>• rechargeable Primary Authority services;</li> <li>• paid-for Business Advice; and</li> <li>• partnership working with other London Local Authorities in a “hub” type model.</li> </ul> <p><u>PORT HEALTH</u></p> <ul style="list-style-type: none"> <li>• Benchmarking is currently being undertaken with Suffolk Coastal Port Health Authority, including consideration of whether the Col’s services can be offered to other Port Health Authorities around the country.</li> <li>• The Service continues to support the Port and Trade by undertaking dual inspections with Defra and progressing proposals to undertake official controls outside of the Customs boundary.</li> </ul> <p><b>Period Two</b></p> <p><u>PUBLIC PROTECTION</u></p> <ul style="list-style-type: none"> <li>• The Construction Monitoring Levy condition has been placed on Planning Applications and this will generate income from 2019 onwards.</li> <li>• The Primary Authority Research Project has developed two models with four other London local authorities: <ul style="list-style-type: none"> <li>○ a ‘Hub’ model co-ordinated by one LA on behalf of the others; and</li> <li>○ a less formal, ‘Buddy’ model for onward referrals.</li> </ul> <p>In both models rechargeable Primary Authority advice and paid-for non-PA Business Advice can be offered. These models are currently out for consultation with the other LA partners.</p> </li> </ul> <p><u>PORT HEALTH</u></p> <ul style="list-style-type: none"> <li>• Benchmarking has now been completed and the final report is being prepared, including discussions on how the findings will be taken forward.</li> <li>• Legal Agreements are being drafted to allow Port Health to undertake Official Food &amp; Feed Controls outside the Customs boundary i.e. within London Gateway Logistics Park.</li> </ul>



		<p><b>Period Three</b></p> <ul style="list-style-type: none"> <li>Alternative sources of funding continue to be identified and maximised, details of which are provided below.</li> </ul> <p><u>PUBLIC PROTECTION</u></p> <ul style="list-style-type: none"> <li>The Primary Authority 'Hub' and 'Buddy' models were generally well-received after consultation with the other potential local authority (LA) partners.</li> <li>However, the deployment of the 'Hub' model (co-ordinated by one LA on behalf of four others) has temporarily been put on hold, pending Member Approval (see separate Agenda Item for full details) and the identification of funding from local risk budgets for a pilot project.</li> </ul> <p><u>PORT HEALTH</u></p> <ul style="list-style-type: none"> <li>The findings of the benchmarking exercise to develop the service have been put on hold as a result of the Brexit preparations.</li> <li>Legal Agreements are still being drafted to allow Port Health to undertake Official Food &amp; Feed Controls outside the Customs boundary i.e. within London Gateway Logistics Park.</li> <li>Preparations are in place to 'up skill' officers to undertake Export Health Certification work. This is a fee-based service that will support UK businesses to export products.</li> </ul>
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Ref:	Objective	Progress to date
9.	Move to a new cloud-based, hosted and browser-accessed line of business system (shared with DBE).	<b>Period One</b> <ul style="list-style-type: none"> <li>£500k capital funding was approved in July to source and implement a single cloud-based solution to replace two existing back-office systems currently used by the Port Health &amp; Public Protection Division and the Department of the Built Environment. Users' system requirements have now been confirmed and a pre-tender specification will be drawn up during Period Two (August-November 2018).</li> </ul>
		<b>Period Two</b> <ul style="list-style-type: none"> <li>Project Management resources have been taken on to assist in the complex and detailed gathering and sign-off of system requirements and future aspirations from 14 different groups of officers across M&amp;CP and DBE. These are already forming the basis of an extensive specification which is still being developed (but which is due for completion by 31/01/2019) so the tender can go out.</li> </ul>
		<b>Period Three</b> <ul style="list-style-type: none"> <li>The extensive specification has taken longer to develop than envisaged due to its increased complexity. However, it is now in the final stages of development and the Project Team hope to have it completed for handover to City Procurement by 30 April 2019.</li> </ul>

Ref:	Objective	Progress to date
10.	Continue to develop the use of technology and mobile working solutions (in liaison with IT department).	<p><b>Period One</b></p> <p><u>PUBLIC PROTECTION</u></p> <ul style="list-style-type: none"> <li>iAuditor software is now being used successfully for all Food Hygiene and Cooling Tower inspections on a variety of devices (iPhone and tablet).</li> </ul> <p><u>PORT HEALTH</u></p> <ul style="list-style-type: none"> <li>Further development of applications continues in an attempt to streamline processes relating to dealing with electronic communications, including managing and risk assessing 'big' data.</li> <li>Connectivity issues at the Tilbury inspection facility still need to be addressed.</li> <li>Live display screens are now in place to assist with resourcing service demands.</li> </ul>
		<p><b>Period Two</b></p> <p><u>PUBLIC PROTECTION</u></p> <ul style="list-style-type: none"> <li>iAuditor software is still being used successfully for all Food Hygiene and Cooling Tower inspections on a variety of devices (iPhone 6 Plus and Windows tablet devices).</li> </ul> <p><u>PORT HEALTH</u></p> <ul style="list-style-type: none"> <li>Connectivity issues at the Tilbury Inspection Facility still need to be resolved to make use of technological advancements.</li> <li>Investigations are being undertaken into the potential use of Alexa technology to handle calls, e.g. frequent questions, such as "where's my container".</li> </ul>
		<p><b>Period Three</b></p> <p><u>PUBLIC PROTECTION:</u></p> <ul style="list-style-type: none"> <li>iAuditor software continues to be used successfully for all Food Hygiene and Cooling Tower inspections on a variety of devices.</li> </ul> <p><u>PORT HEALTH</u></p> <ul style="list-style-type: none"> <li>Connectivity at the Tilbury Inspection facility still needs to be resolved, which is holding back technological advancements in service delivery.</li> <li>The use of Alexa technology to handle calls has been put on hold as a result of Brexit negotiations.</li> <li>Remote working solutions and policies are being developed to allow officers to work remotely from the Port Health main office or at home, thus reducing office space and improving work-life-balance.</li> </ul>

Ref:	Objective	Progress to date
11.	Ensure that the Departmental Workforce Plan is maintained, remains relevant and actions are implemented.	<p><b>Period One</b></p> <p><u>DEPARTMENTAL</u> Following two years of successful Leadership Development Programmes for Assistant Directors and Team Leaders, a Talent Development Programme has been initiated for 13 candidates, mostly below Team Leader level, as the next phase of personal and professional development for staff identified as having the potential to take on greater responsibility.</p> <p><u>PUBLIC PROTECTION</u></p> <ul style="list-style-type: none"> <li>• Two Graduate Environmental Health Trainees have been recruited. One Trainee will work with the Commercial Team and one with the Pollution Team.</li> <li>• There has been recruitment to the Pollution Team, funded by the Construction Levy, to enable a more proactive approach to monitoring by City Officers, in accordance with the City's Construction Code of Practice.</li> <li>• A review of critical functions carried out by the Operational Support Team revealed that full written procedures are in place to enable continuous provision of such functions in the absence of key members of staff.</li> </ul> <p><u>HARC</u></p> <ul style="list-style-type: none"> <li>• Nine Apprentices are now in post (eight Animal Attendants and one Animal Health Officer).</li> <li>• An exercise was undertaken to identify critical functions and assess the ability of the team to carry these out in the absence of key members of staff. The nature of the management structure at the HARC and the high number of other experienced staff, means that critical functions can be delivered at all times.</li> </ul> <p><u>PORT HEALTH</u></p> <ul style="list-style-type: none"> <li>• The Port Health Development Plan and HR Action Plan have been updated to ensure that other departments understand our development 'vision'. A future resourcing plan is also in place.</li> <li>• We are starting to see the results of our Graduate Port Health Officer Training Programme and hope to have the first individual qualified this year, with another following early in 2019; there are three others in the pipeline.</li> <li>• We now have four apprentices, with two of them having secured permanent positions.</li> <li>• A further member of the team has been successful in moving from an assistant role to a technical role; a testament to the training the Service provides.</li> <li>• We are also developing a programme to support new team leaders.</li> </ul>

		<p><b>Period Two</b></p> <p><u>PUBLIC PROTECTION</u></p> <ul style="list-style-type: none"> <li>• Two Graduate Environmental Health Trainees joined the Commercial and Pollution Teams in mid-August. As well as undertaking work in support of their professional logbooks, the trainees are undertaking some field work to support their respective teams.</li> <li>• There has been recruitment to the Pollution Team, funded by the Construction Levy, to enable a more proactive approach to monitoring by City Officers, in accordance with the City's Construction Code of Practice.</li> <li>• A CPD framework for Licensing Officers has been developed.</li> </ul> <p><u>PORT HEALTH</u></p> <ul style="list-style-type: none"> <li>• Graduate Port Health Officers: <ul style="list-style-type: none"> <li>◦ Two have submitted their portfolio of work, the final part required to obtain their practitioner status. The results of this should be known by the end of the financial year.</li> <li>◦ Three others are undergoing training.</li> </ul> </li> <li>• Apprentices: <ul style="list-style-type: none"> <li>◦ Two Apprentice Support Assistants are being recruited to replace Apprentices that have obtained permanent positions and have moved to Level 3.</li> <li>◦ One Apprentice Marine Officer is in post.</li> </ul> </li> <li>• Two Officers are undertaking training for the Higher Certificate in Food Premises Inspection.</li> <li>• Three officers are taking part the department's Talent Management Programme.</li> </ul> <p><u>HARC</u></p> <ul style="list-style-type: none"> <li>• New apprentices are being sought to replace some of those who have now completed the programme. A recent change to the Apprenticeship Framework and allocation of Levy funds means that this is a less straightforward process than it has been in previous years.</li> </ul>
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		<p><b>Period Three</b></p> <p><u>PUBLIC PROTECTION</u></p> <ul style="list-style-type: none"> <li>• The two Graduate Environmental Health Trainees continue to undertake work in support of their professional logbooks as well as some field work to support their respective teams.</li> <li>• There has been recruitment to the Pollution Team, funded by the Construction Levy, to enable a more proactive approach to monitoring by City Officers, in accordance with the City's Construction Code of Practice.</li> <li>• A CPD framework for Licensing Officers has been developed.</li> </ul> <p><u>PORT HEALTH</u></p> <ul style="list-style-type: none"> <li>• Two graduates have completed their professional exams and have now been appointed as Port Health Officers. Three other graduates continue to undertake training.</li> <li>• Two apprentice Support Assistants have been recruited to replace the previous apprentices who have been appointed to permanent roles.</li> <li>• Three officers are undertaking training for the Higher Certificate in Food Premises Inspection.</li> <li>• Three officers continue to take part in the department's Talent Management Programme.</li> </ul>
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**Port Health & Public Protection Enforcement Activity  
Period 3 (December - March) 2018-19**

<b>Food Safety</b>	<b>2017-2018 Annual Total</b>	<b>2018-19 Target (where applicable)</b>	<b>Period 3 2018-19 (Whole year totals are shown in brackets)</b>
Programmed inspections	Food Hygiene: 973  Food Standards: 255	<b>Food Hygiene: 1,283</b>  <b>Food Standards: 747</b>	Food Hygiene: 368 (908)  Food Standards: 246 (376)
Hygiene Emergency Closures	1	<b>N/A</b>	0 (0)
Voluntary closures	4	<b>N/A</b>	4 (8)
Complaints & service requests received	784	<b>N/A</b>	205 (676)
Notices served	8	<b>N/A</b>	1 (7)
Prosecutions	0	<b>N/A</b>	0 (0)

<b>Health &amp; Safety</b>	<b>2017-18 Annual Total</b>	<b>2018-19 Target (where applicable)</b>	<b>Period 3 2018-19 (Whole year totals are shown in brackets)</b>
Programmed Cooling Tower inspections	101	<b>86</b>	25 (66)
Other H&S Inspections	6	<b>N/A</b>	0 (0)
H&S Project visits	0	<b>N/A</b>	0 (0)
Accident and dangerous occurrences notifications	151	<b>N/A</b>	31 (101)
Complaints & service requests received	453	<b>N/A</b>	136 (444)
Notices	3 (pest control)	<b>N/A</b>	0 (3)
Prosecutions	0	<b>N/A</b>	0 (0)

## Port Health & Public Protection Enforcement Activity Period 3 (December - March) 2018-19

### **Period 3 – Commercial Team Highlights (Food Safety and Health & Safety)**

- A member of the team, along with the Assistant Director, hosted a delegation from the Malaysian Government (Smarter Regulation) arranged through BEIS (The Department for Business, Energy and Industrial Strategy). The visitors were provided with background information on the Primary Authority and other regulatory landscapes for which the team is responsible.
- Team members attended Defra/FSA meetings and provided a consultation response to Defra on proposals to vary how information is given to consumers on so called products 'Pre-Packed for Direct Sale' (PPDS) and following several high-profile allergen incidents and deaths.
- The team worked with the FSA on their risk and segmentation workstream, a part of the 'Regulating our Future' (RoF) programme on regulatory reform. Utilising the functionality of the iAuditor app the team uses for inspection interventions, officers provided full 'granular' food hygiene inspection data (suitably anonymised) on over 400 inspections.
- The team provided further input into the FSA development of the RoF workstream which seeks to enhance food premises registration; how and what data is collected to inform the official food controls landscape. It is hoped that access to use the revised online registration system will be given during Period One of 2019/20.
- One team member has assumed the role of Chair of our local (Quadrant) health and safety group which is made up of several London Boroughs and the HSE.
- Two team members worked with the Chartered Institute of Environmental Health and submitted oral and written evidence to an All-Party Parliamentary Group (APPG) on Working at Height in 2018. In February 2019, the APPG's ['Staying Alive' report](#) was published and includes some elements of recommendations they advised. The team continues to push for change and is currently establishing a cross-stakeholder group to identify opportunities for further practical and real improvements in City business working practices.
- The Team's Graduate Trainee Environmental Health Practitioner completed and passed the logbook element of her professional practice.
- One long serving officer retired in February. A successful recruitment exercise attracted candidates of a high calibre, and a 12 month contract has been offered to the selected candidate.
- The team has reduced the food hygiene inspection backlog it had accumulated and developed plans to remove this backlog altogether in the coming year; without significant impact on other service objectives or a loss in the quality of inspection interventions.
- One team member has developed a Commercial Estates Project proposal that has been accepted for delivery by the City and partner London Boroughs in 2019/20. This work will be incorporated in the forthcoming Service Plan.



## Port Health & Public Protection Enforcement Activity Period 3 (December - March) 2018-19

### Food Hygiene Rating Scheme (FHRS) – profile of food businesses in the City

		Hygiene Rating						Total no. of food businesses in the City included in the FHRS
		5	4	3	2	1	0	
Number (%) of food businesses	29 July 2016	1163 (66%)	306 (17%)	132 (8%)	60 (3%)	49 (3%)	13 (1%)	<b>1765</b> (incl. 42 awaiting inspection)
	30 November 2016	1204 (69%)	306 (17%)	117 (7%)	64 (4%)	43 (2%)	6 (<1%)	<b>1740</b> (incl. 46 awaiting inspection)
	31 March 2017	1244 (70%)	277 (16%)	101 (6%)	73 (4%)	36 (2%)	7 (<1%)	<b>1774</b> (incl. 36 awaiting inspection)
	31 July 2017	1256 (71%)	270 (15%)	102 (6%)	68 (4%)	33 (2%)	6 (<1%)	<b>1768</b> (incl. 33 awaiting inspection)
	30 November 2017	1258 (71%)	272 (15%)	101 (6%)	55 (3%)	31 (2%)	6 (<1%)	<b>1767</b> (incl. 44 awaiting inspection)
	29 March 2018	1284 (73%)	250 (14%)	93 (5%)	56 (3%)	25 (1%)	5 (<1%)	<b>1757</b> (incl. 44 awaiting inspection)
	31 July 2018	1286 (72%)	270 (15%)	89 (5%)	49 (3%)	24 (1%)	5 (<1%)	<b>1777</b> (incl. 54 awaiting inspection)
	30 November 2018	1274 (73%)	261 (15%)	86 (5%)	38 (2%)	26 (1%)	4 (<1%)	<b>1752</b> (incl. 63 awaiting inspection)
	29 March 2019	1290 (75%)	245 (14%)	76 (4%)	42 (2%)	29 (2%)	2 (<1%)	<b>1730*</b> (incl. 42 awaiting inspection)

**\*N.B.** In addition to the 1730 businesses included in these statistics, there are currently a further 70 food businesses in the City of London which are exempt from the FHRS. They are inspected by Environmental Health Officers but are not given a food hygiene rating. These are businesses that are low-risk to public health, for example, shops selling pre-wrapped goods that do not require refrigeration.

## Port Health & Public Protection Enforcement Activity Period 3 (December - March) 2018-19

### '0' rated food businesses in the City

These businesses were rated '0' at 29 March 2019 (the last working day of the period); food businesses will have taken some action to improve and some have been since been re-inspected - further information is given in the 'Details' column.

Premises	Details
<b>Kudos</b> , The Gibson Hall, 13 Bishopsgate, London EC2N 3BA	The business now has a new manager. There is improved communication with building management regarding pests/pest control; structural improvements have been made, and overall food safety management is also much better. The business is due its next hygiene inspection before the date of this Committee and should obtain a much better rating if improvements have been sustained.
<b>Rucolella</b> , Retail Unit 5 Foster Lane, London EC2V 6HH	The business was fully inspected on 2 April 2019 when it was awarded a rating of 3. The owner has carried out a lot of work on improving the food safety management system, but there are still issues with cleanliness and structure and some non-compliance in relation to the hygienic handling of foods.

## Port Health & Public Protection Enforcement Activity Period 3 (December - March) 2018-19

Trading Standards	2017-18 Annual Total	2018-19 Target (where applicable)	Period 3 2018-19 (Whole year totals are shown in brackets)
Inspections and visits	199	N/A	41 (181)
Complaints & service requests received	2,809	N/A	659 (2,192)
Acting as a responsible authority for Licensing Applications	117	N/A	25 (113)
Money saved/recovered for consumers	Not measured	N/A	£24,608,250 (£24,616,268)
Prosecutions	1	N/A	0 (0)

### **Period 3 – Trading Standards Team Highlights**

- Operation Broadway continues to work with enforcement partners and look at the activities of investment fraudsters based in the City. One recent case involved a disruption visit that contributed to a business which was seeking £25 million of investment going into administration after raising just £400,000 from vulnerable investors.
- The Trading Standards team have completed a project looking to ensure that food premises in the City are accurately displaying the correct food hygiene rating score. Several premises have been found to be displaying a score that is better than their true rating. Further information is provided in a separate report to this Committee.
- There is in excess of £600 billion worth of transactions in the UK every year by reference to weight or measure and the Trading Standards team have been carrying out work to check on businesses in the City. This has included checking that beer drinkers are not being short measured and test purchasing work has been completed to show that the average deficiency of a pint in the City is 6.5%.

## Port Health & Public Protection Enforcement Activity Period 3 (December - March) 2018-19

Pollution	2017-18 Annual Total	2018-19 Target (where applicable)	Period 3 2018-2019 (Whole year totals are shown in brackets)			
			Total	% Noise complaints resolved	Notices served	Prosecutions
Complaint investigations, noise	1,187	N/A	252 (953)	94%	1 EPA s.80 <sup>*1</sup> 4 CPW s.43 <sup>*2</sup> (10)	0 (0)
Complaint investigations, other	101	N/A	20 (72)	N/A	N/A	0 (0)
Licensing, Planning and Construction Works applications assessed	1,821	N/A	344 (1,396)	N/A	N/A	N/A
No. of variations (to construction working hours) notices issued	1,378	N/A	347 (1,102)	N/A	5 COPA s.61 6 COPA s.61 consents <sup>*3</sup> (43)	N/A

<sup>\*1</sup> EPA: Environmental Protection Act 1990. S80: Summary proceedings for statutory nuisances.

<sup>\*2</sup> CPW: Anti-social Behaviour, Crime and Policing Act 2014. Part 4 (Community Protection), S43: Power to issue warnings (CPW)

<sup>\*3</sup> COPA: Control of Pollution Act 1974. S61: Prior consent for work on construction sites.

### **Period 3 – Pollution Team Highlights**

- The Research Report on the 'Sounds of the City' social survey has been published and the findings presented to the London Noise Action Forum. The findings will be used for future policy making and have been shared with colleagues across the City of London.
- Officers continue to work with London Underground Ltd (LUL) on operational rail noise matters affecting the Barbican Estate. An expert report has been discussed with LUL experts and a detailed written response is awaited.
- The Construction Monitoring Levy, outlined in the Code of Construction Practice, was written into standard planning conditions from January 2018. Consented developments have now triggered payment and have been written to ensure levy charging is commenced. An update report was presented to March P&T and PHES committees
- Implementation of the adjusted Saturday construction hours of 0900 to 1400 has been underway since January 2019, developers and their contractors have complied with the new requirements.
- The City's infrastructure projects are progressing well with the team working hard to ensure the environmental impacts of Crossrail, Thames Tideway Tunnel and Bank Station Capacity Upgrade are being continuously monitored and managed by the numerous contractors.

## **Port Health & Public Protection Enforcement Activity Period 3 (December - March) 2018-19**

### **Period 3 – Air Quality Team Highlights**

- A draft Air Quality Strategy 2019–2024 was produced and published for consultation.
- London Councils' Transport and Environment Committee agreed to support an Emission Reduction Bill.
- An air quality lunchtime event was held for City Businesses to mark the end of the Low Emission Neighbourhood.
- Work commenced on a Low Emission Neighbourhood legacy report.
- An application for funding was made to roll out the City's idling engine programme to 28 London Boroughs.
- The Team is leading on a joint application for funding to reduce emissions of air pollutants from vessels on the river.

**Port Health & Public Protection Enforcement Activity  
Period 3 (December - March) 2018-19**

Animal Health & Welfare	2017-18 Annual total	2018-19 Target (where applicable)	Period 3 2018-2019 (Whole year totals are shown in brackets)			
			Total	Warning letters	Notices served	Prosecutions
Heathrow Animal Reception Centre						
Throughput of animals (no. of consignments)	28,772	N/A	5,784 (25,973)	19 (35)	0 (0)	3 (10)
Animal Health						
Inspections carried out	635	N/A	706	0	3	1

**Period 3 - Animal Health & Welfare Highlights**

- The HARC temporarily housed a serval (is a wild cat native to Africa) on behalf of the London Borough of Bromley.
- There was a continued increase in the number of large shipments of rescue animals.
- There is now a statutory requirement for inspectors undertaking licensed premises inspections to be qualified. Members of the Animal Health and Welfare Team have been successfully delivering a number of accredited training courses to Local Authority inspectors from up and down the country and this will continue going forward.

## Port Health & Public Protection Enforcement Activity Period 3 (December - March) 2018-19

Port Health	2017-18 Annual total	Target 2018-19 (where applicable)	Period 3 2018-2019 (Whole year totals are shown in brackets)			
			Total	Cautions	Notices served	Prosecutions
Products of Animal Origin Consignments – document checks	10,357	N/A	2,559 (8,581)	0 (0)	11 (111)	0 (0)
Products of Animal Origin Consignments – physical checks	6,638	N/A	1,857 (5,812)	0 (0)	19 (47)	0 (0)
Number of samples taken	1,063	N/A	241 (791)	N/A	200 (621)	N/A
Imported food Not of Animal Origin -document checks	21,333	N/A	7,214 (21,470)	0 (0)	82 (258)	0 (0)
Imported food Not of Animal Origin - physical checks	4,025	N/A	1,208 (3,643)	0 (0)	N/A	0 (0)
Number of samples taken	545	N/A	273 (720)	0 (0)	N/A	N/A
Food Safety inspections and revisits	19	N/A	30 (95)	0 (0)	0 (0)	0 (0)
Ship Sanitation Inspections and Routine Boarding of Vessels	206	N/A	55 (180)	N/A	43 (79)	N/A

### Period 3 – Port Health Highlights

- In 2018, 241,149 consignments of food arrived at the ports of London Gateway and Tilbury. 231,437 of these were Products Not of Animal Origin (NAO) with the remaining 9,712 being Products of Animal Origin (POAO). The overall numbers of imported food consignments compared to the previous year have increased by over 30% due to the growth in trade at London Gateway. Despite this significant increase in trade, the Port Health Service has marginally improved its turnaround times (the time from arrival of a consignment in the port until cleared by Port Health) from 3.52 days in 2017 to 3.33 days in 2018.
- The trade through the ports fluctuates throughout the year depending on the season, weather and demand. However, it is important to note that for NAO products the throughput plateaued in the second half of 2018; but remains over 30% greater than 2017. This is indicative of the ports (mainly London Gateway) attracting new trade in early 2018 and it stabilising as the trade becomes regularised.
- POAO had a significant increase in throughput at the beginning of 2018 and a similar fall in throughput at the end of the year. Although this resulted in a stable year overall, the last six months are below the levels experienced in 2017. This fluctuation is mainly due to increased vessel divers from Felixstowe in early 2018, which were the result of bad weather and IT system issues. Uncertainty around Brexit may have also encouraged trade to stockpile and/or import directly into the EU. This will be monitored closely by Port Health.

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<b>Committee(s)</b>	<b>Dated:</b>
Port Health & Environmental Services Committee – For Information	21 05 2019
<b>Subject:</b> Department of the Built Environment Risk Management – Periodic Report	<b>Public</b>
<b>Report of:</b> Director of the Built Environment	<b>For Information</b>
<b>Report author:</b> Richard Steele	

## Summary

This report has been produced to provide the Port Health and Environmental Services Committee with assurance that risk management procedures in place within the Department of the Built Environment are satisfactory and that they meet the requirements of the corporate Risk Management Framework.

This report only considers risks managed by the Department of the Built Environment that fall within the remit of the Port Health & Environmental Services Committee.

Risk is reviewed regularly as part of the ongoing management of the operations of the Department of the Built Environment. In addition to the flexibility for emerging risks to be raised as they are identified, a process exists for in-depth periodic review of the risk register.

There is no Corporate Risk managed by the Department of the Built Environment. No new Departmental risks have been identified. The Departmental Risks are listed at Annex 2.

The Departmental Key Risk (DBE- TP-01 - Road Traffic Collision caused by City of London staff or contractor who is unfit to drive while on City business) continues to be assessed as Unlikely.

## Recommendation

Members are asked to:

- Note the report and the actions taken in the Department of the Built Environment to monitor and manage effectively risks arising from the department's operations.

## Main Report

### Background

1. The Risk Management Framework of the City of London Corporation requires each Chief Officer to report regularly to Committee the risks faced in their department.
2. Risk Management is a standing item at the Senior Leadership Team meetings.

3. Risk owners are consulted and risks are reviewed between SLT meetings with the updates recorded in the corporate (Pentana Performance, formerly Covalent) system.
4. Each risk managed by the Department of the Built Environment is allocated to either the Planning & Transportation Committee or the Port Health & Environmental Services Committees. **This report only considers risks managed by the Department of the Built Environment that fall within the remit of the Port Health & Environmental Services Committee.**

Parallel periodic reports are submitted to the Planning & Transportation Committee.

### **Current Position**

5. This report provides an update on the current risks that exist in relation to the operations of the Department of the Built Environment that fall within the remit of the Port Health and Environmental Services Committee.
6. In order to reduce the volume of information presented, and accordance with the Corporate Risk Management Strategy, this report includes all Corporate and Departmental level risks but not Service Level risks (unless there are changes which are considered to be likely to be of interest to Members).
7. The risk register captures risk across all four divisions within the department, (Transportation & Public Realm, District Surveyor, Development and Policy & Performance) but risks relating to the City Property Advisory Team are managed by the City Surveyor.

### **Risk Management Process**

8. Risk and control owners are consulted regarding the risks for which they are responsible at appropriate intervals based on the level of risk and the likelihood that this level will change. In general RED risks are reviewed monthly; AMBER risk are reviewed quarterly; and GREEN risks are reviewed quarterly, 6 monthly or annually depending on the likelihood of change.

Changes to risks were, historically, reported to Members as part of the Business Plan report. Members now receive this report quarterly<sup>1</sup> in accordance with the Corporate Risk Management Strategy.

9. All significant risks (including Health & Safety risks) identified by the Department are managed through the Corporate Risk Management System.
10. Members will notice that some risks reported are already at the Target Risk Rating & Score and are only subject to Business As Usual actions. These risks are included in accordance with the Corporate Guidance "Reporting Risk Information to Grand Committees" to assist this committee to fulfil the role of Service Committees (as defined in the Corporate Risk Management Strategy) to

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<sup>1</sup> Due to the scheduling of meetings of the Port Health & Environmental Services Committee, and with the agreement of that Committee, these reports are presented at 4 months intervals instead of quarterly.

“Oversee the significant risks faced by the Departments in the delivery of their service responsibilities.” The annual target date for Business As Usual actions, and risks where we are at Target Risk, will be updated prior to the next report.

### **Significant Risk Changes**

11. Following successful implementation of the new cleansing & waste contract – Procurement Timings” risk (DBE-TP-13) has been closed.

### **Identification of New Risks**

12. New risks may be identified at the quarterly review of all risk; through Risk reviews at the Department Management Team; or by a Director as part of their ongoing business management.
13. An initial assessment of all new risks is undertaken to determine the level of risk (Red, Amber or Green). Red and Amber risks will be the subject of an immediate full assessment with Red risks being report to the Department Management Team. Green risks will be included in the next review cycle.
14. No new departmental risks have been identified since the last report to Members.

### **Summary of Key Risks**

15. The Department of the Built Environment’s Risk Register includes one Key Risk:

#### **Road Traffic Collision caused by City of London staff or contractor who is unfit to drive while on City business (DBE-TP-01)**

Following implementation of the Corporate Transport Policy this risk continues to be assessed as having Impact 8 (Critical) and Likelihood 1 (Rare).

Since it is not possible to reduce the impact all our efforts continue to be directed to reduce the likelihood through compliance with the corporate Transport Policy.

97.6% (up from 96% at the last report) of City of London staff have now completed Driver Check (the Training Needs Analysis). Completion is now good and the lowest performing Department has an overall compliance of 92.7% (up from 87.9% at the last report).

Completion of the Corporate Transport Policy online training course by drivers and their managers (as identified by Driver Check) is over 98.4% (up from 98.0% at the last report).

Overall compliance with both Driver Check and the online training course is now at 95.7% (up from 95.1% at the last report). The Business as usual compliance target is 92.5%.

Business As Usual monitoring ensures that compliance is maintained at a level to give assurance that the likelihood of this risk occurring remains Rare.

The use of an online system (DAVIS) to maintain records of staff driving licences and, where staff use their own vehicle on business, the vehicle details. This system allows driving licences to be checked against DVLA records (normally every 6 months) to ensure drivers continue to be appropriately licenced.

There are currently 679 drivers registered on DAVIS (93.0% of the 730 who are identified as drivers through Driver Check). Of these there are 641 (94.4%) for whom licence checks have been carried out. 87.8%

The corresponding figures from the last report (January 2019) were: 658 drivers registered on DAVIS (92.0% of the 715 who are identified as drivers through Driver Check). Of these there are 618 (93.9%) for whom licence checks have been carried out.

Work is ongoing to match Driver Check and DAVIS records to increase compliance with driving licence checks. During this period compliance has improved from 86.4% to 87.8%

## **Conclusion**

16. Members are asked to note that risk management processes within the Department of the Built Environment adhere to the requirements of the City Corporation's Risk Management Framework and that risks identified within the operational and strategic responsibilities of the Director of the Built Environment are proactively managed

## **Appendices**

- Appendix 1 – City of London Corporation Risk Matrix
- Appendix 2 – Register of DBE Corporate and Departmental risks (Port Health & Environmental Services Committee)

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## City of London Corporation Risk Matrix (Black and white version)

Note: A risk score is calculated by assessing the risk in terms of likelihood and impact. By using the likelihood and impact criteria below (top left (A) and bottom right (B) respectively) it is possible to calculate a risk score. For example a risk assessed as Unlikely (2) and with an impact of Serious (2) can be plotted on the risk scoring grid, top right (C) to give an overall risk score of a green (4). Using the risk score definitions bottom right (D) below, a green risk is one that just requires actions to maintain that rating.

### (A) Likelihood criteria

	Rare (1)	Unlikely (2)	Possible (3)	Likely (4)
Criteria	Less than 10%	10 – 40%	40 – 75%	More than 75%
Probability	Has happened rarely/never before	Unlikely to occur	Fairly likely to occur	More likely to occur than not
Time period	Unlikely to occur in a 10 year period	Likely to occur within a 10 year period	Likely to occur once within a one year period	Likely to occur once within three months
Numerical	Less than one chance in a hundred thousand (<10-5)	Less than one chance in ten thousand (<10-4)	Less than one chance in a thousand (<10-3)	Less than one chance in a hundred (<10-2)

### (B) Impact criteria

Impact title	Definitions
Minor (1)	<b>Service delivery/performance:</b> Minor impact on service, typically up to one day. <b>Financial:</b> financial loss up to 5% of budget. <b>Reputation:</b> Isolated service user/stakeholder complaints contained within business unit/division. <b>Legal/statutory:</b> Litigation claim or find less than £5000. <b>Safety/health:</b> Minor incident including injury to one or more individuals. <b>Objectives:</b> Failure to achieve team plan objectives.
Serious (2)	<b>Service delivery/performance:</b> Service disruption 2 to 5 days. <b>Financial:</b> Financial loss up to 10% of budget. <b>Reputation:</b> Adverse local media coverage/multiple service user/stakeholder complaints. <b>Legal/statutory:</b> Litigation claimable fine between £5000 and £50,000. <b>Safety/health:</b> Significant injury or illness causing short-term disability to one or more persons. <b>Objectives:</b> Failure to achieve one or more service plan objectives.
Major (4)	<b>Service delivery/performance:</b> Service disruption > 1 - 4 weeks. <b>Financial:</b> Financial loss up to 20% of budget. <b>Reputation:</b> Adverse national media coverage 1 to 3 days. <b>Legal/statutory:</b> Litigation claimable fine between £50,000 and £500,000. <b>Safety/health:</b> Major injury or illness/disease causing long-term disability to one or more people <b>Objectives:</b> Failure to achieve a strategic plan objective.
Extreme (8)	<b>Service delivery/performance:</b> Service disruption > 4 weeks. <b>Financial:</b> Financial loss up to 35% of budget. <b>Reputation:</b> National publicity more than three days. Possible resignation leading member or chief officer. <b>Legal/statutory:</b> Multiple civil or criminal suits. Litigation claim or find in excess of £500,000. <b>Safety/health:</b> Fatality or life-threatening illness/disease (e.g. mesothelioma) to one or more persons. <b>Objectives:</b> Failure to achieve a major corporate objective.

### (C) Risk scoring grid

Likelihood	Impact				
	X	Minor (1)	Serious (2)	Major (4)	Extreme (8)
	Likely (4)	4 Green	8 Amber	16 Red	32 Red
	Possible (3)	3 Green	6 Amber	12 Amber	24 Red
	Unlikely (2)	2 Green	4 Green	8 Amber	16 Red
	Rare (1)	1 Green	2 Green	4 Green	8 Amber

### (D) Risk score definitions

RED	Urgent action required to reduce rating
AMBER	Action required to maintain or reduce rating
GREEN	Action required to maintain rating

This is an extract from the City of London Corporate Risk Management Strategy, published in May 2014.

Contact the Corporate Risk Advisor for further information. Ext 1297

October 2015

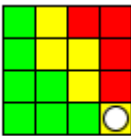
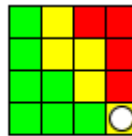

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# DBE Corporate & Departmental Risks (Port Health & Environmental Services Committee)

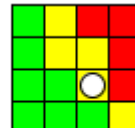


Report Author: Richard Steele

Generated on: 29 April 2019

## APPENDIX 2

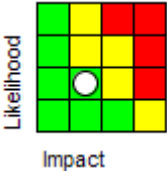
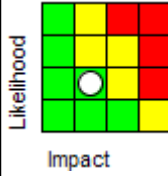

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>DBE-TP-01</b> <b>Road Traffic Collision</b> <b>caused by City of London staff or contractor who is unfit to drive while on City business</b> Mar-2015 Vince Dignam	Cause: A member of staff/contractor who is unfit or unqualified to drive causes ... Event: a road traffic collision which results in ... Impact: death or injury; financial claim	 Likelihood Impact	8	97.6% of City of London staff have completed Driver Check and 98.4% of staff who have been identified, through Driver Check, as drivers (or managers of drivers) have completed the Corporate Transport Policy online training course. The overall compliance is now over 95.7%.  <b>29 Apr 2019</b>	 Likelihood Impact	8	31-Dec-2019	  Constant

Action no, Title,	Action description	Latest Note	Action owner	Latest Note Date	Due Date
DBE-TP-01c Business As Usual Mitigation	Monitor the percentage of City of London staff who have completed Driver Check and ensure that it remains above 92.5% Monitor the percentage of City of London staff who have been identified, through Driver Check, as drivers (or managers of drivers) who have completed the Corporate Transport Policy online training course and ensure that it remains above 92.5%. Monitor overall completion rates for both driver check and the online training course and ensure that it remains above 92.5%. Monitor the collection and periodic monitoring of driver licence details (and, in the case of grey fleet drivers, vehicle details).	97.6% of City of London staff have completed Driver Check and 98.4% of staff who have been identified, through Driver Check, as drivers (or managers of drivers) have completed the Corporate Transport Policy online training course. The overall compliance is now over 95.7%.	Jim Graham	29-Apr-2019	31-Dec-2019

Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
DBE-TP-13 <b>Cleansing &amp; Waste Contract - Procurement Timings</b>          29-Dec-2017 Jim Graham	<b>Cause:</b> Delay to procurement or mobilisation process. <b>Events:</b> (1) tender process delays; (2) Contractual delays; (3) mobilisation delays. <b>Impact:</b> No cleansing or waste service on the day(s) following the termination of the existing contract.	Likelihood  Impact	8	<b>THIS RISK IS CLOSED (29 Apr 19)</b>  The mobilisation (with a complete fleet of ULEZ complaint vehicles/plant was available on Day 1) was effected. The contract roll out is as expected and on track with no major concerns. In the light of this, this risk is now being closed and management of the contract will be treated as Business As Usual.  <b>29 Apr 2019</b>	Likelihood  Impact	8	06-Apr-2019	  Constant

Action no, ID,	Action description	Latest Note	Action owner	Latest Note Date	Due Date
DBE-TP-13f Mobilisation - Vehicles & Plant	In order to ensure that vehicles and plant are available at start of contract, the bidders will, at competitive dialogue stage, be required to provide details of procurement/hire/other to demonstrate how they would have vehicles/plant on day 1 of the contract.	A complete fleet of ULEZ complaint vehicles/plant was available on Day 1 of the contract. The service is being delivered with an interim fleet of new hired vehicles which will be re-allocated to other Veolia Contracts once the new permanent electric / low emission fleet begins to arrive in July 2019.	Zahur Khan	29-Apr-2019	05-Apr-2019



Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>DBE-TP-07 A major incident, such as flooding or fire, makes Walbrook Wharf unusable as a depot</b> 27-Mar-2015 Zahur Khan	Cause: A major incident, such as flooding or fire Event: Walbrook Wharf unusable as a depot Impact: Unable to clean streets; collect waste or maintain City of London Police vehicles. City of London unable to meet its contractual arrangements with third parties who use the depot for their commercial purposes.		4	Due to early contract termination the proposed Q1 2018 exercise was cancelled. Business continuity has been assessed through the procurement dialogue for the new contract and an exercise will be conducted with the new contractor Q3 2019. The new contract commences Q2 2019.  <b>29 Aug 2018</b>		4	31-Dec-2019	  Constant

Action no, Title,	Action description	Latest Note	Action owner	Latest Note Date	Due Date
DBE-TP-07a Business Continuity exercise	Conduct annual DBE business continuity exercise	Due to early contract termination the proposed Q1 2018 exercise was cancelled. Business continuity has been assessed through the procurement dialogue for the new contract and an exercise will be conducted with the new contractor Q3 2019. The new contract commences Q2 2019.	Zahur Khan	29-Aug-2018	30-Sep-2019

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<b>Committee(s)</b> Port Health & Environmental Services	<b>Dated:</b> 21 May 2019
Committee	
<b>Subject:</b> Port Health & Public Protection Risks	<b>Public</b>
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Information</b>
<b>Report author:</b> Donald Perry Department of Markets and Consumer Protection	

## Summary

This report has been produced to provide the Port Health & Environmental Services Committee with assurance that risk management procedures in place within the Department of Markets and Consumer Protection are satisfactory and that they meet the requirements of the corporate Risk Management Framework.

Risk is reviewed regularly by the departmental Senior Management Team as part of the on-going management of operations within the Department of Markets and Consumer Protection. In addition to the flexibility for emerging risks to be raised as they are identified, a process exists for in-depth periodic review of the risk register.

The Department of Markets and Consumer Protection have identified a number of departmental risks. Of these, the most significant risks for this Committee to consider are:

- CR21 – Air Quality (Current Risk: AMBER)
- MCP-PHPP 001 Brexit (Current Risk: AMBER)

## Recommendation(s)

Members are asked to:

- Note the report and the actions taken in the Department of Markets and Consumer Protection to monitor and manage effectively risks arising from our operations.

## Main Report

### Background

1. The Risk Management Framework of the City of London Corporation requires each Chief Officer to report regularly to Committee the key risks faced in their department.

### Current Position

2. This report provides an update of the key risks that exist in relation to the operations of the Port Health & Public Protection Services within the Department of Markets and

Consumer Protection. The report also outlines the processes adopted for the on-going review of risk and mitigating actions.

### **Risk Management Process**

3. The Department of Markets and Consumer Protection risk management is a standing agenda item at the two-monthly Departmental Senior Management Group (SMG) meeting, over and above the suggested quarterly review. SMG receives the risk register for review, together with a briefing note highlighting any changes since the previous review. Consideration is also given as to whether any emerging risks exist for inclusion in the risk register as part of Divisional updates on key issues from each of the Superintendents and Assistant Directors, ensuring that adequate consideration is given to operational risk.
4. Between each SMG meeting, risk and control owners are consulted regarding the risks for which they are responsible, with updates captured accordingly.
5. Regular risk management update reports are provided to this Committee in accordance with the City's Risk Management Framework.
6. The Director, accompanied by the Chairman, appeared before the Audit and Risk Management Committee in July 2018 for a 'Risk Challenge' session, so that the Committee could be assured that Risk within the Director's area of responsibility is adequately managed. The Director set out the department's key Risks as being about: Workplace Transport; Brexit; and Air Quality. Only the latter two are relevant to the PHES Committee. On both Brexit and Air Quality, which is also a Corporate Risk, the Director covered the ground that is explained in this report. There was also a discussion about the Markets Consolidation project and the requirement to present a Bill to Parliament in November 2019 in order to achieve the planned timeline.

### **Identification of New Risks**

7. New and emerging risks are identified through a number of channels, the main being:
  - Directly by SMG as part of the monthly review process.
  - In response to regular review of delivery of the departmental Business Plan; slippage against key deliverables, for example.
  - Annual, fundamental, risk register review, undertaken by the tier of management below SMG.

The risk register may be refreshed over and above the stated process for review and oversight, in response to emerging issues or changing circumstances.

### **Summary of Key Risks**

8. The Department of Markets and Consumer Protection's Risk Register for Port Health & Public Protection Services, attached as Appendix 1 to this report, includes one Red (Corporate) risk and one Amber risk:

#### **CR21 – Air Quality (Current Risk: AMBER)**

**Cause:** Small particulate pollution has chronic health impacts from long term exposure at very low concentrations and is in evidence within the City and central

London. There is also a health impact associated with long term and short term exposure to nitrogen dioxide.

**Event:** Under certain atmospheric conditions there is a higher probability of poor air quality within the City and it is more likely that residents, workers and visitors would suffer the acute consequences.

**Effect:** The consequences both acute and chronic may include:

An increase in hospital referrals placed upon both emergency services and the NHS for those already suffering from respiratory or cardiovascular conditions (it may also place a strain on City social services).

An increase in deaths, particularly of those already suffering from respiratory or cardiovascular conditions (both residents and workers).

Economic costs such as acting as a deterrent of businesses coming to London or staying and financial penalties for non-compliance with air quality limits.

Persistent poor air quality may affect the longer term health of the City population.

Persistent poor air quality may attract adverse media coverage making the City seem a less attractive place to live and work.

#### **MCP- PHPP 001 – Brexit (Current Risk: AMBER)**

**Cause:** The outcome of Brexit negotiations does not secure continuity of contracts, access to talent, ongoing grant funding and/or security of supply chains

**Event:** The City Corporation services fail to prepare appropriately for the UK departure from the EU in October 2019. Uncertainty around the potential outcomes until it is too late to react.

**Effect:** There are a range of potential impacts. The City Corporation's services are disrupted due to increases in trade and as supply chains and contracts are reassessed, potentially increasing cost and reprioritisation of resources. Uncertainty over multi-year grants may undermine the City Corporation's ability to deliver or commit to services. The City Corporation may be unable to access the specialist talent and supply chains it needs to deliver some of its services, e.g. Official Veterinarians (OVs) and Port Health Officers and may be unable to train sufficient additional staff in time for Brexit. Increased risk to public, animal and environmental health due to legislative changes. Increased risk and cost to consumers. Reduction in income if charging regimes are not established as part of Brexit. Potential for increased workload depending on agreement reached from 'no deal' (check everything), through to no checks on EU products based on risk via a full reciprocal arrangement (status quo).

#### **Conclusion**

9. Members are asked to note that risk management processes within the Department of Markets and Consumer Protection adhere to the requirements of the City Corporation's Risk Management Framework. Risks identified within the operational and strategic responsibilities of the Department of Markets and Consumer Protection are proactively managed.

#### **Appendices**

- Appendix A – Port Health & Public Protection Risk Register Summary

### **Background Papers**

Department Business Plan  
Department Risk Review  
Department Business Plan Progress Report  
Risk Management Strategy

### **Contacts:**

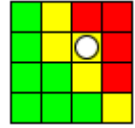
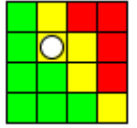

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# PH&ES Committee Risk Report Appendix A

Report Author: Donald Perry

Generated on 18 April 2019



Risk no, Title, Creation date, Owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date	Current Risk score change indicator
<b>CR21 Air Quality</b> 07-Oct-2015 Jon Avern	<p><b>Cause:</b> Small particulate pollution has chronic health impacts from long term exposure at very low concentrations and is in evidence within the City and central London. There is also a health impact associated with long term and short-term exposure to nitrogen dioxide.</p> <p><b>Event:</b> Under certain atmospheric conditions there is a higher probability of poor air quality within the City and it is more likely that residents, workers and visitors would suffer the acute consequences.</p> <p><b>Effect:</b> The consequences both acute and chronic may include:</p> <p>An increase in hospital referrals placed upon both emergency services and the NHS for those already suffering from respiratory or cardiovascular conditions (it may also place a strain on City social services).</p> <p>An increase in deaths, particularly of those already suffering from respiratory or cardiovascular conditions (both residents and workers).</p> <p>Economic costs such as acting as a deterrent of businesses coming to London or staying and financial penalties for non-compliance with air quality limits.</p> <p>Persistent poor air quality may affect the longer-term health of the City population.</p> <p>Persistent poor air quality may attract adverse media coverage making the City seem a less attractive place to live and work.</p>	 <p>Likelihood</p> <p>Impact</p>	12	No change from previous assessment  <b>26 Apr 2019</b>	 <p>Likelihood</p> <p>Impact</p>	6	31-Dec-2020	 Constant

Action no, Title,	Action description	Latest Note	Action owner	Latest Note Date	Due Date
CR21 001e Develop plan	Develop and implement a plan for reducing the impact of diesel vehicles on air pollution in the Square Mile. This is to complement the work being undertaken by the Mayor of London to reduce air pollution in the central zone through the implementation of the Ultra-Low Emission Zone.	draft Air Quality Strategy approved by PHES for consultation	Jon Avern	26-Apr-2019	31-Dec-2019
CR21 001f Investigate options to reduce emissions.	Investigate options to reduce emissions from combustion plant in the City using local legislation.	PMB approved by London Councils TEC. To be presented as PMB to House of Lords in June / July	Jon Avern	26-Apr-2019	30-Sep-2019
CR21 001i Pilot ultra-low emission street.	Pilot an ultra-low emission street in the City of London.	Feasibility study complete. Consultation complete.	Jon Avern	26-Apr-2019	31-Dec-2019





Action no, Title,	Action description	Latest Note	Action owner	Latest Note Date	Due Date
MCP-PHPP-001c Liaison with Remembrancer and other CoL depts.	Engage with stakeholders to assist in the identification of impacts and possible mitigations. Ensure Remembrancer and CoL depts are fully aware of the implications of Brexit on PH and PP and that they lobby accordingly.	Continued lobbying of Government and briefing MPs/Lords. Continued discussions are being held with Government Departments and Industry concerning arrangements at the borders should there be no deal.	Jon Avern	26-Apr-2019	31-Dec-2020
MCP-PHPP-001d Respond promptly to developments	Respond promptly to policy decisions from the UK Government and the outcome of negotiations.	The City Corporation continues to seek clarification over exact expectations and requirements post Brexit, particularly concerning consignments that transit the EU. Government has issued guidance on importing animal products and high-risk food and feed not of animal origin after EU exit. The accuracy and implications of the contents are being assessed.	Jon Avern	26-Apr-2019	31-Dec-2020
MCP-PHPP-001e Develop Measures to mitigate increased throughput	Develop Measures to mitigate the potential increase in throughput at the ports and airports	The Food Standards Agency (FSA) has approved a bid for additional funding for imported food and feed controls, up to £281K for 2018/19. Total costs of planning and preparation have been calculated so that an invoice can be sent to the FSA. It is estimated that this will be approximately £130k for 2018/19. In addition, a bid for £500K was submitted for 2019/20 and it has been confirmed that the CoL will receive £367K. An application was made to Defra for funding (up to £70K) for additional workload that may transpire at Heathrow Animal Reception Centre (HARC), but this was refused. This has been followed up with the Secretary of State for MHCLG. Preparations are underway for changes to type and volume of throughput at the ports and HARC, as well as the potential at the Ports to resort to paper-based systems should the current EC one not be available or if the Defra replacement is not fit for purpose and for HARC to manage with a manual system for the foreseeable future	Jon Avern	26-Apr-2019	30-Oct-2019
MCP-PHPP-001f Develop measures to mitigate the potential loss of qualified staff.	Develop measures to mitigate the potential loss of qualified staff of which there is a scarcity in the UK employment market.	In house training continues and further staff have achieved relevant qualifications. One Official Veterinarian has resigned, and recruitment is underway. Agency staff have also been sourced. Animal health staff have been recruited at HARC.	Jon Avern	26-Apr-2019	31-Oct-2019

<b>Committee</b>	<b>Dated:</b>
Port Health and Environmental Services	21 May 2019
<b>Subject:</b> Revenue Outturn 2018/19	<b>Public</b>
<b>Report of:</b> Chamberlain Director of the Built Environment Interim Director of Consumer Protection & Market Operations Director of Open Spaces	<b>For Information</b>
<b>Report author:</b> Jenny Pitcairn, Chamberlain's Department	

## Summary

This report compares the revenue outturn for the services overseen by your Committee in 2018/19 with the final budget for the year. Overall total net expenditure for the year was £14.148m, whereas the total agreed budget was £14.732m net expenditure, representing an underspend of £584k as set out below:

<b>Summary Comparison of 2018/19 Revenue Outturn with Final Budget</b>			
	<b>Final Budget</b>	<b>Revenue Outturn</b>	<b>Variation Increase/ (Reduction)</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>
<b>Direct Net Expenditure</b>			
Built Environment	(7,320)	(7,233)	87
Markets & Consumer Protection	(2,612)	(2,617)	(5)
Open Spaces	1,727	1,915	188
City Surveyor	(895)	(654)	241
<b>Total Direct Net Expenditure</b>	<b>(9,100)</b>	<b>(8,589)</b>	<b>511</b>
<b>Capital and Support Services</b>	<b>(5,632)</b>	<b>(5,559)</b>	<b>73</b>
<b>Overall Total</b>	<b>(14,732)</b>	<b>(14,148)</b>	<b>584</b>

Chief Officers have submitted requests to carry forward underspendings, and these will be considered by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.

## Recommendation(s)

Members are asked to:

- Note the report and the proposed carry forward of local risk underspendings to 2019/20.

## Main Report

### Revenue Outturn for 2018/19

1. Actual net expenditure for your Committee's services during 2018/19 totalled £14.148m, an underspend of £584k compared to the final budget of £14.732m net expenditure. A summary comparison with the final budget for the year is tabulated below. In this and subsequent tables, figures in brackets indicate expenditure, increases in expenditure or decreases in income.

<b>Summary Comparison of 2018/19 Revenue Outturn with Final Budget</b>				
	<b>Final Budget</b>	<b>Revenue Outturn</b>	<b>Variation Increase/ (Reduction)</b>	<b>Variation Increase/ (Reduction)</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>%</b>
<b>Local Risk</b>				
Built Environment	(7,223)	(7,184)	39	1
Markets & Consumer Protection	(2,589)	(2,607)	(18)	(1)
Open Spaces	1,732	1,919	187	11
City Surveyor	(895)	(654)	241	27
<b>Total Local Risk</b>	<b>(8,975)</b>	<b>(8,526)</b>	<b>449</b>	<b>5</b>
<b>Central Risk</b>				
Built Environment	(97)	(49)	48	49
Markets & Consumer Protection	(23)	(10)	13	57
Open Spaces	(5)	(4)	1	20
<b>Total Central Risk</b>	<b>(125)</b>	<b>(63)</b>	<b>62</b>	<b>50</b>
<b>Capital and Support Services</b>	<b>(5,632)</b>	<b>(5,559)</b>	<b>73</b>	<b>1</b>
<b>Overall Total</b>	<b>(14,732)</b>	<b>(14,148)</b>	<b>584</b>	<b>4</b>

2. The main local risk variations comprise:

- **Built Environment £39,000 underspend**
  - a reduction in employee costs mainly for agency staff, £56,000;
  - a reduction in vehicle maintenance costs, £25,000;
  - additional income from public conveniences, £23,000;
  - an increase in third party payments mainly due to early termination costs of vehicle leases on the outgoing waste contract, £111,000;
- **Markets and Consumer Protection (£18,000) overspend**

- a reduction in Ports income of £245,000 due to a drop in volume of chargeable checks on imported food and feed;
  - a transfer to the Products of Animal Origin Reserve of £328,000
  - additional employee costs for the Senior Coroner and Coroner's Officers, £130,000;
  - additional income due to increased throughput at the Heathrow Animal Reception Centre, £199,000, and on a range of Environmental Health services, £45,000;
  - additional grants income of £215,000 from the Food Standards Agency for Brexit preparations and food and feed sampling;
  - a reduction in employee costs on other services due to vacancies, reduced use of casual workers and reduced training costs, £145,000;
  - a reduction in premises costs due to provision for increased rent that was not required, £51,000.
- **Open Spaces £187,000 underspend**
    - an increase in income from cremations, burials, sales of graves, and memorial dedications, £178,000;
  - **City Surveyor £241,000 underspend**
    - this underspend is mainly due to changes in phasing and planned expenditure in the Cyclical Works Programme of premises repairs and maintenance, in particular a reduction of £194,000 in relation to the Heathrow Animal Reception Centre. Due to the potential move from the HARC within the next few years a review has been undertaken of all cyclical works scheduled for the building. Part of the review has identified works that would not need to be undertaken if the move goes ahead, and therefore will not proceed whilst the future of the HARC is resolved.
3. The £62,000 underspend on central risk is primarily due to changes in phasing of Priority Investment Pot funded project spend. The underspend of £53,000 on these projects (Plastic Free City – underspend of £48,000; Brexit Preparations – underspend of £5,000) will be automatically carried forward to 2019/20.
  4. The £73,000 underspend on capital and support services is due mainly to a reduction in the cost of Walbrook Wharf depot, recharged from Finance Committee.
  5. Appendix 1 provides a more detailed comparison of the local risk outturn against the final budget, including explanation of significant variations. Appendix 2 shows the gross local risk expenditure and income against budget for each Division of Service.

6. Appendix 3 shows the movement from the 2018/19 original budget and the latest approved budget (as reported to your Committee in January 2019) to the final budget.

### **Local Risk Carry Forward to 2019/20**

7. The Director of the Built Environment has a local risk underspending of £39,000 on the activities overseen by your Committee. The Director had net local risk overspendings totalling £153,000 on activities overseen by other Committees. The Director is proposing that a total of £188,000 be carried forward, of which £95,000 relates to activities overseen by your Committee for the following purposes:
  - To replace a pool fleet vehicle with a hybrid vehicle to comply with the requirements of the Ultra Low Emission Zone, £25,000.
  - To meet a number of one-off costs that have arisen during the process of mobilising the new Waste Collection, Street Cleansing and Ancillary Services contract, £70,000.
8. The Interim Director of Consumer Protection & Market Operations has a local risk overspending of £18,000 on the activities overseen by your Committee. The Director had local risk underspending totalling £286,000 on activities overseen by other Committees. The Director is proposing that a total of £127,000 of his maximum eligible underspend of £174,000 be carried forward, none of which relates to activities overseen by your Committee.
9. The Director of Open Spaces has a local risk underspending of £187,000 on the activities overseen by your Committee. The Director also had net local risk underspending totalling £117,000 on activities overseen by other Committees. The Director is proposing that £19,000 of his eligible underspend of £304,000 be carried forward, none of which relates to activities overseen by your Committee.

### **Appendices**

- Appendix 1 – Port Health and Environmental Services Committee Comparison of 2018/19 Revenue Outturn with Final Budget
- Appendix 2 – Port Health and Environmental Services Committee Analysis of Local Risk Revenue Outturn 2018/19 by Service
- Appendix 3 – Port Health and Environmental Services Committee Analysis of Movements 2018/19 Latest Approved Budget to Final Budget.

**Jenny Pitcairn**

Chamberlain's Department

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**Port Health and Environmental Services Committee**  
**Comparison of 2018/19 Revenue Outturn with Final Budget**

	Final Budget	Revenue Outturn	Variation Increase/ (Decrease) £000	Variation Increase/ (Decrease) %	Reasons
£000	£000				
<b>LOCAL RISK</b>					
<b>Built Environment</b>					
City Fund					
Public Conveniences	(600)	(531)	<b>69</b>	12	1
Waste Collection	(119)	(130)	<b>(11)</b>	(9)	
Street Cleansing	(3,907)	(3,866)	<b>41</b>	1	
Waste Disposal	(693)	(691)	<b>2</b>	0	
Transport Organisation	(178)	(267)	<b>(89)</b>	(50)	2
Cleansing Services Management	(545)	(532)	<b>13</b>	2	
Built Environment Directorate	(1,181)	(1,167)	<b>14</b>	1	
<b>Total City Fund</b>	<b>(7,223)</b>	<b>(7,184)</b>	<b>39</b>	<b>1</b>	
<b>Markets &amp; Consumer Protection</b>					
City Fund					
Coroner	(131)	(296)	<b>(165)</b>	(126)	3
City Environmental Health	(2,093)	(1,969)	<b>124</b>	6	4
Animal Health Services	940	1,228	<b>288</b>	31	5
Trading Standards	(354)	(376)	<b>(22)</b>	6	
Port & Launches	(951)	(1,194)	<b>(243)</b>	(25)	6
<b>Total City Fund</b>	<b>(2,589)</b>	<b>(2,607)</b>	<b>(18)</b>	<b>(1)</b>	
<b>Open Spaces</b>					
City Fund					
Cemetery & Crematorium	1,732	1,919	<b>187</b>	11	7
<b>Total City Fund</b>	<b>1,732</b>	<b>1,919</b>	<b>187</b>	<b>11</b>	
<b>City Surveyor</b>	<b>(895)</b>	<b>(654)</b>	<b>241</b>	<b>27</b>	8
<b>TOTAL LOCAL RISK</b>	<b>(8,975)</b>	<b>(8,526)</b>	<b>449</b>	<b>5</b>	

## Reasons for Significant Variations

Note that only variances of at least £50,000 or 10% of budget for a service are explained below.

1. **Public Conveniences** – a decrease of £56,000 in employee costs mainly for agency staff, together with additional income of £23,000 from barrier conveniences.
2. **Transport Organisation** – an increase in third party payments of £111,000 due mainly to costs for early termination of vehicle leases on the outgoing waste contract, offset by a reduction of £25,000 in vehicle maintenance costs.
3. **Coroner** – an increase of £130,000 in employee costs as a result of a combination of agency staff due to the high volume of work and a backdated increase in Senior Coroner pay in line with the most recent JNC guidelines.
4. **City Environmental Health** – this underspend is primarily due to:
  - a reduction of £64,000 in employee costs as a result of vacancies and lower than anticipated training expenditure;
  - additional income of £45,000 across a range of services.
5. **Animal Health Services** – this underspend is primarily due to:
  - a reduction of £81,000 in employee costs as a result of vacancies and reduced use of casual workers;
  - additional income of £199,000 due to increased throughput.
6. **Port and Launches** this overspend is primarily due to:
  - a reduction in fees and charges income of £245,000 due to a reduction in Products of Animal Origin (POAO) throughput in the second half of the year;
  - a transfer to the POAO Reserve of £328,000;
  - additional income of £215,000 from grants from the FSA for Brexit preparations and to enable participation in the National Feed Sampling Programme;
  - a reduction in premises costs of £51,000 due mainly to provision for increased rent for the Tilbury office which was not required.
7. **Cemetery & Crematorium** – additional income of £178,000 (3.6%) from cremations, burials, sales of graves, and memorial dedications as a result of higher than anticipated sales.
8. **City Surveyor** – an underspend is mainly due to changes in phasing and planned expenditure in the Cyclical Works Programme of premises repairs and maintenance, in particular a reduction of £194,000 in relation to the Heathrow Animal Reception Centre. Due to the potential move from the HARC within the next few years a review has been undertaken of all cyclical works scheduled for the building. Part of the review has identified works that would not need to be undertaken if the move goes ahead, and therefore will not proceed whilst the future of the HARC is resolved.



**Port Health and Environmental Services Committee**  
**Analysis of Local Risk Revenue Outturn 2018/19 by Service**

	Final Budget			Revenue Outturn			Variance Increase / (Decrease)
	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	£'000
<b>Built Environment</b>							
Public Conveniences	(957)	357	(600)	(911)	380	(531)	69
Waste Collection	(1,127)	1,008	(119)	(1,156)	1,026	(130)	(11)
Street Cleansing	(4,403)	496	(3,907)	(4,440)	574	(3,866)	41
Waste Disposal	(1,385)	692	(693)	(1,436)	745	(691)	2
Transport Organisation	(287)	109	(178)	(359)	92	(267)	(89)
Cleansing Management	(545)	0	(545)	(532)	0	(532)	13
Director and Support	(1,187)	6	(1,181)	(1,173)	6	(1,167)	14
<b>Total Built Environment</b>	<b>(9,891)</b>	<b>2,668</b>	<b>(7,223)</b>	<b>(10,007)</b>	<b>2,823</b>	<b>(7,184)</b>	<b>39</b>
<b>Markets &amp; Consumer Protection</b>							
Coroner	(131)	0	(131)	(296)	0	(296)	(165)
City Environmental Health	(2,542)	449	(2,093)	(2,468)	499	(1,969)	124
Animal Health Services	(2,457)	3,397	940	(2,361)	3,589	1,228	288
Grading Standards	(377)	23	(354)	(401)	25	(376)	(22)
Port & Launches	(3,593)	2,642	(951)	(3,806)	2,612	(1,194)	(243)
<b>Total Markets &amp; Consumer Protection</b>	<b>(9,100)</b>	<b>6,511</b>	<b>(2,589)</b>	<b>(9,332)</b>	<b>6,725</b>	<b>(2,607)</b>	<b>(18)</b>
<b>Open Spaces</b>							
Cemetery & Crematorium	(3,175)	4,907	1,732	(3,166)	5,085	1,919	187
<b>Total Open Spaces</b>	<b>(3,175)</b>	<b>4,907</b>	<b>1,732</b>	<b>(3,166)</b>	<b>5,085</b>	<b>1,919</b>	<b>187</b>
<b>City Surveyor</b>							
Public Conveniences	(68)	0	(68)	(34)	0	(34)	34
Street Cleansing	(2)	0	(2)	(2)	0	(2)	0
City Environmental Health	0	0	0	0	0	0	0
Animal Health Services	(313)	0	(313)	(150)	0	(150)	163
Port & Launches	(59)	0	(59)	(43)	0	(43)	16
Cemetery & Crematorium	(453)	0	(453)	(425)	0	(425)	28
<b>Total City Surveyor</b>	<b>(895)</b>	<b>0</b>	<b>(895)</b>	<b>(654)</b>	<b>0</b>	<b>(654)</b>	<b>241</b>
<b>TOTAL PORT HEALTH &amp; ENV SRV COMMITTEE</b>	<b>(23,061)</b>	<b>14,086</b>	<b>(8,975)</b>	<b>(23,159)</b>	<b>14,633</b>	<b>(8,526)</b>	<b>449</b>

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**Port Health and Environmental Services Committee Analysis of Movements  
2018/19 Latest Approved Budget to Final Budget**

Analysis by Service Managed	Original Budget 2018/19 £'000	Latest Approved Budget* 2018/19 £'000	Final Budget 2018/19 £'000	Movement LAB to Final Budget £'000	Notes
<b>City Fund</b>					
Public Conveniences	(982)	(1,032)	(1,032)	0	
Waste Collection	(863)	(1,079)	(1,014)	65	(i)
Street Cleansing	(6,131)	(5,879)	(5,879)	0	
Waste Disposal	(1,448)	(1,336)	(1,336)	0	
Transport Organisation	0	0	0	0	
Cleansing Services Mgt	0	0	2	2	(ii)
Built Environment Directorate	0	0	(1)	(1)	(ii)
Coroner	(134)	(126)	(186)	(60)	(ii),(iii)
City Environmental Health	(2,549)	(2,730)	(2,737)	(7)	(ii)
Animal Health Services	212	(49)	15	64	(ii),(iv)
Trading Standards	(438)	(458)	(458)	0	
Port & Launches	(1,569)	(1,726)	(1,731)	(5)	(ii)
Cemetery & Crematorium	(636)	(469)	(385)	84	(ii),(v),(iv)
<b>Total</b>	<b>(14,538)</b>	<b>(14,884)</b>	<b>(14,742)</b>	<b>142</b>	<b>(vi)</b>

\* Latest Approved Budget as reported to your Committee in January 2019

**Notes**

- (i) A transfer of £65,000 from revenue to capital budgets in relation to installation of drinking fountains as part of the Plastic Free City project.
- (ii) Approved corrections to budgets for centrally funded apprenticeships (net £11,000 increase).
- (iii) A virement of £57,000 from the Police Committee in respect of the transfer of a Coroner's Officer post to Markets & Consumer Protection.
- (iv) Transfers of £63,000 (Animal Health Services) and £85,000 (Cemetery & Crematorium) from revenue to capital budgets in relation to the purchase of ULEZ-compliant replacement vehicles.
- (v) Approved Supplementary Revenue Project funding of £5,000.
- (vi) The balance of movement in budgets, a £2,000 decrease, is due to changes in recharges.

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<b>Committee</b>	<b>Dated:</b>
Health and Wellbeing Board – <b>For Decision</b> Police Committee Safer City Partnership Port Health and Environmental Health Committee Community and Children’s Services Licensing Committee Policy and Resources Committee	26/04/2019 16/05/2019 20/05/2019 21/05/2019 07/06/2019 16/07/2019 19/09/2019
<b>Subject:</b> Draft Alcohol Strategy 2019-23	<b>Public</b>
<b>Report of:</b> Andrew Carter, Director of Community and Children’s Services	<b>For Information</b>
<b>Report author:</b> Farrah Hart, Consultant in Public Health, Department of Community and Children’s Services	

## Summary

This report presents the City Corporation’s draft Alcohol Strategy 2019-23 for information and comments.

The Alcohol Strategy aims to bring together the work that the City of London Corporation and its partners undertake to reduce alcohol related harm and to provide a framework for future work. This report outlines the main points of the Alcohol Strategy and summarises how it will be delivered and governed.

## Recommendations

Members are asked to:

- Note the draft Alcohol Strategy 2019-23 set out in Appendix 1.
- Note the plan for consultation

## Main Report

### Background

1. The Alcohol Strategy aims to bring together the work that the City of London Corporation and its partners undertake to reduce alcohol related harm and to provide a framework for future work.
2. A key priority of the City of London’s Joint Health and Wellbeing Strategy is promoting healthy behaviour amongst City residents and workers, particularly reducing the harm caused by alcohol. Alcohol traditionally plays an important role in the working culture of the City and the City has a thriving night time economy.

3. Different parts of the City of London of London Corporation and the City Police focus on different aspects of alcohol harm, such as education and awareness raising; provision of health services for those with conditions linked to alcohol misuse; treatment for dependent drinkers; licensing of premises that sell alcohol; community safety and alcohol-related crime and disorder. However, to date, there has never been a single strategy that draws together these different aspects and sets out a clear framework for creating a culture of safe, responsible drinking in the City.
4. It is intended that the Corporate Alcohol Strategy consolidates and builds upon an approach that encourages City workers, residents and visitors to safely and responsibly enjoy alcohol, without causing harm to their own health or compromising the safety of others. A great deal of valuable work is already taking place across the City to minimise the health risks associated with alcohol and ensure a safe environment in which people can socialise, although these efforts are not always as coordinated as they should be. It is envisaged that the strategy will create a framework for these activities, so that partners can work together effectively to a set of shared aims and objectives.

### **Current Position**

5. To develop this draft strategy, we engaged with internal and external stakeholders. These included:
  - City of London Corporation departments, including Community and Children's Services (Public Health, Business Healthy, Social Care, Housing, Homelessness), Community Safety, Licensing, Built Environment (Road Danger Reduction), Cleansing, Culture and Heritage, and Corporate HR
  - City of London Police
  - City and Hackney Clinical Commissioning Group
  - Square Mile Health (alcohol treatment and education service provider)
6. The Corporate Strategy and Performance Team were also consulted throughout the drafting process.

### **Alcohol Strategy 2019 - 2023**

7. The commitment is:
  - We commit to informing and educating residents, learners, workers and visitors in the Square Mile about the risks of alcohol misuse, so that they experience alcohol use safely and receive the support they need, when required.
8. The three outcomes that the strategy will deliver on are:
  - a. People are informed about the risks of alcohol misuse.
  - b. People are safe, and feel safe, in the Night Time Economy.

- c. People have the support they need to access services.

## **9. Delivery**

This strategy will be supported by a detailed delivery plan with clear and measurable actions and indicators for each outcome.

### **Next Steps**

10. Once approved by the Health and Wellbeing Board, the draft strategy will be subject to a formal period of consultation with City residents, workers and businesses. Two consultation events are currently being planned: one with the resident community; and one with employers.
11. An online survey will be developed, to allow those who cannot attend events to feedback their comments on the strategy.
12. The strategy will go to the following committees for consultation:
  - Safer City Partnership
  - Police Committee
  - Licensing Committee
  - Port Health and Environmental Services Committee
  - Community and Children's Services Committee
  - Policy and Resources Committee
13. The development of the action plan will be overseen by the Department of Community and Children's Services (DCCS). The Health and Wellbeing Board and the Safer City Partnership will receive regular update reports to monitor progress and assess impact.

### **Corporate Implications**

11. The Alcohol Strategy will directly support the achievement of the following outcomes set out in the City Corporation's Corporate Plan 2018-23:
  1. People are safe and feel safe
  2. People enjoy good health and wellbeing.
12. This strategy also links to the following City Corporation strategies and policies that support the Corporate Plan:
  - Joint Health and Wellbeing Strategy, 2017-20
  - Safer City Partnership Plan, 2019-21.
  - Responsible Business Strategy, 2018-23
  - Anti-Social Behaviour, 2019-23
  - Statement of Licensing Policy 2017-22.

13. A public sector equality duty test of relevance has been carried out: this strategy has only positive or neutral impacts.

14. This strategy has been signed off as having no security, resourcing, or financial implications for the City of London.

## **Conclusion**

The new draft Alcohol Strategy will, for the first time, provide a framework for partners in the City of London to coordinate efforts to allow City workers, residents and visitors to safely and responsibly enjoy alcohol, without causing harm to their own health or compromising the safety of others.

## **Appendices**

- Appendix 1 – draft Alcohol Strategy 2019- 23

## **Farrah Hart**

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# City of London Corporation: Alcohol Strategy 2019 – 2023

## 1. Foreword

*A foreword to be included from an Elected Member or Senior Officer. This would be included prior to publication of the strategy.*

# Alcohol Strategy, 2019 - 23

## Executive Summary

**Our commitment** - We commit to informing and educating residents, learners, workers and visitors in the Square Mile about the risks of alcohol misuse, so that they experience alcohol use safely and receive the support they need, when required.

**Why us?** - The City of London Corporation (City Corporation) has a statutory requirement to promote the health and wellbeing of those living and working in the Square Mile. Research shows that the levels of alcohol consumption and alcohol related harm for workers in the Square Mile is significantly higher than the England average. The Square Mile also has a large and growing Night Time Economy, which poses health and safety issues for those who live, learn, work and visit here.

**Who we will work with?** - We will work in partnership with the City of London Police, the British Transport Police, WDP Square Mile Health, City and Hackney Clinical Commissioning Group and community-based groups within the Square Mile to deliver the actions in this strategy successfully.

**Who we will target?** - We will target out activities towards our residents, learners, workers and visitors.

Our outcomes		
People are informed about the risks of alcohol misuse.  <i>(Links to CP Outcome 2 - People enjoy good health and wellbeing)</i>	People are safe, and feel safe, in the Night Time Economy.  <i>(Links to CP Outcome 1 - People are safe and feel safe)</i>	People have the support they need to access services.  <i>(Links to CP Outcome 2 - People enjoy good health and wellbeing)</i>
Our activities		
<ul style="list-style-type: none"> <li>Identify and support prevention programmes.</li> <li>Raise awareness about the benefits of lower risk drinking.</li> <li>Co-produce services and interventions.</li> </ul>	<ul style="list-style-type: none"> <li>Work with the Licensed Trade sector to effectively regulate the use of alcohol.</li> <li>Promote alternatives to alcohol led entertainment and socialising offers.</li> <li>Support our partners to deliver activities to reduce alcohol related harm.</li> </ul>	<ul style="list-style-type: none"> <li>Raise awareness of the support services available and how to access them.</li> <li>Join-up services for people with dual diagnosis.</li> <li>Support the referral of workers and learners in the Square Mile to services in their local area.</li> </ul>
How we will deliver this strategy		
A prevention and early intervention approach will be prioritised in all our actions across our identified population groups. By taking a partnership and whole-systems led approach, we will address alcohol related harm and work to ensure that no-one falls through the gaps.		

## 2. Introduction and context

### Purpose

The purpose of this strategy is to bring together the work that the City of London Corporation (City Corporation) and our partners undertake to reduce alcohol related harm and to provide a framework for future work. This strategy outlines our commitment, the outcomes we seek to achieve, the actions we will take and how we will monitor our work. It also supports the achievement of our aim to contribute to a flourishing society, as set out in our Corporate Plan for 2018-23.

### Why us?

The City Corporation is the governing body of the Square Mile dedicated to a vibrant and thriving City, supporting a diverse and sustainable London within a globally-successful UK. We have a statutory requirement to promote the health and wellbeing of those living and working in the Square Mile.

Although the Square Mile has a smaller resident population than other London boroughs, with approximately 7,500 residents, it is the workplace for 483,000 workers who also often socialise here after work, or as part of work. Furthermore, the Square Mile attracts a large visitor population, with 18.8 million people visiting in 2016, which has helped to support a growing Night Time Economy in which people visit the Square Mile for its entertainment and leisure opportunities in the evenings and at weekends.

The sale and consumption of alcohol provides opportunities for residents, learners, workers and visitors to relax, socialise, and, in some cases, do business together. As such, the sale and consumption of alcohol contributes to the economy and culture of the Square Mile.

However, the drinking culture of many workers in the Square Mile represents a risk to their short and long-term health, wellbeing and productivity. In 2012, we commissioned an 'Insight into City Drinkers' research piece which found that 47% of workers in the Square Mile drank at increasing or higher risk levels, compared within 24% of the England population. This research also found that 33% of workers in the Square Mile were at an increased risk of alcohol related harm, and that the levels of alcohol consumption and alcohol related harm for workers was significantly higher than the England average<sup>1</sup>.

Furthermore, there are health and safety impacts associated with a growing Night Time Economy, in which alcohol is increasingly consumed. The Night Time Economy in the Square Mile, whilst safe for the vast majority, was the location for:

- 1058 assaults between 1 August 2017 and 30 September 2018;
- 111 sexual offences in the same period;
- 906 cases of anti-social and disorderly behaviour in the same period; and,
- 969 alcohol-related call-outs for ambulances between 1 April 2017 and 31 March 2018.

We are already undertaking a lot of work in partnership with the City of London Police to address these impacts. This strategy will provide a blueprint for this work, allowing better and wider partnership working and improved co-ordination of efforts to prevent and address the unwanted impacts of the misuse of alcohol in the Square Mile.

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<sup>1</sup> Morris, J, Annand, F, Southgate, N, & Waker, V, *Insight into City Drinkers*, Alcohol Academy, 2012.

## **How this strategy was developed**

This strategy has been developed by:

- Understanding the current experiences of residents, learners, workers and visitors in relation to alcohol use, including the services they have access to;
- Reviewing best practice approaches, including in local authority alcohol strategies; and,
- Engaging with stakeholders, including a specific steering group, representing the diverse range of people and organisations that live, work or provide services in the Square Mile on this subject. The full list of stakeholders can be found at Appendix 1.

## **A balanced approach**

This strategy takes a balanced approach – we recognise that the majority of those using alcohol do so in a well-informed and moderate way, to enhance their enjoyment of social situations and to provide relaxation from the stresses of modern life. Also, most businesses involved in the sale and supply of alcohol do so in a responsible way that is well regulated. However, a number of people do suffer harm from their own and others' use of alcohol, and so require support to address and overcome this. There are also examples of irresponsible provision of alcohol that will be addressed through this strategy.

A balanced approach means that, we want to:

- Regulate the provision of alcohol effectively where it is being done in an irresponsible manner, without burdening those providing alcohol responsibly;
- Help those that need support for their alcohol use, without penalising those using alcohol responsibly; and,
- Focus on preventing harm before it arises by judicious use of universal and targeted prevention approaches.

## **Regional and national context**

The government Alcohol Strategy for 2012-15 set out proposals to crackdown on 'binge drinking' culture, cut alcohol fuelled violence and disorder, and reduce the number of people drinking to damaging levels. This strategy was not renewed in 2015/16. However, in 2018 the Government announced work was being undertaken on the development of a new Alcohol Strategy, which is likely to be introduced in late 2019.

There is currently no London-wide strategic approach or document on alcohol, although the Mayor's *A Safer City for all Londoners: Police and Crime Plan 2017-22* outlines approaches to improve the safety of Londoners in the Night Time Economy. Additionally, alcohol strategies are in place in a number of London local authorities, including neighbouring local authorities, such as Hackney Council and Southwark Council.

## **The local context**

The Square Mile has a small resident population; the 2011 Census recorded the number of residents living here as roughly 7,500 people. Four residential estates account for the majority of residents, which are the Barbican Estate, Golden Lane Estate, Mansell Street Estate and Middlesex Street Estate. Increasingly, residential accommodations are being developed within other parts of the Square Mile. The Square Mile also has the sixth highest number of rough sleepers in London.

The Square Mile is home to 24,000 businesses, employing over 483,000 people. This means that the Square Mile has the highest daytime population density of any local authority area in the UK. The Square Mile also attracts a large number of visitors and with major transport infrastructure improvements due, including the completion of Crossrail in 2019, these numbers are likely to rise significantly in the coming decade.

The Square Mile reports lower than average levels of alcohol related harm than many of the other London boroughs. The 2016 City of London Health Profile<sup>2</sup> shows that hospital admissions for alcohol related harm are lower than the England average. With 970 ambulance call outs for alcohol related incidents in 2017/18, the Square Mile has lower levels of these than its neighbouring local authority areas<sup>3</sup>.

However, there are areas of risk, in particular in relation to City workers. A 2012 commissioned report 'Insight into City Drinkers' found that although nationally around one in four people (24.2%) drink at increasing or higher risk levels, amongst the sample of 740 City workers the figure was closer to one in two (47.6%)<sup>4</sup>. The drinking culture in workplaces in the Square Mile can have an impact on drinking, both through workplace drinking expectations and the availability of alcohol in certain workplace settings – including for example, client entertainment and events.

### **What we have achieved so far**

In partnership with others, we currently commission a full and comprehensive range of services and interventions to address alcohol related harm in the Square Mile. We also undertake a range of activities to promote responsible approaches to alcohol use. We:

- Commission alcohol treatment and prevention services through WDP Square Mile Health and provide clinical services through a partnership arrangement with Hackney Treatment Services.
- Provide key regulatory and enforcement services, including licensing and trading standards, policing the Night Time Economy, tackling anti-social behaviour and providing street cleansing services.
- Engage with businesses and employers through our 'Business Healthy Initiative', and other partnerships, to promote healthy behaviours and to help them, and their staff, reduce alcohol related harm.

Other best practice examples include:

- Keeping people safe and supported in the Night Time Economy – The piloting of an SOS bus in 2018, which assessed and treated those injured or taken ill in the Night Time Economy, reducing the burden on blue light services.
- Health checks referrals pathways – The establishment of pathways between primary care and the WDP Square Mile Health, through which over 40 referrals have been made.
- Effective approaches to managing the licensed sector – The development of a proactive response to reducing alcohol related harms through a licensing partnership providing early warning of emerging issues, the Safety Thirst award programme recognising the work of well managed venues, and improving access to alternatives to alcohol consumption.
- Christmas campaign: The promotion of the 'Eat, Pace, Plan' campaign which encouraged those going out in the Christmas period to be safer and healthier by following the 'three wise things' approach: eating before drinking, pacing your drinks and planning how to get home at the end of the night.
- Working with schools: Building partnerships with school staff through WDP Square Mile Health and Police to ensure that issues relating to alcohol misuse are supported.

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<sup>2</sup> <https://www.cityoflondon.gov.uk/services/health-and-wellbeing/Documents/city-of-london-health-profile.pdf>

<sup>3</sup> London Ambulance Service data obtained through the SafeStats portal.

<sup>4</sup> Increasing and higher risk drinking levels are determined through scores obtained on the AUDIT alcohol questionnaire tool.

- Christmas partnership working: The provision of a joint bicycle response team by the City of London Police and the London Ambulance Service during peak nights over the Christmas party period, which saved 50 ambulance call outs for alcohol related incidences.
- Operation Luscombe: The development of a partnership hub to provide services for rough sleepers and those begging in the Square Mile, which includes involvement from WDP Square Mile Health to help address alcohol issues for rough sleepers and those begging in the Square Mile.

### Priority groups

Based on our evidence, we are targeting this strategy at our residents, learners, workers and visitors, as outlined below. We will also work to identify individuals within these populations that are most at risks of alcohol misuse and prioritise our work towards them.

- **Our residents** – are one of the smallest priority populations, however they are the key constituency for services commissioned to address alcohol related harms. We have identified younger and older residents as key groups to target our activities towards within this population.
- **Our learners** – are a significant population group that spend time within the Square Mile. The number of schools and tertiary education institutions in the Square Mile means that there are high numbers of learners in the area on any given day. Many older learners are likely to consume alcohol within the Square Mile and visit licensed premises. We also want to prevent harms before they arise, by informing our young learners of the risks of alcohol misuse in the first instance.
- **Our workers** – are the largest population within the Square Mile on a daily basis. Insight work undertaken in 2012 showed that the rates of increasing risk and higher risk drinking is twice the rate amongst City workers than in the wider UK population. Demographic and lifestyle factors amongst workers further exacerbate the risks relating to alcohol use. We will target City workers by engaging with businesses in the Square Mile.
- **Our visitors** – are a significant population, with over 18.8million visiting in 2016. Many visitors come to the Square Mile from Greater London, the UK and internationally for its culture, history, leisure and entertainment. Many visitors come to the Square Mile for its nightlife, particularly the alcohol led Night Time Economy.
- **Rough sleepers** – The Square Mile has the sixth highest population of rough sleepers in the Greater London area. Rough sleepers are particularly at risk of harmful alcohol use and are correspondingly more at risk of harms related to alcohol misuse than the wider population.

## 3. Our Strategic Approach

### Our commitment

We commit to informing and educating residents, learners, workers and visitors in the Square Mile about the risks of alcohol misuse, so that they experience alcohol use safely and receive the support they need, when required.

### Our outcomes

We have identified three outcomes that outline the difference we hope to make through this strategy. These outcomes will inform the way we organise and structure our activities in order to achieve our commitment.

<b>Outcome 1</b>	<b>Outcome 2</b>	<b>Outcome 3</b>
People are informed about the risks of alcohol misuse.	People are safe, and feel safe, in the Night Time Economy.	People have the support they need to access services.

We will deliver these outcomes by prioritising a prevention and early intervention approach in all our actions across our identified population groups. We will also take a whole-systems approach, implementing effective partnership working and fostering a culture of communication and knowledge sharing, in order to address alcohol related harm and to ensure no-one falls through the gaps.

### **Who we will work with**

Our key partners for this strategy include the: City of London Police, British Transport Police, WDP Square Mile Health, City and Hackney Clinical Commissioning Group, and Community based groups (such as libraries).

Our wider stakeholders include: Resident groups and organisations, such as the Golden Lane Estate and Barbican Associations and the Ward Clubs; Primary Health Care Providers, such as The Neaman Practice and other General Practices within the City and Hackney CCG boundaries; City businesses; Charitable and Community organisations; Licensed premises; and City Livery Companies.

Internally, various teams will be responsible for embedding this work successfully throughout the organisation. The teams involved in the delivery of this strategy are: Public Health (including Business Healthy), Community Safety, Environmental Health, Trading Standards, Licensing, Street Environment, Economic Development Office, Corporate Strategy and Performance, Culture and Tourism, and the Estates Team.

Together, we will work together to deliver this strategy successfully. The delivery of this work will be overseen by an Alcohol Partnership Group.

### **What we will do**

This strategy will develop further the good work that we have already delivered in relation to alcohol misuse and harms.

The key actions that we will prioritise for each outcome are as follows:

#### **Outcome 1 – People are informed about the risks of alcohol misuse**

We will:

- Deliver prevention work with students in schools, including independent schools, within the boundaries of the Square Mile.
- Identify and support prevention projects aimed at families and young people that highlight alcohol related harm and hidden harm caused by alcohol issues.
- Engage more extensively with charitable and community groups to support prevention work relating to alcohol misuse and harms amongst young people.
- Inform and raise awareness amongst residents, learners, workers and visitors about the risks of alcohol misuse and the benefits of lower risk drinking – both through new and existing avenues.
- Encourage businesses to consider non-alcohol led settings for business meetings and client entertainment (addressing the ‘Coffee house effect’), through our Business Healthy Network.
- Work with residents and Healthwatch to co-produce services that raise awareness of alcohol misuse and support the needs of residents.

- Empower City workers to support and inform their colleagues about the risks and harms related to alcohol misuse, through our Business Healthy network.
- Empower and support learning institutions to raise awareness and inform their learners about the risks and harms related to alcohol misuse.

### **Outcome 2 – People are safe, and feel safe, in the Night Time Economy**

We will:

- Work with a range of partners to identify, provide and promote non-alcohol led forms of entertainment and socialising, such as championing the broad cultural offer and active leisure opportunities in the Square Mile.
- Ensure that the regulation and enforcement of the licensed trade is effective and targeted, using the Licensing Team's Traffic Light Scheme to prioritise and target action.
- Support the City of London Police and the British Transport Police to deliver their activities to reduce alcohol related harm in the Night Time Economy.
- Deliver campaigns, such as the Christmas 'Eat, Pace, Plan' campaign, to encourage safe and healthy drinking behaviour in the Night Time Economy.
- Maintain and strengthen the partnerships between the City Corporation, the City of London Police and the licensed trade sector in the Square Mile.

### **Outcome 3 – People have the support they need to access services.**

We will:

- Support effective interventions and services, such as the Mobile Alcohol Intervention Unit.
- Maintain and support pathways between primary care and alcohol treatment services, to ensure they are working well and meeting the needs of people seeking support for their alcohol use issues.
- Promote and raise awareness amongst residents of the support services that are available and how to access them.
- Join up services linked to mental health provision to ensure best care for residents with dual diagnosis.
- Identify issues of isolation, particularly for elderly residents, and build these issues into pathways and service user engagement approaches.
- Work with our commissioned services to ensure workers and learners in the Square Mile with alcohol issues are referred to services in their home boroughs.
- Foster joint working with homelessness organisations to ensure that the alcohol support needs of rough sleepers in the Square Mile are met and to support rough sleepers to engage with the appropriate services.

## **4. Alignment and governance**

### **Corporate Plan 2018-23 links**

This strategy supports the following aim and outcomes in our Corporate Plan:

**Aim:** To contribute to a flourishing society.

- **Outcome 1 – People are safe and feel safe.**
  - *Tackle terrorism, violent and acquisitive crime, fraud, cyber-crime and anti-social behaviour and facilitate justice.*
  - *Protect consumers and users of buildings, streets and public spaces.*
  - *Educate and reassure people about safety.*
- **Outcome 2 – People enjoy good health and wellbeing.**
  - *Raise awareness of factors affecting mental and physical health.*



- *Provide advice and signposting to activities and services.*

### **Alignment to other City Corporation strategies and policies**

This strategy also links to the following City Corporation strategies and policies that support the Corporate Plan:

- **Joint Health and Wellbeing Strategy, 2017-20** – The Alcohol Strategy aligns with Priority 1: Good Mental Health for all, and Priority 5: Promoting Healthy Behaviours of the Joint Health and Wellbeing Strategy.
- **Safer City Partnership Plan, 2019-21** – The Alcohol Strategy aligns with Outcome 4: Anti-Social Behaviour is tackled and responded to effectively, and Outcome 5: People are safe and feel safe in the Night Time Economy.
- **Responsible Business Strategy, 2018-23** – The Alcohol Strategy aligns with Outcome 1: Individuals and communities flourishing, by supporting Priority 1: People's wellbeing.
- **Anti-Social Behaviour, 2019-23** – The Alcohol Strategy aligns with the ASB Strategy's vision of the City of London being a safe place to live, study, work or visit by effectively tackling anti-social behaviour.
- **Statement of Licensing Policy 2017-22** – The Alcohol Strategy aligns with key aspects and the overall direction of the Licensing Policy. The Licensing Policy is the key document outlining the City Corporation's approach to managing the Licensed Sector within the Square Mile and therefore feeds directly into each of the priority outcomes of this strategy.

### **Governance and responsibilities**

The Public Health Team, with support from the Alcohol Partnership Group, will take responsibility for the management and oversight of the Alcohol Strategy. The strategy will be reported and monitored through the following governance structures:

- **Board level** – The Health and Wellbeing Board (HWB) and the Safer City Partnership (SCP) will provide the Board level oversight and responsibility for the Alcohol Strategy. An annual report will be provided to the HWB and SCP, highlighting the progress against the outcomes.
- **Committees** – The Licensing Committee and Licensing Sub Committee will be updated as needed on the progress of the strategy.
- **Officer level** – An Alcohol Partnership Group will provide the focal point for the day to day oversight of the Alcohol Strategy, led by the Public Health Team. The group will be responsible for overseeing the delivery and performance of the strategy, and for reporting to the HWB and SCP.
- **Linked Officer level groups** – The Health and Wellbeing Advisory Group, the Safer City Officers Group and the Licensing Responsible Authorities Group will also have an interest in the work under the Alcohol Strategy, and all efforts will be made to ensure links across these groups.

## **5. Monitoring and evaluation**

### **Measures of success**

A set of key performance indicators will be developed in the action plan for this strategy. The high-level measures of success for this strategy are:

- A healthier drinking culture amongst the residents, learners, workers and visitors in the Square Mile.
- Workplaces adopt and encourage healthier drinking cultures.
- An even safer Night Time Economy.
- Alcohol misuse and harm support is accessed easily and promptly by those that need it.
- Better provision of alternative entertainment and leisure activities that are not alcohol-led.

### **Monitoring**

Monitoring of the strategy will take place regularly through the Alcohol Partnership Group and linked officer groups and will be based on the key performance indicators and monitoring framework set out in the action plan.

### **Evaluation**

The Alcohol Partnership Group will provide an annual report to the Board level groups overseeing this strategy, evaluating the impact of the strategy against the outcome priority areas and indicators.

The Alcohol Partnership Group will also look for opportunities to commission, align with, or support any evaluation activities in the City Corporation that align with this strategy.

## 6. Appendix 1 – List of stakeholders engaged in the development of the strategy

### **City of London Officers**

Consultant in Public Health, City of London Corporation  
Business Healthy Lead, City of London Corporation  
Assistant Director, Public Protection.  
Corporate Strategy Officer  
Corporate Strategy Manager  
Cultural and Visitor Development Director  
HR Health and Safety Manager  
Head of Community Safety  
Heart of the City Director

### **City of London Committees**

Health and Wellbeing Board  
Community and Children's Services Committee  
Licensing Committee  
Police Committee  
Safer City Partnership  
Policy and Resources Committee

### **Other meetings and workshops**

Integrated Commissioning Prevention Workstream

### **Other partners**

Mental Health Clinical Lead, City and Hackney Clinical Commissioning Group  
Consultant in Public Health, City and Hackney Public Health Team  
Executive Director, City of London Healthwatch  
Service Manager and Safeguarding Lead, WDP Square Mile Health  
Risk Manager, Lloyds of London  
Chief Inspector, Communities & Partnerships and Mounted Branch, City of London Police

*This list will be expanded once all stakeholder engagement has been completed, including the workshop, authorisation process and consultation.*

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<b>Committee:</b>	<b>Date:</b>
Port Health and Environmental Services Committee	26/04/2019
<b>Subject:</b> Decisions taken under delegated powers since the last meeting of the Committee	<b>Public</b>
<b>Report of:</b> Town Clerk	<b>For Information</b>
<b>Report author:</b> Rofikul Islam, Town Clerk's Department	

## Summary

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

## Recommendation:

- Members are asked to note the report.

## Main Report

### Standing Order No. 41(a) - Delegation of Powers to the Director of Markets and Consumer Protection

#### Background

1. Chief Officers and designated post holders within the City of London Corporation are required to implement various legislation under the authority of delegated powers.
2. At present, officers within the Department of Markets & Consumer Protection are authorised by Port Health and Environmental Services Committee to enforce regulations made under the European Communities Act 1972 (ECA 1972), insofar as they apply to the Common Council of the City of London in its capacity as a local authority, weights and measures authority, food authority or port health authority.
3. On the day that the United Kingdom exits the EU, the ECA 1972 will be repealed by the European Union (Withdrawal) Act 2018. This new legislation introduces continuity arrangements, saving and transitioning the regulations in the ECA 1972 to provide the same powers to allow enforcement action to be taken if necessary.
4. Officers will need to be authorised under the European Union (Withdrawal) Act 2018 from the date of the UK's exit from the EU, hence the report being submitted under Urgency Procedures.

### Action taken

The Town Clerk, in consultation with the Past Chairman and Deputy Chairman of the Port Health and Environmental Services Committee, approves the delegated authority to the Interim Director of Consumer Protection and Markets Operations to:

- approve the delegation to the Director of Markets and Consumer Protection, and in his absence the Port Health and Public Protection Director, to act in respect of all regulations made under Section 8(1) of the European Union (Withdrawal) Act 2018, insofar as they relate to the City of London Corporation's areas of jurisdiction, and to authorise officers of the Department of Markets & Consumer Protection to act under the aforementioned provisions.

### Conclusion

1. In accordance with Standing Order No. 41 (b), Members are asked to note the decisions taken by the Town Clerk, in consultation with the Past Chairman and Deputy Chairman, since the Committee's last meeting on 5 March 2019.

### **Contact:**

Rofikul Islam

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