



## Port Health & Environmental Services Committee

**Date:** TUESDAY, 24 MAY 2022  
**Time:** 11.00 am  
**Venue:** COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

**Members:**

Deputy Keith Bottomley	Deputy Ann Holmes
Mary Durcan	Wendy Hyde
George Abrahams	Henry Jones
Shahnan Bakth	Elizabeth Anne King
Alexander Barr	Alderman Susan Langley
Deputy Christopher Boden	Natasha Maria Cabrera Lloyd-Owen
Tijs Broeke	Andrew McMurtrie
Timothy Butcher	Deputy Henry Pollard
Deputy Simon Duckworth (Chief Commoner)	Oliver Sells QC
Deputy Peter Dunphy	Deputy Dr Giles Shilson
John Edwards	Alethea Silk
Helen Fentimen	Mandeep Thandi
Deputy Marianne Fredericks	Luis Felipe Tilleria
Steve Goodman	Glen Witney
Alderman Prem Goyal	Irem Yerdelen
Caroline Haines	

**Enquiries:** Richard Holt  
Richard.Holt@cityoflondon.gov.uk

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<https://youtu.be/qEBGyPFh9Vk>

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**John Barradell**  
Town Clerk and Chief Executive

## **AGENDA**

NB: Certain items presented for information have been marked \* and will be taken without discussion, unless the Committee Clerk has been informed that a Member has questions or comments prior to the start of the meeting. These for information items have been collated into a supplementary agenda pack and circulated separately.

### **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 COURT**

To receive the Order of the Court of Common Council dated 21 April 2022 appointing the Committee and setting its Terms of Reference.

**For Information**  
(Pages 7 - 8)

4. **ELECTION OF A CHAIRMAN**

To elect a Chairman in accordance with Standing Order 29.

**For Decision**

5. **ELECTION OF A DEPUTY CHAIRMAN**

To elect a Deputy Chairman in accordance with Standing Order 30.

**For Decision**

6. **MINUTES**

To agree the public minutes and summary of the meeting held on 18<sup>th</sup> of January 2022.

**For Decision**  
(Pages 9 - 18)

7. **OUTSTANDING ACTIONS**

Report of the Town Clerk.

**For Information**

8. **COMMITTEE APPOINTMENTS**

**For Decision**

- a) Streets and Walkways Sub Committee  
To appoint a representative to the Streets and Walkways Sub Committee.
- b) Health & Wellbeing Board  
To appoint a representative to the Health & Wellbeing Board.
- c) Thames Estuary Partnership  
To appoint a representative to the Thames Estuary Partnership.
- d) Thames21  
To appoint a Trustee to Thames21.

9. **COMMERCIAL ENVIRONMENTAL HEALTH SERVICE PLAN 2021-2023 - UPDATE**

Report of the Executive Director Environment.

**For Decision**  
(Pages 21 - 54)

10. **CEMETERY AND CREMATORIUM RESERVE FUND REQUEST - GRAVE DIGGING EQUIPMENT**

Report of the Executive Director Environment.

**For Decision**  
(Pages 55 - 60)

11. **\*RISK MANAGEMENT - PERIODIC UPDATE REPORT**

Report of the Executive Director Environment.

**For Information**

12. **\*BUSINESS PLANS 2021/2022: PROGRESS REPORT (PERIOD 3: YEAR END)**

Report of the Executive Director Environment.

**For Information**

13. **\*ENVIRONMENT ACT REPORT**

Report of the City Remembrancer.

**For Information**

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

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

16. **EXCLUSION OF THE PUBLIC**

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

**Part 2 - Non-public Agenda**

17. **NON-PUBLIC MINUTES**

To agree the non-public minutes of the meeting held on 18th of January 2022.

**For Decision**  
(Pages 61 - 62)

18. **KENNEL BLOCK ADDITION - HEATHROW ANIMAL RECEPTION CENTRE**

Report of the Executive Director Environment.

**For Decision**  
(Pages 63 - 86)

19. **HEATHROW ANIMAL RECEPTION CENTRE - FORWARD PLAN**

Report of the Executive Director Environment.

**For Decision**  
(Pages 87 - 96)

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

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



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# Agenda Item 3

KEAVENY, Mayor	<b>RESOLVED:</b> That the Court of Common Council holden in the Guildhall of the City of London on Thursday 21 <sup>st</sup> April 2022, doth hereby appoint the following Committee until the first meeting of the Court in April, 2023.
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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 2022/23**

### ALDERMEN

- Sue Langley, O.B.E.  
Prem Goyal, O.B.E., J.P

### COMMONERS

1	Stephen Goodman.....	Aldersgate
2	Helen Lesley Fentimen, O.B.E.....	Aldersgate
1	Mandeep Thandi .....	Aldgate
1	Luis Felipe Tilleria .....	Billingsgate
1	Simon D'Olier Duckworth, Deputy, O.B.E. DL.....	Bishopsgate
8	Wendy Marilyn Hyde.....	Bishopsgate
1	Dr Giles Robert Evelyn Shilson, Deputy .....	Bread Street
8	Keith David Forbes Bottomley, Deputy.....	Bridge and Bridge Without
1	Shahnan Bakth.....	Broad Street
1	Christopher Boden, Deputy.....	Candlewick
6	Mary Durcan .....	Castle Baynard
1	Glen David Witney.....	Castle Baynard
6	Tijs Broeke.....	Cheap
7	Andrew Stratton McMurtrie J.P.....	Coleman Street
6	Alexander Robertson Martin Barr.....	Cordwainer
10	Peter Gerard Dunphy, Deputy.....	Cornhill
1	Natasha Maria Cabrera Lloyd-Owen. ....	Cripplegate
1	Elizabeth Anne King, B.E.M .....	Cripplegate
9	James Henry George Pollard, Deputy.....	Dowgate
3	John Ernest Edwards.....	Farringdon Within
1	Ann Holmes, Deputy.....	Farringdon Within
2	George Christopher Abrahams.....	Farringdon Without
1	Oliver Sells Q.C. ....	Farringdon Without
1	Timothy Richard Butcher.....	Langbourn
1	Irem Yerdelen .....	Lime Street
6	Henry Llewellyn Michael Jones, M.B.E.....	Portsoken
1	Caroline Wilma Haines.....	Queenhithe
2	Marianne Bernadette Fredericks, Deputy .....	Tower
1	Alethea Silk.....	Walbrook

Together with two Members in place of the two Wards (Bassishaw, and Vintry) to be appointed in May 2022.

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) 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, 18 January 2022

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

### **Present**

#### **Members:**

Deputy Keith Bottomley (Chairman)  
Mary Durcan (Deputy Chairman)  
George Abrahams  
Rehana Ameer  
John Bennett  
Peter Bennett  
Tijs Broeke  
John Chapman  
Deputy Peter Dunphy  
John Edwards  
Deputy Kevin Everett  
Helen Fentimen

Sophie Anne Fernandes  
Christopher Hill  
Deputy Wendy Hyde  
Alderman Gregory Jones QC  
Shravan Joshi  
Alderwoman Susan Langley  
Deputy Andrien Meyers  
Deputy Henry Pollard  
Jason Pritchard  
Deputy Elizabeth Rogula  
Jeremy Simons

#### **Officers:**

Gary Burks	- Superintendent & Registrar, City of London Cemetery & Crematorium
Ruth Calderwood	- Environment Department
Paul Chadha	- Chief Lawyer
Jim Graham	- Environment Department
Gerry Kiefer	- Environment Department
Frank Marchione	- Principal Lawyer
Jenny Pitcairn	- Chamberlain's Department
Rachel Pye	- Environment Department
Gavin Stedman	- Port Health & Public Protection Director
Leanne Murphy	- Committee and Member Services Officer
Kristina Drake	- Media Officer
Elisabeth Hannah	- Environment Department
Robin Whitehouse	- Environment Department
Ian Hughes	- Environment Department
Ben Eley	- Environment Department
Adam Collins	- Environment Department
Emmanuel Ojugo	- Environment Department
Samantha Tharme	- Environment Department
John Cater	- Town Clerk's Department

1. **APOLOGIES**

Apologies were received from Alexander Barr, Anne Fairweather, Vivienne Littlechild, and Henrika Priest.

On behalf of the Committee, the Chairman took the opportunity to thank Leanne Murphy for her work as clerk to the Committee. Leanne was leaving the Corporation at the end of the week and all in attendance wished her well.

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 23<sup>rd</sup> November 2021 were approved as an accurate, subject to a matter of clarification concerning a sentence on page 4, under item 6 (New World Health Organisation Air Quality Guidelines), namely:

“A Member challenged the focus on the black carbon pollutant as delivering the best health outcomes noting that the table identified nitrogen dioxide as double the outcome”

The Chairman asked officers to clarify the meaning of this sentence. Officers would come back to the Chairman and the Member after the meeting.

The Chairman informed Members that the Committee's recent Resolution to the Policy & Resources Committee concerning sewerage in the River Thames had been discussed at the recent meeting of P&R, and that the Chair of Policy & Resources was raising this matter through appropriate channels. The Chairman has tasked the Committee clerk to follow this up and he is expecting a formal letter to be sent shortly to the appropriate body; this letter will be circulated among Port Health and Environmental Services Committee Members in due course.

4. **OUTSTANDING ACTIONS AND WORK PLAN**

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

Electric Vehicle Charging

The Chairman asked Members that, given there had been zero take-up of applications to use the Minories Car Park charging points by Middlesex Street Estate residents, this item was taken off the outstanding actions list.

In response to a query, officers informed Members that the Department for Community and Children's Services was currently carrying out a procurement for the installation of EV Charging Points in the parking areas on the Middlesex Street Estate itself. An update would be provided to this Committee in due course. Several Members welcomed this and pointing to examples in other local authority areas in London, asked that other initiatives are looked at across the City in an effort increase the availability of EV infrastructure for residents.

Other Members pointed out that the City Corporation's Transport Policy, which had been approved by the Court of Common Council, explicitly discouraged the use of private vehicles within the City - the installation of more EV Charging infrastructure would ultimately attract more vehicles on to the City's streets, so a careful balance needed to be struck, with the emphasis on providing the Points for tradespeople and taxis in the first instance.

Officers stressed that whilst EV Points are available in the City's public car parks, they were not being utilised to a great degree, with the notable exception of Smithfield Car Park.

Members were also informed that works were ongoing at the Baynard House Car Park to install EV points for larger commercial vehicle use (with over height clearance available).

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

The Chairman informed Members that he and the Deputy Chairman had held a meeting with Nikki Aitken MP at No. 12 Brandon Mews, where it was immediately apparent that the extent of the noise and vibration caused by the underground points crossing was unacceptable. Nikki Aitken would be issuing letters to Andy Byford, the Commissioner of TfL and Seb Dance, Deputy Mayor for Transport at the GLA expressing her concerns. In addition, the Chair of the Policy & Resources Committee would be writing to Seb Dance asking for a meeting, in which the Chairman and Deputy Chairman and Nikki Aitken would also be in attendance.

The Chairman informed Members that, in contrast to the works to mitigate the noise from the Elizabeth Line under the Barbican Centre, the works required under Brandon Mews would require a more complex and costly fix.

#### Busking at Southwark

Members were informed that a joint meeting was held on 8<sup>th</sup> December, with City residents, officers from Southwark Council, and City Corporation Members in attendance to discuss the ongoing concerns around busking.

As a result of that meeting a leaflet had been issued to buskers, outlining their responsibilities, as per the legal requirements. Separately, new signage for the South Bank clarifying the rules had been commissioned, with installation due shortly.

Southwark would be looking at the wider aspects of busking on the South Bank, including cracking down on unauthorised pitches, and the provision of quiet pitches, where amplified music is not allowed.

Given the ongoing work and scrutiny this issue was being given, the Chairman proposed that this item should be removed from the Outstanding Actions. Any new concerns arising in this area would be brought back to the Committee

#### Lighting Guidance Note

Officers informed Members that all new developments in the City would now be required to include provision for PIR (passive infrared sensor) lighting. Whilst the City was unable to apply this retrospectively, officers were currently drafting a Charter for Responsible Lighting which would be promoted among all commercial building owners across the City. Consideration was also being given to appoint an individual in the Corporation's Climate Action Team to lead on this in the future.

The Chairman informed Members that he would be asking officers to convene a forum of the Chairs of all the City's Business Improvement Districts (BIDs) in the spring to discuss ways in which progress could be made in this area, amongst others.

Separately, the Chairman informed Members that the Garden Waste Trial has been revived.

#### **5. BUSINESS PLANS 2021/2022: PROGRESS REPORT (PERIOD 2 - AUGUST TO NOVEMBER)**

The Committee received a Report of the Executive Director, Environment concerning progress made across Period 2 (August – November 2021) against the High-Level Business Plans 2021/22 for Cleansing Services, Cemetery & Crematorium, and Port Health and Public Protection.

The Port Health & Public Protection Director made the following points:

- The focus of the Cleansing Service during this period largely remained dealing with the Covid-19 outbreak along with managing the new service model that was necessitated by the 2021/22 budget changes.
- At the end of Period 2, the Cemetery and Crematorium remained busy and operating at levels similar to the same period in previous years (excluding 2020/21), with burials and cremations slightly up on the 7-year average at this period (excluding 2020/21).
- Port Health & Public Protection were primarily dealing with Covid recovery, Brexit readiness, increased trade at the Heathrow Animal Reception Centre (HARC) (30%) and Ports (20%) and continued to address air quality issues.

In response to a query, the Director informed Members that central government funding for border preparedness in response to new checks on goods coming from the EU from July 2022 was still to be secured for 22/23. The government had acknowledged that, across all GB Port Health Authorities, the costs for new facilities and staffing required from July – November (the phasing in period) would be over and above projected income during that time, and it was in discussions with the respective authorities (including the City) about submitting bids for funding. It was hoped that government funding would underwrite the whole of the 2022/23 FY and an update would be provided to Members in due course.

In response to a separate query, officers informed the Committee that recent DEFRA air quality alerts had been pessimistic, with real world data recording readings significantly below the computer modelling; in the past week, the City had experienced moderate levels of air pollution. In addition, officers confirmed that the Audit and Risk Management Committee had not asked for a Deep Dive Report concerning Air Quality for some time, however, it was anticipated that this would be requested later in 2022; once finalised, the Report would be shared with Members of the Port Health and Environmental Services Committee for their information.

In response to a query, officers would liaise with colleagues in the Comptroller & City Solicitor's Department on the issue of whether the name of the firm which broke Trading Standards rules could be published.

In response to a query, officers informed Members that electric refuse collection fleet had experienced some technical problems since its introduction in 2021 which had required the manufacturer to undertake remedial works and replacement vehicles to be provided. These incidences were now reducing, and it was anticipated that, as the service matures, problems can be kept to a minimum.

In response to concerns, officers highlighted that, given the merger of the three separate departments, work was ongoing with colleagues in the Chamberlain's Department to introduce a more joined up and consistent approach to financial reporting.

In response to a query, the Director informed Members that the programme of food hygiene inspections had, pre-covid, been based on a risk-based approach, considering things like the number of covers, type of food processing and management controls, with inspections taking place from a range of once every six months to once every two-three years. During the pandemic, with many premises shut or operating in different ways, officers were unable to carry out these programmes in the traditional way. Instead, they took a more risk-based and ad hoc approach to inspections; inspecting premises that were operating and reaching out to those that appeared closed.

In response to a query, the Director informed Members that the uptake for City & Hackney Food Hygiene webinars were reasonably successful, he would come back to Members with the statistics at the next meeting.

In response to a query, the Director informed Members that learning outcomes from the Coroner's Report from the Fishmonger's Hall Inquest were still being worked through, especially those around Health and Safety considerations.

**RESOLVED** – That the Committee noted the Report.

6. **DRAFT HIGH-LEVEL BUSINESS PLANS 2022/23**

The Committee considered a Report of the Executive Director, Environment concerning the Draft High-Level Business Plan for 2022/23.

The Port Health & Public Protection Director made the following points:

- At the time of this report, the proposed structure of the new Environment Department was progressing through the governance stage of the Target Operating Model (TOM) and would not be finalised until the end of the 2021/22 financial year. For this reason, High-Level Business Plans for 2022/23 had been prepared separately for each service area rather than for the Environment Department as a whole.
- Cleansing major workstreams for 2022/23 for this Committee include contributing to the Climate Action Strategy, developing the Circular Economy Strategy, addressing budget pressures, and supporting the post-Covid City.
- Port Health and Public Protection major workstreams in 2022/23 will continue to include addressing the outcomes of Brexit, particularly for Port Health and the HARC, supporting City businesses to recover from the COVID-19 pandemic, and continuing the City's work to improve air quality.
- The Cemetery and Crematorium major workstreams are focused on staffing, succession planning, renewable energy, and finalising work on the Shoot Lawn grave area.

A Member requested that, for the next iteration of the Report, more prominence was given to highlighting the City's work and responsibilities around key areas such as air quality and food and health safety; in the current iteration, these were overshadowed, somewhat, by too much of a focus on the department's expenditure and income outlook. In response, officers said that they would re-arrange the wording, but stressed that all stakeholders needed to not lose sight of the critical importance of sustainable finances to the department's future.

In response to a query concerning the omission of the word "exercise" in appendix 1, page 3, under the first bullet point under the sub-heading: Square Mile: Future City, the Chairman proposed that this should be picked up when this Report is taken to the next meeting of the Planning & Transportation Committee.

In response to a query about the omission of the word "safe" in the first bullet point in appendix 1, officers explained that the wording here was directly lifted from the Corporate Plan outcomes, so amending the wording in this section would not be appropriate; it would, however, be possible to emphasise the word "safe" in other parts of the Business Plan.

In response to requests from Members about emphasising better links between finances and activities outcomes, the Chairman and officers stressed that a lot of work was being undertaken in this area, both departmentally and more widely. For the Environment Department, it was noted that due to the departmental restructure, the Business Plan and the Budget had, for this year, been separated, however, going forward, these two documents would be

brought back together and greater emphasis would be given to reporting performance on a more frequent basis.

More broadly, the Chief Strategy Officer was looking at these issues and processes across the piece; the Chairman asked the Town Clerk to share this minute with the CSO after the meeting for her information.

**RESOLVED** - That the Committee:

Approved, subject to the incorporation of any changes sought by this Committee, the 2022/23 High-Level Business Plans for the:

- o Cleansing Service (Appendix 1)
- o Port Health and Public Protection Service (Appendix 2).
- o Cemetery & Crematorium (Appendix 3)

**7. PROPOSED CHARGES FOR STREET CLEANSING, WASTE COLLECTION AND PUBLIC CONVENIENCES 2022/23**

The Committee considered a Report of the Executive Director, Environment concerning proposed charges for Street Cleansing, Waste Collection, and Public Conveniences in 2022/23.

In response to a query about discarded chewing gum, officers informed Members that its removal was part of the City's basic cleansing service, this specifically included regular sweeping, applying treatment to pavement surfaces, intensified cleansing at known hot-spots, and the promotion of campaigns to discourage the dropping of gum.

Highlighting the third paragraph in the summary on the first page of the Report, officers clarified that the recommended charges would commence from 1<sup>st</sup> April 2022, not 2021 as written in the Report.

**RESOLVED** – That the Committee:

Approved that, with effect from 1<sup>st</sup> April 2022:

- charges for Street Cleansing services to external clients are increased by 7.1% in line with RPI;
- charges for special events and other ad-hoc works provided to third parties continue to be made at full cost plus 30% to cover the City's management and administration costs;
- the charge for the collection of bulky waste is increased from £35 to £37.50 for up to three items;
- bulky waste collection continues to be offered free of charge on request to those who are in receipt of means tested benefits and to those who are infirm or disabled receiving assisted collections;
- the general waste charges for educational establishments are increased by 7.1% and food and recycling collection charges should be maintained at the current level to encourage recycling;

- charges for the removal of highway obstructions to be increased from £60 to £64 and for the removal of uncollected bagged waste also be increased to £134 from £125 for up to 10 bags and £5 per bag thereafter;
- charges for the staffed toilet facilities at Tower Hill and Paternoster Square conveniences to remain at 50p per use;
- costs of smart bins to be increased by 7.1% (post mounted cigarette bins) sold to businesses be charged at cost plus 20% to cover the City's administration costs;
- Clean City Awards Scheme membership fees are kept the same.

8. **CEMETERY AND CREMATORIUM FEES AND CHARGES REPORT 2022 - 2023**

The Committee considered a Report of the Executive Director, Environment concerning fees and charges for the services provided at the City of London Cemetery and Crematorium in 2022/23.

**RESOLVED** – that the Committee agreed the fees and charges as set out in the Report and shown in Appendix 1 for implementation with effect from 1<sup>st</sup> April 2022.

9. **COVID-19 AND BREXIT UPDATE**

The Committee received an oral update of the Port Health and Public Protection Director concerning the latest position for the ports in relation to COVID-19 and Brexit.

The Director made the following points:

- Trade continued to remain high at the ports (20% increases) and HARC (33%)
- The emergence of the Omicron variant had made an impact on staff sickness levels, however, as throughout the pandemic, the City has continued to maintain these services. The short-term picture remained uncertain, with changes to COVID regulations pending, the City was continuing to support businesses with advice and guidance.
- In terms of Brexit, we are now starting to receive some pre-notifications. But it is unlikely that we will see the true numbers until the phasing in of physical controls between July and November this year. We continue to work with the relevant trade and government agencies to understand what trade patterns will look like in the future.
- Many of the long-standing practical issues still need to be resolved. Partly due to the need for further legislative changes. As the Committee was aware, the financial settlement for 2021/22 had previously be confirmed but the support for 2022/23 still needed to be finalised. Recruitment and training of staff is progressing well, in line with the projected trade volumes, and the port operators are nearing completion of their new developments and upgrades.



- Things will continue to develop over the next few months through to implementation. When the implications of the new trade volumes are better understood, we will be able to confirm our longer-term port health resource requirements, but this is likely to be in early 2023.

In response to a query, the Director informed Members that work, including testing, was ongoing around the implementation of a bespoke UK customs IT system, known as IPAFFS (Import of products, animals, food, and feed system) all UK ports in time for the introduction of checks in July. The Director assured Members that, given the scale of the changes from July, contingencies had been thoroughly worked up, and there was confidence that resilience measures were in place to mitigate any teething issues.

**RESOLVED** – That the Committee noted the oral update.

**10. RISK MANAGEMENT - PERIODIC UPDATE REPORT**

The Committee received a Report of the Executive Director, Environment concerning risk management procedures in place within the Environment Department.

**RESOLVED** – That the Committee noted the Report.

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

There were no questions.

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

There were two items of urgent business.

Air Quality

Members were informed that, in December, officers from the City's Environment Department and the Remembrancer's Department held a further meeting with Defra officials about their progress with developing new powers for local government to control non-transport sources of pollution. Officers at Defra are still collecting evidence to inform recommendations, and further meetings with them will take place over the next few months. Defra is aiming to have something for consultation towards the summer.

Last week, officers attended a meeting with UK100, which is a network of Metro Mayors and local government leaders. Representatives there were keen to see how they could support our request for new powers to deal with non-transport sources of pollution, and the City expects to hear back from them shortly.

The City should be consulted shortly concerning the government's proposals for PM2.5 targets under the new Environment Act. This is likely to include an outline of the role that local government will be expected to play in controlling this form of pollution. Officers attended a workshop in December about this matter and stressed the importance of new powers to enable local government to effectively support national efforts to reduce levels of PM2.5.

#### Annual Fishing Experiment

The proposed date for the 50th City of London Thames Fishery Research Experiment is Saturday, 8<sup>th</sup> October 2022. Members were asked to block this time in the diaries - a formal invitation would follow later this year.

**13. EXCLUSION OF THE PUBLIC**

**RESOLVED**, 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.

**14. NON-PUBLIC MINUTES**

**RESOLVED** - That the non-public minutes of the meeting held on 23<sup>rd</sup> November 2021 were approved as an accurate record.

**15. HEATHROW ANIMAL RECEPTION CENTRE - FORWARD PLAN**

The Committee considered a Report of the Executive Director, Environment concerning the Schedule of Charges in respect of services provided at the Heathrow Animal Reception Centre (HARC), for the forthcoming financial year 2022/23.

**16. NON-PUBLIC APPENDIX: RISK MANAGEMENT REPORT - RISK REGISTER**

The Committee received the non-public appendix to Item 10 (Risk Management – Periodic Update Report), namely, the Port Health & Public Protection Risk Register.

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

There was one non-public question.

**18. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT WHILST THE PUBLIC ARE EXCLUDED**

There was no other business.

**The meeting closed at 12.20 pm**

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Chairman

**Contact Officer: John Cater**  
[John.Cater@cityoflondon.gov.uk](mailto:John.Cater@cityoflondon.gov.uk)

### Port Health & Environmental Services Committee – Outstanding Actions

Item	Date	Action	Officer(s) responsible	To be completed/ progressed to next stage	Progress Update
1.	15 January 2019	<b>Measurement and mitigation options for operational rail noise from London Underground affecting the Barbican Estate</b>	Executive Director of Environment	Ongoing	<p>A number of actions have been carried out by LUL over recent years to reduce the noise and vibration experienced by residents such as rail grinding, replacement of ballast, sleepers, rails joints and insulated block joints. However, LUL have now confirmed that points 35 A/B that are the main noise source for Brandon Mews cannot be moved, replaced or removed due to operational requirements.</p> <p>Letters have been sent by the Chairman of PHES and Chair of Policy &amp; Resources have written to Andy Lord and Seb Dance.</p> <p>An on-site meeting with Nikki Aitken MP was held and an undertaking to assist given.</p>
2.	27 September 2021	<b>Lighting Guidance Note</b>	Planning and Development Director	Ongoing	<p>Officers are progressing the draft Lighting Planning Advice Note alongside the City's expert consultant and in discussion with colleagues. It remains the intention to bring the consultation document before Planning and Transportation Committee prior to the Summer recess on 19 July seeking approval to undertake a public consultation.</p>

3.	18 January 2022	<b>City &amp; Hackney Food Hygiene webinars</b>	Executive Director of Environment	May 2022	<ul style="list-style-type: none"> <li>- Online roundtable session for City businesses: Supporting City workers to access the COVID-19 vaccine, 27 April 2021 (16 attendees)</li> <li>- City and Hackney COVID-19 business advice webinar</li> <li>- Step 4 of the Roadmap, 14 July 2021 (171 attendees)</li> <li>- COVID-19: Getting ready for the party season. Webinar for hospitality, retail, and close-contact businesses in the City of London and Hackney, 15 November 2021 (27 attendees)</li> </ul>
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<b>Committee:</b> 1) Port Health & Environmental Services Committee (For Decision) 2) Health & Wellbeing Board (For Information)	<b>Dated:</b> 1) 24 May 2022 2) 15 July 2022
<b>Subject:</b> Commercial Environmental Health Service Plan 2021-2023 - Update	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	<b>1, 6</b>
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>What is the source of Funding?</b>	<b>Existing local risk budgets</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of:</b> Juliemma McLoughlin, Executive Director Environment	<b>1) For Decision 2) For information</b>
<b>Report authors:</b> Gavin, Stedman, Port Health & Public Protection Director Tony Macklin, Assistant Director (Commercial Services)	

## Summary

This report provides an update on the work of the Commercial Environmental Health Team, which is part of Port Health & Public Protection that sits within the Environment Department. The report also seeks approval for the service to continue to work towards the Commercial Environmental Health Service Plan for 2021-23, which has previously been agreed by this Committee. The service continues to respond to the needs of City businesses, residents, workers, and visitors as the recovery of the City of London continues to grow.

## **Recommendations**

Members are asked to:-

- a) note the work done to-date; and
- b) endorse the work of the team going forward until March 2023 as set out in the revised Commercial Environmental Health Service Plan 2021-2023 and in this update report

## Main Report

### **Background**

1. In November 2021 Member approval was sought for a Service Plan that instead of being annual, would stretch to March 2023 and which set out enforcement work in key areas - Food Safety and Health & Safety – as the country emerged and began to recover from the COVID-19 pandemic

2. We acknowledged that we must continue to meet the local needs of City businesses, residents, workers and visitors and the City Corporation's vision and aims as set out in the Corporate Plan 2018-2023 and which is achieved through our departmental Business Plan and other, individual teams' Service Plans which detail the work that will be done and by which we are judged overall by our Key Performance Indicators.
3. Realising all the public health work and COVID-19 related work that local authority officers were being asked to do, in April 2020, the Food Standards Agency relinquished the requirement for local authorities to undertake a comprehensive programme of official controls inspections with relation to food hygiene and simply required them to carry out interventions with:-
  - food businesses with a Food Hygiene Ratings of 0, 1 or 2 (the so called '*less than broadly compliant*') to:
    - *verify if they were trading; and*
    - *if they have started to operate delivery services and/or*
    - *had introduced new processes to enable them to diversify their menus.*
  - food businesses where an intervention was now due which included
    - *food hygiene interventions due in Category A and B food businesses (prescribed frequency of 6 and 12 months respectively)*
  - established businesses changing what they do, such as pubs providing takeaway food;
  - community groups who were preparing meals to frontline services and vulnerable groups;
  - new businesses where registration information provided raised concerns about a potential public health problem; and
  - following up on food or feed incidents notified to us.
4. This change in approach started in July 2020 when we submitted to this Committee a different form of Service Plan from normal for Commercial Environmental Health covering Food Safety and Health & Safety and which outlined priorities and set out a graduated return to normal once the COVID-19 lockdown was lifted and the City began to return to normality.
5. Consequently, in November 2020, Members approved an interim Service Plan for the team taking into account all the additional duties that have been placed upon local authorities since the start of the Coronavirus pandemic (**Appendix A**). Unfortunately, re-occurring lockdowns caused the team to review this already revamped Service Plan and it was re-presented in a shorter report to this Committee in May 2021.
6. In May 2021, the Food Standards Agency's Board endorsed a [Local Authority Recovery Roadmap strategy](#) or "Reset" programme covering the period September 2021–March 2023 which would enable local authorities to tackle any backlogs in their food hygiene inspection programmes as the country began recovering from the pandemic.

7. The City of London along with all Local Authorities are required to report on their progress towards the reset programme.

## Current Position

8. Commercial Environmental Health are still prioritising their work to ensure that City businesses in a variety of sectors operate and remain safe for their customers. This has meant that officers have been present in the City throughout the various lockdowns and easings to support businesses, ensure compliance and promote confidence.
9. The planned food activities set out for the Team are in line with the activities and milestones set out in FSA Plan for the period from 1 July 2021 to 2023/24 including the expectation that we should move at a faster pace in realigning with the Code of Practice requirements where we are able.
10. In terms of the more detailed programme of other work objectives for the whole team (i.e. not just food safety) this was last outlined in detail in our 2020-21 Service Plan. We are now in Stage 3 of the process in that plan; a return to (a new) normality. We have therefore refreshed the more detailed objectives to set out what we plan to achieve in the coming year. The revised Service Plan is at Appendix B.
11. Below in **Table 1** is set out the higher risk activities we are expected to complete as a minimum as the FSA Recovery Plan progresses. This includes reactive work and the proactive inspection activity outlined in the infographic below, with further details set out in the Service Plan 2021-2023 (**Appendix B**).



**Table 1- Infographic**

12. These are minimum number of inspections and interventions that we must deliver. **Table 2**, below, sets out all the inspections we should complete, to meet the requirements in the FSA Recovery Plan (in red) and the Food Law

Code. The challenge is the numbers of D rated premises. These are scored 'lower' risk but in reality, a significant proportion, though compliant could also be large and/or complex. City hospitality is some of the largest around having traditionally catered for many thousands. We will therefore seek to integrate a proportion of these D rated premises into the programme throughout the whole period on a risk-basis.

<b>Category</b>	<b>Still due (&amp; overdue) to end March 2022</b>	<b>Due April 22-March 23</b>	<b>TOTAL</b>
New (unrated)	<b>38</b>	Unknown	<b>38 (minimum)</b>
<b>A</b> (*due every 6 months)	<b>0</b>	<b>2</b>	<b>2*</b>
<b>B</b> (*due every 12 months)	<b>8</b>	<b>32</b>	<b>40*</b>
<b>C</b> (less than broadly compliant)	<b>5</b>	<b>4</b>	<b>9</b>
<b>C</b> (compliant)	<b>188</b>	71	<b>259</b>
<b>D</b> (compliant)	<b>638</b>	65	<b>703</b>
<b>D</b> (less than broadly compliant)	1	0	<b>1</b>
<b>E</b>	101	127	228

**Table 2**

13. From the start of the Reset Programme, the FSA's expectation was that all LAs should do more wherever they can and they stated that "every LA should move at a faster pace to align with the Food Law Code of Practice" and "where resources are available, local authorities should also undertake interventions for other, lower risk establishments in accordance with the code". **Table 3** below summarises the interventions achieved to year end (31 March 2022) in the premises categories.

	Interventions Achieved		
	Orig	Adj	Tot
Premise Rating - A	4	0	<b>4</b>
Premise Rating - B	79	0	<b>79</b>
Premise Rating - C	185	0	<b>185</b>
Premise Rating - D	135	0	<b>135</b>
Premise Rating - E	33	0	<b>33</b>
Premise Rating - Unrated	165	0	<b>165</b>
Premise Rating - Outside	0	0	<b>0</b>
TOTALS	<b>601</b>	<b>0</b>	<b>601</b>

**Table 3**

14. To move at a faster pace and to help ensure larger/complex D rated establishments are brought back into the programme sooner we will complete an appropriate on-site intervention wherever this is possible. We will also



consider the use of Alternative Enforcement Strategies to gather intelligence/information on all due category D establishments – rated broadly compliant or better (FHRS 3, 4 or 5) for hygiene, and also category B for standards’

### **Public Health**

15. The Commercial Environmental Health Team will continue to work in collaboration with Public Health colleagues in the LB of Hackney with whom we share a joint Public Health Team on COVID-19 matters relating to the City.

### **Port Health Service**

16. The Port Health Service has continued to operate throughout the various COVID-19 lockdowns and easements over the few past years. However, the Service has focussed its attention on undertaking border controls on food and feed that have been imported from countries outside of the EU. The Service has seen imports of food and feed increase by over 25% when compared to the previous year.
17. In addition, the Service has been preparing for border controls on EU food and feed imports, which were to be implemented from July 2022. However, on 28 April 2022, Government announced that the further import controls will now not be introduced in 2022. However, the controls that have already been introduced will remain in place. Government also goes on to state that they "will publish a Target Operating Model in the Autumn that will set out our new regime of border import controls and will target the end of 2023 as the revised introduction date for our controls regime, which will deliver on our promise to create the world's best border on our shores".
18. Food premises interventions will be done in accordance with the same "Reset Programme requirements placed upon Commercial Environmental Health above until March 2023 but with a much smaller number of food businesses.

### **Corporate & Strategic Implications**

19. The Service Plan continues to support two of the main aims of the City Corporation's Corporate Plan 2018 to 2023:

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

- 1- People are safe and feel safe.

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

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

### **Local Implications**

20. We are managing the program of higher risk interventions in City food establishments in accordance with the minimum requirements in the FSA

Recovery Plan. But there remains a significant backlog of D (and E) rated premises. The pandemic has adversely impacted many businesses, and this has potential implications for food safety; previous ratings may not be reflective of the situation now. Our intention is therefore to go beyond the minimum requirements of the Recovery Plan. FSA encourage local authorities that can, to do so. We therefore aim to complete as many additional interventions in D rated establishments as we are able.

### **Financial implications**

21. None. The Service Plan will be met from within existing local risk budgets.

### **Resource implications**

22. None.

### **Legal implications**

23. Failure to produce and complete a Member-approved Service Plan including a programme of Official Food Controls interventions could result in the Food Standards Agency taking over the operational control of the City's Food Authority functions.

### **Risk implications**

24. Potential reputational risk to the City Corporation if the above happens.

### **Equalities implications**

25. None.

### **Climate implications**

26. None.

### **Security implications**

27. None.

### **Proposals**

28. Commercial Environmental Health will continue to undertake the work set out in their Service Plan for 2021-2023, which has been revised but still includes supporting City businesses to recover from the Coronavirus pandemic.

29. The Port Health Service will continue to:

- a) focus on imported food and feed controls at the border,
- b) prepare for the implementation of EU border controls; and

- c) undertake interventions based on risk, taking latest Food Standards Agency guidance into account the same as Commercial Environmental Health.

## **Conclusions**

- 30. The ongoing Commercial Environmental Health Service Plan ensures a continued risk-based and supportive approach to City businesses and to the protection of consumers and the public.
- 31. At the same time, the City Corporation will continue to meet its obligations to central Government and its agencies and both Commercial Environmental Health and the Port Health Service will continue to support businesses to recover from the Coronavirus pandemic.

## **Appendices**

**Appendix A** - Commercial Environmental Health Service Plan 2021-2023

**Appendix B** – Revised Commercial Environmental Health Service Plan 2021-2023

## **Background Papers**

- Port Health & Environmental Services: July 2020 Agenda Item 14 - [Commercial Environmental Health Team Service Plan 2020-2021](#)
- Port Health & Environmental Services: November 2020 Agenda Item 7 - [Amendments to the Commercial Environmental Health Team Service Plan 2020-2021 with respect to Food Safety](#)
- Port Health & Environmental Services: May 2021 Agenda Item 10 - [Commercial Environmental Health and Port Health Service Plans 2021-2022](#)
- Port Health & Environmental Services: 23 November 2021 Agenda Item 9 [Commercial Environmental Health Service Plan 2021-2023](#)

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**Environment Department  
Port Health & Public Protection Division  
Commercial Environmental Health Service Plan 2021-2023**

### **Introduction**

1. Commercial Environmental Health 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 Service (PH&PP) in the Environment Department.
2. 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.
3. There are separate Official Food Control Activities in the Port Health Service which has a separate Food Service Enforcement Plan.
4. The current Commercial Environmental Health Team Service Plan 2021-2023 continues to support the following Outcomes from the [Corporate Plan 2018-2023](#):

***Contribute to a flourishing society***

1. People are safe and feel safe.

***Support a thriving economy***

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

### **Key Performance Indicators [KPI's]**

5. 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.

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

**75% food businesses inspected will receive a report/letter detailing the outcome of their inspection within 5 working days and the remainder within 10 working days. This will accord with standards in the FHRs system (the 'brand' standard)**

**All authorised officers to receive/complete the necessary professional development with at least 10 hours CPD on Official Food Controls, tailored to delivery of this Service Plan.**

**To complete a risk-based intervention programme for cooling towers systems within the year.**

## **Current Work**

6. We will continue to prioritise our work as set out in the earlier Commercial Environmental Health Service Plan 2021-2022 approved by Members earlier this year to ensure that City businesses in a variety of sectors operate and remain safe for their workforce, customers, and other visitors. This has meant that officers from the team have been present in the City throughout the various COVID-19 lockdowns and easing, seeking to support business, ensure compliance and promote confidence; to this end, the work below outlines our current continuing priorities:-
- a) Contributing to the local outbreak planning and management systems in the City & Hackney COVID-19 Local Outbreak Management Plan.
  - b) Ensuring compliance with current COVID-19 legislation in all open business premises with a public interface either pro-actively or by reacting to intelligence / complaints
  - c) Undertaking food hygiene inspections / interventions in food businesses as prescribed by the latest Food Standards Agency's guidance, based on risk, complaints, and emerging issues.
  - d) Undertaking inspection audits of all cooling tower sites which are deemed to be either high risk or for which we have received intelligence / complaints to indicate that the risks are not being managed correctly.
  - e) Following up on the agreed Local Contact Tracing (LCT) response for Covid-19 cases in the City.
  - f) Continuing with the Health & Safety Investigations into significant incidents.

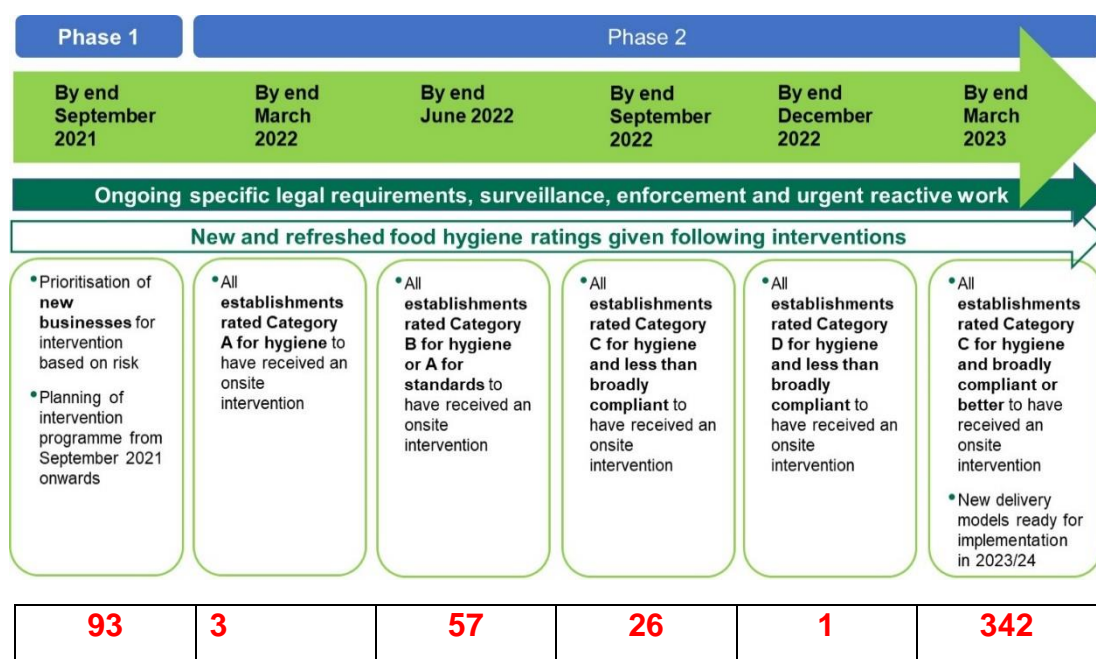
## **Moving Forward**

### **FOOD SAFETY**

7. In May 2021, the Food Standards Agency's Board endorsed a [Local Authority Recovery Roadmap strategy](#) or "Reset" programme covering the period September 2021–March 2023 which would enable local authorities through setting quarterly

targets, to tackle any backlogs in their food hygiene inspection programmes as the country began recovering from the pandemic.

8. We will therefore seek to complete the following minimum number of Food Hygiene Inspections due by March 2023



**Table 1**

9. The figures above and in **red** below in **Table 2** are minimum number of inspections that we know about and which we must deliver. Also set out below in **Table 2** are all the other, compliant, or lower risk, D and E rated premises that we will be seeking to engage with over the period.
10. The main challenge is the large number of D rated premises and in many cases their complexity, some having traditionally catered for many thousands of City workers on a daily basis and as such they are some of the largest food premises around. We will therefore seek to integrate these D rated premises into the programme throughout the whole period on a risk-basis.

Category	Due (& overdue) to end March 2022	Due April 22- March 23	TOTALS
New (unrated)	93	Unknown	93 (minimum)
A (*due every 6 months)	3	0 (at present)	3*
B (*due every 12 months)	43	14	57*
C (less than broadly compliant)	22	4	26
C	271	71	342
D	727	59	786
D (less than broadly compliant)	1	0	1
E	104	127	231

**Table 2**

11. We will also maintain the City Corporation's support for the national Food Hygiene Rating Scheme (FHRS) and continue to support the FSA on the development of the mandatory public display of ratings at each food business.
12. We will also work with the Food Standards Agency on meat hygiene and standards and other initiatives at Smithfield Market to ensure that all meat and meat products that are traded through the market are cut stored, prepared, and transported hygienically and safely and that there is traceability of all products from source to end-retailer.
13. We seek to continue to promote the enhanced City Healthier Catering Commitment (HCC) Award scheme in support of the [City of London Health and Wellbeing Strategy 2017-2021](#) whilst undertaking our statutory food interventions.

## **PUBLIC HEALTH**

### **14. We will:-**

- a) work in collaboration with public health colleagues in the LB of Hackney, with whom we share a joint Public Health Team, on the tracking and tracing of COVID-19 cases and possible outbreaks in the City although over time, we anticipate our work on COVID-19 will gradually diminish;
- b) engage, explain and if necessary enforce emerging legislation as it specifically affects businesses in the Night Time Economy (NTE) along with colleagues in the Licensing Team; and
- c) investigate incidents of infectious disease and non-infectious environmental hazards.

## **HEALTH & SAFETY**

### **Control of Legionella**

15. To protect the City from the threat of Legionnaires' disease caused by *Legionella sp.* bacteria, we will:-
  - a) undertake risk-based interventions in cooling towers (135) and other at-risk water systems; and
  - b) assist with the provision of related training / work experience and generally contribute to the regulatory and facilities services management communities.
16. We will continue to promote and support workplace health and wellbeing and the London Healthy Workplace Award with our partners, [Business Healthy](#) with officers advising on best practice and signposting to further support.

## **REACTIVE WORK**

### **17. We will:-**

- a) respond to complaints and service requests on a triaged risk basis; and
- b) respond to all:-



- Reporting of Injuries, Deaths & Dangerous Occurrences Regulations (RIDDOR);
- Lifting Operations & Lifting Equipment Regulations (LOLER); and
- Asbestos Removal Notifications,

again on a triaged risk basis.

18. We will also undertake inspections on behalf of the Licensing Team with respect to the issuing of new Massage and Special Treatment Licenses

#### **PRIMARY AUTHORITY PARTNERSHIP WORK.**

19. [Primary Authority](#) (PA) 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. Local regulators must respect these relationships and consult with the partner local authority before instigating enforcement action.
20. Whilst legislation specifically dealing with Coronavirus is not included as Public Health is currently not part of the national Primary Authority Scheme, a considerable amount of advice on the matter was sought and given to our PA Partner organisations during 2020-2021.
21. We will therefore:-
  - a) continue to work with our PA Partner organisations, providing charged-for regulatory advice; and
  - b) lead on the London Primary Authority Regional Group.

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**Environment Department  
Port Health & Public Protection Division  
Commercial Environmental Health Service Plan 2021-2023 (revised)**

### Foreword

This year's Service Plan updates previous Committee reports, it builds on the recovery planning processes laid out over the last two years. It also takes into consideration the Food Standards Agency (FSA) Recovery Plans for local authorities and the updates they have provided as the pandemic progressed.

The FSA Recovery Plan took effect from 1 July 2021 and runs through to April 2023 and beyond. The Plan focussed on re-starting the regulatory delivery system in line with the Food Law Codes of Practice for the highest risk establishments, while providing greater flexibility for lower risk establishments.

Phase 2 of the Recovery Plan came into effect from 1 October 2021, with key milestones for delivery by end March, June, September and December 2022 and March 2023. The planned food activities set out for the Commercial Environmental Health Team are in line with the activities and milestones set out in FSA Plan for the period from 1 July 2021 to 2023/24 including the expectation that we should move at a faster pace in realigning with the Code of Practice requirements where we are able.

In terms of the more detailed programme of work objectives for the whole team (i.e. not just food) this was last outlined in [our 2020-21 Service Plan](#). We are now in Stage 3 of the process in that plan; a return to (a new) normality. This latest version of the plan updates and refreshes the more detailed objectives and sets out what we plan to achieve in the coming year.

The City of London is also now in the final stages of realigning its services and implementing a new target operating model to enable substantial organisational efficiencies.

**Gavin Stedman**  
**Port Health & Public Protection Director**

**May 2022**

### Introduction

The Commercial Environmental Health Team regulates food safety, occupational health and safety and some public health control arising from commercial businesses' activities for which we are the enforcing authority. The Environmental Health Practitioners within the team were uniquely placed to help deal with the crisis caused by the coronavirus (COVID-19) pandemic and in the next stages of 'Living with Covid'. The team remains involved in workstreams designed to help manage the process and to help facilitate recovery.

This plan has been prepared to accord with Food Standards Agency (FSA) and Health & Safety Executive (HSE) current frameworks on the planning and delivery of our services. The food framework remains subject of further potential change as the FSA develop the Achieving Business Compliance (ABC) programme; their Recovery Plan reflects the transitions that are occurring as we move towards Living with Covid and towards further potential change in the delivery of food controls. The delivery of our overall goals and principles remains key.

Our plan 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 outcomes on which we have a direct impact on are...

- Outcome 1: People are safe and feel safe.
- Outcome 2: People enjoy good health and wellbeing.
- Outcome 5: Businesses are trusted and socially and environmentally responsible.
- Outcome 6: We have the world's best legal and regulatory framework and access to global markets.
- Outcome 8: We have access to the skills and talent we need.
- Outcome 11: We have clean air, land and water and a thriving and sustainable natural environment.

Our team goals are that:

- We promote and support a risk based, goal setting regulatory regime.
- Higher risk activities are properly managed, and employers are committed to developing healthier workplaces
- Food is hygienically prepared, safe to eat and what it says it is;
- We regulate in a way that supports businesses to comply and recover 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.

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;
- focusing our resources based on risk and using the range of tools at our disposal effectively
- ensuring our workforce is adequately resourced and experienced, enabling the service to fulfil the objectives set in the Department's Business Plan and this local Service Plan.

### **Resources, Service Delivery and Recovery- what's changed?**

The new target operating model is now being implemented across the City Corporation and we will consider the opportunities this presents.

We are now in Phase 2 of the FSA's recovery plan process and [Stage 3 of the Service Plan process envisaged for the team in 2020-21](#).

#### **Stage 3: Return to (a new) normality.**

**This final stage of the Plan was all about the return to more business as usual. As far as possible undertaking more planned proactive interventions and projects; updated details are now set out below.**

We will continue to consider the best way to collect information on the Regulated activities that we need to perform, learning from some of the lessons acquired during the pandemic restrictions and so we have as full a picture as possible.

Decisions about how and where we work have been made gradually and deliberately as the pandemic has progressed and now that we are 'Living with Covid'. There is also a focus on productivity and effectiveness and a view towards building a more flexible workforce.

### Performance and monitoring

Our enforcement activity and certain 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.

The four-monthly Committee reports includes;

- The enforcement Activity undertaken for food safety and health and safety intervention work.
- A narrative update on any FHRS '0 rated' establishments.
- Highlighted activities undertaken in the relevant period.
- An FHRS premises profile of all food businesses in the scheme.
- Progress against certain performance indicators, KPIs.

### Service Plan objectives

Our more detailed programme of work objectives for the Team was last outlined in [our 2020-21 Service Plan](#). **We are now in Stage 3 of the process** in that plan; **a return to (a new) normality**. This latest plan updates and refreshes the more detailed objectives and sets out what we plan to achieve in the coming year.

## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

Objective	Activities
<p>1. <b>Manage the impacts as the regulatory landscape continues to evolve, including; any ongoing issues around Covid-19; EU Transition; the FSA's ABC Programme (formerly known as Regulating our Future); and our need to 'make adequate provision' for health and safety enforcement.</b></p>	<ul style="list-style-type: none"> <li>▪ Continue to evaluate the impact of proposed new Regulatory regimes.</li> <li>▪ 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.</li> <li>▪ Prepare and align the Commercial EH Team to new regulatory frameworks for the delivery of food and health and safety and where relevant public health*,</li> <li>▪ Strengthen and maintain long-term Member commitment to delivery of our duty as enforcers of workplace health &amp; safety.</li> </ul> <p>*Consider any further proposals for maintaining protection of public health during any transitions and now we are 'Living with Covid'.</p>
Outcome – Corporate Plan objectives are in <b>bold</b>	
<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 continues to be 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 committed to the HSE / Local Authority Statement of Commitment on health &amp; safety regulation and embed the principles within this service plan.</p>	<p><b>Responsibility</b></p> <p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>



## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

Objective	Activities
<p><b>2. Deliver official food controls.</b></p> <p>Meet the on-going expectations for Phase 2 of the <a href="#">FSA Local Authority Recovery Plan</a> and the <a href="#">Food Law Code of Practice</a></p> <p>Implement planned intervention programmes for high-risk category and non-compliant establishments in accordance with the timeline shown in <i>Table 1</i> below and in specific subordinate objectives and their activities, 2a-d below. Lower risk premises will be considered for interventions too.</p> <p>To improve hygiene and standards compliance and reduce risks by focusing activity where non-compliance is identified and by undertaking appropriate follow-up and enforcement action</p> <p>The FSA have indicated that, in essence, Phase 2 will continue until the FSA's plans for a new food standards delivery model and a revised food hygiene intervention rating scheme is in place.</p>	<ul style="list-style-type: none"> <li>• Official controls are undertaken where the nature and frequency are prescribed in specific legislation and official controls recommended by FSA guidance are undertaken to support trade and enable export</li> <li>• Reactive work including; enforcement in the case of non-compliance, managing food incidents and food hazards, and investigating and managing complaints</li> <li>• Sampling in accordance with the local authority sampling programme or as required in the context of assessing food business compliance, and any follow-up necessary in relation to the FSA Surveillance Sampling Programme</li> <li>• Ongoing proactive surveillance to obtain an accurate picture of the local business landscape and to; identify open/closed/recently re-opened/new businesses; as well as businesses where there has been a change of operation, activities, or food business operator.</li> <li>• Prioritisation of 'new businesses' for intervention based on risk.</li> <li>• Responding to FHRS requested re-visits in line with the timelines specified in the FHRS Brand Standard for England.</li> </ul>
Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<p><b>Outcome 1: People are safe and feel safe.</b></p> <p><b>Outcome 5: Businesses are trusted and socially and environmentally responsible</b></p> <ul style="list-style-type: none"> <li>▪ We improve hygiene and standards compliance and reduce risks by focusing activity where non-compliance is identified and by undertaking appropriate follow-up and enforcement action</li> <li>▪ Receive and investigate appropriately all requests for service, food incidents and complaints about food and food premises.</li> <li>▪ Ongoing proactive surveillance to obtain an accurate picture of the business landscape.</li> <li>▪ New businesses receive an appropriate and timely intervention.</li> <li>▪ Where the Recovery Plan requires, all establishments receive an onsite intervention and are thereafter back in the system for interventions in accordance with the Food Law Codes of Practice.</li> </ul>	<p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

**Table 1-** FSA Recovery Plan; Phase 1 & 2- [FSA Board paper](#)



## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

Objective				Activities
<b>2a: Appropriate food hygiene interventions are completed. New and refreshed food hygiene ratings are given [where possible*].</b>				<ul style="list-style-type: none"> <li>The Table in this objective shows all the hygiene inspections due to year end 2022-23. The figures in red are higher risk premises for which an intervention is required in Phase 2.</li> <li>All higher risk establishments receive an onsite intervention and are thereafter back in the system for interventions in accordance with the Food Law Codes of Practice.</li> <li>New premises receive an appropriate intervention within 28 days of registration (or opening). This will be triaged if other higher risk work is required</li> <li>Lower (rated) risk premises are brought back into the programme and appropriate on-site interventions are completed where this is possible; the focus will be on larger/complex D rated establishments.</li> <li>We will consider the use of Alternative Enforcement Strategies to gather intelligence/information on all lower risk establishments – this includes those in category D - broadly compliant or better (FHRS 3, 4 or 5) for hygiene, and category B for standards.</li> <li>When intelligence suggests risks have increased (irrespective of the risk category) we will undertake interventions to assess and address those risks</li> <li>The new requirements on allergen labelling for products prepacked for direct sale will be considered at appropriate hygiene interventions rather than any separate food standards intervention. There are a limited number of higher risk standards inspections required in the Recovery Plan.</li> </ul> <p><b>[*Where an appropriate inspection/audit intervention has been completed].</b></p>
<b>Category</b>	<b>Due to end March 2022</b>	<b>Due April 22- March 23</b>	<b>TOTAL</b>	
New (unrated)	38	Unknown	<b>38 (minimum)</b>	
<b>A</b> (*due every 6 months)	0	2	<b>2*</b>	
<b>B</b> (*due every 12 months)	8	32	<b>40*</b>	
<b>C</b> (less than broadly compliant)	5	4	<b>9</b>	
<b>C</b>	188	71	<b>259</b>	
<b>D</b>	638	65	703	
<b>D</b> (less than broadly compliant)	1	0	<b>1</b>	
<b>E</b>	101	127	228	
Outcome				Responsibility
<ul style="list-style-type: none"> <li>Complete the required risk-based food hygiene interventions:</li> <li>All establishments in Phase 2 of the FSA Recovery Plan receive an onsite intervention per the above timetable</li> <li>Higher risk new premises receive an intervention within 28 days of registration (or opening).</li> <li>Target &gt;90% of other food establishments selected for an intervention are completed.</li> </ul>				Assistant Director (Commercial Services) Commercial EH Team Manager Lead Officers (Food Safety and Health & Safety)

## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

Objective	Activities
<p><b>2b: Focused follow up activity is conducted in food businesses that are not compliant [in the lower tiers of FHRS (0, 1 &amp; 2)]</b></p> <p>This is more important than ever as we emerge from the Coronavirus Pandemic, and we look to support the recovery of compliant businesses and protect consumers from non-compliant establishments</p>	<ul style="list-style-type: none"> <li>▪ Reinforce our intervention strategy with additional follow-ups, including visits, coaching and advice.</li> <li>▪ Use agreed national food safety managements systems such as "Safer Food, Better Business" where these are appropriate. Use on-site inspection reports and mobile working systems. Support the use of ethical business regulation principles.</li> <li>▪ Formal enforcement action will be informed by our current Policy Statement on Enforcement.</li> </ul>
Outcome –	Responsibility
<ul style="list-style-type: none"> <li>▪ Action is taken against food businesses that fail to fulfil their obligations.</li> <li>▪ Improving standards in riskier food businesses.</li> <li>▪ Reduction in the number of non-complaint food businesses through improved food hygiene performance and with the confidence this will be sustained.</li> </ul>	<p>Assistant Director (Commercial Services) Commercial EH Team Manager Lead Officers (Food Safety and Health &amp; Safety)</p>

Objective	Activities
<p><b>2c: Maintain support for the national Food Hygiene Rating Scheme (FHRS)</b></p> <p>We will continue to support FHRS and any development of mandatory display and endeavour to complete interventions that enable an updated rating to be provided; keeping the system relevant for businesses and consumers.</p>	<ul style="list-style-type: none"> <li>▪ It is important for consumer and business confidence that the FHRS system remains credible and objective; <b>the central tenet of the scheme remains a risk-based intervention programme that meets the required FSA standard.</b></li> <li>▪ Consumers see mandatory display of ratings as a necessary part of any new regulatory model. Our intervention work will therefore endeavour to continue to establish compliance even in lower risk premises.</li> <li>▪ We will therefore consider adoptions to the FSA Recovery Plan to accelerate interventions in lower risk premises to ensure they remain compliant. This will include interventions that allow formal rating, where this is possible.</li> <li>▪ We will support the re-rating visits according to <a href="#">the process outlined</a> on our website.</li> </ul>

## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

Outcome	Responsibility
<ul style="list-style-type: none"> <li>Improvements in the number of businesses that meet minimum compliance levels and, in the number, evidencing 'very good' standards of compliance.</li> <li>We deliver the required (risk based) intervention programme outlined in this plan.</li> <li>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.</li> <li>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).</li> </ul>	<p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

Objective	Activities
<b>2d: Develop and implement a risk-based food sampling programme</b>	<ul style="list-style-type: none"> <li>Consider our Sampling Policy and local, regional, and national priorities utilising all intelligence available.</li> <li>Take part in relevant regional/national identified studies where we are able.</li> <li>Exchange intelligence and findings on sampling results using relevant local and national intelligence, a key element to a robust system of Official Food Controls.</li> <li>If requested, we will acknowledge and respond to any originating local food authority, in respect of inland referrals, confirming any action taken.</li> </ul>
Outcome	Responsibility
<ul style="list-style-type: none"> <li>Delivery of a risk-based sampling programme. This work was drastically scaled back during the pandemic, but the intention is to conduct further sampling work in 2022-23 where it supports other workstreams.</li> <li>We comply with the FSA Data Standard for the collection of food and feed sampling intelligence.</li> <li>Contribute to relevant sampling projects selected by UKHSA and the public analyst services.</li> </ul>	<p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

Objective	Activities
<p><b>3. Ensure adequate arrangements are in place for the enforcement of health and safety.</b></p> <p><b>Focus on duty-holder business and activities where risks are highest</b></p> <p>Section 18(4) of the Health and Safety at Work Act etc. 1974 places a duty on Local Authorities to make 'adequate arrangements for the enforcement' of health and safety and the Code sets out what is meant by 'adequate arrangements for enforcement'.</p> <p><b>Consider activities in the sectors identified in <a href="#">LAC 67/2 (rev 11)</a>;</b> Setting Local Authority Priorities and Targeting Interventions including local intelligence.</p> <p><b>Subordinate objectives and their activities are outlined in 3a-f below</b></p>	<ul style="list-style-type: none"> <li>▪ Planned proactive health and safety interventions which focus on national priority topics;</li> <li>▪ Undertaking targeted initiatives based on local intelligence and evidence of risk;</li> <li>▪ Evidence-based education of employers, employees and contractors through guidance and information;</li> <li>▪ Promoting proportionate and sensible health and safety through business engagement and partnership working;</li> <li>▪ Undertaking and participating in health and safety promotion campaigns;</li> <li>▪ Working with and liaising with other internal stakeholders and external organisations</li> <li>▪ Devising material to help businesses comply with the law and promote good practice</li> </ul>
Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<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> <ul style="list-style-type: none"> <li>▪ <b>Planned interventions are evidence based.</b> Proactive inspection are only used for the activities in the sectors contained in the list of priority topic areas which is embodied in the National Code and <a href="#">LAC 67/2 (rev 11)</a>, or where there is local intelligence of failure to manage risk or for making it a specific local priority..</li> <li>▪ All reactive and proactive work is underpinned by local, regional, and national liaison. An appropriate mechanism for ensuring consistency between enforcers, for sharing good practice, for sharing information and for informing other enforcers of potential difficult situations</li> </ul>	<p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

Objective	Activities
<p><b>3a; Management of legionella in cooling towers.</b></p> <p>A Local Priority and Targeting Interventions including local intelligence. The risk of a Legionnaires' disease outbreak affecting the Square Mile is considered an unacceptable public health and reputational risk, especially when compared with any perceived burden from our intervention activity.</p> <p>One hundred and five sites are due an intervention in the period to end March 2023. Forty-three are in the higher risk categories and will receive an on-site intervention</p>	<ul style="list-style-type: none"> <li>▪ Proactive interventions are considered necessary based on local intelligence and following the considerable upheaval of the pandemic and potential impact on the management of legionella, e.g. building occupancy and use during various Lockdown iterations</li> <li>▪ Risk-based interventions at sites with cooling towers; revisits and enforcement action taken as necessary;</li> <li>▪ Review status of decommissioned tower sites and follow up accordingly.</li> <li>▪ Engagement with duty holders at new / proposed cooling tower sites: Advice to Principal Designers and Designers including at the pre-application or Planning Application stage of development.</li> <li>▪ Focus attention on sites that have:-                         <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> </li> <li>▪ Legionella Control Association attend quarterly meetings</li> <li>▪ Deliver training for inspectors on legionella and cooling towers (in conjunction with ALEHM and wider).</li> <li>▪ Host / support further professional development events for the regulatory and public health community.</li> </ul>
Outcome –	Responsibility
<p><b>Planned interventions are evidence based for cooling tower systems.</b> Proactive inspections are a reliable means of intelligence gathering. This type of intervention remains broadly supported by duty-holders who value our input and oversight</p>	<p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

Objective	Activities
<b>3b; Electrical safety in hospitality settings.</b> The Electricity at Work Regulation 1989 requires that any electrical equipment which has the potential to cause injury is maintained in a safe condition	<ul style="list-style-type: none"> <li>Consider matters of evident concern and raise at on site food hygiene interventions.</li> </ul>
Outcome –	Responsibility
<b>Planned interventions are evidence based.</b> Proactive inspection are only be used for the activities in the sectors contained in the list of priority topic areas which is embodied in the National Code and <a href="#">LAC 67/2 (rev 11)</a> , or where there is local intelligence of failure to manage risk.	Assistant Director (Commercial Services)  Commercial EH Team Manager  Lead Officers (Food Safety and Health & Safety)

Objective	Activities
<b>3c: Gas safety in commercial catering premises.</b>  The proper installation, maintenance and inspection by a competent Gas Safe registered engineer is essential to ensuring that staff and customers at commercial catering premises are protected from exposure to carbon monoxide gas.	<ul style="list-style-type: none"> <li><b>Gas safety in commercial catering premises.</b> The proper installation, maintenance and inspection by a competent Gas Safe registered engineer is essential to ensuring that staff and customers at commercial catering premises are protected from exposure to carbon monoxide gas.</li> <li>Continue to survey food premises likely to be using solid fuel appliances (at the time they become due for an on-site food hygiene inspection).</li> <li>Follow-up enforcement in premises where there are matters of evident concern</li> </ul>
Outcome	Responsibility
<b>Planned interventions are evidence based.</b> Proactive inspections are only be used for the activities in the sectors contained in the list of priority topic areas which is embodied in the National Code and <a href="#">LAC 67/2 (rev 11)</a> , or where there is local intelligence of failure to manage risk.	Assistant Director (Commercial Services)  Commercial EH Team Manager



## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

	Lead Officers (Food Safety and Health & Safety)
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Objective	Activities
<p><b>3d: Crowd management &amp; injuries/fatalities to the public</b></p> <p>Event Safety / Crowd control at large scale public gatherings/ events remains a National Priority for 2022-23.</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>	<ul style="list-style-type: none"> <li>▪ Work with Licensing, Operational and Safety Planning Groups to better understand proposed event plans</li> <li>▪ 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.</li> <li>▪ Visits to events to verify the application of appropriate risk control measures.</li> <li>▪ Where necessary intelligence is shared between appropriate, e.g. City of London Police, London Fire, London Ambulance, City Corporation's Highways service.</li> </ul>
Outcome	Responsibility
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 is addressed where this is necessary.	<p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

Objective	Activities
<p><b>3e: All London Borough Health &amp; Safety Liaison Group (ALBHSLG)</b></p> <p>Under LAC67/2 LAs should consider whether they can gain regulatory efficiencies by planning activity collectively e.g. with members of their local LA liaison groups.</p>	<ul style="list-style-type: none"> <li>▪ Any planned activity programme formulated by ALBHSLG for 2022-23 will be considered and resourced appropriately.</li> <li>▪ Work with relevant signatories of the Work-related deaths protocol to clarify and set demarcation arrangements and promote cooperation.</li> </ul>
Outcome	Responsibility

## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

<ul style="list-style-type: none"> <li>Work with a potential range of agencies to develop partnership approaches that improve compliance and help duty-holders to manage health and safety.</li> </ul> <p><b>Note:</b> Planned project activity was paused following Coronavirus measures</p>	<p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>
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Objective	Activities
<p><b>3f: Reactive health and safety interventions</b></p>	<ul style="list-style-type: none"> <li>Investigating reported accidents, occupational diseases and dangerous occurrences that meet the appropriate criteria for follow up;</li> <li>Responding to complaints and requests for service;</li> <li>Permissioning work; <ul style="list-style-type: none"> <li>In MST premises (in liaison with Licensing colleagues);</li> <li>Asbestos notifications; and,</li> <li>Thorough examination (usually lift) reports;</li> </ul> </li> <li>Responding to consultations, e.g. from Licensing;</li> <li>Providing or signposting advice and information to duty holders;</li> <li>Prioritised and targeted health and safety promotional campaigns.</li> </ul>
Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<ul style="list-style-type: none"> <li>Incidents / Accidents: a decision to investigate is made in accordance with the appropriate <a href="#">Incident Selection Criteria Guidance</a> LAC 22/13<sup>1</sup></li> <li>Initial enquiries are completed to national guidelines: establishing or verifying key facts and further information to inform a decision on whether to investigate further and to what extent.</li> <li>Investigation and any follow-up enforcement action is taken in accordance with the HSE guidelines including the Enforcement Management Model (EMM)</li> </ul>	<p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

<sup>1</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)

## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

Objective	Activities
<p><b>4. Help promote and support the growth and successful delivery of workplace health and wellbeing in City businesses.</b></p> <p>Using:</p> <ul style="list-style-type: none"> <li>a. Promotion of the <a href="#">London Healthy Workplace Charter (external link)</a> a good practice framework aimed at improving the health and well-being of employees.</li> <li>b. Awareness raising of the work-related stress and mental health campaign '<a href="#">Working Minds</a>'</li> <li>c. The <a href="#">Healthier Catering Commitment (HCC)</a>, a voluntary scheme promoted by local authorities to help caterers and food businesses make simple, healthy improvements to their food. We spent time developing an enhanced HCC scheme for food businesses in the City of London and launched the scheme in 2019-20</li> </ul>	<ul style="list-style-type: none"> <li>▪ Encourage sign up to the community Business Healthy network.</li> <li>▪ Encourage development and use of the good practice framework for the workplace charter.</li> <li>▪ Raise awareness of the work-related stress and mental health campaign. This launched on 16th November 2021 and will run until the end of January 2023. The '<a href="#">Working Minds</a>' campaign is relevant to all businesses but is aimed particularly at SMEs and is encouraging employers and employees to use the five 'R' approach to: <ul style="list-style-type: none"> <li>○ make stress and mental health ROUTINE, as part of employee engagement</li> <li>○ REACH out to their colleagues,</li> <li>○ RECOGNISE the signs of stress,</li> <li>○ RESPOND to reduce the risk,</li> <li>○ REFLECT on how these experiences can be used to improve the workplace</li> </ul> </li> <li>▪ Following the pandemic we now need to reinvigorate the HCC scheme and develop and promote the initiative anew in relevant food establishments.</li> <li>▪ Where appropriate we will align this work with the evolving public health agenda (including regulation) on food.</li> <li>▪ Maintain and enhance our links with the pan London development of HCC.</li> </ul>
Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<p><b>Outcome 2: People enjoy good health and wellbeing</b></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>. 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>More food businesses are signed up to the HCC Award.</p>	<p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

Engagement with and buy in from, potential businesses using referral mechanisms, existing networks, and resources such as Public Protection Team Business Healthy initiative. Work is part of the City & Hackney's Joint Health and Wellbeing Strategy, including mental health and is supported by the 'Business Healthy' initiative.

Objective	Activities
<p><b>5. Develop Primary Authority Partnership work</b></p> <p><b>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.</b></p> <p>The Regulatory Enforcement and Sanctions Act 2008, as amended by the Enterprise Act 2016 established Primary Authority as a statutory scheme.</p>	<ul style="list-style-type: none"> <li>▪ Pursue our on-going Primary Authority Partnership (PAP) work, where benefits remain for the partnership.</li> <li>▪ Consider further PAPs where this is likely to be a good fit and we have the capacity and resource to help make the difference.</li> <li>▪ The enhanced development of our Primary Authority offering has not yet been pursued but we remain active in the development of individual partnerships and with the development of regional and sector specific national PA groups.</li> </ul>
Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<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> <ul style="list-style-type: none"> <li>▪ Improved support for businesses and economic growth to enable them to better manage their key health, safety, and food related risks.</li> <li>▪ Ensuring progress towards the Government's better regulation agenda, providing streamlined and improved regulation.</li> <li>▪ Increased Primary Authority work. With Increased income and enhanced reputation for the City of London.</li> <li>▪ Improved working with national and other regulators on the provision of specific advice.</li> <li>▪ Businesses that sign up to a Primary Authority partnership have access to reliable, timely and tailored regulatory advice.</li> </ul>	<p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

Objective	Activities
<p><b>6. Further develop the Commercial EH Team in line with the agreed objectives.</b></p> <p>Focus on our people and work in collaboration with others. Produce training and development opportunities for peers.</p>	<ul style="list-style-type: none"> <li>▪ Continue to develop and enhance the competency of our frontline professionals.</li> <li>▪ Further develop our succession and workforce plan and embed the Corporate mechanisms designed to support this process.</li> <li>▪ Develop further (suitable) training arrangements; job shadowing; mentoring and coaching; using the revised performance development approach in our Corporate appraisal process.</li> <li>▪ Specific training will be developed in line with the FSA and HSE competency frameworks.</li> <li>▪ Further develop agreed meat hygiene training for London authorities in association with peer organisations, allied universities and food professionals utilising Smithfield Market.</li> <li>▪ Further develop health &amp; safety training for peers</li> <li>▪ 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.</li> </ul>
Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<p><b>Outcome 8: We have access to the skills and talent we need.</b>  <b>Outcome 9: We are digitally and physically well-connected and responsive.</b>  <b>Outcome 10: We inspire enterprise, excellence, creativity, and collaboration</b></p> <ul style="list-style-type: none"> <li>▪ Our workforce is adequately resourced and experienced, enabling the service to fulfil its key objectives.</li> <li>▪ We have a more efficient service and improved staff morale, resulting in a better service for our customers.</li> <li>▪ We are, and we remain an excellent, modern, and accountable regulator focused on delivering a better service for our customers.</li> <li>▪ Our workforce will be well led and experienced, enabling the service to fulfil the objectives set now and for the foreseeable future.</li> </ul>	<p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p>

## COMMERCIAL ENVIRONMENTAL HEALTH TEAM SERVICE PLAN 2021-2023 (revised)

Objective	Activities
<p><b>7. Further develop IT and information management systems and capabilities and improve our online service offer. Build on lessons learned during the lockdown phase</b></p> <p>The new Environment Department currently uses two overlapping back-office systems; IDOX Uniform and NEC M3 / Assure</p>	<ul style="list-style-type: none"> <li>▪ There is a project in progress to replace the two current back-office systems with one shared Uniform system to be used across multiple Divisions in the new Department.</li> <li>▪ We will work collectively with the relevant Module Administrators/ Key People in order to configure and develop Uniform so that it matches the desired business processes of the team.</li> <li>▪ Work to further improve our digital customer services streamlining both internal and external processes to everyone's advantage*.</li> </ul>
Outcome – Corporate Plan objectives are in <b>bold</b>	Responsibility
<p><b>Outcome 9: We are digitally and physically well-connected and responsive.</b></p> <ul style="list-style-type: none"> <li>▪ Faster data and information capture, improved intelligence and targeting enforcement, more effective communication with businesses.</li> <li>▪ The existing Service delivers a streamlined, accessible format with a clear focus on customer requirements</li> <li>▪ The shared Uniform system will enable officers in different Divisions and their teams to share data more effectively and be sighted on the activities of the wider Department.</li> <li>▪ 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. We will be better able to identify poor performing businesses and sectors.</li> <li>▪ More 'open data' provision is considered.</li> </ul> <p>*Activities still to include: Further Corporate website development; Online forms (inc. payments); use of the FSA food registration system; data gathering and development of data analytics (inc. the FSA work on performance management and segmentation); development of the Departments management information system (database)</p>	<p>Assistant Director (Commercial Services)</p> <p>Commercial EH Team Manager</p> <p>Lead Officers (Food Safety and Health &amp; Safety)</p> <p>Module Administrators (for the shared Uniform system)</p>

<b>Committee(s):</b> Port Health and Environmental Services Committee – For Decision	<b>Dated:</b> 24/05/2022
<b>Subject:</b> Cemetery and Crematorium Reserve Fund Request - Grave Digging Equipment	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	1, 2, 4, 11, 12
<b>Does this proposal require extra revenue and/or capital spending?</b>	Y
<b>If so, how much?</b>	£150,000
<b>What is the source of Funding?</b>	Cemetery Reserve fund
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	Y
<b>Report of:</b> Juliemma McLoughlin, Executive Director Environment	<b>For Decision</b>
<b>Report author:</b> Gary Burks, Superintendent & Registrar – Cemetery and Crematorium	

## Summary

This report sets out the need to replace grave digging equipment at the City of London Cemetery. The last two years of excess burials has placed the equipment used for the excavation and backfilling of graves under significant pressure. This substantial use has shortened the life of the operational fleet to the point where three items now need to be replaced in advance of the usual replacement programme.

This equipment is all heavy plant; there are currently no suitable electric or hybrid replacements on the market and even if there were, the site would need more time to develop the infrastructure to enable the charging of them.

Therefore, this report recommends that £150,000 from the Cemetery and Crematorium Reserve Fund is used to purchase replacement equipment. This will mitigate the risk of the old equipment failing and the negative effects that this would have on the operational cemetery and burial provision. When the old equipment is sold, all proceeds will be credited to the Reserve Fund.

## Recommendation(s)

Members are asked to:

- Agree the use of Cemetery and Crematorium Reserve Funds to purchase three pieces of operational equipment which are: one large excavator (digger), one small excavator (mini-digger), and one tractor.

- That the funds achieved from the sale of the old equipment be returned to the reserve fund.

## **Main Report**

### **Background**

1. In 1999 a report to your committee was agreed creating a Reserve Fund for the Cemetery and Crematorium with the recommendation that all surpluses made by the site were to be transferred into the fund at year-end.
2. The City of London Cemetery and Crematorium carries out on average 800 burials a year and is totally reliant on a range of plant and machinery to achieve this, including excavators, site dumpers, tractors and trailers.
3. The last two years of pandemic has seen this number increase to 1,000 burials a year, putting this equipment under huge strain. Whilst we have done our best to maintain the equipment and operate it carefully, the added workload due to the significant increase in burials has reduced the working life of several of these items.
4. The last two years has seen a significant over achievement of income for the City of London Cemetery: The Cemetery reported an over-achievement of income of almost £1.7M in 2020/21 and approximately £750K in 2021/22.
5. In 2021/22, £490,459 was transferred to the Cemetery and Crematorium Reserve Fund bringing it to a total of £1,488,124. The fund was last used in 2014 to fund the preparation and landscaping of a burial area for lawn graves inside the cemetery.

### **Current Position**

6. The grave digging equipment and plant that needs to be replaced is:
  - one large excavator
  - one small excavator
  - one tractor.
7. Due to the accelerated need for replacements and the limited local risk budget for vehicle and plant purchase, the Cemetery needs to find funds from elsewhere to purchase this equipment.
8. The site has always owned its plant, vehicles and equipment and tends to keep them as long as is practical. We have an in-house fitter who carries out regular repairs and maintenance. Therefore, it has always proven financially viable to purchase plant and fleet outright, keep them for a minimum of 5 years, and only dispose of them when it is no longer cost effective to maintain them, or if working practices change. As the equipment is owned, there is a residual value when it is disposed of, usually in excess of £2,000 and sometimes much more depending



on the equipment and its condition. I would expect the residual value on the equipment above to be between £3,000 and £7,000 per item.

9. The estimated cost of replacement of the above grave digging equipment with similar new equipment is £150,000 and this is based on standard diesel vehicles. As the vehicles are classed as 'plant', they do not leave the Cemetery, and operate using red (or rebated) diesel. However, all new equipment will be more efficient and less polluting than the old. Of the three items required, only one, the mini-digger, has an electric option but the run time and digging depth of the electric option make it unsuitable.
10. It is felt that the market needs at least five more years to be able to offer suitable electric options and the Cemetery probably needs a similar amount of time at least to develop the infrastructure to be able to meet future charging requirements. We currently have adequate charging capability for the electric fleet, which consists of two panel vans, a flat-bed large van and a mini-bus as well as four electric utility vehicles. But we will need to significantly develop the Cemetery infrastructure for the daily charging of heavy plant.

## Options

11. Use the current local risk budget allocation and replace the above equipment over the next three years - This would push back all other fleet replacement and put the operation of the Cemetery and Crematorium at risk of vehicle failures, hire costs and possibly having to cancel funerals at short notice. **This is not recommended.**
12. Use funds (£150,000) from the Cemetery and Crematorium Reserve Fund and purchase the equipment in this financial year leaving the current expenditure budget for other necessary vehicle replacements - All funds from the sale of the old equipment will be credited to the Reserve Fund. **This is recommended**
13. Lease the required equipment using the current vehicle replacement budget to fund the leasing costs - As plant and equipment is kept for at least five years, leasing is more expensive than outright purchase. Purchase also results in vehicles having a residual value at the end of their working life. Therefore, this makes leasing less viable. **This is not recommended.**

## Proposals

14. It is therefore proposed that your Committee approve the use of £150,000 from the Cemetery and Crematorium Reserve Fund to purchase three essential pieces of grave digging equipment which need to be replaced due to the last two years of excess burials at the City of London Cemetery.
15. There is likely to be a significant lead-in period for the delivery of equipment. The sale at auction of the old machinery cannot take place until the replacements

have been delivered, but at that time, all proceeds from the sales will be credited to the Reserve Fund.

16. The purchase of this equipment will ensure that burials at the cemetery will run smoothly and the level of contingency that we have relied upon so heavily over the last two years can continue.

## **Corporate & Strategic Implications**

### **Financial implications**

17. The financial implications of this report are that the Cemetery produced income in excess of £2m from the sale of graves and burials in 2019/20, £3.6M in 2020/21 and £2.9m in 2021/22. The continuation of this level of income is at risk if the grave digging equipment is not replaced at the end of its useful life. This report proposes that your committee agrees the use of the reserve fund to replace tired equipment in order to maintain service provision and income.
18. Outright purchase of this equipment is recommended as it is the more financially viable option considering the life of the equipment, residual value and leasing costs. Leasing is comparable with purchase over three years, but over five years it is £5,000 more expensive for the tractor or mini-digger. Outright purchase will also result in a residual value of the equipment which is approximately £3,000 to £7,000 per item. The large digger leasing costs are higher over five years and the residual or resale value is higher making outright purchase more viable still.
19. The large excavator will need to be procured using the Gateway process (light) but the mini-digger and tractor will be requested through the TCG and follow the standard procurement process for equipment under £50k.
20. The Cemetery and Crematorium Reserve Fund currently sits at £1,488,124 and was set up in 1999 to help support the maintenance of the site and to fund large ticket items such as this. The fund was last used in 2014 year to landscape and prepare a large burial area within the site.
21. Use of the Reserve Fund for the three items of heavy plant will leave approximately £1,340,000 in the reserve.

### **Resource implications**

22. None

### **Legal implications**

23. None

### **Risk implications**

24. This report sets out a course of action to mitigate the risks to service provision at the cemetery by the failure of old and tired equipment.

## **Equalities implications**

25. None

## **Climate implications**

26. This report recommends the replacement of old equipment with new; this will have a small positive climate impact as all of the new equipment is more efficient and has less emissions than those being replaced. It is not possible to replace this heavy plant with electric equipment at present as there are no appropriate electric vehicles on the market and the Cemetery infrastructure is not sufficient for the charging of large plant and equipment.

## **Security implications**

None

## **Conclusion**

27. The Cemetery and Crematorium carries out approximately 800 burials a year and is reliant on plant and equipment to achieve this. This report proposes that your committee agrees the use of £150k from the Cemetery and Crematorium Reserve Fund to replace worn out burial equipment.

28. All receipts for the sale of the old equipment will be credited to the Reserve Fund.

## **Appendices**

29. None

## **Gary Burks**

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