



Port Health & Environmental Services Committee

Date: TUESDAY, 28 MARCH 2023
Time: 11.00 am
Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

Members:

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

Enquiries: Ben Dunleavy
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<https://www.youtube.com/@CityofLondonCorporation/streams>

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Ian Thomas
Town Clerk and Chief Executive

AGENDA

Part 1 - Public Agenda

1. **APOLOGIES**

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

3. **MINUTES**

To agree the public minutes and non-public summary of the meeting held on 24 January 2023.

For Decision
(Pages 7 - 12)

4. **PUBLIC OUTSTANDING ACTIONS**

Members are asked to note the Committee's actions list.

For Decision
(Pages 13 - 14)

5. **DRAFT HIGH-LEVEL BUSINESS PLAN 2023/24 - ENVIRONMENT DEPARTMENT**

Report of the Executive Director, Environment.

For Decision
(Pages 15 - 26)

6. **PROPOSED CHARGES FOR STREET CLEANSING, WASTE COLLECTION AND PUBLIC CONVENIENCES 2023/24**

Report of the Executive Director, Environment.

For Decision
(Pages 27 - 42)

7. **STREET TRADING FEES 2023/24**

Report of the Executive Director, Environment.

For Decision
(Pages 43 - 48)

8. **IMPROVEMENTS TO METHODOLOGY OF THE CITY OF LONDON THAMES FISHERY RESEARCH EXPERIMENT**

Report of the Executive Director, Environment.

For Decision
(Pages 49 - 52)

9. **RISK MANAGEMENT UPDATE**

Report of the Executive Director, Environment.

For Information
(Pages 53 - 66)

10. **TRADING STANDARDS TEAM UPDATE**

Report of the Executive Director, Environment.

For Information
(Pages 67 - 72)

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

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

13. **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

14. **NON-PUBLIC MINUTES**

To agree the non-public minutes of the meeting held on 24 January 2023.

For Decision
(Pages 73 - 74)

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

Report of the Executive Director, Environment.

For Decision
(Pages 75 - 94)

16. **PORT HEALTH AND ENVIRONMENTAL SERVICES DEBTORS - PERIOD ENDING 31 DECEMBER 2022**

Report of the Executive Director, Environment.

For Information
(Pages 95 - 104)

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

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

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PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 24 January 2023

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)
George Abrahams
Deputy Peter Dunphy
John Edwards
Helen Fentimen
Deputy Marianne Fredericks
Alderman Prem Goyal
Caroline Haines
Deputy Ann Holmes

Wendy Hyde
Elizabeth Anne King
Deputy Natasha Maria Cabrera Lloyd-Owen
Andrew McMurtrie
Jason Pritchard
Deputy Dr Giles Shilson
Mandeep Thandi
Glen Witney
Henrika Priest

Officers:

Gavin Stedman	- Port Health & Public Protection Director
Jenny Pitcairn	- Chamberlain's Department
Gary Burks	- Environment Department
Ben Dunleavy	- Town Clerk's Department
Ian Hughes	- Environment Department
Aggie Minas	- Environment Department
Ellen Fouweather	- Town Clerk's Department
Timothy Bage	- Environment Department

1. APOLOGIES

Apologies for absence were received from Shannan Bakth, Alderman Alex Barr, Deputy Chris Boden, Timothy Butcher, the Deputy Chairman Mary Durcan (observing virtually), Henry Jones (observing virtually), Deputy Henry Pollard, Alethea Silk (observing virtually), Oliver Sells, Irem Yerdelen and Alderman Kawsar Zaman.

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

There were none.

3. MINUTES

The public minutes and non-public summary of the meeting held on 29 November 2022 were approved as a correct record.

4. PUBLIC OUTSTANDING ACTIONS

Members noted the following items from the Committee's outstanding actions list:

- A letter to London Underground regarding the ongoing noise issues affecting the Barbican Centre was being prepared;
- A diary invite had been sent to Members for a presentation to Committee Members regarding income generation and the medium-term Capital Plan.

5. CEMETERY AND CREMATORIUM FEES AND CHARGES 2023-24

Question from Alderman ZamaMembers received a report of the Executive Director, Environment, regarding the cemetery and crematorium fees and charges for 2023-4.

The Chairman asked officers from the City of London Cemetery what plans they had in place for faiths which required prompt burials, such as Jewish or Islamic burials. In reply, officers said that the Cemetery was non-denominational and did not historically receive much demand from the Jewish or Muslim communities, as it did not have space to offer the designated faith areas they often require. A move from the current system would raise the overall costs of burials and cremations and require considerable change in staffing structures. These factors, combined with the low demand for weekend funerals, meant that it had not been considered in the past and Officers felt that it was unlikely there would be a sufficient business case to move towards a change in the operational structure in the future.

Members noted this reasoning but requested that officers carried out an Equalities Impact Assessment to consider the Cemeteries approach and to see what else the City Corporation could offer for these communities. Officers undertook to undertake this and to provide Members with the results.

RESOLVED, that – Members agree the fees and charges as set out in the report and its appendices, for implementation with effect from 1 April 2023.n (apologies):

1. Does the Corporation have in place plans to deal with funerals for those of the Jewish and Muslim faiths who require prompt burials, even over weekends?
2. As such, in setting fees for the weekend (which appear to be higher for understandable reasons), does the Corporation consider that, as a result of religious obligations, these religious groups/individuals do not necessarily 'choose' to have a burial over the weekend, and thus is there scope to reduce these costs in line with weekday costs?

Decision – to agree the fees and charges set out in the report and its appendices, for implementation with effect from 1 April 2023

6. MESSAGE AND SPECIAL TREATMENT FEES 2023-24

Members received a report of the Executive Director, Environment relative to Massage and Special Treatment fees for 2023-24.

The Chairman asked if officers were confident that the proposed fees were in line with those of neighbouring local authorities, and if they felt the fees were competitive. In reply, officers said that fees were set on a cost recovery basis, with the City Corporation following the requirements as set out in legislation.

RESOLVED, that – Members agree the proposed fees for 2023/24.

7. BUSINESS PLANS 2022/23: PROGRESS REPORT (PERIOD 2, AUGUST-NOVEMBER)

Members received a report of the Executive Director, Environment providing a progress report on the Business Plan for 2022/23.

A Member requested further information regarding the variances and unidentified savings mentioned in the report. In reply, officers said they had needed to find the unidentified savings to stay within the allocated resource envelope, which had been split between the Environment Department's service committees. The variance had retained rather than reallocated due to a change in how budgets were managed and to help make it clear to Members where variances had arisen during the year. They would be able to revise the ways in which savings were made in future years, and consider broader elements of income generation.

A Member asked about the relationship between the Climate Action Strategy and the air quality team, and if they worked together on air quality issues such as those affecting Crescent House. In reply, officers said the air quality team had been established by the City Corporation to achieve its statutory responsibilities. Officers undertook to return to Members with further information on the issues affecting Crescent House, and encouraged Members to contact them regarding any concerns on air quality.

A Member commented on the overspends noted in the report, and the statement that these were being offset by salary savings due to vacancies, and asked if these vacancies were having any impact on services, and asked officers to comment the management of future budgets to move past year end overspends. In reply, officers clarified that while the department as a whole was projecting a small overspend, a break-even position was projected for City Fund. The position for the Committee's budget had worsened as part of a managed process where officers were reducing what was drawn from their reserve to avoid unnecessarily going into an underspend position, and retain as much resource as possible to take forward. With regards to staff vacancies, officers said that there should be degree of pragmatism as vacancies were a natural part of running a service, but agreed that they should not be used to balance budgets.

A Member thanked the cleansing team for their work, and said that residents were pleased with the service provided. The Chair echoed these comments.

A Member requested that future iterations of the key performance indicators table at Appendix 2b included further information on the origin of the targets.

RESOLVED, that – the report be received and its contents noted.

8. PORT HEALTH AUTHORITY UPDATE

Members received a report of the Executive Director, Environment providing an update on the Port Health Authority.

A Member asked what impact strikes might have on the Port Health Authority. Officers replied that the strikes might result in additional volume at the ports, but they would be able to cope with this within normal timeframes.

RESOLVED, that – the report be received and its contents noted.

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

A Member asked how the Port Health team was managing staff with regards to working from home and on site. Officers replied that officers had been continuously available in front-facing roles throughout the pandemic, and that this had not changed.

A Member informed the Committee that Westminster Council had approved an application for a 'party boat' licence, and that at their licensing hearing the Council had been informed that there were no noise complaints. The Member said that it had subsequently been revealed that there had been complaints about that boat. The Member therefore asked how the City Corporation could help ensure that noise complaints were submitted at to the relevant licencing hearings. Officers replied the City Corporation had taken a strong lead in ensuring there was a coordinated response to noise, and assisting the other riparian boroughs. These actions included meeting with the Port of London and local authority working groups..

The response to a Member's request for an update on noise complaints at Five Guys Bishopsgate was provided in the non-public section.

A Member informed the Committee of comments she had received from residents near St Barts Square on the noise created by lorries in a low noise area, including City Corporation dustcarts. They asked officers to ensure that City Corporation vehicles adhered to noise policies and to be proactive in ensuring that lorries do not drive through no noise areas. In reply, officers said they were aware of the issue and looking at what could be done to ease and resolve the problem.

A Member asked for an update on the letter that had been received from Defra regarding sewage. In reply, the Chairman said that the government would be supervising the five worst offending water companies, including Thames Water, and that the City Corporation's Corporate Affairs team would be monitoring the government's actions.

A Member, who served as the Committee's representative on Thames21, asked if pressure could be kept up on the government on the issue of plastic

and wet wipe pollution. The Chairman replied that they would ask the Corporate Affairs team to make representations on that issue.

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

There was no other business.

11. **EXCLUSION OF THE PUBLIC**

12. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 29 November 2022 were approved as a correct record.

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

There was one question in the non-public session.

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

There was one item of other business in the non-public session.

The meeting closed at 12.25 pm

Chairman

Contact Officer: Ben Dunleavy

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Port Health & Environmental Services Committee – Outstanding Actions

Item	Date	Action	Officer(s) responsible	To be completed/ progressed to next stage	Progress Update
1.	15 January 2019	Measurement and mitigation options for operational rail noise from London Underground affecting the Barbican Estate	Executive Director of Environment	Ongoing	<p>The Chairman wrote to Seb Dance on 26th January to enquire on progress with the promised actions -</p> <ul style="list-style-type: none"> • Model the impacts of speed restrictions after 10pm under Brandon Mews now that the 4LM new signalling system is in place. • Provision of a clearer view of the costs and practicality for moving or removing the points and crossings 35A. <p>A letter of response has been received.</p>
2.	22 November 2022	Presentation on income generation and capital plan	Executive Director of Environment	Completed	<p>The Chairman asked the Executive Director to provide for Members information on income generation and the medium term Capital Plan used at the recent bi-lateral meeting.</p> <p>A session for Members with a presentation was held on 24 February.</p>

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Committee:	Date:
Port Health & Environmental Services Committee	28 March 2023
Subject: Draft High-Level Business Plan 2023/24 – Environment Department	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	2, 3, 4, 5, 10, 11, 12
Does this proposal require extra revenue and/or capital spending?	N
Report of: Juliemma McLoughlin, Executive Director Environment	For Decision
Report author: Joanne Hill, Environment Department	

Summary

This report presents for approval the high-level Business Plan for the Environment Department for 2023/24. Due to the complexity and scope of the department, three separate high-level Business Plans have been produced to reflect our three key Committee 'clusters'. This plan presented in this report covers the service areas which fall within the remit of the Port Health & Environmental Services Committee and the Licensing Committee.

Recommendation

Members are asked to:

- i. Note the factors taken into consideration in compiling the Environment Department Business Plan; and
- ii. Approve, subject to the incorporation of any changes sought by this Committee, the elements of the departmental high-level Business Plan 2023/24 which fall within the remit of the Port Health & Environmental Services Committee.

Main Report

Background

1. As part of the new framework for corporate and business planning, departments were asked to produce standardised high-level, two-side Business Plans for the first time in 2017 for the 2018/19 year. Members generally welcomed these high-level plans as being brief, concise, focused and consistent statements of the key ambitions and objectives for each department.
2. For 2023/24, the high-level Business Plan has further evolved to add more narrative and improve readability. The Business Plan now incorporates TOM departmental structure changes. As a high-level plan, this document does not capture the granularity of departmental work but gives the strategic overview of departmental activity, trends where applicable and direction of travel.

Draft final high-level Business Plan for 2023/24

3. This report presents, at Appendix 1, the draft high-level Business Plan for 2023/24 for the services of the Environment Department which fall within the remit of the Port Health & Environmental Services Committee and the Licensing Committee, ie:
 - Public Protection, including the Licensing Service
 - Port Health
 - Animal Health
 - Cemetery and Crematorium
 - Cleansing and Waste.
4. This high-level plan sets out the key areas of work that will be undertaken during 2023/24, all of which are focused on the need to continue to deliver statutory regulatory services in an efficient and compliant manner, while maximising opportunities to reduce expenditure and generate income. Key Performance Indicators are also listed.
5. Key workstreams for the coming year include:
 - Continuing work to improve air quality in the City.
 - Preparing for and embedding the new Border Operating Model when it is confirmed.
 - Embedding the Climate Action Strategy and Climate Resilience mitigations.
 - Developing a combined services strategy for the Cleansing and City Gardens Team
 - Assessing and adapting services in reaction to the Night Time Economy.
 - Adapting services provided by the Cemetery and Crematorium as necessary to provide options relevant to the needs and preferences of customers.
6. The plan was developed through consultation with the department's Senior Leadership Team, Assistant Directors, and colleagues from across the wider City Corporation. The involvement of colleagues from Town Clerk's Department, and the Chamberlain's Department has been instrumental in refining deliverables and priorities.
7. Throughout the year, the Environment Department reports to Committees on progress made against the workstreams and performance indicators set out in its Business Plan. Updates on key business risks are also reported on a regular basis. This gives Members the opportunity to scrutinise the department's progress towards achieving its objectives.
8. Members have further opportunity to scrutinise departmental performance through the Bilateral process, which most recently occurred in autumn 2022. In addition, the Audit and Risk Management Committee scrutinise the risk management process and ensure top risks are reviewed through regular risk updates and deep dives of corporate risks.

Standing Order 56: Property assets

9. The Environment Department's 850 staff are based across 25 sites throughout London and the south-east. We hold approximately 400 physical assets, almost 300 of which are at our Natural Environment sites.
10. The Executive Director is represented by the City Operations Director and the Interim Natural Environment Director on the Board for the Corporation's Operational Property Review Programme. As part of this Programme, the Department is undertaking a critical review of all its physical assets, including operational property. A Departmental 'Task and Finish' group will be established early in 2023/24 to undertake this project. The initial stage of the project will be to identify the resources required to undertake a full analysis and in-depth review of all physical

assets held by the department, including baselining operational requirements, financial position and state of repair.

11. Following this, we will work with the City Surveyor's Department to establish a detailed project plan and realistic timeline. An update on the status of the assets relevant to this Committee will be reported, including any that are identified as surplus to requirements.

Corporate & Strategic Implications - The Corporate Plan outcomes we have a direct impact upon are listed in the Business Plan. The Plan also shows other key City of London strategies we are helping to deliver. Officers will actively engage with colleagues in the Corporate Strategy and Performance Team as they develop the new Corporate Plan.

Financial implications - The high-level Business Plan has been produced in liaison with Chamberlain's Department and takes into consideration opportunities to reduce expenditure and increase income in order to make necessary savings.

Public sector equality duty (PSED) - The Department has established an Equality, Diversity and Inclusion (EDI) Working Group which is working on an EDI Action Plan. Members of the group will lead on a range of EDI actions, including those set out in the Business Plan, to ensure compliance with the PSED across the department.

Resourcing implications - Any changes to resources will be brought to the relevant Committee(s).

Security implications - None

Conclusion

This report presents the draft high-level Business Plan for 2023/24 for the services of the Environment Department which fall within the remit of the Port Health & Environmental Services Committee and the Licensing Committee. Members are asked to approve the elements of the plan for which the Port Health & Environmental Services Committee is responsible.

Appendices

Appendix 1 – Draft Environment Department high-level Business Plan 2023/24

Joanne Hill

Business Planning & Compliance Manager
Environment Department
joanne.hill@cityoflondon.gov.uk

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The Environment Department

Shaping sustainable future environments

The Environment Department is the largest in the organisation and provides a diverse range of services to London and the South East.

Within the ‘square mile’ we deliver many local authority and regulatory functions including planning and development; building control; highways and transportation; cleansing and waste; environmental health, licensing and trading standards.

Further afield, we manage over 4,500 hectares of green spaces; run the City of London Cemetery and Crematorium; operate the Heathrow Animal Reception Centre; provide animal health services London-wide; and, as the London Port Health Authority, undertake controls on imported food and feed through London’s ports. The Department’s aims, activities and vision are presented.

Due to the complexity and scope of the department, three separate High-Level Business Plans have been produced to reflect our three key Committee ‘clusters’. This plan covers the service areas which fall within the remit of the Port Health & Environmental Services Committee and the Licensing Committee.



Services within the remit of the Port Health & Environmental Services and Licensing Committees:

Port Health, Animal Health, Public Protection, Licensing, Cleansing and Waste

Looking back: what we achieved in 2022/23...

- The **new Environment Department** came into existence on 1 April 2022, bringing together two and a half former departments.
- The Senior Leadership Team began to embed **consistent working practices** across the new department and identify synergies and opportunities for collaboration and partnership working.
- All service areas continued to work in partnership with relevant **internal and external partners** to fulfil their statutory duties and deliver high-quality regulatory services to the public and City businesses.

Cleansing Service

- Played a **key role in the City's delivery of major events** including the Queens Jubilee and those related to passing of HM The Queen and the accession of King Charles III.
- Contended with a number of pressures, adapting services and invoking contingencies to deal with issues such as **rail and tube strikes** and a record **heatwave** resulting in a hosepipe ban.

Covid recovery

- As business and tourists returned to the city post-Covid, the Public Protection and Cleansing teams adapted their services to deal with the changing patterns of footfall and to support City businesses to recover from the pandemic.

Port Health and Animal Health

- Officers engaged with the UK Government on plans for **new Border controls** to advise and help shape policy.
- Port Health and Heathrow Animal Reception Centre (HARC) continued to deal with **high volumes of trade** through their facilities.
- The Animal Health Team carried out post-import checks for **Ukraine pets** arriving in London, supporting APHA with a new approach to managing quarantine.
- HARC secured use of a **new Border Control Post (BCP)** facility for dogs and cats, through collaboration with a commercial partner.

City Teams

- Continued development of the Safer City Partnership and Operation Broadway raised the profile of the work of the teams and their successful collaboration with City of London Police and other agencies.
- Continued to drive forward the actions set out in the Environmental Strategies: Air Quality, Noise and Contaminated Land.
- The Licensing Service implemented the transformational **Al Fresco Eating and Drinking Policy** in support of the hospitality sector, providing the City with vibrant spaces.

Cemetery and Crematorium

- The Cemetery and Crematorium retained its **Green Flag and Green Heritage Awards**.
- The Cemetery and Crematorium's new burial area, known as the Haywood Lawn, became operational in Autumn 2022.

How we plan to develop our capabilities in 2023/24

1. Develop our **people**, creating aspirational roles with genuine career progression and job satisfaction that retain and attract **talent**.
2. Invest in individuals' **professional and personal development** and build a sustainable, inclusive, resilient and agile workforce.
3. Improve **staff engagement and collaboration** with enhanced cross-departmental working to share knowledge, expertise and experience.
4. Develop effective, collaborative, **business partner relationships** with other departments, particularly HR and City Surveyors.
5. Review existing working practices and procedures to ensure **effective and efficient service delivery**; establish who does what and why, and consider alternatives.
6. Develop our use of **information**, digital information systems and dissemination, to support delivery of services that are intelligence led, data-driven and evidence based.
7. Identify further opportunities to work with external agencies to **deliver impactful results**.
8. Conduct stakeholder analysis and engagement to ensure each service area **maximises its full influencing potential**.
9. Address significant budget pressures; review our potential for delivery of commercial services and construct mechanisms to **enable and facilitate successful delivery**.

Our major workstreams this year will be...

- Assess and implement requirements for meeting new **air quality** statutory obligations following the introduction of the Environment Act 2021.
- Influence, prepare for and adapt to embed a new **Border Operating Model** for import controls at the end of 2023, by influencing policy and guidance, and designing resilient services that are flexible and dynamic to changing risks.
- Embed the **Climate Action Strategy** and Climate Resilience mitigations into resource planning and decision making - balance reduction of energy use against cost of investment to achieve savings. Identify appropriate vehicles and equipment savings, building retrofits etc.
- Develop a combined services strategy for the **Cleansing and City Gardens** teams, outlining service standards and public engagement plans.
- Support the drafting of a revised **Corporate Transport Policy**.
- Deliver the **Biodiversity Action Plan**.
- Continue to assess and adapt services in reaction to the **Night Time Economy** and Anti-Social Behaviour.
- Develop a long term (10 year) strategy for the City of London on **AI Fresco dining** for the City's Streets.
- Implement and embed the new **Planning and Regulatory Services casework management system (CMS)** to provide a modern and intelligent way of working for the future.
- At the **Cemetery and Crematorium**, monitor funeral trends and adapt to provide a variety of options relevant to the needs and preferences of customers.
- Review the **Port Health accommodation** along the Thames to ensure that it is cost effective and meets future service demands.
- Develop a strategic approach for the future of **Walbrook Wharf** and how this will affect service delivery and contracts.

Our Key Performance Indicators		2023-24 Target
Cleansing: Percentage of City land with unacceptable levels of litter, graffiti etc.		<5%
Cleansing: Percentage of household waste sent for reuse, recycling or composting.		Increase
Cleansing: The number of members in the Community Toilet Scheme.		Increase
Air Quality: Increase the percentage of the City's area that meets the health-based Limit Values and WHO Guidelines for nitrogen dioxide levels by 31 March 2023. (Ultimate target is 90% by 31 March 2025).		Increase
Port Health: 85% of imported food and feed consignments that satisfy the checking requirements are cleared within 5 days: a) Products of Animal Origin (POAO) b) High Risk Products of Non-Animal Origin.		85% 85%
Port Health: 85% of imported food and feed consignments (Products of Non-Animal Origin) are subjected to mandatory documentary controls within 5 days.		85%
HARC: Acceptance of at least 90% of airline bookings for pets.		90%
HARC: 95% of flight collections attended within 30 minutes of the flight offloading.		95%
Animal Health: All operators meet the required standards when inspected for animal activities licences: a) 80% meet minimum standards b) 20% meet higher standards		80% 20%
Pollution control: 90% of justifiable noise complaints investigated result in a satisfactory outcome.		90%
Food safety: Sustain improvement in the proportion of food establishments that are at least 'broadly compliant' (i.e. Food Hygiene Rating Scheme score of 3 or above).		Sustain/ Increase
Health & Safety: Sustain improvement in the proportion of premises with notifiable evaporative cooling devices found to be 'broadly compliant' for legionella control (equivalent to health & safety inspection rating of B2 to C).		Sustain/ Increase
Licensing: Ensure that, within 12 months, 90% of licensed premises entering the red or amber zone of the Traffic Light Scheme are brought back to the amber or green zone, respectively.		90%
Cemetery & Crematorium: Number of burials and cremations.		Maintain

Our strategic commitments

Climate Action Strategy

- Embed climate resilience as a key component in decision making.
- Develop a plan to protect public health from urban heat effects.
- Reduce pollution and increase the resilience of the Square Mile.
- Develop service-based Climate Adaptation Plans.

Circular Economy Strategy

- Promote and enforce a policy of eliminating unnecessary single use items and lead by example.
- Deliver a successful programme of City-wide Circular Economy events.
- Work across departments to embed Circular Economy principles in all aspects of our work. Explore income streams to offset the increase in expenditure.

Destination City

- Support City businesses and residents with the impact this initiative will have on the City: increasing footfall and changing the dynamic of the City to a 7-day a week venue and cultural destination.
- Balance the needs of the business against the concerns of residents to manage the change effectively.
- Maximise the potential increase in income while managing greater numbers of complaints and the corresponding impact on delivery of enforcement services.

Air Quality Strategy

- Ensure that the City complies with the statutory requirements for London Local Air Quality Management.
- Demonstrate leadership for London by implementing the actions identified in the Air Quality Strategy 2019-2024 and further obligations outlined in the Environment Act 2021.

Noise Strategy and Contaminated Land Strategy

- Continue to develop, and implement the actions identified within, the Noise Strategy 2016-2026 and Contaminated Land Strategy 2021-2030.

Apprenticeship Strategy

- Promote and prioritise apprenticeships to build our capacity and provide the skills that we need both now and for the future.
- Utilise apprenticeships as a staff development tool by offering them to existing employees to upskill our workforce whilst they remain in employment, contributing to the department.

Safer City Partnership Strategy

- Actively participate in the Safer City Partnership, particularly in respect of the Anti-Social Behaviour and Night-time Economy workstreams.

We will actively work to deliver, and provide advice on, other relevant Corporate strategies, policies and programmes, including (but not limited to):

- | | |
|--|---|
| • Transport Strategy | • The Local Plan |
| • Licensing Policy | • The City Plan 2040 |
| • City of London Code of Good Practice for Licensed Premises | • Health, Safety and Wellbeing Strategy |
| • Street Trading Policy | • Social Mobility Strategy |
| • Secure City Programme | • Responsible Business Strategy |
| • The Recovery Taskforce | • Corporate Volunteering Strategy |
| • Housing Strategy | |
| • Lighting Strategy | |

The Corporate Plan outcomes we have a direct impact on are...

Contribute to a flourishing society

1. People are safe and feel safe.
2. People enjoy good health and wellbeing.
4. Communities are cohesive and have the facilities they need.

Support a thriving economy

5. Businesses are trusted and socially and environmentally responsible.
6. We have the world's best legal framework and access to global markets.

Shape outstanding environments

11. We have clear air, land and water and a thriving sustainable natural environment.
12. Our spaces are secure resilient and well maintained.



Our Corporate and Departmental business risks *

Risk Title	Score
Air Quality (Corporate Risk)	AMBER, 12
Brexit – Impact on Port Health and Animal Health	RED, 24
Road traffic collision caused by City of London staff or contractor who is unfit to drive while on City business	RED, 16

* Risk details were correct at January 2023 but are subject to continual review and change.

Operational Property requirements

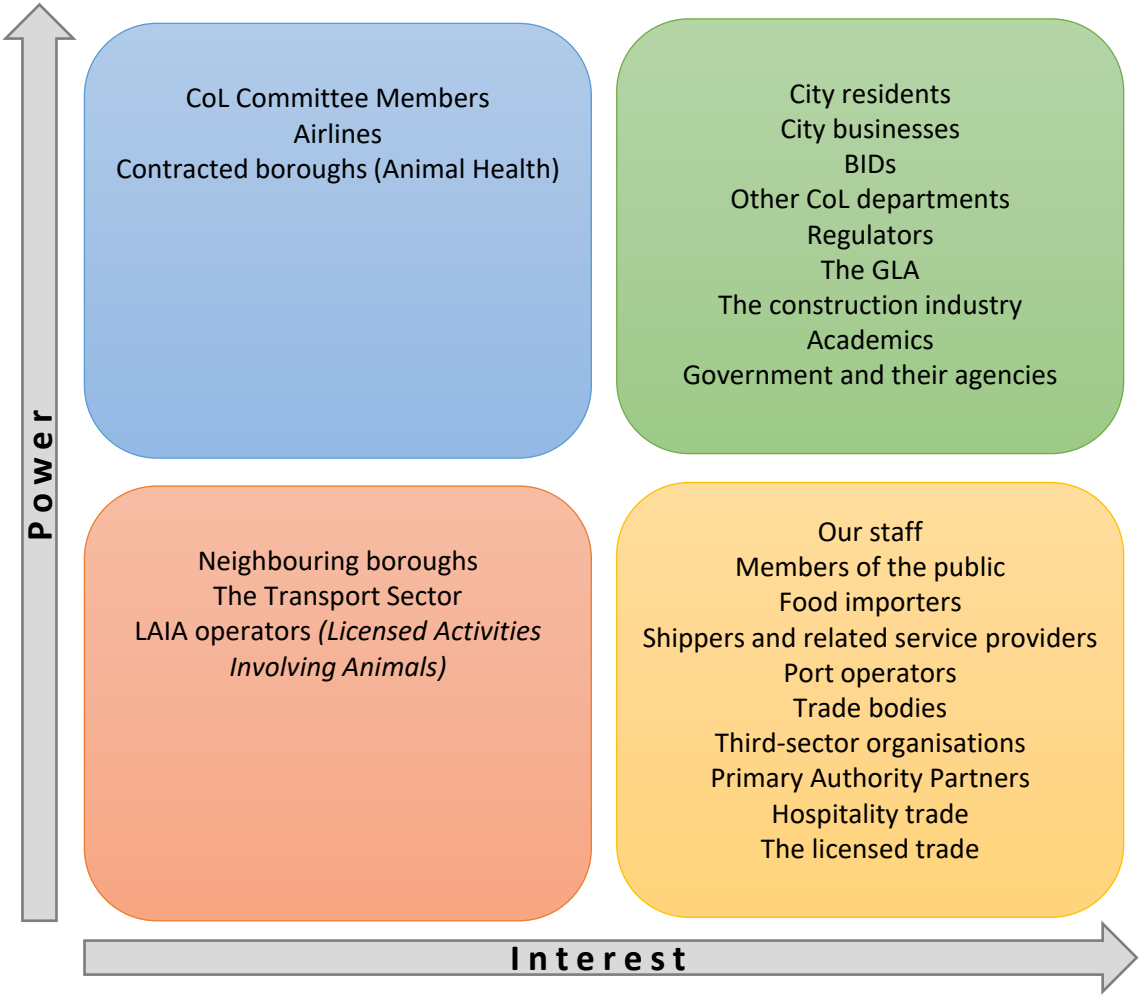
The Environment Department’s 850 staff are based across 25 sites throughout London and the south-east. We hold approximately 400 physical assets, almost 300 of which are at our Natural Environment sites.

As part of the Corporation’s Operational Property Review Programme, the Environment Department is undertaking a critical review of all its physical assets, including operational property. A Departmental ‘Task and Finish’ group will be established early in 2023/24 to undertake this project. The initial stage of the project will be to identify the resources required to undertake a full analysis and in-depth review of all physical assets held by the department, including baselining operational requirements, financial position and state of repair.

Following this, we will work with the City Surveyor’s Department to establish a detailed project plan and realistic timeline. An update on the status of the assets relevant to this Committee will be reported, including any that are identified as surplus to requirements.

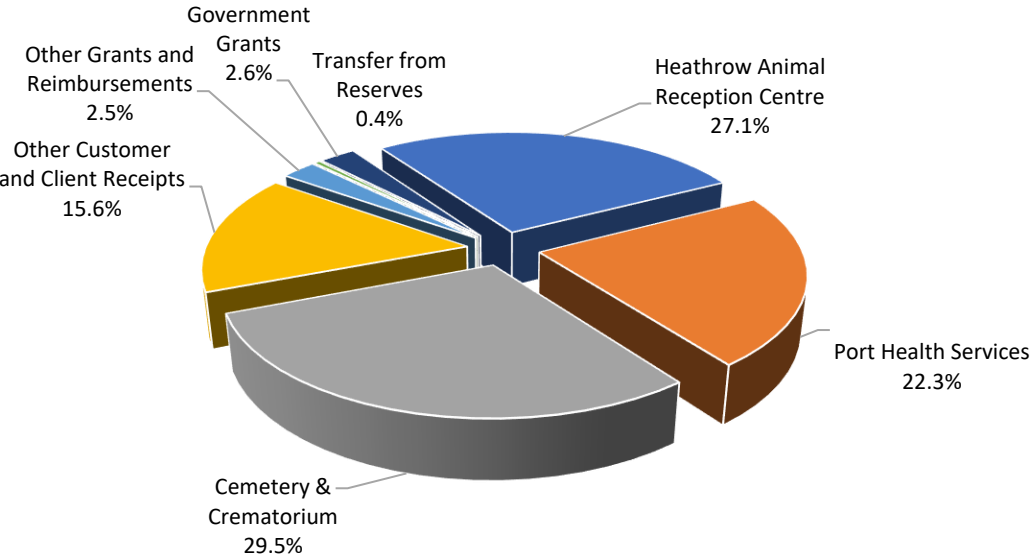
Stakeholder engagement

We have a wide range of stakeholders and delivery partners (including, but not limited to the key ones listed here) and will ensure we continue to communicate with them appropriately.

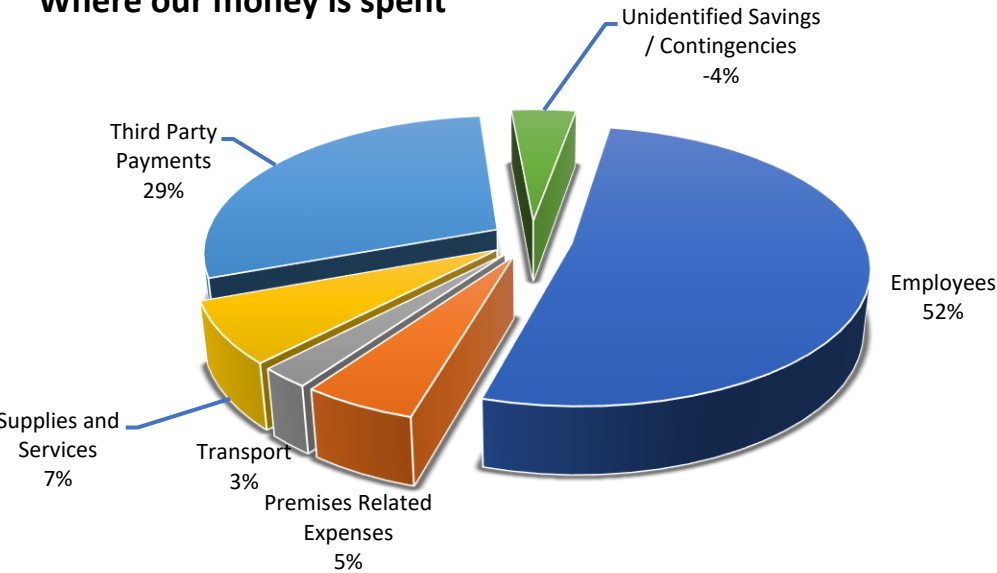


Our financial information

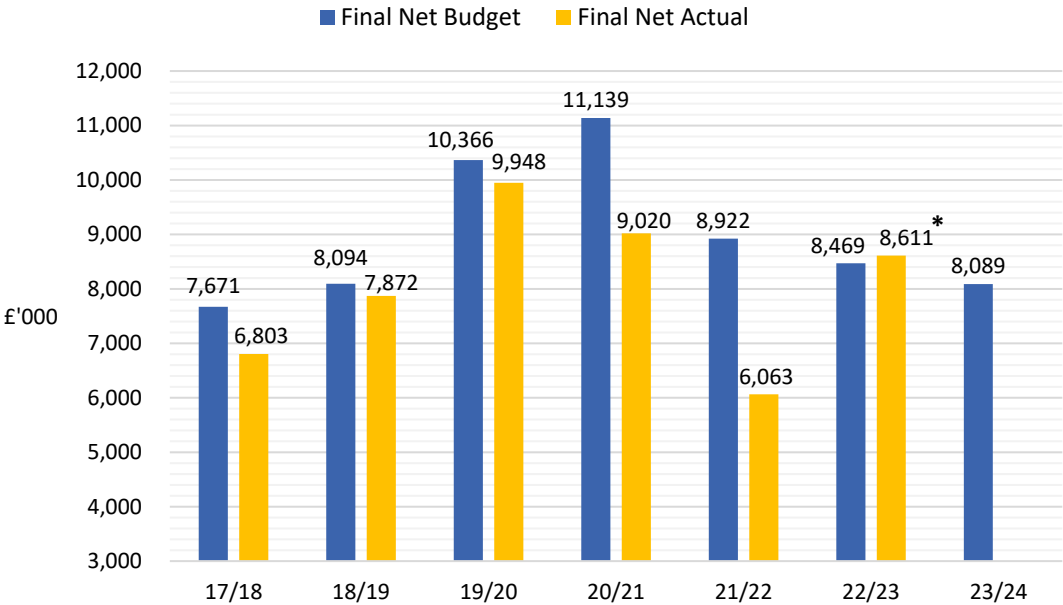
Where our money comes from



Where our money is spent



Budget vs Actual



*2022/23 'Actual' based on forecast

Capital Projects

Financial year	Priority list (Include any known changes you are preparing for, e.g. new legislation, services, projects, automation)	Funded or Unfunded
2023/24	Replacement of the Launch 'Lady Aileen' Engines (Capital Project).	Funded (from reserve fund)
2023/24	Replacement Excavator for the Cemetery & Crematorium (Capital Project).	Funded (from reserve fund)

Our people*

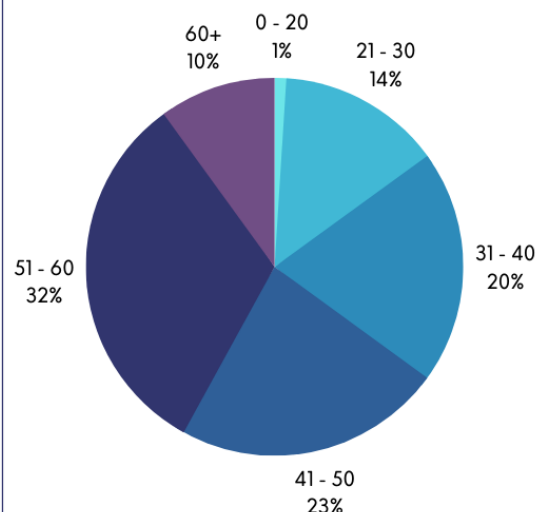
As a new department Equality, Diversity and Inclusion will be a key piece of work, and will include:

- Undertaking an audit on EDI across the new department
- Increased training and development for staff
- Encouraging staff to complete 'sensitive' HR information
- Looking at recruitment practices to expand staff diversity
- Encouraging staff to join and participate in staff networks

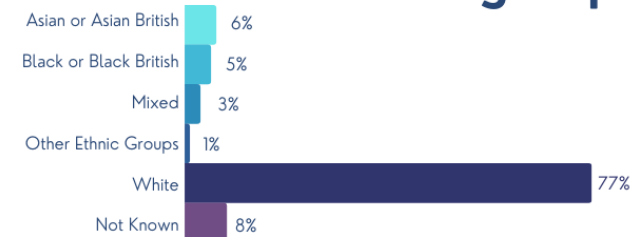
Gender



Age range



Ethnic group



*N.B. The information on this page relates to the whole of the Environment Department, not just to the services covered by the rest of this Business Plan.
All data correct at time of most recent staff survey.

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Committee: Port Health and Environmental Services Committee	Dated: 28 March 2023
Subject: Proposed Charges for Street Cleansing, Waste Collection and Public Conveniences 2023/24	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	10, 11, 12
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	£0
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Juliemma McLoughlin, Environment Director	For Decision
Report author: Joe Kingston, Assistant Director, Gardens and Cleansing	

Summary

The City Corporation's (the City) Street Cleansing, Waste Collection and Public Conveniences operations provide a range of services and the fees and charges for these services are reviewed annually. This report is the annual submission of that review which outlines the rates for 2023/24.

All proposals in the report align with the City's charging policies such as raising revenue and contributing to the achievement of policy objectives. The charges proposed in this report are exclusive of VAT and they take effect from 1st April 2023

Income received from fees and charges during this financial year continue to be impacted by slow economic recovery and reduction in footfall following the pandemic. Some of the income sources are still experiencing reduced demand, particularly the use of public toilets.

An increase by Retail Price Index, all items, (RPI) of 13.4%, driven largely by rising energy and food costs, (7.1% in 2022/23), is proposed for cleansing of private land, sale of Smart bins (post mounted cigarette bins), bulky waste collection and charges for general waste collection from educational establishments.

No changes are proposed to current charges for recycling services, public conveniences, recycling for educational establishments, the removal of highway obstructions and the Clean City Awards Scheme membership fee.

It is also proposed to continue the provision of free collection of bulky waste for low-income households, and free assisted collections for the infirm and the disabled, to enable them to access these services.

The charges proposed in the report, when taken together, are estimated to generate an income of £262,000.

Recommendations

Members are asked to:

- approve the charges in the report with effect from 1 April 2023:
 - charges for Street Cleansing services to external clients are increased by 13.4% 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 £37.50 to £42.50 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 13.4% 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 £64 to £72.57 and for the removal of uncollected bagged waste also be increased to £152 from £134 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 (post mounted cigarette bins) to be increased by 13.4% sold to businesses be charged at cost plus 30% to cover the City's administration costs.
 - Clean City Awards Scheme membership fees are kept the same.

Main Report

Background

1. Fees and charges are reviewed yearly to ensure that they reflect the City Corporation's priorities and charging policies such as raising revenue to allow the continued delivery of public services as well as contributing to the corporate policy objectives. They are also reviewed annually as part of the budget setting process within the agreed corporate timeline and are set within the context of value for money.

Current Position

2. The City Corporation has general power under section 93 of the Local Government Act 2003 ("LGA 2003") and under the power of general competence in section 1 of Localism Act 2011 ("LA 2011") to charge a person for service it provides. They are discretionary services where the City is authorised, not required, to provide and the service receiver has agreed to its provision.

3. However, the income from discretionary services must not exceed the cost of provision as these services are provided on a cost recovery basis under Act of 2003.
4. There is a need for continuous price review of those service offered and income generated avoid any service reductions. The proposed fees and charges are competitive within the market environment operated by other local authorities and the services offered are not inappropriately subsidised.
5. Officers have set charges to recoup the total cost of providing a service including overheads, whilst also enabling them to influence demands and to offer subsidised services to those who are vulnerable to encourage use and service access. The policy, therefore, ensures a fair and reasonable price for all services reflecting the ability of the community and organisation to pay.

Proposals

6. Set out below are the details of the review and the proposed fees and charges for the following services in 2023/24 with effect from 1 April 2023.

Cleansing for Private Landowners

7. The City provides, via its term contractor, cleansing services to private landowners whose land is open to public use to maintain the land in good order. This is a chargeable service and is revised annually in April. It is proposed to increase charges by 13.4 % in line with RPI for those landowners continuing to use the service. The total anticipated income from this service is £12,000 in 2023/24 as shown in Appendix 1.

Special Events Cleansing

8. Several special events are held in the City each year by various organisations. The City arrange for the clean up on request after each event via its term contractor and recharge the event organisers the full cost plus 30% to cover the City's management and administration costs, and 13.4% inflationary increase is proposed to the current charges.
9. In pre-pandemic years income from those services was circa. £70,000. The estimated annual income in 2023/24 from this service is £40,000, although this income stream is reduced compared to pre-pandemic it is now stable reflecting recent increase in business activities.

Removal of Obstructions, Bagged Waste and Fly-Tips

10. Bicycles and other items are routinely removed from the highway if they pose an obstruction. Currently there is a charge of £64 for this service and it is proposed that these charges be increased to £73 in line with inflation.

11. The City has powers granted under Section 17 of the Local Authorities and Transport for London Act 2003, which empower the removal of the offending items from the highway.
12. Uncollected commercial waste left on the highway for collection by third parties is also collected and disposed of with current charges of £134 plus VAT per occasion for up to 10 bags and £5 per bag thereafter. An inflationary increase of 13.4% is proposed to these charges bringing them to £152 for the first 10 bags and £6 per bag thereafter.
13. Large quantities of waste deposited on the highway will continue to be treated as 'fly-tip' which carries a fine of up to £50,000 (unlimited if the case goes to the Crown Court) and offenders could also face a prison sentence of up to five years.

Provision of Pocket Ashtrays and Smartbins

14. The City also provide twin and solo Smartbins to businesses, if requested and this is to be increased by 13.4% RPI plus a 30% administration fee.

Bulky Waste Collection

15. The standard charge for bulky waste collection is currently £37.50. This is a doorstep collection service, and the charge covers, for example, the collection of a three-piece suite or ten bags of waste. It is proposed to increase the standard charge in line with 13.4% RPI to £42.50 and anticipated to receive an income of £5,000 in 2023/24.
16. The service is free for those who are in receipt of means tested benefits and an assisted collection is offered free of charge to those who are disabled or infirm and it is proposed to maintain this policy.

Clean City Awards Scheme

17. The Clean City Awards Scheme in pre-pandemic years had had an average membership of over 100 earning £36,000 in fee income. The impact of Covid-19 over the past few years has affected the membership level, particularly SMEs and it has declined to 55 members over the past two years. The anticipated income from membership fees is therefore reduced to £25,000 based on the current membership level. A nil increase is proposed to the fee structure and the City is looking to work closely with other teams such as the Heart of the City to increase income.

Educational Establishments and Charities

18. Waste collection and disposal from schools and educational institutions in the City, are chargeable under the Controlled Waste (England and Wales) Regulations 2012 (CWR 2012). The exception to this in the City is The Aldgate School. This school is wholly state funded and therefore, only the collection cost is chargeable.

19. In order to promote more recycling, it is proposed to maintain food waste and recycling waste charges at their current level whilst increasing the general waste charges by 13.4% in line with RPI, as detailed in Appendix 2.
20. The anticipated income from these schools and educational institutions, as detailed in Appendix 3, is £80,000 based on the existing number of customers, containers / bags in use and frequency of collection. However, there is a risk that they could opt to seek services from other service providers.
21. Waste from charities is collected as commercial waste under the Controlled Waste Regulations (CWR) 2012, whilst waste from places of religious worship is classified as household waste and the City makes no charges for either collection or disposal.

Public Conveniences

22. The impact of the pandemic is felt markedly in the use of public conveniences in the City and both facilities are still making financial losses overall. Tower Hill and Paternoster Square facilities revenue is stable but it has not yet reached pre-pandemic level. Your committee approved the installation of contactless payment entry for Paternoster toilets in November 2022 and the installation of these units will be completed by the end of March 2023.
23. The income from these facilities is anticipated to be £100,000 in 2023/24 set against the cost of running the facilities at £290,000. This compares to an average income of £335,000 in pre-pandemic years. No significant increase in income is expected next year and a nil increase is proposed to the charge of 50p per use.

Key Data

24. The 2023/24 budgeted income from the services detailed in this report is £257,000 and the proposed charges, should produce an estimated income summarised below of £262,000, a surplus of £5,000.

Description	Forecast Income £'000
Private Land Cleansing	12
City Events – Street Cleansing	40
Clean City Awards Scheme Membership	25
Collections from Educational Institutions	80
Bulky Waste Collections	5
Public Conveniences	100
Total	262

Corporate & Strategic Implications

Strategic

- 25. Effective street cleansing services are proven to be an important factor in reducing residents' fear of crime and would maintain both private and public areas to the City's high cleansing standards.
- 26. Providing efficient and high-quality local services to achieve sustainable outcomes within the Square Mile is part of the City's Corporate Plan 2018/23.

Financial

- 27. The January 2023 Retail Price Index (CPI) of 13.4% has been used as the measure of inflation.
- 28. Although the Index used is high reflecting the current cost of living, to recover the full of cost of chargeable services is an important part of the City's policy on fees and charges. Thus, the cost increases in delivering chargeable services are recovered to avoid additional cost pressures on the city.

Legal

- 29. The fees and charges detailed in this report are discretionary services that the City is permitted to provide but not required by law. The income from those services do not exceed the cost of provision (both direct and indirect costs) as these services are provided on a cost recovery basis under Act of 2003, referred to in para 2 above.

Equality

- 30. Under Section 149 of the Equality Act 2010, the City has a public sector equality duty to have 'due regard' to the need to eliminate discrimination and to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 31. Such characteristics have been carefully considered and a Test of Relevance has been carried out and which determined that the proposals in the report do not unduly affect people with a protected characteristic and that a full Equalities Impact Assessment was not necessary.
- 32. Climate implications: None
- 33. Security implications None

Conclusion

- 34. The charges for 2023/24 set out in this report, are aimed at maintaining a good standard of City's Street scene, encouraging sustainable waste management, safeguarding the full recovery of income from services and operating in a competitive environment.

35. Although footfall in the City has improved this has not resulted in significant increase in income, although some improvement is felt. Resumption to pre-pandemic levels is likely to take more time depending on work patterns of staff returning to offices in the City and any improvements in tourists numbers going back to pre-pandemic level.
36. While the pandemic has certainly caused or ushered in changes in working habits, there are differences between industries and occupations, and hence improvements in business activities are not uniform and capturing historic income level therefore is slow and gradual.

Appendices

- Appendix 1 – Cleansing Service Charges to Private Landowners
- Appendix 2 – Charges for Schools
- Appendix 3 – Estimated School Income

Background Papers-None attached.

Joe Kingston

Assistant Director, Gardens and Cleansing

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Appendix 1 - Cleansing Service Charges to Private Landowners

Customer	Current Charge 2022/23 £	Proposed Charge 2023/24 £
Telereal Trillium Ltd, Bastion House Slip Road	2,986	3,386
Drapers Hall, Footpaths adjacent to Drapers Hall, Throgmorton Avenue	2,112	2,395
Carpenters Hall, Footpaths adjacent to Carpenters Hall, Throgmorton Ave (twice daily sweeping)	5,083	5,764
Total	10,091	11,545

Note: VAT (not shown) is applicable to these charges.

Appendix 2 – Charges for Schools

Container Type	Current Charge 2022/23 £	Proposed Charge 2023/224 £	Percentage Increase
General Waste Bag – roll of 50	110.20	124.97	13.4%
General Waste – 1100L bin per lift	17.22	19.53	13.4%
General Waste – 240L bin per lift	5.50	6.24	13.4%
Recycling Bag – roll of 50	42.50	42.50	0%
Recycling Waste – 240L bins per lift	1.50	1.50	0%
Recycling Waste – 660L bins per lift	3.00	3.00	0%
Recycling Waste – 1100L bins per lift	4.00	4.00	0%
Food Bin – 140L per lift	11.50	11.50	0%
Food Bin – 500L per lift	45.00	45.00	0%
<i>Note: VAT (not shown) is applicable to these charges</i>			

Appendix 3 - Estimated Income from Schools

Educational Institution	Type of Institution	Estimated Income 2023/24 £'000
The Aldgate School	State School	6
City of London School	Independent	12
City of London School for Girls	Independent	14
St Paul's Cathedral School	Independent	12
Guildhall School of Music and Drama (Silk Street)	Further Education Institution	10
Guildhall School of Music and Drama (Sundial Court)	Further Education Institution	18
Guildhall School of Music and Drama (Milton Court)	Further Education Institution	4
New Park Nursery	Nursery	4
<i>Note: VAT (not shown) is applicable to these charges</i>	Total	80

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General Waste – 240L bin per lift	5.50	6.24	13.4%
Recycling Bag – roll of 50	42.50	42.50	0%
Recycling Waste – 240L bins per lift	1.50	1.50	0%
Recycling Waste – 660L bins per lift	3.00	3.00	0%
Recycling Waste – 1100L bins per lift	4.00	4.00	0%
Food Bin – 140L per lift	11.50	11.50	0%
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Committee(s)	Dated:
Port Health and Environmental Services	28 March 2023
Subject: Street Trading Fees 2023/24	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	4,5,10
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	n/a
What is the source of Funding?	n/a
Has this Funding Source been agreed with the Chamberlain's Department?	n/a
Report of: Executive Director of Environment	For Decision
Report author: Aggie Minas – Licensing Manager	

Summary

The City of London Corporation may set annual fees for issuing a licence to those persons wishing to participate in Street Trading in Middlesex Street and for those persons wishing to apply for a temporary street trading licence.

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

The proposed fees will result in income similar to pre-pandemic levels.

Recommendation(s)

Members are asked to:

- Agree the proposed fees for 2023/24 as set out in Appendix 1

Main Report

Background

1. Street Trading within the City of London is permitted on a temporary basis in addition to those trading on a Sunday in Middlesex Street Market. The City of London (Various Powers) Act 2013 (the Act) permits temporary Street Trading licences to be granted for up to 21 days in the City of London providing any application complies with the criteria laid down in the Street Trading Policy.
2. The Act also permits the City Corporation to recover charges from those trading in Middlesex Street for:
 - The removal of refuse or other services rendered by the City Corporation to licensees; and

- Expenses incurred by the City Corporation in the administration concerned with granting and issuing of the licence, ensuring compliance with relevant byelaws and in the cleansing of that part of Middlesex Street in the City where street trading takes place.
3. A High Court case held on 16 May 2012 (*R (Hemming and Others) v Westminster City Council*) concluded that the amount of the fee is required to be determined every year and further that a local authority was precluded from making a profit from the licensing regime. A full account of the fee income and expenditure would therefore need to be considered to ensure a surplus is not being made.
 4. Successive appeals/decisions in the Court of Appeal, The Supreme Court and the European Court of Justice decided that the fee can include administrative costs involved, the costs of vetting the applicants (in the case of applications for a licence) and the costs of investigating/enforcing the licensing scheme including costs involved in enforcement against those premises that are not licensed.

Calculation of Fees for 2023/24

5. To avoid possible complications arising from non-compliance with the Hemming decision, the licensing service has carried out an in-depth examination of the processes that are undertaken to administer licence applications/renewals, the costs of investigating compliance with any licence conditions/byelaws and the cost of cleaning the area in Middlesex Street where street trading takes place.

Middlesex Street Traders

6. In determining the proposed fee structure, the following factors have been considered:
 - Officer time spent on processing applications and the issue of any licence
 - Officer time spent on the development and maintenance of processes and guidance notes
 - Training of staff as necessary
 - A percentage of the service costs such as accommodation and equipment
 - Administration cost and inspections to ascertain compliance with byelaws.
 - Costs connected with cleaning the area in Middlesex Street and associated areas, but only in relation to Middlesex Street Traders licensed by the City Corporation

7. Costs for 2023/24 have been calculated on the above basis. These costs can be seen in the table below.

	Number of Pitches	Annual Cost £	Annual Cost per trader £	Weekly Equivalent per trader £
Cost of cleaning Middlesex Street	55	47,900	870	16.73
Administration/compliance costs of Middlesex Street	55	13,750	250	4.80
TOTAL	55	62,200	1,120*	21.53

*This does not incorporate the statutory £5 application fee.

8. Street Trading Licences for Middlesex Street Market are valid for up to twelve months from the date of grant unless revoked. The licence fee is due for payment quarterly and all licences expire on 31 December each year. Any increase in fee will take effect from 1 April 2023

Temporary Street Trading Licences

9. Temporary Street Trading Licences can be granted for up to 21 days in the City of London providing any application complies with the criteria laid down in the Street Trading Policy. The licence fee is due for payment as and when an application is submitted.
10. The City Corporation granted 46 temporary licenses during 2021/22 many of which were to regular small markets, and some to one off events such as the London Marathon. The regular markets are based at Monument (17 licences) and in Paternoster Square (15 licences)
11. The type and style of the temporary trader can vary, and the circumstances associated with each application numerous. Consequently, the fee for a temporary licence is calculated separately for each application. The fee is based on the number of officer hours required to manage the application process and ensure licence conditions are being adhered to. Typically, this is between 1 to 4 hours per application.

Proposals

12. Fees for temporary street trading licences will be calculated as outlined in paragraph 12 of this report and Middlesex Street Market fees are calculated as outlined in the table in paragraph 8 of this report. Both fees are summarised in Appendix 1.
13. If fees are set lower than those recommended the result will be a deficit for 2023/24 as costs of administering the licences will not be fully met from income received.

14. Fees set higher than those recommended will result in a surplus i.e. an income which exceeds the cost of providing the service.
15. Any such under or over recovery of costs from 2023/24 will be calculated after the end of that financial year and be carried forward to be taken into consideration in setting the fees for 2025/26. Ignoring a surplus or deficit could result in the City Corporation being subject to legal challenge.

Financial Implications

16. Setting the recommended fees will result in an estimated income from street trading fees for 2023/24 of £53,000, an overachievement of £3,000 compared to the budgeted income of £50,000.

Appendices

- Appendix 1 – Proposed Fees for 2023/24

Background Papers

None

Aggie Minas

Licensing Manager

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STREET TRADING FEES

2020-21

Middlesex Street Licence

Application Fee (statutory)	£5 (refundable if application refused)
Annual fee required for full cost recovery	£xxx (TBC) (payable by quarterly invoice)
TOTAL RECOMMENDED FEE FOR 2023/24	£xxx (Annual fee + Application fee):

NB: For persons renewing their licence the £5 application fee will be included in the first quarters invoice

Temporary Street Trading Licence

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

The fee will take into consideration:

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

The fee will be calculated on the number of officer hours required to manage the application process and ensure licence conditions are being adhered to. This can range from 1 to 4 hours per application at £78 per hour.

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Committee(s)	Dated:
Port Health and Environmental Services Committee	28 March 2023
Subject: Improvements to methodology of the City of London Thames Fishery Research Experiment	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	11
Does this proposal require extra revenue and/or capital spending?	Y
If so, how much?	£4,800
What is the source of Funding?	£4,800 City's Cash Grant
Has this Funding Source been agreed with the Chamberlain's Department?	Y
Report of: Executive Director, Environment	For Decision
Report author: Gavin Stedman, Port Health & Public Protection Director	

Summary

This report sets out proposed improvements to the methodology used in the City of London Thames Fishery Research Experiment which will serve to reduce fish mortality rates. These changes are recommended following consultation with angling associations and experienced anglers who assist with the organisation of, and take part in, the Experiment. A commitment is also made to seek additional funding from external sources towards the cost of the Experiment.

Recommendation(s)

Members are asked to:

- Approve the 51st City of London Thames Fishery Research Experiment to proceed in 2023 on the basis that the proposed improvements to angling methodology are implemented and additional external funding is sought.
- Approve the grant of £4,800 from City's Cash to partially fund the 2023 Experiment.

Main Report

Background

1. The City of London Thames Fishery Research Experiment has been held annually since 1973. The Experiment takes the form of an angling competition, with the objective to establish the environmental condition of the Thames through the variety, number and size of fish species caught.

2. Over the past 50 years, the Thames Fishery Research Experiment has become a highly regarded event which brings together individuals and groups with an interest in marine conservation. With the inclusion of school and youth participation, conservation is embedded in future generations. It is one of the longest-running citizen science projects, producing a reliable historical scientific data set which is valued by stakeholders and has achieved its objective of demonstrating the improved cleanliness and health of the river Thames. The results are shared with partner organisations including the Environment Agency and the PLA, as well as with researchers and members of the river community.
3. At the meeting of the Port Health and Environmental Services Committee on 29 November 2022, Members were supportive, in principle, of the continuation of the Experiment and for the 51st event to proceed in October 2023. However, prior to final approval being granted, officers were asked to review the angling methodology and suggest improvements in order to reduce fish mortality. Members also asked that consideration be given to securing additional funding from partner organisations.

Current Position

4. The Experiment uses hook and line angling which is one of the three main techniques used for fish surveying for scientific study. All three methods result in a small but significant mortality rate, especially for weaker species like Whiting. Mortality rates are much lower for other hardier species.
5. As the water quality in the river Thames has improved, the numbers of Whiting visiting the middle Thames have increased significantly and this is very much highlighted whilst examining the results of the Experiment, especially from the 1990s onwards. Inevitably, this has resulted in numbers of dead or dying Whiting being seen on the surface of the water following capture, measuring and release.
6. Anglers and organisers have recognised this unintended consequence and have attempted to reduce mortality rates by introducing a fish handling code of practice and altering the competition rules. However, with the sheer number of Whiting being caught, it is becoming increasingly difficult to reduce mortality further.

Suggested improvements

7. The current fish handling code of practice (last issued 2016) will be reviewed and updated. Each angler will be issued with a copy on the day of the Experiment and asked to 'sign up' to comply with the practice.
8. The number of points awarded for Whiting will be reduced and the number of points awarded for the rarer species will be increased, incentivising anglers to target species differently.

9. In order to reduce the length of time that the fish are out of the water, anglers will record Whiting themselves, rather than waiting for a Steward to be available. The fish shall be unhooked and returned to the water immediately before being recorded; they will not be measured. Trust will be a key element amongst the anglers.
10. Stewards will continue to record and measure all other fish landed. They will oversee the return of all fish, except specimens of interest, to the river. Non-Whiting species are hardier and have a higher survival rate.
11. The Experiment provides valuable data to scientists and partner organisations on the size of the species recorded. To maintain this important element for Whiting, the Head Steward will observe samples of the Whiting being returned and estimate the average size without handling the fish.
12. Following the 2023 Experiment, the effectiveness of the revised practices will be reviewed in consultation with representatives from the anglers, stewards and partner organisations. Any further improvements will be identified and introduced in the following year.

Funding

13. The Experiment is partially funded by a grant of £4,800 from City's Cash, as well as any financial contributions received from partner organisations. The balance is paid from the Port Health local risk budget.
14. In advance of each year's Experiment, we approach a number of organisations with an interest in marine conservation and/or the health and sustainability of the River Thames, to invite them to become involved in the event and/or provide financial support. Unfortunately, in recent years, donations from other sources have reduced with just three offering support in 2022.
15. Based on 2022 costs, if the 2023 Experiment proceeds, the estimated cost to the local risk budget will be approximately £6,500. Therefore, in 2023, we will endeavour to identify additional potential supporters and seek further funding.

Recommendations

16. I recommend that your Committee approves the 51st Thames Fishery Research Experiment to proceed in October 2023 on the condition that the proposed improvements to angling methodology are implemented, and further financial support is sought from external sources.
17. The March 2016 Policy and Resources Committee agreed the transfer of funding commitments from Finance Grants Sub Committee to the relevant Committees for ongoing administration. You are also required to review and approve the annual grant from City's Cash to deliver the Experiment. The amount of the proposed grant for the Fishing Experiment in 2023/24 is £4,800.

Corporate & Strategic Implications

18. **Strategic implications** - The City of London Thames Fishery Research Experiment supports the aims and outcomes of the City's Corporate Plan 2018-23, particularly:
 - 4a. *Bring individuals and communities together to share experiences and promote wellbeing, mutual respect and tolerance.*
 - 11a. *Provide a clean environment and drive down the negative effects of our own activities.*
 - 11c. *Provide environmental stewardship and advocacy, in use of resources, emissions, conservation, greening, biodiversity and access to nature.*
19. **Financial implications** – The Experiment is partly funded by a grant from City's Cash and from financial contributions made by partner organisations. The balance is paid from the local risk budget. Further funding from partner organisations will be sought to offset the costs of the 51st Experiment.
20. **Climate implications** - The City of London Thames Fishery Research Experiment encourages sustainability and conservation. It is one of the oldest citizen science projects and encourages young people to become involved in conservation of the river Thames.

Conclusions

21. It is recognised that changes to the methodology of the Experiment are required in order to reduce fish mortality and better support the marine conservation and sustainability objectives. With the introduction of the changes recommended in this report, stress levels to fragile species should be significantly lessened, reducing mortality whilst ensuring that the data collected remains sufficiently consistent to assess year on year improvements in water quality and fish populations. To reduce the financial burden to the City of London, further efforts will be made to seek additional funding from partner organisations.

Gavin Stedman

Port Health & Public Protection Director

Environment Department

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Committee(s): Port Health & Environmental Services Committee	Dated: 28 March 2023
Subject: Risk Management Update	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	All
Does this proposal require extra revenue and/or capital spending?	N
Report of: Executive Director Environment	For Information
Report authors: Joanne Hill, Environment Department	

Summary

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

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

This report considers the key risks managed by the following service areas which fall within the remit of your Committee:

- Port Health and Public Protection Division
- City Operations: Cleansing Service

Recommendation

Members are asked to:

- Note the report and the actions being taken by the Environment Department to monitor, mitigate and effectively manage risks arising from their operations.

Main Report

Background

1. The Risk Management Framework of the City of London Corporation requires each Chief Officer to report regularly to Committee on the key risks faced by their department.
2. To fulfil this requirement, the key risks of the service areas of the Environment Department which fall within the remit of the Port Health and Environmental Services Committee are presented to you every four months.
3. Risk Management is discussed regularly by the Department's Senior Leadership Team and at the meetings of each service area's Senior Management Team.
4. Between Management Team meetings, risks are reviewed in consultation with risk and control owners, and updates are recorded in the corporate risk management system (Pentana).

Current Position

5. This report provides an update on the key business risks that exist in relation to the operations of service areas of the Environment Department which fall within the remit of the Port Health and Environmental Services Committee:
 - Port Health and Public Protection Division
 - City Operations: Cleansing Service

Summary of key risks

6. The register of key risks held by the Port Health and Public Protection Division and the City Operation Division's Cleansing Service (Appendix 2) includes one corporate risk (Air Quality) and three service level risks, as summarised below. The detailed risk register is presented at Appendix 2.
7. **CR21 - Air Quality (Current risk: Amber, 12)**
This corporate risk has recently been reduced from a score of Amber 12 (possible with a major impact) to its target score of 6 (possible; serious). A new target has now been set to further reduce the risk to Green 2 (unlikely; minor) by the end of 2026. Several mitigating actions are already being undertaken to achieve the new target. The risk is kept under regular review and other relevant actions will be added over time.
8. **ENV-PHPP 001 Brexit – Impact on Port Health and Animal Health (Current risk: Red, 24)**
This risk continues to be held at a score of 24 (possible with an extreme impact). Currently, the target is to reduce the risk to a score of 6 (possible; serious) by the

end of 2023, but this is dependent upon further developments and policy decisions by Government which are beyond our direct control.

9. ENV-CO-GC 002 - Road traffic collision caused by City of London staff or contractor who is unfit to drive while on City business (Current risk: Red, 16).

This risk remains at a score of 16 (unlikely but an extreme impact). We are unable to reduce the risk score until the HR Department has resolved ongoing technical issues with the 'Driver Check' database. Cleansing Managers are working closely with senior HR colleagues to progress this work and hope to be in a position to reduce the risk to a score of 8 (rare; extreme) later this year.

10. ENV-CO-GC 006 - A major incident, such as flooding or fire, makes Walbrook Wharf unusable as a depot (Current risk: Amber, 8)

This risk remains at a score of Amber 8 unlikely, but with a major impact on the ability to deliver cleansing and waste services should it occur. We are unable to further reduce the likelihood or impact of the risk, but undertake appropriate actions, including regular review and testing of the Business Continuity Plan, to maintain the risk at its current score.

Identification of New Risks

11. New and emerging risks are identified through a number of channels, the main being:

- Directly by Senior Management Teams as part of the regular review process.
- In response to ongoing review of progress made against Business Plan objectives and performance measures, e.g., slippage of target dates or changes to expected performance levels.
- In response to emerging events and changing circumstances which have the potential to impact on the delivery of services, such as Brexit and the COVID-19 pandemic.
- The risk register may be refreshed over and above the stated process for review and oversight, in response to emerging issues or changing circumstances.

Corporate & Strategic Implications

12. Effective management of risk is at the heart of the City Corporation's approach to delivering cost effective and valued services to the public as well as being an important element within the corporate governance of the organisation.

13. The proactive management of risk, including the reporting process to Members, demonstrates that the department is adhering to the requirements of the City of London Corporation's Risk Management Policy and Strategy.
14. The risk management processes in place in the Environment Department support the delivery of the Corporate Plan, our Departmental and Divisional Business Plans and relevant Corporate Strategies

Conclusion

15. Members are asked to note that risk management processes within each service area adhere to the requirements of the City Corporation's Risk Management Framework. Risks identified within the operational and strategic responsibilities of each area are proactively managed.

Appendices

- Appendix 1 – City of London Corporation Risk Matrix
- Appendix 2 – Environment Department Key Risks (Port Health & Environmental Services Committee)

Contact

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

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

(A) Likelihood criteria

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

(B) Impact criteria

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

(C) Risk scoring grid

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

(D) Risk score definitions

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

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

Contact the Corporate Risk Advisor for further information. Ext 1297

October 2015




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Environment Department Key Risks (Port Health & Environmental Services Committee)

Report Author: Joanne Hill

Generated on: 7 March 2023



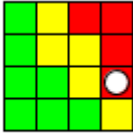

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date/Risk Approach	Current Risk score change indicator
<div> <div>21 Air Quality</div> <div>Page 59</div> <div>07-Oct-2015</div> <div>Juliemma McLoughlin</div> </div>	<p>Cause: Levels of air pollution in the City, specifically nitrogen dioxide and fine particles, impact on the health of residents, workers and visitors. The City Corporation has a statutory duty to take action to improve local air quality.</p> <p>Event: The City of London Corporation is insufficiently proactive and resourced, and does not have the right level of competent staff, to be able to fulfil statutory obligations, as a minimum, in order to lower levels of air pollution and reduce the impact of existing air pollution on the health of residents, workers and visitors.</p> <p>Effect: The City Corporation does not fulfil statutory obligations and air pollution remains a problem, impacting on health. Potential for legal action against the Corporation for failure to deliver obligations and protect health. Adverse effect on ability to deliver outcomes 2 and 11 of the Corporate Plan.</p>	 <div> <div>Liability</div> <div>Impact</div> </div>	6	<p>94% of the publicly accessible area met the target level for Nitrogen Dioxide in 2022. Only areas adjacent to the busiest roads remained a problem. Levels of nitrogen dioxide increased slightly in 2023 as the country returned to normal post pandemic but levels are significantly lower than pre pandemic. New national targets for PM2.5 have been introduced to be achieved by 2040. Coordinated action across many sectors is required to meet the target as only 4% of the PM2.5 measured in the Square Mile is emitted within its boundary, most is therefore not within our direct control.</p> <p>07 Mar 2023</p>	 <div> <div>Liability</div> <div>Impact</div> </div>	2	31-Dec-2026	
							Reduce	

Appendix 2

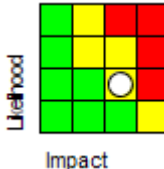
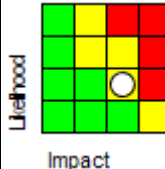

Action no	Action description	Latest Note	Action owner	Latest Note Date	Due Date
CR21 001h	Develop baseline model for compliance assessment and publish annual report of air quality data	Work has commenced on the 2022 annual status report. All data needs to be ratified and equipment audited before it can be included in the report.	Ruth Calderwood	07-Mar-2023	31-Dec-2025
CR21 001i	100% of vehicles owned or leased by the CoL are electric or hybrid by 2025	The City Corporation continues to add zero emission vehicles to its fleet with 8 hybrid and 19 pure electric vehicles. A database has been created of fleet carbon and air pollution (NOx and PM) emissions.	Ruth Calderwood	07-Mar-2023	31-Dec-2025
CR211	Assess percentage compliance rate with NO2 target	The % area compliance for 2021 was 94%.	Ruth Calderwood	07-Mar-2023	31-Dec-2024

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date/Risk Approach	Current Risk score change indicator
ENV-PHPP 001 Brexit - Impact on Port Health and Animal Health 								

Action no	Action description	Latest Note	Action owner	Latest Note Date	Due Date
ENV-PHPP 001c	Engage with stakeholders to assist in the identification of impacts and possible mitigations. Ensure Remembrancer and CoL depts are fully aware of the implications of Brexit on PH and PP and that they lobby accordingly.	Our previous actions have been completed. We are awaiting more details about the next implementation stages before considering further lobbying. This action is reviewed monthly.	Gavin Stedman	23-Feb-2023	31-Dec-2023
ENV-PHPP 001d	Respond promptly to policy decisions from the UK Government and the outcome of negotiations.	We are awaiting more details about the next implementation stages before considering further lobbying. This action is reviewed monthly.	Gavin Stedman	23-Feb-2023	31-Dec-2023

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date/Risk Approach	Current Risk score change indicator
ENV-CO-GC 002 Road traffic collision caused by City of London staff or contractor who is unfit to drive while on City business <div>Page 63</div>	Cause: A member of staff/contractor who is unfit or unqualified to drive causes ... Event: a road traffic collision which results in ... Impact: death or injury; financial claim.	 Likelihood Impact	16	<p>Pending completion of work by HR to improve the certainty regarding who works for the City of London, this risk remains RED. Whilst going through the information with HR an IT issue has arisen with the data so this has to be resolved and the matter has been escalated. Part of the escalation has now proven successful but there are still issues with the reporting systems and information on the HR systems.</p> <p>In the meantime, we have carried out a manual overview of the data and calculated with HR that of the 3,981 people on the HR system, 454 have not completed Driver Check and 42 are in progress. This figure remains relatively high due to new teachers starting and being required to complete checks, and some duplicate admin accounts.</p> <p>Until HR have resolved the automatic reporting mechanism, this will remain a red risk but it is monitored very closely manually.</p> <p>07 Mar 2023</p>	 Likelihood Impact	8	30-Sep-2023	<div>Reduce</div> <div>Constant</div>
13-Mar-2015 Joe Kingston								

Action no	Action description	Latest Note	Action owner	Latest Note Date	Due Date
ENV-CO-GC 002c	<p>Monitor the percentage of City of London staff who have completed Driver Check and ensure that it remains above 92.5%.</p> <p>Monitor the percentage of City of London staff who have been identified, through Driver Check, as drivers (or managers of drivers) who have completed the Corporate Transport Policy online training course and ensure that it remains above 92.5%.</p> <p>Monitor overall completion rates for both driver check and the online training course and ensure that it remains above 92.5%.</p> <p>Monitor the collection and periodic monitoring of driver licence details (and, in the case of grey fleet drivers, vehicle details).</p>	<p>Pending completion of work by HR to improve the certainty regarding who works for the City of London, this risk remains RED. Whilst going through the information with HR, an IT issue has arisen with the data so this has to be resolved and the matter has been escalated. Part of the escalation has now proven successful but there are still issues with the reporting systems and information on the HR systems.</p> <p>In the meantime, we have carried out a manual overview of the data and calculated with HR that of the 3981 people on the HR System, 496 have yet to complete Drivers Check (including 42 who are in the process of completing it). That is, 87% of City of London staff have completed Driver Check.</p> <p>Until HR have resolved the automatic reporting mechanism, this will remain a red risk but it is monitored very closely.</p> <p>This issue has recently been escalated via the Corporate Transport Coordinating Group to Director level.</p>	Vince Dignam	07-Mar-2023	30-Sep-2023

Risk no, title, creation date, owner	Risk Description (Cause, Event, Impact)	Current Risk Rating & Score		Risk Update and date of update	Target Risk Rating & Score		Target Date/Risk Approach	Current Risk score change indicator
ENV-CO-GC 006 A major incident, such as flooding or fire, makes Walbrook Wharf unusable as a depot <div>Page 65</div>	Cause: A major incident, such as flooding or fire. Event: Walbrook Wharf unusable as a depot. Impact: Unable to clean streets, collect waste or maintain City of London Police vehicles. City of London unable to meet its contractual arrangements with third parties who use the depot for their commercial purposes.		8	<p>A Review of actions from the Business Continuity Plan exercise in January 2023 was carried out: the contractor and the City have updated lessons learned and added the Business Continuity Plan as a live document to the governance for review.</p> <p>The Business Continuity Plan was discussed at the Quarterly Partnership board meeting in April 2023 and the next Business Continuity Exercise is scheduled for October 2023.</p> <p>This risk has also been identified as a longer-term risk linked to Climate Change and is being addressed as part of the Climate Adaptation Action Plan.</p> <p>We accept that we are unable to reduce the likelihood of the risk occurring, or the impact should it occur. However, we continue to undertake appropriate mitigating actions to maintain the risk at its current level</p>		8		
27-Mar-2015 Joe Kingston				07 Mar 2023			Accept	Constant

Appendix 2

Action no	Action description	Latest Note	Action owner	Latest Note Date	Due Date
ENV-CO-GC 006a	Conduct annual Business Continuity Exercise.	<p>A Review of actions from the Business Continuity Plan exercise in January 2023 was carried out: the contractor and the City have updated any lessons learned and added the Business Continuity Plan as a live document to the governance for review.</p> <p>The Business Continuity Plan will be discussed at the Quarterly Partnership board meeting in April 2023.</p>	Vince Dignam	07-Mar-2023	31-Oct-2023

Committee(s): Port Health and Environmental Services	Dated: 28 March 2023
Subject: Trading Standards Team Update	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1,2,5,6
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Juliemma McLoughlin, Executive Director Environment	For Information
Report author: Steve Playle, Trading Standards Manager	

Summary

Trading Standards are a small team consisting of a Trading Standards Manager plus 3.5 FTE Trading Standards Officers (TSOs) but they are responsible for enforcing a wide range of consumer protection legislation. In carrying out its role, the team works in partnership with many other enforcement bodies and organisations. The team protects the reputation of the Square Mile especially in relation to the issue of investment fraud.

There are two intervention workstreams that Trading Standards is currently working towards tackling. The first is in relation to cryptocurrencies and the second is in relation to the transition to a net carbon zero economy. Consumer protection with both these agendas is vital and, corporately, the City of London has an opportunity to positively influence them both.

Recommendation(s)

Members are asked to note the report.

Main Report

Background

1. The team structure currently consists of a full time Trading Standards Manager, 3.5 FTE Trading Standards Officers, a Regulatory Compliance Officer that is on the point of going out for recruitment, and an externally funded 0.4 FTE

Intelligence Officer.

2. The primary objective for Trading Standards is to protect consumers and deal with businesses that break consumer protection law. By creating a level playing field, it helps to ensure that reputable businesses can thrive. Trading Standards has the responsibility for enforcing consumer protection legislation and this legislation affords effective powers of entry into business premises.
3. The main route into contacting Trading Standards is via the Citizens Advice Consumer Service. This is a national service which is funded by BEIS (Department for Business, Energy and Industrial Strategy) and results in around 3,000 complaints and enquiries coming in every year. The overwhelming majority of these complaints and enquiries come from consumers who live outside the City but who have issues with businesses based inside the City. Trading Standards can also be contacted through the City of London Corporation Contact Centre, via email and the occasional personal caller.
4. The team reviews each complaint, and they are triaged, working on an intelligence-led basis. If large numbers of enquiries are being received about particular businesses, then these will be allocated to a Trading Standards Officer for investigation and action. Priority areas for the team are complaints that involve vulnerable consumers and issues concerning product safety.

Current Position

5. The levels of investment fraud in the UK are of significant concern. Latest available data shows that victims in the UK lost £890 million in 2021/22 but this is just the tip of the iceberg. Much investment fraud is under reported, normally due to the shame and embarrassment of the victims who quite often don't tell family members about what has happened to them. Back in 2014, Operation Broadway was set up to try and disrupt investment fraud. Operation Broadway has representatives from Trading Standards, City of London Police, National Fraud Intelligence Bureau, the Financial Conduct Authority, HMRC and the Insolvency Service. Meetings are held every two weeks to discuss the latest intelligence about incidents of investment fraud, relying heavily on reports from victims. Trading Standards led inspections then take place at premises of concern to disrupt activities. Finding an active 'boiler room' in the City is now quite rare but disruption normally takes the form of suspending websites and disabling telephone numbers. Many investment fraudsters pretend to have a City based address as part of the overall deception and so the work of Trading Standards is vital to protect the reputation of the Square Mile.
6. Trading Standards have developed excellent working relationships with serviced office providers in the City, including most of the iconic buildings who are targeted for their prestigious addresses. There are also around 110 mail forwarding providers in the City who have traditionally been used to provide a legitimate base which creates an illusion of respectability. A robust approach is taken with the enforcement of the London Local Authorities Act 2007 which regulates how they can conduct their business and we now have an excellent working

relationship with the mail forwarding sector.

7. The relationship between Trading Standards and the City of London Police is very good and many examples of partnership working can be cited. In the last few months, Trading Standards have given assistance with Police prosecution cases, providing important evidence from historic Operation Broadway inspections. The relationship has now extended to working with the City of London Police based Insurance Fraud Enforcement Department (IFED).
8. Of particular concern to Trading Standards is the impact of investment fraud on the victims. Regular reports are received where victims have lost life changing sums of money, and everything is done to help them. A voluntary scheme called the Contingent Reimbursement Model was introduced in 2019 which allows fraud victims to claim their losses back from their bank where the bank has not taken reasonable steps to prevent funds being transferred to criminals. Trading Standards has successfully helped victims to use this code but there is still more that the major banks could do to stop investment fraud. The weakest point in any fraud is where the money changes hands which means that the banks are key players and have important responsibilities.
9. Trading Standards have developed skills in dealing with investment fraud victims and have very difficult conversations with them. Often, the victim has told nobody else, and part of the task is to get them to start talking. Losing life changing sums of £50,000 plus is sadly becoming more common and, on occasions, the team will refer victims to their Local Authority Adult Services Department where we have worries about their mental health and wellbeing.
10. One trend that is now very apparent is that criminals are asking victims to pay with cryptocurrencies. This is most likely because the banks are getting better in preventing fraudulent payments. Crypto exchanges are largely unregulated, and it appears that there is very little effort made by them to question large and unusual transactions. This is something that Trading Standards would like to see change and we do have some contacts with the crypto exchanges. This is a fast-evolving environment and His Majesty's Government has stated it has an appetite to turn the UK into a global hub for crypto. This maybe something that the City will embrace But, clearly, consumer protection is also a key consideration.
11. In addition to the work on investment fraud, Trading Standards are dealing with the sale of vaping products, which are now very popular. Vapes were originally devised as a less risky alternative to smoking tobacco products. However, there has been a sharp rise in popularity of vapes over the last couple of years and this is now a major national issue, particularly with young people being attracted by the child appealing designs and flavours. There are strict legislative controls in place to regulate the safety aspects of vapes, but the UK is awash with non-compliant products. The non-compliant products have been found to have liquid nicotine chambers that are far larger than permitted, contain liquid nicotine that is far stronger than permitted and which fail to carry the appropriate warning labels. In the City, Trading Standards have been conducting visits to retail premises and in one case, seized non-compliant vapes with a retail value of £40,000. Even with

legal vape products, it is currently unknown what the long-term health effects are of using nicotine inhaling products. In addition, there are growing concerns about the environmental impact when disposing of single use vapes and it is therefore interesting to note that Caroline Johnson, Tory MP for Sleaford and North Hykeham, has introduced a private member's bill to prohibit their sale.

12. Trading Standards are now involved in a 2023 to 2025 service level agreement (SLA) with the City and Hackney Public Health Team. There will be collaborative working with Hackney Trading Standards to continue work on tobacco control, to continue enforcement on vape related products and there are plans to get involved with underage test purchasing exercises which have not taken place in the City for several years.
13. The housing crisis, particularly in London, has led to an increase in work relating to the activities of letting agents. Letting agents are covered by a range of consumer protection legislation which means that any deposits paid by renters must be protected, membership of a redress scheme is compulsory, and all prices must be clearly displayed. In the City, we have very few traditional letting agents with shop fronts, but we are currently dealing with those online agents that use a City of London address as their registered office and we are endeavouring to ensure that they comply with the relevant legislation.
14. We also get many complaints and enquiries about web-based businesses who want to claim an association with the Square Mile. This can be a legitimate association through use of a registered office address or, increasingly common, through fraudulent claims to have a City address when that simply is not the case. At present, the rules that govern the operation of Companies House are enabling fraudulent businesses to establish themselves quite easily, but things are changing this year with the Economic Crime and Corporate Transparency Bill which should become law later this year. City of London Trading Standards have good contacts at Companies House, and we are following the new legislation very carefully.
15. A future issue for Trading Standards is the move for the UK to become a net carbon zero economy. Government policy is encouraging us all to start installing green heating and insulation in our homes as our dependence on fossil fuels is reduced. Unfortunately, when Government start encouraging consumers to do the right thing by offering grants for work in the home, this attracts fraudulent businesses who seek to exploit the situation for their own benefits. Our Trading Standards Manager is the Lead Officer for the Chartered Trading Standards Institute on green heating and energy related matters. Protecting consumers as we move towards net carbon zero is a growing priority and we are engaged on a national level with businesses, national agencies such as the Competition and Markets Authority and BEIS.

Corporate & Strategic Implications

None

Conclusion

16. Trading Standards in the City of London are a very small team that enforces a very wide range of legislation aimed at protecting consumers. Due to the enforcement powers that it has, it means that Trading Standards sometimes have levers that can be used to influence business behaviours and it means that partnership working can be very productive.

Appendices

None

Background Papers

None

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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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