



Port Health & Environmental Services Committee

Date: TUESDAY, 2 JULY 2013
Time: 11.30 am
Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

Members:

Deputy John Tomlinson (Chairman)	Vivienne Littlechild
Wendy Mead (Deputy Chairman)	Professor John Lumley
Deputy Ken Ayers	Andrew McMurtrie
Deputy John Absalom	Brian Mooney
Deputy John Bennett	Hugh Morris
Nigel Challis	Alastair Moss
Henry Colthurst	Barbara Newman
Karina Dostalova	Deputy John Owen-Ward
Deputy Billy Dove	Deputy Gerald Pulman
Peter Dunphy	Deputy Richard Regan
Kevin Everett	Delis Regis
Deputy Bill Fraser	Jeremy Simons
George Gillon (Chief Commoner)	Deputy James Thomson
Deputy Stanley Ginsburg	Deputy Michael Welbank
Alderman John Garbutt	Mark Wheatley
Wendy Hyde	Philip Woodhouse
Clare James	Alderman Sir David Wootton

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Lunch will be served at the rising of the Committee.

John Barradell
Town Clerk and Chief Executive

AGENDA

Part 1 - Public Agenda

1. **APOLOGIES FOR ABSENCE**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **MINUTES**
To agree the public minutes and summary of the meeting held on 30 April 2013.

For Decision
(Pages 1 - 6)
4. **OUTSTANDING ACTIONS LIST**
To receive the list of outstanding actions.

For Information
(Pages 7 - 10)
5. **TIME BANDING SCHEME UPDATE**
Report of the Director of the Built Environment.

For Information
(Pages 11 - 24)
6. **RISK REGISTERS**
Joint report of the Director of the Built Environment and the Director of Markets and Consumer Protection.

For Information
(Pages 25 - 34)
7. **CITY OF LONDON AIR QUALITY PROGRESS REPORT**
Report of the Director of Markets and Consumer Protection.

For Information
(Pages 35 - 100)
8. **APPROVAL OF THE 2013 - 2014 FOOD SAFETY ENFORCEMENT PLANS FOR THE CITY AND THE LONDON PORT HEALTH AUTHORITY**
Report of the Director of Markets and Consumer Protection.

For Decision
(Pages 101 - 132)
9. **APPROVAL OF THE HEALTH AND SAFETY INTERVENTION PLAN 2013 - 2014**
Report of the Director of Markets and Consumer Protection.

For Decision
(Pages 133 - 154)

10. **NOISE RESPONSE SERVICE DELIVERY POLICY**
Report of the Director of Markets and Consumer Protection.
For Decision
(Pages 155 - 164)
11. **REVENUE OUTTURN REPORT 2012-2013**
Joint report of the Chamberlain, Director of the Built Environment, Director of Markets and Consumer Protection and Director of Open Spaces.
For Information
(Pages 165 - 172)
12. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
13. **URGENT ITEMS**
Any items of business that the Chairman may decide are urgent.
14. **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

15. **NON-PUBLIC MINUTES**
To agree the non-public minutes of the meeting held on 30 April 2013.
For Decision
(Pages 173 - 174)
16. **OUTCOME REPORT - GATEWAY 7 - ANIMAL BY-PRODUCT FACILITY FOR SMITHFIELD MARKET**
Report of the City Surveyor.
For Decision
(Pages 175 - 180)
17. **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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Agenda Item 3

PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 30 April 2013

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

Present

Members:

Deputy John Tomlinson (Chairman)	Vivienne Littlechild
Wendy Mead (Deputy Chairman)	Professor John Lumley
Deputy Ken Ayers	Andrew McMurtrie
Deputy John Absalom	Alastair Moss
Deputy John Bennett	Barbara Newman
Nigel Challis	Deputy John Owen-Ward
Henry Colthurst	Deputy Gerald Pulman
Karina Dostalova	Deputy Richard Regan
Deputy Billy Dove	Delis Regis
Peter Dunphy	Jeremy Simons
Kevin Everett	Deputy James Thomson
Deputy Bill Fraser	Deputy Michael Welbank
George Gillon (Chief Commoner)	Mark Wheatley
Deputy Stanley Ginsburg	Alderman Sir David Wootton
Alderman John Garbutt	

Officers:

Katie Odling	- Town Clerk's Department
Mathew Lawrence	- Town Clerk's Department
Jenny Pitcairn	- Chamberlain's Department
Julie Smith	- Chamberlain's Department
Paul Chadha	- Comptroller & City Solicitor's Department
Philip Everett	- Director of the Built Environment
Doug Wilkinson	- Department of the Built Environment
Steve Presland	- Department of the Built Environment
David Smith	- Director of Markets and Consumer Protection
Jon Averbs	- Markets & Consumer Protection Department
Tony Macklin	- Assistant Director, Environmental Health & Trading Standards
Sue Ireland	- Director of Open Spaces
Gary Burks	- Superintendent & Registrar, City of London Cemetery & Crematorium

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Philip Woodhouse.

2. DECLARATIONS OF INTEREST

There were no declarations of interest received.

3. **APPOINTMENT OF COMMITTEE**

RESOLVED – That the draft Order of the Court of Common Council, 25 April 2013, appointing the Committee be received and its Terms of Reference approved.

4. **ELECTION OF CHAIRMAN**

RESOLVED - That in accordance with Standing Order No 29, Deputy John Tomlinson be elected Chairman for the ensuing year.

The Chairman welcomed all those present in particular new Members and furthermore expressed his thanks to those Members who had retired.

5. **ELECTION OF DEPUTY CHAIRMAN**

RESOLVED – That in accordance with Standing Order No 30, Deputy Wendy Mead be elected Deputy Chairman for the ensuing year.

6. **MINUTES**

The Minutes of the meeting held on 8 January 2013, were confirmed as a correct record.

7. **OUTSTANDING ACTIONS**

The list of outstanding actions was noted by Members.

Enterprise Contract - Members were informed that in October 2011, Enterprise Managed Services (EMS) were awarded the term contractor for the City of London 8 year Waste collection, Street Cleansing and Ancillary services contract. Members noted that in April 2013 Officers received formal notification from EMS that there had been a management buy-out of their company by Ferrovial SE who were now the new parent company of EMS.

Members were advised that EMS would therefore continue to trade as a wholly owned subsidiary of Amey UK who in turn were owned by Ferrovial SE. Officers from Cleansing and Legal were currently in discussion with Amey UK to formalise the new ownership and management arrangements into the existing Enterprise contract.

RECEIVED.

8. **APPOINTMENT OF REPRESENTATIVES AND SUB COMMITTEES**

Consideration was given to a report of the Town Clerk which sought approval for the Appointment of Representatives to the various Sub Committees.

RESOLVED – That,

- a) The appointment of a Reference Sub Committee be deferred until it was required; and
- b) Deputy Wendy Mead be appointed to the Community and Children's Services Health and Social Care Scrutiny Sub Committee.

9. **DEPARTMENT OF THE BUILT ENVIRONMENT - BUSINESS PLAN 2013 - 2016**

Consideration was given to a report of the Director of the Built Environment relative to the Business Plan for 2013 – 2016.

During discussion, reference was made to the percentage of household waste recycled and the anticipated target for 2013/14.

RESOLVED – That the Department of the Built Environment's Business Plan 2013 – 2016 be approved.

10. THE ALDGATE - HIGHWAY CHANGES AND PUBLIC SQUARE PROJECT - ALDGATE SUBWAY PUBLIC CONVENIENCE

Consideration was given to a report of the Director of the Built Environment relative to the Aldgate – Highway Changes and Public Square Project.

RESOLVED – That,

- a) the closure of the public conveniences located within the Aldgate subways to facilitate progress of the wider improvements through the delivery of the Aldgate – Highway Changes and Public Square project be approved; and
- b) a further report considering the need for any re-provision of toilet facilities and options for delivering that re-provision be received.

11. LOVE THE SQUARE MILE - UPDATE

Consideration was given to a report of the Director of the Built Environment regarding the Love Clean Streets application.

The Assistant Director informed Members that the Love the Square Mile scheme had been a huge success. The next stage of the project was to integrate the mobile phone reporting app with the Enterprise contract to ensure there was a streamlined approach to tackling issues.

A discussion took place around Fixed Penalty Notices (“FPNs”) and whether or not a right of appeal was available to individuals who wished to challenge the issuing of notices. The Comptroller and City Solicitor informed the Committee that there was no statutory right of appeal and that it would be for the City Corporation to prosecute any individual who refused to pay the FPN. It would then be for the Magistrates’ Court to determine whether or not the FPN had been properly issued. This process was followed by all local authorities. However, there was nothing to prevent individuals making representations to the City Corporation and the Corporation had discretion to cancel a FPN if it was accepted that the individual had a legitimate explanation as to why waste was placed for collection outside the permitted time bands. It was confirmed that the paper notice issued included a helpline contact telephone number.

RECEIVED.

12. LONDON GATEWAY PORT

Consideration was given to a report of the Director of Markets and Consumer Protection which provided an update regarding the London Gateway Port.

RESOLVED – That,

- a) the progress made to date in preparing for the opening of London Gateway Port in the last quarter of 2013 be noted;
- b) authority be delegated to the Town Clerk, in conjunction with the Director of Markets & Consumer Protection and the City Surveyor, and in consultation with the Chairman and Deputy Chairman, to approve terms for any additional accommodation requirements, should an identified need arise before the next Committee meeting on 2nd July.
- c) the Comptroller and City Solicitor be instructed to complete a lease for any additional accommodation should the need arise.

13. **DEPARTMENT OF MARKETS & CONSUMER PROTECTION BUSINESS PLAN 2013-2016**

Consideration was given to a report of the Director of Markets and Consumer Protection which details the Business Plan for 2013 – 2016.

In response to a question by a Member the Chamberlain undertook to circulate an explanation for the large increase in employee costs between the 2012/13 original budget and the 2012/13 revised budget (page 103 of the report) after the meeting, which also outlined the process for setting the revised budget.

RESOLVED – That the Business Plan for 2013 – 2016 be approved.

14. **MARKETS & CONSUMER PROTECTION BUSINESS PLAN 2012-2015: OUTTURN REPORT**

Consideration was given to a report of the Director of Markets and Consumer Protection which provided an update on progress against the Business Plan for the Port Health and Public Protection Division during 2012-13.

Members were informed that if an establishment was issued a '0' rating by the Food Standards Agency, they could apply to have the rating changed; however generally, the Corporation would work with the owners to ensure the rating was improved. Members noted that the food ratings of establishments in the City could be found via the Corporation's website.

RECEIVED.

15. **MITIGATION OF IMPACT FROM DEVELOPMENT SITES**

Consideration was given to a report of the Director of Markets and Consumer Protection regarding mechanisms for ensuring that the environmental impact of developments was mitigated as far as was practicable through planning conditions.

RESOLVED – That,

- a) the proposals set out in paragraphs 4 and 5, and the 7th Edition of the Code of Practice (Appendix 2), taking account any points arising from the discussion of this report at your Committee meeting be agreed; and
- b) future iterations of the CoP, anticipated in eighteen months' time be consulted upon and subsequently agreed by the Committee.

16. **APPROVAL OF THE HEALTH & SAFETY INTERVENTION PLAN 2013-2014**

In the interests of openness and transparency, this item was deferred to the next meeting.

17. **APPROVAL OF THE 2013 - 2014 FOOD SAFETY ENFORCEMENT PLANS FOR THE CITY AND THE LONDON PORT HEALTH AUTHORITY**

In the interests of openness and transparency, this item was deferred to the next meeting.

18. **OPEN SPACES DEPARTMENTAL BUSINESS PLAN 2013 - 2016**

Consideration was given to a report of the Director of Open Spaces regarding the Departmental Business Plan for 2013 – 2016.

The Chairman requested that a risk register similar to that detailed on page 182 be produced for both the Department of the Built Environment and the Department of Markets and Consumer Protection.

RESOLVED – That the sections specifically relating to the Cemetery and Crematorium that have been included in the Open Spaces Department Business Plan for 2013 – 2016 and the targets for service delivery as quantified by the performance indicators be approved.

19. VEHICLE ACCESS AND PUBLIC CONSULTATION

Consideration was given to a report of the Director of Open Spaces regarding the public consultation in respect of Vehicle Access.

RESOLVED – That,

- a) the continuation of the vehicle access permit scheme at no charge to cemetery users be approved;
- b) the information provided by Marketing Assistance regarding public perceptions towards the services that cemetery and crematorium provides be noted; and
- c) a future report regarding the development of a friends group and volunteering within the cemetery be submitted to a future meeting.

20. DECISIONS TAKEN UNDER DELEGATED OR URGENCY PROCEDURES

Consideration was given to a report of the Town Clerk which provided details of action taken between meetings in accordance with Standing Order 41(a) and 41(b).

RECEIVED.

21. LONDON COUNCIL NOMINATIONS

Consideration was given to a report of the Town Clerk regarding the London Councils Transport and Environment Committee.

RESOLVED - That,

- a) in line with the principle agreed by the Court in 2000, the Committee noted that the Chairman of the Planning and Transportation will be recommended to be nominated to represent the City Corporation on the Associated Joint Committee (London Councils Transport and Environment Committee) (TEC); and
- b) the Chairman of the Port Health and Environmental Service Committee, the Deputy Chairman of the Planning and Transportation Committee and the Deputy Chairman of the Port Health and Environmental Services Committee be nominated to serve as the City Corporation's named deputies.

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

Chewing gum – Concern was expressed regarding the amount of chewing gum on the streets. The Director agreed to discuss specific locations with the Member following the meeting to ensure these could be addressed.

Vehicles reversing on Widegate Street - Members were informed that this issue had now been addressed through careful monitoring and management.

Wasabi on Bishopsgate – One Members raised the issue of rubbish outside this premises which the Director agreed to investigate.

23. **URGENT ITEMS**

RESOLVED – That the Committee agrees to withdraw the Corporation's Membership of the Association of Port Health Authorities.

24. **EXCLUSION OF THE PUBLIC**

RESOLVED - That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting to consider item 16 on the Agenda on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 5 of Part I of the Schedule 12A of the Local Government Act.

25. **NON-PUBLIC MINUTES**

The Committee considered the non-public minutes of the meeting held on 8 January 2013.

26. **DEBT ARREARS**

Consideration was given to a joint report of the Director of the Built Environment, Director of Markets and Consumer Protection and Director of Open Spaces regarding the Debt Arrears for the period ending 31 March 2013.

RECEIVED.

27. **SUICIDE PREVENTION - PORT HEALTH AND ENVIRONMENTAL SERVICES - COMMITTEES ROLE**

Consideration was given to a report of the Director of Markets and Consumer Protection regarding the Committee's role in the prevention of suicides in the City.

RECEIVED.

28. **OUTCOME REPORT - CITY OF LONDON CEMETERY & CREMATORIUM: ESSENTIAL REPAIRS TO LISTED BUILDINGS, PHASES 2 AND 3**

Consideration was given to a report of the City Surveyor regarding the City of London Cemetery and Crematorium: Essential repairs to Listed Buildings, Phases 2 and 3.

RECEIVED.

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

There were no questions.

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

There were no items of urgent business.

The meeting closed at 1.00pm.

Chairman

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Port Health and Environmental Services Committee
Outstanding actions 2012/13 onwards

<i>Date</i>	<i>Action</i>	<i>Officer responsible</i>	<i>To be completed/ progressed to next stage</i>	<i>Notes/Progress to date</i>
12 September 2012	Renew Recycling Bins - A report regarding the effectiveness of the Renew Recycling Bins would be brought to the Committee in September 2013 to include information around efficiency once the review of the installation of the programme had been conducted. Members noted that at present the contract allowed for a further 20 bins to be installed across the City to bring it up to 100.	Director of the Built Environment	September 2013	Report to Committee in September 2013.
12 September 2012	Time Banding Scheme Update	Director of the Built Environment	July 2013	Report to Committee on 2 July 2013.
12 September 2012	Enterprise Contract	Director of the Built Environment	November 2013	For Members information: Receive and review the Annual Report and Improvement Plan from Enterprise Managed Services Limited regarding the Street Cleansing, Waste Collection and Ancillary Services contract. This document will be presented to the Partnership Board (held in early December) that oversees running of the contract.

Port Health and Environmental Services Committee
Outstanding actions 2012/13 onwards

<i>Date</i>	<i>Action</i>	<i>Officer responsible</i>	<i>To be completed/ progressed to next stage</i>	<i>Notes/Progress to date</i>
8 January 2013	<p>City of London Waste Strategy Consultation Document The draft Waste Strategy has been issued for public consultation this ends mid-May.</p>	Director of the Built Environment		Consultation now completed with 34 responses which are currently being analysed. The current analysis will not be completed in time for July committee therefore now proposed to produce the final strategy and report in September 2013 which will include responses to points raised in the consultation
8 January 2013	<p>Public Conveniences TfL who are currently exploring improvements to the Bishopsgate area to make the area more attractive and remove some of the clutter such as the brick planters. An update on the viability of extending the opening hours of the Bishopsgate and Eastcheap toilets will be included in the Public Convenience Strategy planned for October committee. Usage of the Disabled facilities at Monument and signage were also being reviewed and this will form part of the wider review of the public convenience strategy which will be reported back to this committee as above. Improved signage has been commissioned to direct people to the nearby Eastcheap facilities.</p>	Director of the Built Environment	To be included in the Public Convenience Strategy update report at October 2013 PHES committee	<p>TfL liaison is on- going and likely to be long term. The Strategy review is scheduled for November Committee.</p> <p>Signage is now installed at Monument directing people to the nearest able bodied toilet facility at Eastcheap</p>

Port Health and Environmental Services Committee
Outstanding actions 2012/13 onwards

Date	Action	Officer responsible	To be completed/ progressed to next stage	Notes/Progress to date
30 April 2013	Food Safety Standards a. Director to investigate publicity options available. b. Director to circulate a briefing paper about the Food Hygiene Rating Scheme.	Director of Markets and Consumer Protection	Advise the Committee in due course	a. The department will seek to have information on successful prosecutions published in appropriate trade publications and the wider media. This is now on-going business and the action is considered complete. b. The earlier report on the FHRS has been re-circulated to Members. This action is completed.
30 April 2013	Wasabi on Bishopsgate – rubbish outside the premise	Director of the Built Environment		Wasabi has been visited by the Street Environment Officers; they investigated the waste and have established that it was residential. Bins have been delivered for the residents to use and arrangements have now been made for collections to be included on the domestic waste collection rounds. This should resolve the problems however the SEO's will monitor the situation.
30 April 2013	Vehicle Access and Public Consultation – A future report regarding the development of a friends group and volunteering within the cemetery is to be submitted to a future meeting.	Director of Open Spaces	A progress report will be presented at March 2014 Committee.	We have contacted a quarter of the 81 visitors who expressed an interest in becoming a friend or volunteer (by e-mail) and will be writing to the rest within the next two weeks. After an initial meeting, a development programme will be prepared, taking into account the views of the potential volunteers.

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Agenda Item 5

Committee(s):	Date(s):
Port Health and Environmental Services	2 July 2013
Subject: Time Banding Scheme update	Public
Report of: Director of the Built Environment	For Information

Summary

On 1 April 2012 the City of London introduced a Time Banding Scheme (TBS) for bagged waste and recycling, a commitment was undertaken to report back to this committee twelve months on from that implementation date to update Members on the progress of the scheme and how it had been implemented and received by both residents and businesses.

Prior to the scheme being implemented, in May 2011, a sample survey was undertaken to gather the views of businesses and residents about the impending TBS, the views were generally positive and some expressed a need for more information and varying levels of support to be able to adapt to the proposed scheme.

A comprehensive communication strategy was adopted along with a dedicated team to support the implementation of the TBS. The graph in Appendix 1 shows the number of queries received by the team from March 12 to March 13. It can be seen that just prior to implementation in April 2012 businesses and residents wanted high volumes of information on the TBS (165 in March 2012), however once the scheme started and people became familiar with the it, queries and the need for information dropped significantly (16 in May 2012).

By adopting a supportive approach, the City has worked with, and advised businesses and residents on how to adapt to the scheme. This is evidenced by the number of visits resulting in warning notices, including information letters and formal notices issued (210) compared with the number of enforcement actions such as Fixed Penalty Notices (17) in the first three months. Appendix 2 shows a continued downward trend with a levelling off in the number of enquiries relating to the TBS.

A follow up survey was undertaken in April 2013 to find out if businesses and residents felt that the TBS had achieved its aims of improving the general appearance of the street scene, including cleanliness and levels of litter. The results of the survey have been very positive, and overall, the majority (80%+) of both businesses and residents believe that the general appearance of the street scene, including cleanliness and levels of litter has either stayed the

same or improved, with only a small number of respondents disagreeing with this. Where people have highlighted concerns the time banding team have logged them and will follow up due course depending on the complexity of each issue raised.

In addition to the survey, results from the independent survey of streets by the Keep Britain Tidy organisation also support the positive impact the TBS has had on the City's streets.

In summary the Time Banding Scheme has been successfully adopted by businesses and residents across the City. The on-going approach of support and education being the first options and only resorting to enforcement where all other forms of engagement have failed appears to be the right approach. The City Streets have fewer obstructions in the form of unsightly waste bags at times when they are most in demand, improving mobility and supporting the 'World Class City' image of the City of London.

Recommendation(s)

This report recommends that your Committee :

- Receives this progress report and notes the actions taken to implement the Time Banding Scheme and the support given by the City of London Corporation to residents and businesses.
- Continues to support the Time banding Scheme.

Main Report

Background

Time Banding Scheme

1. The City of London Corporation introduced a Time Banding Scheme (TBS) for bagged waste and recycling in April 2012. The TBS requires that no bagged waste or bagged recycling is to be put out on the highway for collection between the hours of 8am and 6pm, 365 days a year and any bagged waste put outside from 6pm to midnight is to be collected within two hours of being placed on the highway.
2. The aims of the scheme were to ensure that the public highways and pavements are free of sacks and loose waste between 8am and 6pm when City streets are in most demand by the high volumes of residents, workers and tourists. Additional benefits of removing bagged waste from the pavements are; reduced litter from passers-by who leave litter on top of sacks, keeping pavements clear of obstruction during periods of high footfall and improving the appearance of the streets for the benefit of businesses, residents and visitors.

3. Prior to implementation, in May 2011, a small sample survey was undertaken to test the views of residents and businesses about the introduction of a TBS. The outcome of the survey indicated that generally both residents and businesses supported the time banding proposal and agreed that the scheme would have a positive impact on the City. Respondents commented that any proposed TBS would need to be well communicated if it was to be a success. From this information a consultation and communication strategy was developed which would engage and support all businesses and residents throughout the development and implementation of the TBS.
4. The first stage of the process was that over 13,000 consultation letters were sent to all businesses and residents across the City of London in October 2011 to seek the city wide views on the introduction of a TBS. Following this consultation it was found that 89% of respondents were in favour of the scheme being implemented. This was reported to PHES Committee in January 2012, who approved the implementation of the TBS to start in April 2012.
5. During February 2012, notification of this decision to implement the TBS was sent to the 13,000 residents and businesses. This was to confirm the changes to collections of bagged waste through the introduction of the Time Banding Scheme which was to commence on 1st April 2012.

Time Banding Scheme - Information, advice and additional support throughout the development and Implementation.

6. To ensure adequate support was available through the development and implementation stages, a dedicated time banding team was put together to help both businesses and residents with any advice and information required to adapt to the scheme. A dedicated email account was set up and a log to record all concerns was created, the log recorded a breakdown of all queries coming into the time banding team these included; collection times, clarification on time banding restrictions and missed collections by waste contractors. Appendix 1 shows a table which gives a breakdown of all queries received by the time banding team from March 2012 to March 2013.
7. The graph in Appendix 1 shows that only 165 queries were received by the time banding team in March 2012 as a result of the 13,000 letters sent out. There was then a sharp decline in queries after the TBS started on 1 April 2012 as businesses and residents became familiar with the scheme. Every query was responded to individually in an attempt to make sure the right solution was found to each issue. For respondents who felt they had major issues adapting to the scheme, additional support from the time banding team was provided in the form of site visits to see what solutions were available. Two examples of this are; having waste containers stored in Castle Baynard Car Park for those residents living in the St Andrew's Hill area, and having bespoke containers with designs to make them look more attractive and blend in with the surroundings of a churchyard (St Bartholomew the Great).

8. The decline in numbers of queries suggests that the scheme has been communicated reasonably well from an early stage with an emphasis on education, advice and support tailored to individual circumstances.
9. Members have played a key role in the success of the TBS, identifying some individual locations where there have been on-going issues. The areas highlighted have been visited on several occasions until all occupants were in compliance. Those who have repeatedly failed to comply with the TBS have been issued with fixed Penalty Notices as a last resort by the Street Enforcement Team. The time banding team continue to offer their support as and when queries are received.

Street Monitoring and Enforcement

10. The Street Environment Officers (SEO) within Cleansing Services is the team responsible for monitoring and enforcement of the time banding scheme. From 1st April 2012, the team have been very active in policing the streets of the City. The approach adopted has been that of education and support in the first instance and only resorting to formal warnings and enforcement for persistent offenders. A table detailing these actions is shown in Appendix 2.
11. The information in Appendix 2 shows that the initial emphasis was on education with only 17 Fixed Penalty Notices (FPN) issued in the first three months of the scheme's implementation, compared with 210 visits resulting in information leaflets and warning notices being issued. The FPNs were issued to occupants who were persistent offenders, they were visited and advised on how they could comply, but have continued to breach the scheme's requirements resulting in enforcement action being taken.
12. Throughout the Olympic period with the world's cameras focusing on London, there was a strong emphasis placed on the cleanliness of the City's streets, this is reflected with the increase in FPNs issued around this time (July/ August). Through constant monitoring from the Street Environment team the number of FPNs issued each month has declined and then plateaued into what could be called a 'steady state'. This suggests that the TBS has generally become accepted as a normal part of operating in the City. From the 13,000 businesses and residents engaged in the process there have been 244 FPNs issued in the twelve months the TBS has been in place, from April 2012 to March 2013. (Appendix 2 graph).

Current Position

Twelve months on - Post Time Banding Survey

13. To gain an understanding of how the TBS is now viewed by resident and businesses twelve months after implementation, another sample survey was undertaken. The survey was intended to gather information on;
 - Levels of litter and cleanliness

- The visual appearance of the streets scene after the TBS has been in place.
 - How easy it was for service users to adapt to the scheme, any problems they faced at the start, any on-going issues
 - Level of satisfaction from dealing with the City of London Corporation.
14. To maintain consistency LRS Consultancy undertook the survey as they had carried out the original survey and had an understanding of the background and previous issues encountered whilst engaging with businesses and residents.
15. A total of 317 properties were visited in April 2013, 165 residents and 152 businesses. Of the 165 residential properties visited across the City, many of the residents were unavailable throughout the day and so the surveying team returned in the evenings. From this they were able to engage with only 25 residents. This was an improvement on the seven surveyed during the baseline survey of May 2011. As with the previous survey, there was more success with businesses, 152 attempted and 83 business surveys completed compared with 73 in May 2011.

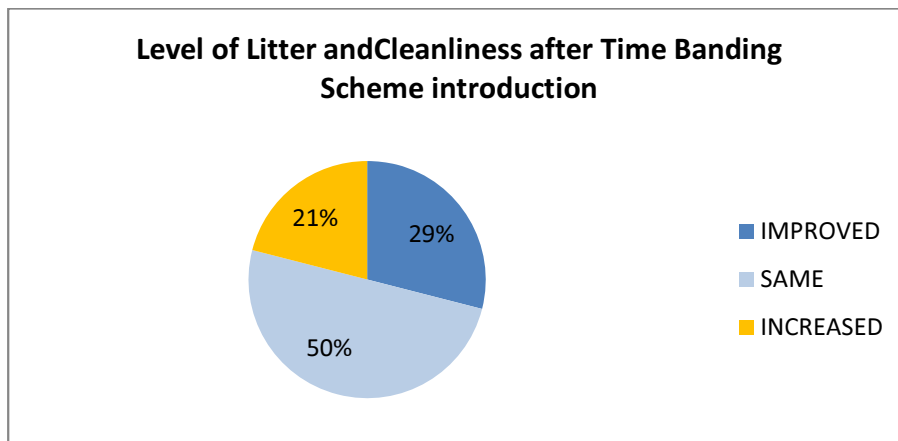
Comments received from same respondents who took part in the original survey of May 2011

16. Of the 25 residents who participated in the 2013 survey, only three took part in the original survey of May 2011, their original thoughts of the TBS were that all three felt that the TBS would be a good initiative and would have a positive impact and did not foresee any difficulties in complying. When asked how they felt now, twelve months after implementation of the TBS, all three felt that since the TBS had been introduced, the environment had improved (2) or stayed the same (1) whilst experiencing only minor issues when adapting to the scheme.
17. Of the 83 businesses who participated in the 2013 survey, 15 businesses took part in the original survey of May 2011, 13 businesses responded positively saying they felt that since the TBS was introduced the environment had improved (9) or stayed the same (4). Two businesses commented that in some instances bags on the streets have remained high or increased. The Time Banding team and Street Environment team are investigating these locations in line with the adopted approach to assist with compliance.

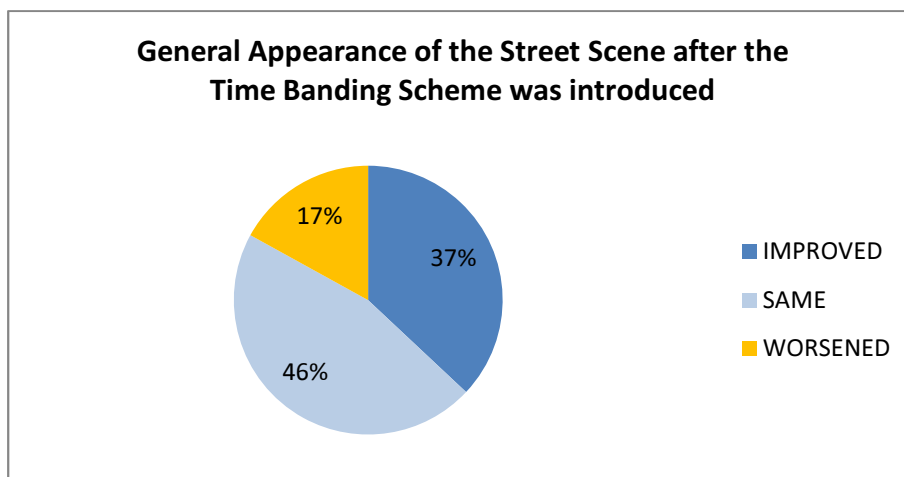
2013 Resident Survey

18. From the 25 completed residents surveys 21 were aware of the TBS; only four were unaware of Time Banding Scheme, three of these having moved into their properties after the TBS started on 1 April 2012 with the other stating they knew of the TBS and just put out bags in line with neighbours. A process whereby an information leaflet detailing the Time Banding Scheme will go out with all new council tax bills is being explored with the Chamberlains department.

19. The 25 residents were asked to rate the level of litter and cleanliness, since the TBS was introduced. 79% of respondents felt the level of litter had improved (7) or stayed the same (13). 21% of respondent (5) felt the level of litter has increased over the last twelve months, when questioned as to why they thought this; responses were that they felt that there was an absence of litter bins in the city. Two residents claimed it was particularly problematic around the 6.30-7.30pm time slot. This coincides with times when bags can be put out for collection and are likely to attract other loose litter from passers-by and people leaving from work.



20. 83% of residents surveyed felt the general appearance of the street scene has improved (9) or stayed the same (12), with the remainder 4 commenting they still see some bags on the streets following the introduction of the TBS.

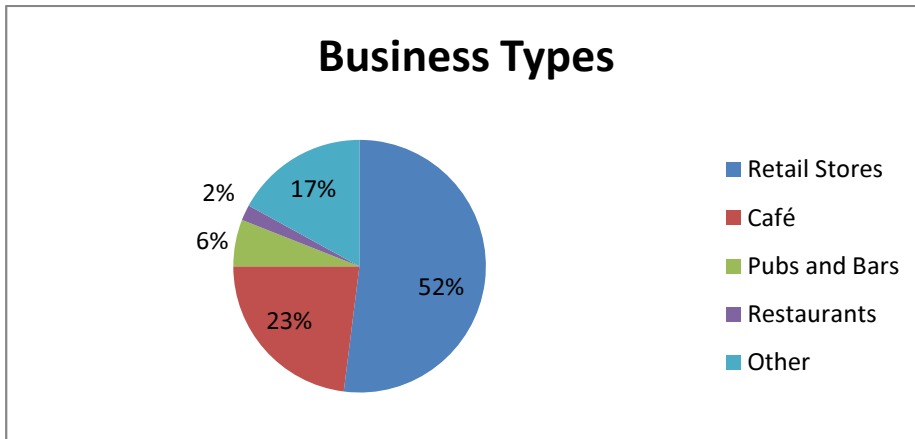


21. When questioned about the 6.30pm – 7.30pm collection times for residents 19 of the 25 respondents said that it suited them or found the times relatively easy to adapt to. 6 found the allocated collection times inconvenient due to not being home from work at that time. The time banding team are looking at these individual instances to see what can be done for them to comply.
22. 19 of the 25 respondents have been living in the City during the development and implementation of the TBS, 17 of the 19 felt the City of London were helpful and supportive. Three of these residents had direct contact with the time banding team and were happy with the advice and support given. The

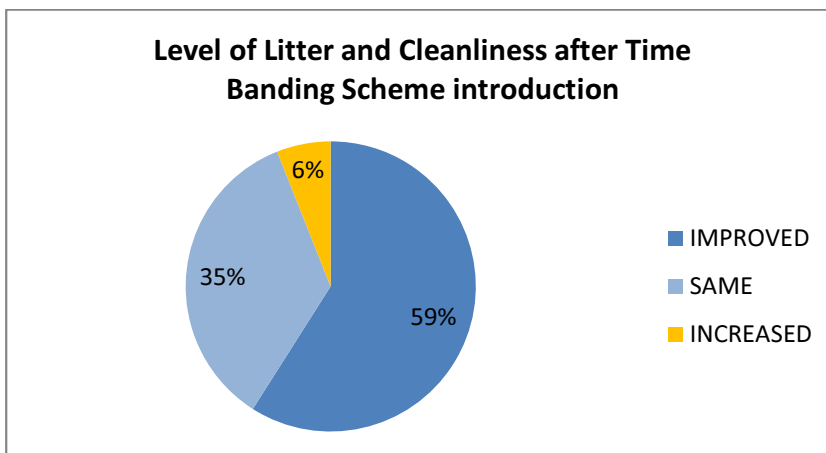
remaining 2 said that they had no direct assistance from the City but had been able to adapt.

2013 Business Survey

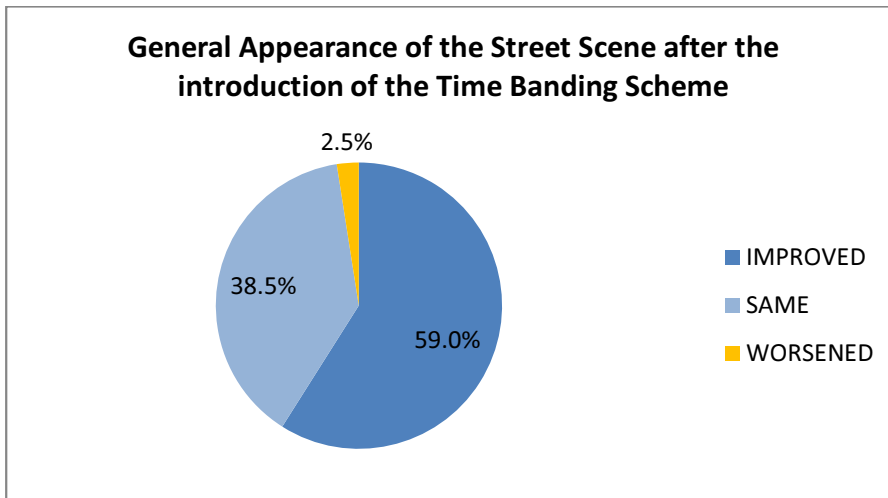
23. There were 83 complete business surveys, the business types taking part were; retail stores (52%), cafes (23%) pubs and bars (6%), restaurants (2%) and others (17%) which included a church, hair dressers and butchers.



24. Out of the 83 respondents 94% felt the level of litter on the streets had improved or stayed the same, with only 6% saying that it had worsened.
- 49 felt the level of litter on the streets had improved with
 - 29 saying it was acceptable, and only
 - 5 stating it had worsened. Out of these five, two claimed it had worsened while one said bags being left out all day attracted a lot of litter. Insufficient litter bins were also cited as a reason. These are being investigated by the Time Banding team and the SEO team.



25. 97.5% of the 83 businesses felt the general appearance of the street scene has improved (49) or stayed the same (32) since the TBS was introduced. A small number implied that enforcement could be stronger as some may feel others are 'getting away with it'.



26. When asked, in broad terms about how they felt the impact of the TBS had been, 73 of the 83 businesses felt the TBS did have a positive impact on the street scene and environment with 10 respondents feeling that it had not made any difference.
27. 74 businesses (89%) found the TBS easy to adapt to with only 9 having some issues. These included lack of storage space, businesses closing before 6pm and private contractors collecting at the wrong times. The TB team continue to work with these businesses to find suitable solutions. Of these respondents, none had previously contacted the time banding team for any direct support or advice.
28. 62 of businesses (75%) felt the City of London Corporation had been helpful and supportive during transition with the remaining numbers stating that they had adapted themselves.

Keep Britain Tidy (KBT) independent feedback

29. KBT undertake independent inspections of the City streets as part of their national inspections for street cleansing/ local environmental quality assessments. They were inspecting the City recently as a separate piece of work but did report on their findings of waste bags present on the street. Their findings in March 2013 were, of 302 streets inspected only 5 bags were found. These results support comments and views gathered in the survey which suggests the TBS has been very successful.

Period	Bags	Inspections	%
Jul-12	10	300	3.33%
Oct-12	9	305	2.95%
Mar-13	5	302	1.66%

Conclusion and Next Steps

30. The general feedback from businesses and residents is that the time banding scheme has reduced litter and improved the cleanliness of the City's streets, by restricting waste bags from being placed on the highway, obstructions have been removed, leaving the streets clearer at times when they are in greatest demand by pedestrian users. The feedback suggests that the scheme has had a positive impact upon the environment and street scene.
31. Our approach continues to be supportive and all those who have indicated on-going issues will be receiving a visit from the time banding team to see what solutions are available for them to help with compliance.
32. Our on-going policing of the TBS will continue to ensure that compliance is maintained throughout the restricted times, taking particular attention to the 'fringes of the time restrictions and stopping any 'creep'.
33. We will also be developing the following processes to ensure occupants are; aware of the TBS, can adapt to the regulations and can contact the City of London Corporation if any they need support or advice.

- New Occupants

Council Tax and Business Rates teams now send Time Banding information to all new occupants when they register. This ensures anyone new to the City will be made aware of their requirements relating to Time Banding Scheme.

- Storage Space

Where businesses highlight storage space as an issue we will assist and undertake site visits as we have done in the past. This will help to identify what solutions can be found, we have the support of colleagues in the Environmental Health team and Food Safety team who can also provide advice to find solutions to assist with the compliance of the TBS. An important point which has been highlighted to businesses is that they are responsible for ensuring that their premises have appropriate waste storage facilities for their own business purpose without the need to use the public highway as a storage area.

- Residential Collection Times

The recycling team have been working with residents to ensure waste is put out at the allocated times. For those who have had some difficulties and have contacted the time banding team, our contractor, Enterprise have been flexible and collected any remaining residential bags after 7.30pm as they have resources still operating across the City. The City and Enterprise have been working together in refining their operations to ensure all waste is collected within two hours of it being placed out by residents.

- Business collections

Collection arrangements from businesses are the responsibility of the businesses themselves; however the Time Banding team are always available to provide advice and assistance. Prior to implementation all of the private waste collection companies were invited to a briefing on the implementation of the TBS. Of the 26 waste collection companies in attendance, many indicated that they already operated in areas where a time banding scheme was in place; they said they would adjust their operations to comply. This has happened in the majority of cases, with only isolated incidents of non-collection which are dealt with accordingly by the Street Environment Officers.

34. Strategic Implications

- SA1. To support and promote 'The City' as the world leader in international finance and business services.
- SA2. To provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes.
- SA3. To provide valued services to London and the nation.
- In addition this approach also supports the corporate move to deal with the built environment in a more holistic way, viewing things as a whole (waste, street scene and built environment) and not in isolation (waste issue alone).

Background Papers

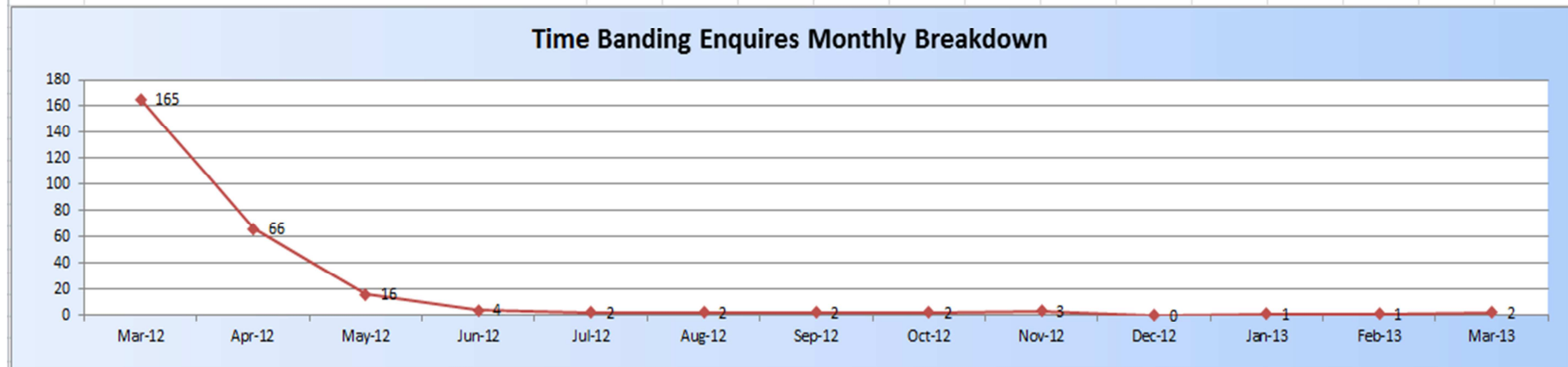
- Report to Port Health and Environmental Services Committee - Introduction of Time Banding for Bagged Waste - 24 January 2012
- Report to Port Health and Environmental Services Committee, 20 September 2011– Introduction of Time Banding for Bagged Waste
- Report to Port Health and Environmental Services Committee, 17 May 2011 – Refuse Collection, Street Cleansing, Vehicle Maintenance and Ancillary Services Contract Tender.
- LRS Residents and Businesses Survey report.

Doug Wilkinson MBA CMgr MCMl

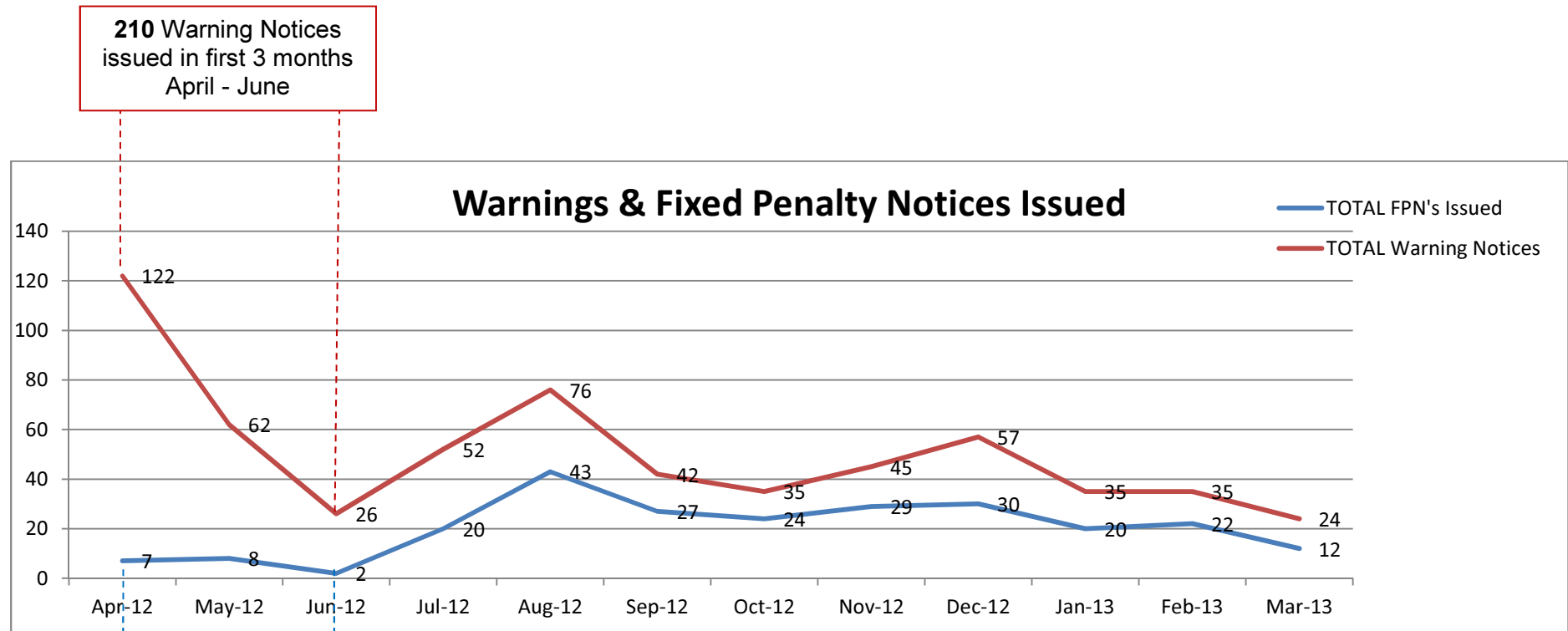
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Appendix 1 - Breakdown of all queries received by the time banding team from March 2012 to March 2013.

RESPONSES FROM TB LETTERS SENT 22/02/12		Mar-12	Apr-12	May-12	Jun-12	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13
Type	Businesses	124	48	5	2	1	1	0	1	2	0	1	1	1
	Residents	19	8	8	1	1	1	2	1	1	0	0	0	1
	Volunteer Groups, Charities & Churches	20	8	3	1	0	0	0	0	0	0	0	0	0
	Councilman	2	0	0	0	0	0	0	0	0	0	0	0	0
	Waste Contractor	0	1	0	0	0	0	0	0	0	0	0	0	0
	Managing Agent	0	1	0	0	0	0	0	0	0	0	0	0	0
	Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0
Format	Emailed	21	12	5	1	1	1	0	2	1	0	0	0	1
	Phone Call	143	53	11	3	1	1	2	0	2	0	1	1	1
	Letter	1	1	0	0	0	0	0	0	0	0	0	0	0
Query	Respondent who queried what time to put their bags out in the Evening	86	38	0	0	0	0	0	0	0	0	0	0	0
	Respondent querying about putting bags on Private Land	15	0	1	3	0	0	0	0	0	0	0	0	0
	Respondents requiring Internal Collections during 8am - 6pm	21	5	0	0	0	0	0	0	0	0	0	0	0
	Respondent querying on Short Period for implementation	1	0	0	0	0	0	0	0	0	0	0	0	0
	Respondent wanting waste contractor list	1	0	0	0	0	0	0	0	1	0	0	0	0
	Residents querying collection times (Domestic)	18	4	7	1	0	0	1	1	0	0	0	0	1
	Respondents querying collection times (Commercial)	2	0	0	1	0	0	0	0	0	0	0	0	1
	Waste contractor querying time banding	0	1	0	0	0	0	0	0	0	0	0	0	0
	Missed collection notification	2	9	7	0	0	2	0	1	2	0	0	0	0
	Visits required at premise	13	7	1	0	0	0	1	0	0	0	1	1	0
	Unknown (CoL called and left message with no further response)	5	1	0	0	0	0	0	0	0	0	0	0	0
	Respondents querying exemption from the scheme due to bin storage	1	1	0	0	0	0	0	0	0	0	0	0	0
	Totals	165	66	16	4	2	2	2	2	3	0	1	1	2



Appendix 2 – Street Environment Officer Team monitoring and enforcement



17 FPN's Issued in the first 3 months April - June

	Apr-12	May-12	Jun-12	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Total
TOTAL FPN's Issued	7	8	2	20	43	27	24	29	30	20	22	12	244
TOTAL Warning Notices	122	62	26	52	76	42	35	45	57	35	35	24	611

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Agenda Item 6

Committee(s):	Date(s):
Port Health and Environmental Services	2 July 2013
Subject: Key Risks – Department of Markets and Consumer Protection and the Department of the Built Environment	Public
Report of: The Director of Markets and Consumer Protection The Director of the Built Environment	For Information
Summary	
<p>This report details the key risks for areas that are the responsibility of your Committee for the Department of Markets and Consumer Protection (M&CP) and the Department of the Built Environment (DBE).</p> <p>Although M&CP routinely report key risks to Committee as part of the periodic business plan update report, it has been recognised that there was not a statement of these risks as part of the 2013-2015 M&CP business plan. M&CP key risks are reported in Appendix A of this report.</p> <p>DBE do not routinely report key risks to Committee. As part of good governance policy DBE key risks are reported in Appendix B of this report and will be included in future business plan update reports to the Committee.</p> <p>The report consists of:</p> <ul style="list-style-type: none">• Key risks - Department of Markets and Consumer Protection – Appendix A• Key risks - Department of the Built Environment – Appendix B <p>Recommendation(s)</p> <p>It is recommended that your Committee notes the content of this Report and its appendices.</p>	

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Port Health and Public Protection Key Risks

The table below shows a selection of our key risks which form part of our Departmental Risk Register. These are reported to Committee as part of the periodic Business Plan Progress Reports.

Risk No.	Risk Direction	Risk Details	Risk Owner/ Lead Officer	Existing Controls	Likelihood (previous assessment)	Impact (previous assessment)	Status after existing controls	Further Action
PP4	↔	Outbreak of Legionnaires disease (<i>Legionella</i> sp.) in the City which is associated with one of our cooling towers at Smithfield Market.	Port Health & Public Protection Director	Regular (1-3 years depending upon risk) independent audit by Environmental Health Officers looking at all aspects of the water risk management systems in place.	Unlikely	Major	A	No further action at present.
PH1	↔	Any further downturn in aviation/travel e.g. a worldwide flu pandemic could well affect income projections.	Port Health & Public Protection Director	Marketing of our services and increase share of animal health work across London. The freehold of the Animal Reception Centre has been purchased to allow improvements to the premises.	Possible	Moderate	A	No further action at present.
PH1	↔	Due to the general downturn in trade a reduction in the level of imported goods is expected which could have adverse financial consequences.	Port Health & Public Protection Director	We are making preparations to service the new London Gateway port which is being constructed on the former Shellhaven site. We hold regular meetings with Ports' management to monitor trade patterns and to ensure that we can service their needs.	Possible	Moderate	A	No further action at present.
PP1	↔	That a major prosecution case for regulatory non-compliance fails with costs not being awarded back to the City of London and associated reputational damage in the media.	Port Health & Public Protection Director	1. Enforcement Policy in accordance with current legislation and guidance 2. Officers trained in enforcement 3. Pre-approval consultation with C&CS including counsel's opinion if necessary before CO Approval to prosecute. 4. Legal "fighting fund" established.	Rare	Major	A	No further action at present.

Key

AH Animal Health
PH Port Health

Status

R - Red
A - Amber

PP Public Protection

G - Green

Appendix B

All Risks - Port Health & Environmental Services Committee

DBE/TPCL/1 Department of the Built Environment / Transportation & Public Realm / Cleansing

Major contractor goes into liquidation before selling business as a going concern

Major contractor goes into liquidation before selling business as a going concern

Unmitigated ... Impact 4 Likelihood 2 Risk 17

Control Effectiveness G 

Detailed Risk(s)

Specific Risk	Mitigation
Disruption of Commercial waste collections	Redirect existing resources to manage the service in house pending procurement of new contract.
Disruption to household refuse collection services	Redirect existing resources to manage the service in house pending procurement of new contract.
Disruption to vehicle maintenance, including to City of London Police vehicles)	Redirect existing resources to manage the service in house pending procurement of new contract.
Disruption to street cleansing	Redirect existing resources to manage the service in house pending procurement of new contract.
Generally	Weekly contract management meetings; Monthly strategic and quarterly Board meetings to monitor contract. Continue to monitor major contractor accounts.

Mitigated ... Impact 4 Likelihood 2 Risk 17

Further Action Under Review

Control Effectiveness

The overall effectiveness of controls is assessed on a R-A-G scale as follows:

Red	Existing controls are not satisfactory
Amber	Existing controls require improvement or mitigating controls identified but not yet implemented fully
Green	Robust mitigating controls are in place with positive assurance as to their effectiveness

A fatal road accident

An accident involving a Member/employee/contractor on City of London business leading to a fatality. Possibility of a corporate manslaughter charge being brought against the City of London.

Unmitigated ... Impact 4 Likelihood 3 Risk 18

Control Effectiveness

A

Detailed Risk(s)

Specific Risk	Mitigation
Insurance incorrect	Implement policy
Staff driving whilst under stress or overly tired.	Implement policy
Incorrect driving licence	Systematic checking procedure now partly in place
Vehicle inadequately maintained	Implement policy

Mitigated ... Impact 4 Likelihood 2 Risk 17

Further Action Complete implementation of driving licence checking procedure following adoption of new Corporate Transport Policy.

Control Effectiveness

The overall effectiveness of controls is assessed on a R-A-G scale as follows:

Red	Existing controls are not satisfactory
Amber	Existing controls require improvement or mitigating controls identified but not yet implemented fully
Green	Robust mitigating controls are in place with positive assurance as to their effectiveness

Service failure by major contractor

Some aspect of service delivery could persistently fail to meet expectations either because tendered method statement unable to cope with actual needs or because the needs have changed since tendering.

Unmitigated ... Impact 3 Likelihood 4 Risk **16**

Control Effectiveness G 

Detailed Risk(s)

Specific Risk

Mitigation

To be identified through contract monitoring, including Partnership Board.

Contract monitoring, including use of KPIs and quarterly Board Meeting

Mitigated ... Impact 3 Likelihood 2 Risk **10**

Further Action Under Review

Control Effectiveness

The overall effectiveness of controls is assessed on a R-A-G scale as follows:

Red	Existing controls are not satisfactory
Amber	Existing controls require improvement or mitigating controls identified but not yet implemented fully
Green	Robust mitigating controls are in place with positive assurance as to their effectiveness

Prohibition notice served on Cleansing fleet

Fleet owned and maintained by Enterprise

Unmitigated ... Impact 4 Likelihood 1 Risk 11

Control Effectiveness G

Detailed Risk(s)

Specific Risk

Mitigation

Fleet not available for use

CoL Managers who are also CPC holders take over transport management using hired vehicles.
Always ensure that at least one CoL Manager is appropriately professionally qualified and training is up to date.

Mitigated ... Impact 3 Likelihood 1 Risk 6

Further Action Under Review

Control Effectiveness

The overall effectiveness of controls is assessed on a R-A-G scale as follows:

Red	Existing controls are not satisfactory
Amber	Existing controls require improvement or mitigating controls identified but not yet implemented fully
Green	Robust mitigating controls are in place with positive assurance as to their effectiveness

A major incident, such as flooding or fire, makes Walbrook Wharf unusable as a depot

This could have several causes such as natural disaster, accident or terrorism/riot

Unmitigated ... Impact 3 Likelihood 2 Risk 10

Control Effectiveness

A

Detailed Risk(s)

Specific Risk	Mitigation
Flooding	Complete Risk Assessed improvements
Serious fire	Good detection and protection systems in place
Transfer station inoperable	Contingency disposal plans exist for City waste
Vehicle workshop out of action	Contractor has alternative workshops

Mitigated ... Impact 2 Likelihood 2 Risk 5

Further Action Continuity plans (including the waste and cleansing contractor plans) to be reviewed and updated. Cost benefit of insuring this risk to be explored.

Control Effectiveness

The overall effectiveness of controls is assessed on a R-A-G scale as follows:

Red	Existing controls are not satisfactory
Amber	Existing controls require improvement or mitigating controls identified but not yet implemented fully
Green	Robust mitigating controls are in place with positive assurance as to their effectiveness

City Streets/pavements not kept passable during times of snow

City Streets/pavements not kept passable during times of snow

Unmitigated ... Impact 4 Likelihood 1 Risk 11

Control Effectiveness G

Detailed Risk(s)

Specific Risk	Mitigation
Weather shifts	Use of local weather forecasts
Staff unprepared	Training programme in place
Shortage of salt	Salt stock owned and replenished by the City.
Pavements more difficult to treat	Salt sprinklers added to other equipment
Business within the City inhibited by uncleared streets or pavements	Contract with Enterprise. Use of other Departmental/contractor resources.

Mitigated ... Impact 2 Likelihood 1 Risk 3

Further Action Under Review

Control Effectiveness

The overall effectiveness of controls is assessed on a R-A-G scale as follows:

Red	Existing controls are not satisfactory
Amber	Existing controls require improvement or mitigating controls identified but not yet implemented fully
Green	Robust mitigating controls are in place with positive assurance as to their effectiveness

Agenda Item 7

Committee(s):	Date(s):
Port Health and Environmental Services	2 July 2013
Subject: City of London Air Quality Progress Report	Public
Report of: Director of Markets and Consumer Protection	For information
<u>Summary</u>	
<p>The City Corporation has a statutory obligation to monitor air quality and assess the data against health based objectives.</p> <p>The annual average objective for nitrogen dioxide (NO₂) is not being met across the City, and is up to three times the required limit adjacent to busy roads. The daily average fine particle (PM₁₀) objective is met everywhere except adjacent to the route that runs from Victoria Embankment through Upper and Lower Thames Street to Tower Hill. In 2012, this objective was also breached in Beech Street tunnel. As pollution levels exceed the set objectives, the City Corporation has a statutory obligation to develop and implement a programme of actions to improve air quality.</p> <p>This report presents an annual report, which has been submitted to the Department of the Environment Food and Rural Affairs (Defra) and the Greater London Authority (GLA), containing air quality data and progress with air quality policy in the City during 2012/13.</p> <p>The publication of the air quality data and progress report ensures that the City Corporation meets its statutory requirements for reporting on, and taking action to improve air quality.</p> <p>Recommendations</p> <p>I recommend that your Committee receives the attached Air Quality Progress Report (Appendix 2).</p>	

Main Report

Background

1. Air quality targets are defined in European legislation as limit values. The UK Government has a duty to ensure that air quality in the UK meets the limit values.
2. The limit values have been adopted into domestic legislation by the UK government as air quality objectives. The City Corporation has a statutory duty to work towards the objectives. By doing so, we assist the Government in meeting the European Union (EU) limit values.
3. The City Corporation has a statutory obligation to monitor and report on air quality concentrations and compare the results to the air quality objectives. As the air quality in the City does not meet the objectives for nitrogen dioxide and fine particles, the City of London has been declared an Air Quality Management Area. An Air Quality Strategy was published in March 2011 outlining additional action that would be taken in pursuit of the objectives. Appendix 1 contains a table summarising progress with actions in the Air Quality Strategy.

4. A report detailing the results of air quality monitoring, and progress made with actions in the Air Quality Strategy during 2012/13, is attached to this report as Appendix 2. The air quality data has been compared to previous years. The report has been approved by both the GLA and Defra in fulfilment of Part IV of the Environment Act 1995.

Air quality during 2012

5. Levels of air pollution in the City of London during 2012 were broadly similar to 2011. However, there was a noticeable increase in nitrogen dioxide and PM₁₀ in Beech Street tunnel. This is the first year that the 24-hour average PM₁₀ objective was breached in the tunnel since 2007, which is likely to be due to an increase in tunnel traffic as a result of local road closures.
6. Nitrogen dioxide levels continue to be high in the City. Particularly high levels were seen at Walbrook Wharf roadside, which is adjacent to Upper Thames Street. This site is subject to a high volume of traffic and low dispersion due to street canyon effects.
7. Fleet Street also continues to experience elevated levels of nitrogen dioxide. In addition to a high volume of traffic, there are a large number of buses and taxis along Fleet Street and, like Upper Thames Street, it is a street canyon. The western side of the City also has higher overall levels of pollution than the east due to its proximity to the central point of London.
8. The annual objective for PM₁₀ was met at all sites; however the 24-hour mean objective was exceeded at both Beech Street and Upper Thames Street (roadside sites). The annual average concentration of PM_{2.5} in Farringdon was below the limit value of 25 µg/m³.

Progress with the Air Quality Strategy

9. The City Air Quality Strategy was published in 2011 and will be updated by January 2015. Good progress has been made on a wide range of actions in the Strategy. Key achievements during 2012/13 include:
 - Air quality is listed as one of the priorities in the City Health and Wellbeing Strategy
 - A project was initiated to try and reduce the amount of pollution associated with taxis, by improving taxi rank use to reduce the amount of taxi running (plying for hire)
 - An analysis of the potential impact on air quality of a 20mph speed restriction in central London was undertaken by Imperial College London
 - A comprehensive vehicle emission testing programme, to assess real world vehicle emissions, was commissioned by the City
 - The City of London won the 2012 Green Fleet Award: Public Sector Fleet of the Year
 - £193,000 in air quality grant was obtained for a range of air quality improvement work
 - The City continued with the CityAir programme to engage businesses in air quality, and this was rolled out to other London boroughs
 - The City ran two separate successful award schemes to recognise innovation and good practice in air quality improvement
 - The City worked with the Greater London Authority on their Clean Air Zones for Schools programme

- The City continued to implement a range of measures to reduce the amount of unnecessary vehicle engine idling in the City.

Work programme for 2013/14

10. The GLA has awarded the City of London £280,000 over three years for air quality improvement work. This funding, which is part of the Mayor's Air Quality Fund, will be used towards the following projects:
 - a pilot freight management project
 - reducing emissions from taxis
 - community engagement, which will include community monitoring of local air quality
 - working with air quality champions in the construction and demolition industry
 - reducing personal exposure to poor air quality
 - targeted action to deal with idling vehicle engines
 - improving the health outcomes of residents and workers, in line with the City of London Health and Wellbeing Strategy
11. The City has been awarded an additional £100,000 from the Mayor's Air Quality Fund on behalf of the City Corporation and London Boroughs of Newham, Tower Hamlets and Waltham Forest. This is to work with St. Bartholomew's National Health Service Trust to engage health care professionals so they can reach out to 'at risk communities' and improve the health outcomes of exposure to poor air quality.
12. Following the successful vehicle emissions testing programme in 2012, the City obtained further funding from Defra and has appointed King's College London to undertake further testing of vehicle types and technologies to enhance our understanding of real world vehicle emissions.
13. The City will launch a CityAir smart phone application in autumn 2013 to notify users when pollution levels are high and appropriate steps that can be taken to reduce exposure to the pollution.
14. The City will continue to work with Sir John Cass School on an air quality education programme for the children and measures to reduce exposure to high levels of pollution.
15. The Clean City Awards Scheme will have an air quality category for 2013 to mark European Year of Air.

Corporate and Strategic Implications

16. The City Corporation is strongly committed to improving air quality. This work supports Key Policy Priority 3 in the Corporate Plan 2013 – 2017, which outlines a commitment to engage with London and national government on the main issues of concern to our communities.
17. Implementing policies to improve air quality supports the following aims of the City Together Strategy:
 - Supports our communities
 - Protects, promotes and enhances our environment
18. In terms of impact on sustainability, improving air quality will make a positive contribution to reducing carbon emissions and reducing pollution. It will also encourage the

City to be more environmentally aware and works towards enhancing and encouraging preventative health measures.

Conclusion

19. The City of London continues to experience high concentrations of nitrogen dioxide. Air quality at busy roadside locations does not meet the PM₁₀ daily Limit Value. Good progress is being made on a wide range of actions outlined in the City's Air Quality Strategy. The City Corporation continues to fulfil its statutory obligation in relation to air quality management.

Background Papers:

The City of London Air Quality Strategy 2011 – 2015, presented to the Port Health and Environmental Services Committee, March 2011

Appendices

Appendix 1: Summary of progress with actions in the City of London Air Quality Strategy

Appendix 2: The City of London Air Quality Progress Report, April 2013

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Appendix 1: Summary of progress with actions in the City of London Air Quality Strategy

√□□□ Limited progress

√√ = Good progress

√√√ = Complete

* = On going

No.	Action	Progress
1	The City of London will continue to monitor air pollutants to ensure that air quality objectives and Limit Values are being met, and to assess the effectiveness of national, regional and local policies to reduce levels of pollution.	*
2	The City of London will ensure that, if possible, policies introduced to improve air quality will also have a positive benefit on reducing greenhouse gas emissions, and policies introduced to reduce greenhouse gas emissions will have a positive benefit on air quality.	*
3	Options for managing traffic in the City to improve air quality locally will be considered during 2011. Air quality impact assessments will be undertaken for transport schemes that involve significant changes to traffic type and movement on City roads.	√√√ *
4	The City of London will model the air quality impact of further controls over taxi emissions, the use of low emission buses on routes through the City and a central and inner London Low Emission Zone.	√√√
5	The City of London will investigate further options for using parking policy to promote the use of low emission vehicles in the Square Mile	√
6	The City of London will continue to manage its vehicle fleet to reduce emissions of NO _x , PM ₁₀ and CO ₂ year on year.	*
7	The City of London will continue to trial alternatively fuelled vehicles and increase the number of low emission vehicles in the fleet, where appropriate.	*
8	The City will continue to encourage its contractors to use low emission vehicles.	*
9	The City of London will work with public and private bodies to develop low emission procurement guidance.	√√√
10	The City of London will engage with City Police to reduce emissions from its fleet	√
11	The City of London will continue with its efforts to establish effective ways to prevent drivers from leaving vehicle engines idling unnecessarily in the City	√√
12	The City of London will work with the Mayor of London to designate the whole of London a no-idling zone.	*
13	The City of London will work with Transport for London to trial a method of dust suppression along the route from Victoria Embankment through to Tower Hill.	√√√
14	If dust suppression is shown to be effective at reducing PM ₁₀ concentrations, the City will consider rolling it out to other areas of concern in the Square Mile and encourage Transport for London to apply it on other roads in the City that they are responsible for, particularly Mansell Street and Farringdon Street.	√√
15	The City of London will continue to explore and implement energy efficiency measures to reduce emissions of carbon, NO _x	*

	and PM ₁₀ from its buildings.	
16	The City of London will engage with City businesses to gain their support for improving air quality in the Square Mile.	√√√
17	Air quality will be a consideration in all development and the City of London will require developers to undertake detailed air quality impact assessments of major developments adjacent to sensitive premises, such as residential properties, schools and St Bartholomew's Hospital. This will form part of the Environmental Impact Assessment (EIA).	*
18	Major developments will be encouraged to obtain maximum points for the pollution section of the BREEAM assessment relating to NOx emissions i.e. to meet a dry NOx emission rating of <40 mg/kWh for boilers (this is equivalent to a NOx rating >5).	*
19	The City of London will develop local best practice guidance for controlling emissions from gas Combined Heat and Power plant.	√√√
20	Developers will be encouraged to install non-combustion renewable energy technology to work towards energy security and carbon reduction targets.	*
21	A detailed air quality impact assessment will be required for any development where biofuel or biomass is proposed for on-site energy generation.	*
22	The City of London will consider cost effective ways of minimising emissions from back-up generators by the end of 2011.	√√√
23	Where appropriate, the City of London will secure air quality improvements through the S106 process.	*
24	The City of London will continue to establish best practice for minimising emissions from construction, demolition and street works and update the City of London Code of Practice for Demolition and Construction Sites to reflect this.	√√
25	The City of London will pay particular attention to controlling emissions of PM ₁₀ from construction, demolition and street works in and around the route from Victoria Embankment through to Tower Hill. This is to assist the Government to achieve the PM ₁₀ Limit Value.	*
26	The City of London will assist the Mayor of London to update the Greater London Authority and London Councils' Best Practice Guide for Controlling Dust and Emissions from Construction and Demolition.	√√√
27	The City of London will encourage the use of green walls and green roofs in new and existing buildings, particularly in close proximity to the priority location Victoria Embankment, Upper and Lower Thames Street through to Tower Hill.	*
28	The City of London will continue to increase public understanding of poor air quality through initiatives such as pollution alert systems and its work with City businesses.	*
29	The City of London will continue to promote, reward and disseminate best practice for tackling poor air quality through the Sustainable City Awards and the Considerate Contractor Scheme Environment Award.	*
30	The City will continue to work in partnership with key organisations to develop local, regional and national air quality policy.	*
31	The City of London will continue to lobby the Mayor of London and the Government to ensure that the Limit Values for PM ₁₀ and nitrogen dioxide are met in the Square Mile.	*



2013 Air Quality Progress Report for City of London Corporation

In fulfillment of Part IV of the
Environment Act 1995
Local Air Quality Management

April 2013

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Date	April 2013

Executive Summary

Pollution levels in the City of London during 2012 were broadly similar to 2011; however, this is the first year the 24-hour average PM₁₀ objective was breached at Beech Street.

Nitrogen dioxide levels continue to be high in the City. Particularly high levels were seen at Walbrook Wharf roadside and roof and Beech Street. Walbrook Wharf is beside Upper Thames Street, which has a high volume of traffic and low dispersion due to street canyon effects. Beech Street is a roadside site within a tunnel, which also has low dispersion.

The annual objective for PM₁₀ was met at all sites; however the 24-hour mean objective was exceeded at both Beech Street and Upper Thames Street (roadside sites). In 2011, only the Upper Thames Street site exceeded this objective. The City of London is investigating why this may be the case and initial investigations indicate an increase in traffic in the Beech Street Tunnel as a result of road closures associated with Crossrail may be the cause. There were a number of air pollution episodes in London during 2012, summarised in Appendix B, which may also be a contributory factor.

Based on the results presented here, a report submitted to Defra has concluded that detailed assessment is not required for any pollutants. This means that it is not appropriate to revise the "Air Quality Management Area" status of the City of London.

The City of London continues to work to improve air quality, by implementing the actions in its Air Quality Strategy 2011-2015, and by continuing to work closely with stakeholders such as the Greater London Authority, Department for the Environment Food and Rural Affairs, King's College London, and other Central London Local Authorities.

Table of Contents

1	Introduction	5
1.1	Description of Local Authority Area	5
1.2	Purpose of Progress Report	5
1.3	Air Quality Objectives	6
1.4	Summary of Previous Review and Assessments	8
2	New Monitoring Data	10
2.1	Summary of Monitoring Undertaken	10
2.2	Comparison of Monitoring Results with Air Quality Objectives	14
3	New Local Developments	31
4	Local / Regional Air Quality Strategy	32
5	Air Quality Planning Policies	33
6	Local Transport Plans and Strategies	34
7	Climate Change Strategies	35
8	Implementation of Action Plans	36
9	Conclusions and Proposed Actions	52
9.1	Conclusions from New Monitoring Data	52
9.2	Proposed Actions	52
10	References	53

List of Tables

- Table 1.1 Air Quality Objectives included in Regulations for the purpose of LAQM in England
- Table 2.2 Details of Non- Automatic Monitoring Sites
- Table 2.3 Results of Automatic Monitoring for NO₂: Comparison with Annual Mean Objective
- Table 2.4 Results of Automatic Monitoring for NO₂: Comparison with 1-hour Mean Objective
- Table 2.5 Results of NO₂ Diffusion Tubes 2012
- Table 2.6 Results of NO₂ Diffusion Tubes (2008 to 2012)
- Table 2.7 Results of Automatic Monitoring for PM₁₀: Comparison with Annual Mean Objective
- Table 2.8 Results of Automatic Monitoring for PM₁₀: Comparison with 24-hour Mean Objective
- Table 2.9 Results of Automatic Monitoring for SO₂: Comparison with Objectives
- Table 2.10 Results of Automatic Monitoring of PM_{2.5} – Annual mean
- Table 2.11 Results of Automatic Monitoring of Ozone – Annual mean

List of Figures

- Figure 1.1 Map of AQMA Boundary
- Figure 2.1 Map of Automatic Monitoring Sites
- Figure 2.2 Map of Non-Automatic Monitoring Sites
- Figure 2.3 Trends in Annual Mean NO₂ Concentrations at Automatic Monitoring Sites
- Figure 2.4 Trends in Annual Mean Nitrogen Dioxide Concentrations Measured at Diffusion Tube Monitoring Sites
- Figure 2.5 Trends in Annual Mean PM₁₀ Concentrations
- Figure 2.6 Trends in 24-hour Average PM₁₀ Concentrations
- Figure 2.7 Trends in SO₂ Concentrations

Appendices

Appendix A - QA:QC Data

Appendix B – Pollution Episodes in London during 2012

1 Introduction

1.1 Description of Local Authority Area

City of London is the financial and commercial heart of Britain, also known as the “square mile”. It is a densely developed urban area in the centre of Greater London, and is approximately 2.9km² in area. It is the historic heart of London, and has been inhabited since Roman times.

The City experiences some of the worst air quality in the UK, primarily to the density of development and its geographical location. Road traffic is the main source of pollution in the City, supplemented by commercial and domestic heating. Construction and Deconstruction activities are also a significant source. There are no industrial sources of pollution in the City.

Due to its location in the heart of London, the City is heavily influenced by pollution generated in neighbouring authorities, and across London as a whole. As with other areas in the southeast of England, the City is also affected by pollutants (notably fine particulates) thought to originate from continental Europe.

1.2 Purpose of Progress Report

This report fulfils the requirements of the Local Air Quality Management process as set out in Part IV of the Environment Act (1995), the Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 and the relevant Policy and Technical Guidance documents. The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether or not the air quality objectives are likely to be achieved. Where exceedences are considered likely, the local authority must then declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of the objectives.

Progress Reports are required in the intervening years between the three-yearly Updating and Screening Assessment reports. Their purpose is to maintain continuity in the Local Air Quality Management process.

They are not intended to be as detailed as Updating and Screening Assessment Reports, or to require as much effort. However, if the Progress Report identifies the risk of exceedence of an Air Quality Objective, the Local Authority (LA) should undertake a Detailed Assessment immediately, and not wait until the next round of Review and Assessment.

1.3 Air Quality Objectives

The air quality objectives applicable to LAQM in England are set out in the Air Quality (England) Regulations 2000 (SI 928), The Air Quality (England) (Amendment) Regulations 2002 (SI 3043), and are shown in Table 1.1. This table shows the objectives in units of microgrammes per cubic metre $\mu\text{g}/\text{m}^3$ (milligrammes per cubic metre, mg/m^3 for carbon monoxide) with the number of exceedences in each year that are permitted (where applicable).

Table 1.1 Air Quality Objectives included in Regulations for the purpose of LAQM in England

Pollutant	Air Quality Objective		Date to be achieved by
	Concentration	Measured as	
Benzene	16.25 µg/m ³	Running annual mean	31.12.2003
	5.00 µg/m ³	Annual mean	31.12.2010
1,3-Butadiene	2.25 µg/m ³	Running annual mean	31.12.2003
Carbon monoxide	10 mg/m ³	Running 8-hour mean	31.12.2003
Lead	0.50 µg/m ³	Annual mean	31.12.2004
	0.25 µg/m ³	Annual mean	31.12.2008
Nitrogen dioxide	200 µg/m ³ not to be exceeded more than 18 times a year	1-hour mean	31.12.2005
	40 µg/m ³	Annual mean	31.12.2005
Particulate Matter (PM ₁₀) (gravimetric)	50 µg/m ³ , not to be exceeded more than 35 times a year	24-hour mean	31.12.2004
	40 µg/m ³	Annual mean	31.12.2004
Sulphur dioxide	350 µg/m ³ , not to be exceeded more than 24 times a year	1-hour mean	31.12.2004
	125 µg/m ³ , not to be exceeded more than 3 times a year	24-hour mean	31.12.2004
	266 µg/m ³ , not to be exceeded more than 35 times a year	15-minute mean	31.12.2005

1.4 Summary of Previous Review and Assessments

The City of London 'Stage 1 and 2 Review and Assessment' was published in September 1998. The review identified three pollutants with potential to exceed the air quality objectives: nitrogen dioxide; fine particulates and sulphur dioxide. Further work for Stage 3 of the Review and Assessment process concluded that just nitrogen dioxide and fine particulates were likely to exceed the objectives. The whole of the City was consequently declared an Air Quality Management Area in January 2001 for these two pollutants. The need for an Air Quality Management Area was confirmed in the Stage 4 Review and Assessment published in June 2002. The City consequently published an Action Plan in May 2003 detailing the measures that would be taken in the City to improve air quality. The 2006 and 2009 Updating and Screening Assessments both concluded that there was no requirement for a Detailed Assessment for any of the specified pollutants, and that it was pertinent to maintain the Air Quality Management Area for the whole of the City of London, for both NO₂ and PM₁₀.

In the spring of 2011, the City of London Air Quality Strategy received committee approval. The strategy outlines how air quality policy at the City will be developed from 2011 to 2015, and sets out 32 actions to achieve this.

Although a lot of work has been undertaken since 1998 with a view to improving air quality in the City, levels of nitrogen dioxide and fine particulates continue to be a problem, and the AQMA remains appropriate for the whole of the City of London (Figure 1.1).

A number of the documents discussed here can be viewed on the City of London website: www.cityoflondon.gov.uk/air

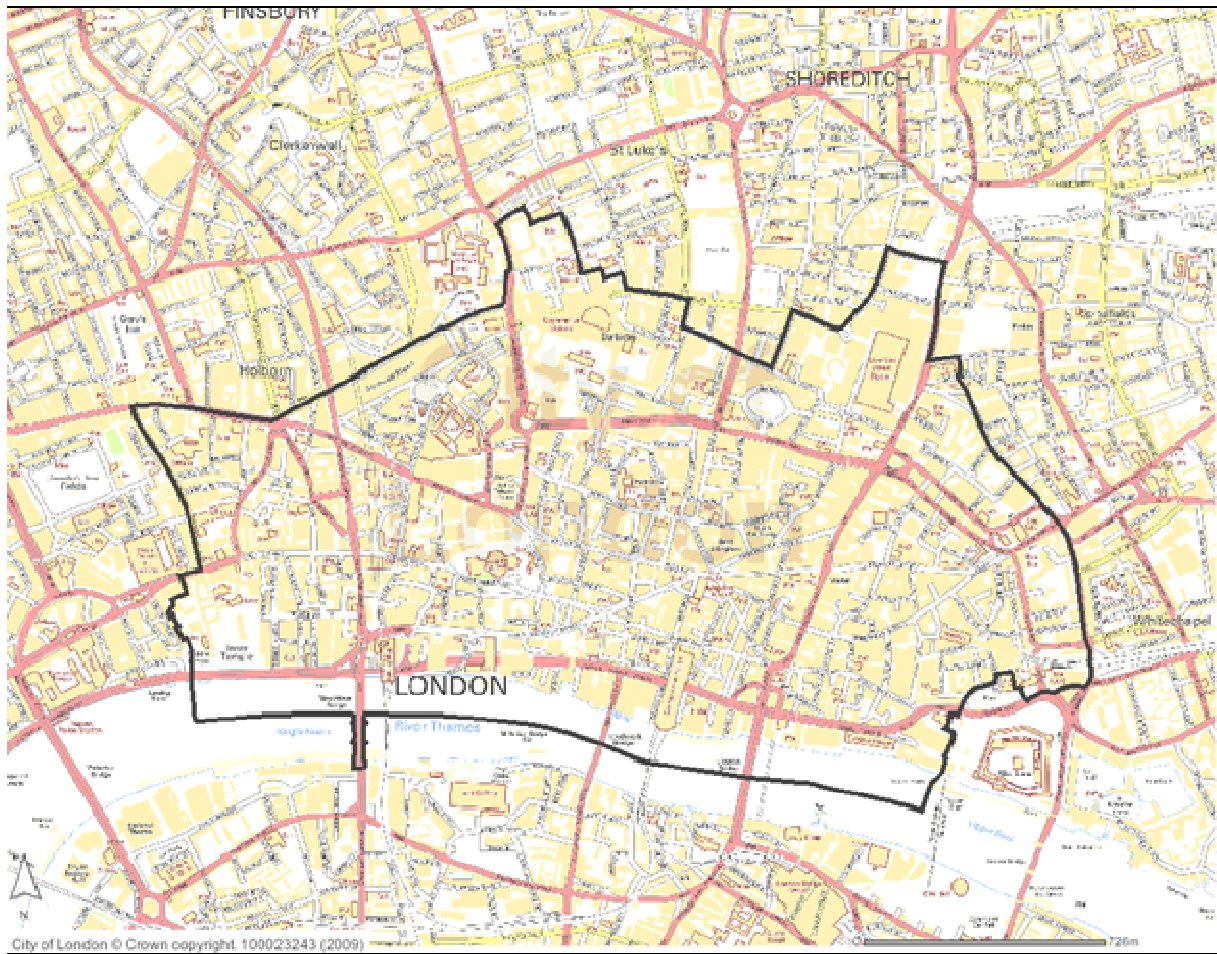


Figure 1.1 Map of AQMA Boundary

2 New Monitoring Data

2.1 Summary of Monitoring Undertaken

2.1.1 Automatic Monitoring Sites

The locations and details of all automatic monitoring sites are shown in Figure 2.1 and Table 2.1.

Quality assurance and quality control details for all automatic monitoring sites in the City are provided in Appendix A. All results reported here may be subject to slight change, depending on the results of equipment audits in Spring 2013.

Figure 2.1 Map of Automatic Monitoring Sites

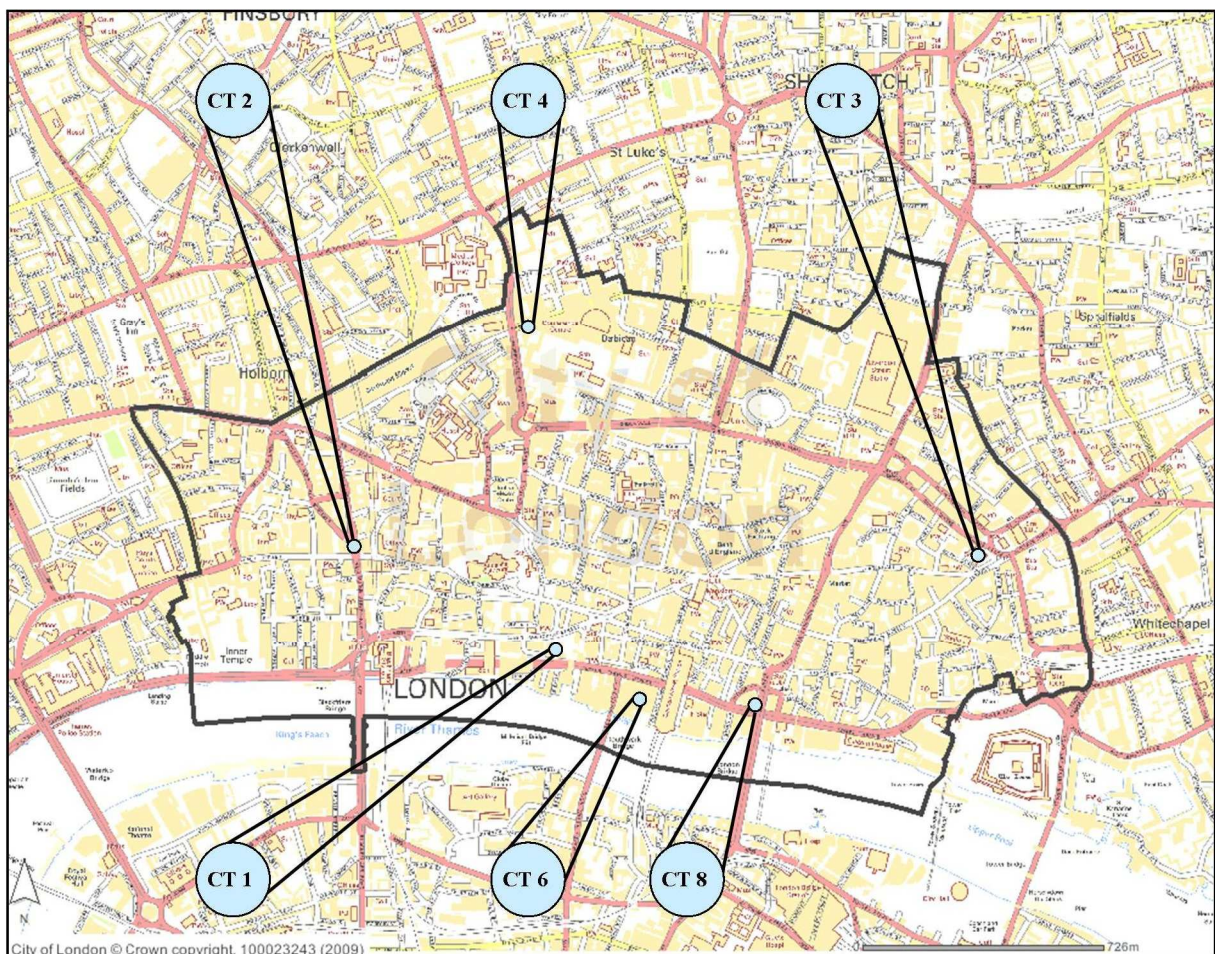


Table 2.1 Details of Automatic Monitoring Sites

Site Name	Site Type	X OS GridRef	Y OS Grid Ref	Pollutants Monitored	In AQMA?	Monitoring Technique	Relevant Exposure? (Y/N with distance (m) to relevant exposure)	Distance to kerb of nearest road (N/A if not applicable)	Does this location represent worst-case exposure?
CT 1 - Senator House	Urban Background	532234	180894	SO ₂	Y	Flourescence	Yes (on top of a building)	N/A	N/A
CT 1 - Senator House	Urban Background	532234	180894	O ₃	Y	Photometric	Yes (on top of a building)	N/A	N/A
CT 1 - Senator House	Urban Background	532234	180894	NO ₂	Y	Chemolumine scence	Yes (on top of a building)	N/A	N/A
CT 2 – Farringdon Street	Kerbside	531625	181201	PM _{2.5}	Y	BAM	Yes (4m)	1m	Y
CT 3 - John Cass School	Urban Background	533475	181179	PM ₁₀	Y	BAM	Yes (in school playground)	N/A	N/A
CT 3 - John Cass School	Urban Background	533475	181179	NO ₂	Y	Chemolumine scence	Yes (in school playground)	N/A	N/A
CT 4 - Beech Street	Roadside	532141	181861	PM ₁₀	Y	TEOM	Yes (5m)	1m	Y
CT 4 - Beech Street	Roadside	532176	181862	NO ₂	Y	Chemolumine scence	Yes (5m)	1m	Y
CT 6a - Walbrook Wharf Foyer	Roadside	532528	180784	NO ₂	Y	Chemolumine scence	Yes (3m)	1m	Y
CT6b - Walbrook Wharf Roof	Urban Background	532528	180784	NO ₂	Y	Chemolumine scence	Yes (on top of a building)	N/A	N/A
CT 8 - Upper Thames Street	Roadside	532834	180691	PM ₁₀	Y	TEOM	Yes (3m)	2m	Y

Page 52

2.1.2 Non-Automatic Monitoring Sites

Diffusion tubes were used in 2011 to monitor nitrogen dioxide. The tubes used are managed by Bureau Veritas as part of the London-Wide Environment Programme (LWEP). All diffusion tubes employed in the LWEP programme are prepared and analysed by UKAS accredited Gradko International Ltd.

Diffusion tubes are prepared using the 50% v/v triethanolamine with acetone method and analysed using UV spectrometry. The diffusion tubes are labelled, and kept refrigerated in plastic bags prior to and after exposure. The City did not conduct its own co-location study, and laboratory bias adjustment factor is supplied by Bureau Veritas. For 2011 the factor was 1.02. Further QA/QC data is included in Appendix A. Figure 2.2 shows a map of nitrogen dioxide diffusion tube sites in the City of London and table 2.2 provides details of all sites.

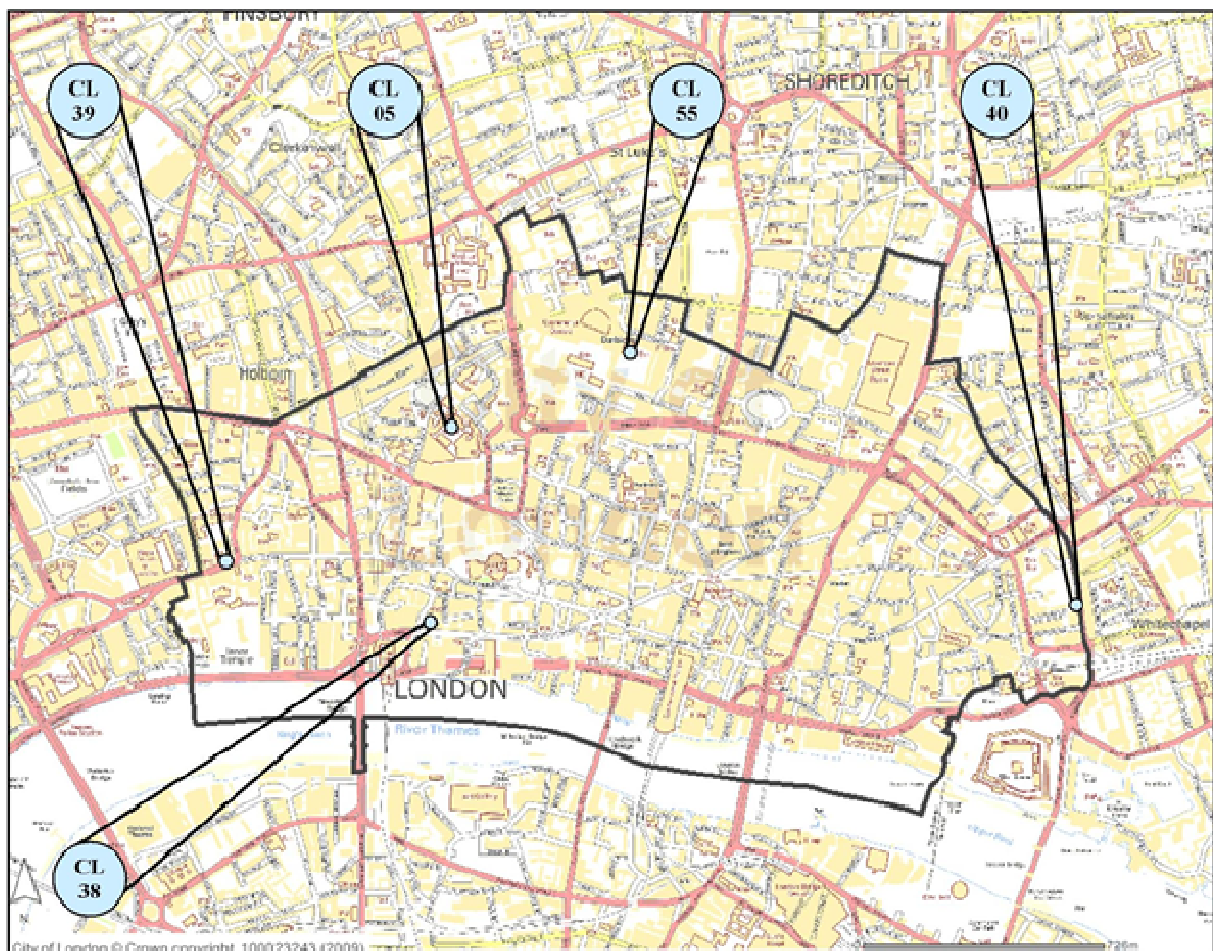


Figure 2.2 Map of Non-Automatic Monitoring Sites

Table 2.2 Details of Non- Automatic Monitoring Sites

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
CL55	St. Bartholomew's Hospital courtyard	Urban Centre	531901	181571	2	NO ₂	Y	N	Y	N/A	N/A
CL38	St. Andrew's Church, Queen Victoria Street	Roadside	531851	180962	3	NO ₂	Y	N	Y (4m)	2m	N
CL39	St. Dunstan's Church, Fleet Street	Roadside	531235	181155	2	NO ₂	Y	N	Y (4m)	2m	Y
CL40	Guinness Trust Estate, Mansell Street.	Roadside	533791	181027	2.5	NO ₂	Y	N	Y (3m)	3m	N
CL55	CL 55 Speed House, Barbican Centre	Urban Background	532482	181799	1	NO ₂	Y	N	Y	N/A	N/A

2.2 Comparison of Monitoring Results with Air Quality Objectives

All of the City's monitoring sites are located within the existing AQMA.

Nitrogen Dioxide

- The NO₂ annual mean objective was achieved at Speed House, Barbican (an urban background, diffusion tube site) and was exceeded at all other sites in the City of London.
- The NO₂ hourly mean objective was exceeded at Beech Street (CT4) and Walbrook Wharf (CT6a) roadside sites and Walbrook Roof (CT6b). It was met at all other sites.

PM10

- The PM₁₀ daily mean objective was exceeded at the Beech Street (CT4) and Upper Thames Street (CT8) roadside sites.
- The PM₁₀ annual mean objective was achieved at all sites.

SO₂

- The SO₂ 15 minute, 1-hour and 24-hour mean objectives were all achieved at Senator House (CT1).

Other Monitoring

All monitoring results (including PM_{2.5} and O₃), for which there is no obligation on local authorities to meet the objectives) are discussed in greater detail in the following sections.

2.2.1 Nitrogen Dioxide (NO₂)

In the City, nitrogen dioxide (NO₂) is monitored using both (automatic) continuous analysers and (non-automatic) diffusion tubes. Continuous monitoring data is used to measure against both an hourly average objective and an annual average objective value. Diffusion tubes are used to measure against the annual average objective only.

There are five continuous monitors in the City. Two are roadside sites (Beech Street - CT4 and Walbrook Wharf Foyer – CT6a), and three are urban background sites (Senator House – CT1, Sir John Cass School – CT3 and Walbrook Wharf Roof CT6b).

There are five diffusion tube sites in the City. One is an urban centre site (St. Bartholomew's Hospital). Three are roadside/kerbside sites (St. Andrew's by the Wardrobe, Queen Victoria Street; St. Dunstan's in the West, Fleet Street and The Guinness Trust Estate, Mansell Street). One is an urban background site (Speed House, The Barbican).

Automatic Monitoring Data

In 2012 the annual objective was not achieved at any automatic site and the hourly average objective was not achieved at three sites:

- Beech Street (CT4)
- Walbrook Wharf (CT6a)
- Walbrook Wharf Roof (CT6b)

Data capture at Senator House (CT1) was low due to a significant problem which arose with the third party electricity supply which affected the reliability of logged data. The annual value has been “annualised” as detailed.

Tables 2.3 and 2.4 show the results of automatic monitoring in 2012. Figure 2.3 shows trends in annual mean concentrations since 1999.

Table 2.3 Results of Automatic Monitoring for NO₂: Comparison with Annual Mean Objective

Site ID	Site Type	Within AQMA?	Valid Data Capture 2012 %	Annual Mean Concentration (µg/m ³)				
				2008	2009	2010	2011	2012 ^c
CT1 (Senator)	Urban Background	Y	72	49	48	51	52	52^c
CT3 (John Cass)	Urban Background	Y	97	58	56	55	48	46
CT4 (Beech St)	Roadside	Y	100	85	90	81	67	79
CT 6a (WW Foyer)	Roadside	Y	96	126	131	117	101	114
CT6b (WW Roof)	Urban Background	Y	100	93	91	93	95	92

In bold, exceedence of the NO₂ annual mean AQS objective of 40µg/m³

^c Data “annualised” as in Box 3.2 of TG(09) (<http://laqm.defra.gov.uk/technical-guidance/index.html?d=page=38>), as valid data capture less than 75%. un-annualised mean 50(µg/m³), ratio used 1.045 derived from data as follows:

AURN Site	Annual Mean (Am)	Period Mean (Pm)	Ratio (Am/Pm)
Kensington - North	35.9	33.7	1.065
Camden - Bloomsbury	50.8	49.9	1.018
		Average Ratio	1.045

Figure 2.3 Trends in Annual Mean NO₂ Concentrations Measured at Automatic Monitoring Sites

A trend chart providing NO₂ annual mean results over the past 14 years. All sites continue to be above the annual mean objective.

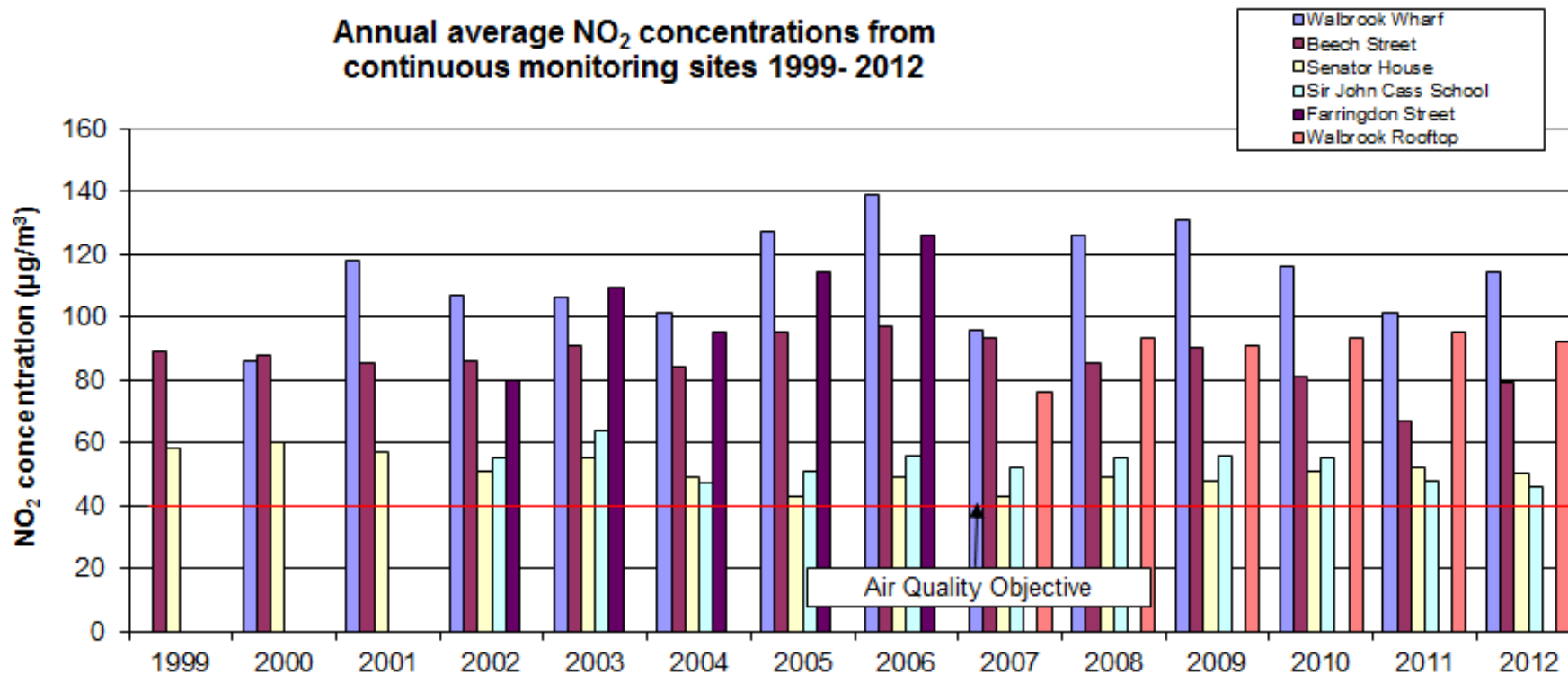


Table 2.4 Results of Automatic Monitoring for NO₂: Comparison with 1-hour Mean Objective

Site ID	Site Type	Within AQMA?	Valid Data Capture 2012 % ^b	Number of Hourly Means > 200µg/m ³				
				2008 ^c	2009 ^c	2010 ^c	2011 ^c	2012 ^c
CT1 (Senator)	Urban Background	Y	72	0	0	2	0	2(154.8 µg/m ³)
CT3 (John Cass)	Urban Background	Y	97	0	2	3	0	0
CT4 (Beech St)	Roadside	Y	100	106	189	139	42	176
CT 6a (WW Foyer)	Roadside	Y	96	810	955	646	231***	450
CT6b (WW Roof)	Urban Background	Y	98	13	4	40	118	63

*** there were 231 exceedences at CT6a, but 2011 data capture was too low for this figure to be reliable

In bold, exceedence of the NO₂ hourly mean AQS objective (200µg/m³ – not to be exceeded more than 18 times per year)

^c If the data capture for full calendar year is less than 90%, include the 99.8th percentile of hourly means in brackets

Diffusion Tube Monitoring Data

Annual concentrations are summarised in table 2.5. Table 2.6 and Figure 2.4 show trends in Annual mean NO₂ concentrations measured at diffusion tube sites since 2001. In 2012, the annual objective was achieved at one site, Speed House, Barbican Centre. None of the sites are collocated with continuous analysers, and there were no triplicate tubes exposed in 2012.

Table 2.5 Results of NO₂ Diffusion Tubes 2012

Site ID	Location	Site Type	Within AQMA?	Triplicate or Co-located Tube	Full Calendar Year Data Capture 2012 (Number of Months or %)	2012 Annual Mean Concentration (µg/m ³) - Bias Adjustment factor = 1.04
CL5	St. Bartholomew's Hospital courtyard	Urban Centre	Y	N	12	42.8
CL38	St. Andrew's Church, Queen Victoria Street	Roadside	Y	N	11	57.5
CL39	St. Dunstan's Church, Fleet Street	Roadside	Y	N	12	<u>92.9</u>
CL40	Guinness Trust Estate, Mansell Street.	Roadside	Y	N	10	<u>60.4</u>
CL55	CL 55 Speed House, Barbican Centre	Urban Background	Y	N	12	36.9

In bold, exceedence of the NO₂ annual mean AQS objective of 40µg/m³

Underlined, annual mean > 60µg/m³, indicating a potential exceedence of the NO₂ hourly mean AQS objective

Table 2.6 Results of NO₂ Diffusion Tubes (2008 to 2012)

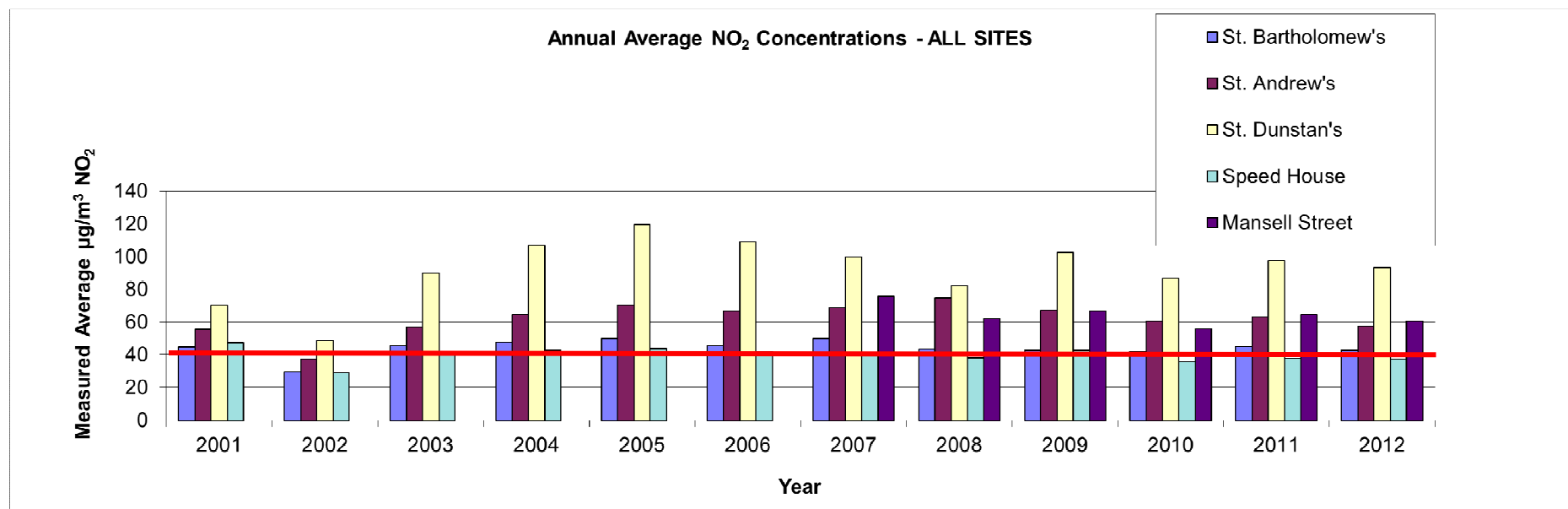
Site ID	Site Type	Within AQMA?	Annual Mean Concentration (µg/m ³) - Adjusted for Bias				
			2008 (Bias Adjustment Factor = 0.93)	2009 (Bias Adjustment Factor = 1)	2010 (Bias Adjustment Factor = 0.99)	2011 (Bias Adjustment Factor = 1.02)	2012 (Bias Adjustment Factor = 1.04)
CL5 (St. Barts)	Urban Centre	Y	43.3	42.7	42.1	45.0	42.8
CL38 (St. Andrews)	Roadside	Y	<u>74.7</u>	<u>66.9</u>	<u>60.7</u>	<u>63.1</u>	57.5
CL39 (Fleet St)	Roadside	Y	<u>82.4</u>	<u>102.3</u>	<u>86.7</u>	<u>97.5</u>	<u>92.9</u>
CL40 (Mansell St)	Roadside	Y	<u>61.9</u>	<u>66.8</u>	54.6	<u>64.5</u>	<u>60.4</u>
CL55 (S/H)	Urban Background	Y	40.5	42.6	37.3	37.8	36.9

In bold, exceedence of the NO₂ annual mean AQS objective of 40µg/m³

Underlined, annual mean > 60µg/m³, indicating a potential exceedence of the NO₂ hourly mean AQS objective

Figure 2.4 Trends in Annual Mean Nitrogen Dioxide Concentrations Measured at Diffusion Tube Monitoring Sites

A trend chart providing NO₂ annual mean results over the past twelve years. All sites except Speed house have exceeded the objective for the past five years.



2.2.2 Particulate Matter (PM₁₀)

In the City, the majority (85%) of PM₁₀ is emitted outside the City boundary. The rest is believed to come from road vehicles travelling within the City (10%) and other local sources, such as construction works, domestic heaters and industrial boilers (5%). This means that the capacity to manage overall PM₁₀ concentrations at a local level is limited. Overall, levels in the City have been consistently high over the last decade. TEOM measurements at Beech Street and Upper Thames Street have had the Volatile Correction Model (VCM) applied. Results appear lower from 2007 onwards, but this is likely to be due in part to the application of the VCM.

In 2012, the annual mean objective was achieved at all sites. The daily average objective was not achieved at Upper Thames Street or Beech Street. There were eight PM₁₀ episodes in London during 2012. One in January, one in February, three in March, one in May, one in October and November. The high number of pollution incidents in the first part of the year can be seen reflected in the results obtained.

The Beech Street site experienced 25 exceedences of the daily mean during the first three months of the year. It monitored a 'very high day' day and four 'high days' in March and three 'high days' in February. It also measured seventeen moderate days in the first three months of the year.

The Upper Thames Street Site experienced 29 exceedences of the daily mean during the first three months of the year, with 25 moderate days, and four high days.

The City of London is investigating why Beech Street has now exceeded the daily mean and initial investigations indicate an increased traffic flow in the Beech Street Tunnel as a result of road closures associated with Crossrail may be the cause.

Table 2.7 shows annual mean concentrations at all sites, and table 2.8 shows the number of times the 24-hour mean was exceeded. Figure 2.5 shows the trend in annual mean concentrations at City of London sites since 1999, and the influence of the VCM.

Table 2.7 Results of Automatic Monitoring for PM₁₀: Comparison with Annual Mean Objective

Site ID	Site Type	Within AQMA?	Valid Data Capture 2012 % ^b	Confirm Gravimetric Equivalent (Y or N/A)	Annual Mean Concentration (µg/m ³)				
					2008 ^c	2009 ^c	2010 ^c	2011 ^c	2012 ^c
CT3 (John Cass)	Urban Background	Y	94	Y	26	27	26 (90 th percentile 52.5 µg/m ³)	28	26
CT4 (Beech St)	Roadside	Y	99	Y	26	28	30	28.6	28
CT8 (UTS)	Roadside	Y	92	Y	34	36	37	37	39

In bold, exceedence of the PM₁₀ annual mean AQS objective of 40µg/m³

Figure 2.5 Trends in Annual Mean PM₁₀ Concentrations

A trend chart providing PM₁₀ annual mean results over the past 14 years. All sites have been below the objective for the past five years.

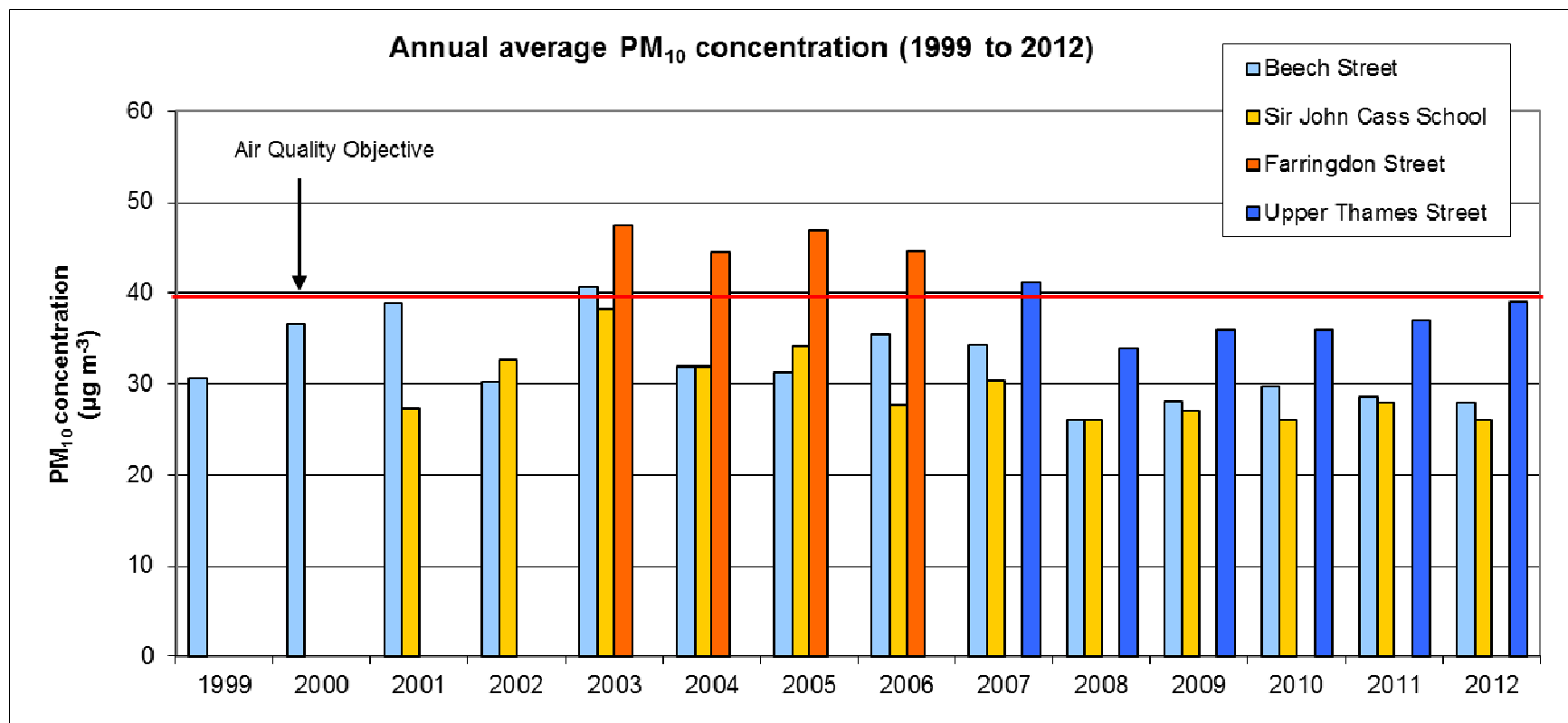


Table 2.8 Results of Automatic Monitoring for PM₁₀: Comparison with 24-hour Mean Objective

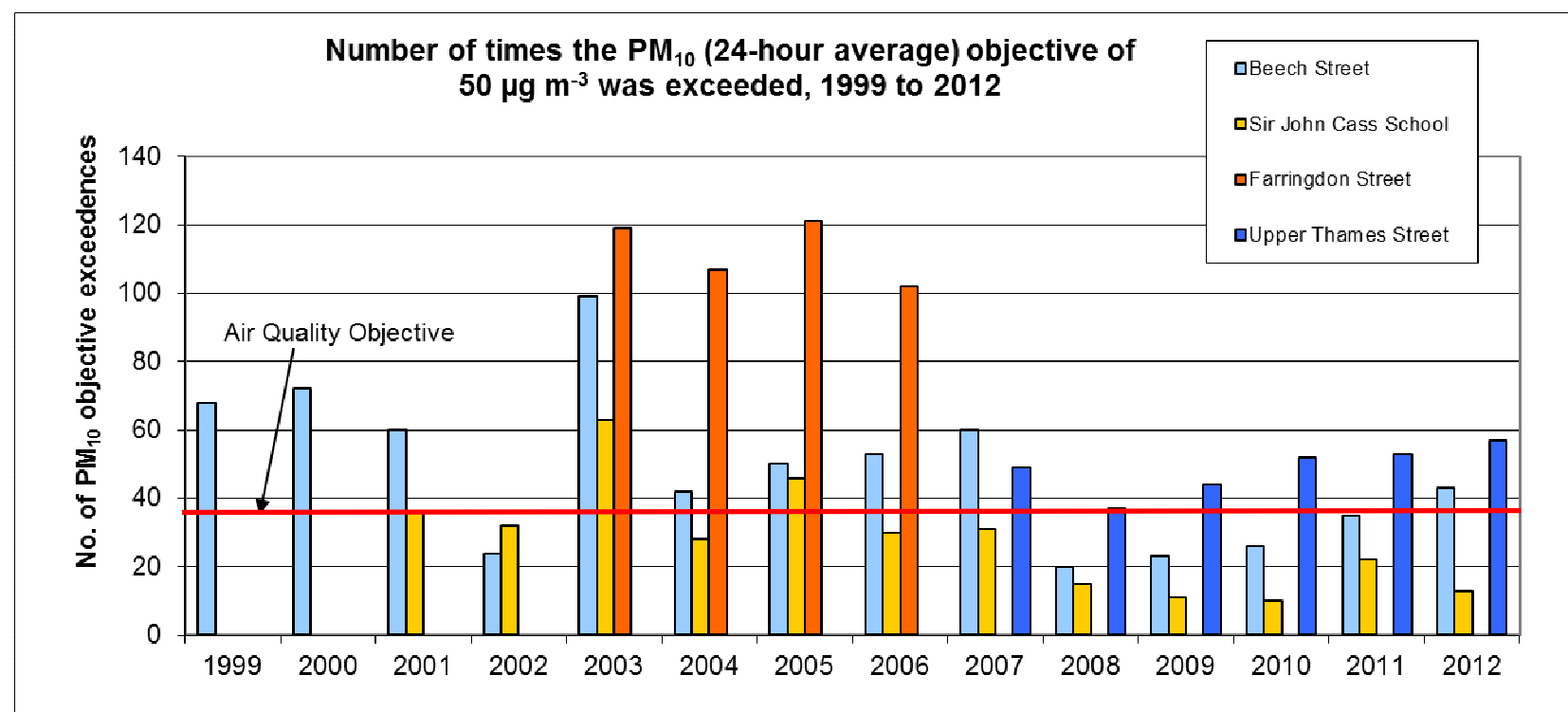
Site ID	Site Type	Within AQMA?	Valid Data Capture 2012 %	Confirm Gravimetric Equivalent (Y or N/A)	Number of Daily Means > 50µg/m ³				
					2008 ^c	2009 ^c	2010 ^c	2011 ^c	2012 ^c
CT3 (John Cass)	Urban Background	Y	94	Y	15	11	10 (90 th percentile 52.5 µg/m ³)	22	13
CT4 (Beech St)	Roadside	Y	99	Y	20	23	26	35	43
CT8 (UTS)	Roadside	Y	92	Y	37	44	57	53	57

In bold, exceedence of the PM₁₀ daily mean AQS objective (50µg/m³ – not to be exceeded more than 35 times per year)

^c if data capture for full calendar year is less than 90%, include the 90.4th percentile of 24-hour means in brackets

Figure 2.6 Trends in 24-hour Average PM₁₀ Concentrations

A trend chart providing PM₁₀ 24-hour average results over the past 14 years. After 4 years of Beech Street meeting the objective, this road-side site now exceeds along with Upper Thames Street, which could be attributable to increased traffic flow as a result of road closures.



2.2.3 Sulphur Dioxide (SO₂)

The City of London typically sees very low levels of SO₂. Local concentrations are predominantly influenced by distant industrial point sources. Easterly winds occasionally give rise to increased concentrations by bringing SO₂ from power stations along the Thames corridor. Even with this contribution, concentrations are found to be very low.

In 2012, all three objectives were met. Table 2.9 shows the results of SO₂ monitoring in 2012, and Figure 2.6 shows that annual average concentrations have remained low since 2002. The higher than expected result for 2012 is discussed below. None of the objectives have been exceeded in this time.

Table 2.9 Results of Automatic Monitoring for SO₂: Comparison with Objectives

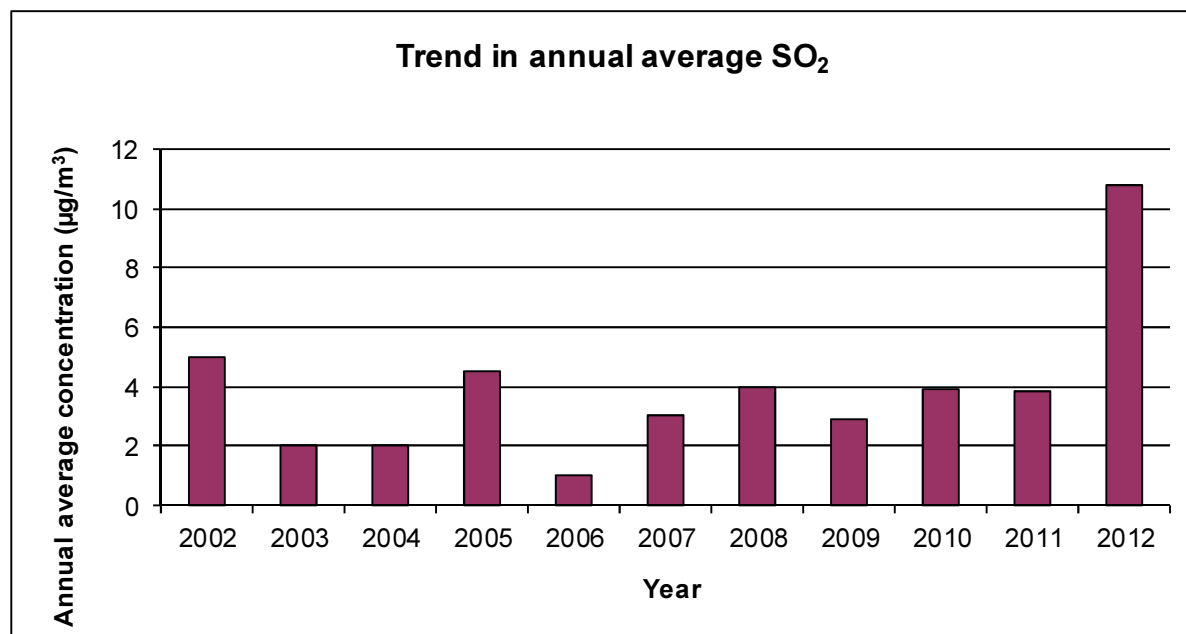
Site ID	Site Type	Within AQMA?	Valid Data Capture 2012 % ^b	Number of: ^c		
				15-minute Means > 266µg/m ³	1-hour Means > 350µg/m ³	24-hour Means > 125µg/m ³
CT1 (Senator)	Urban Background	Y	69	0 (46.4)	0 (35.5)	0 (25.8)

In bold, exceedence of the relevant AQS objective (15-min mean = 35 allowed/year; 1-hour mean = 24 allowed/year; 24-hour mean = 3 allowed/year)

^c The data capture for full calendar year is less than 90%, so the relevant percentile is given in the bracket (in µg/m³): 15-min mean = 99.9th ; 1-hour mean = 99.7th ; 24-hour mean = 99.2th percentile. The data capture was low at this site due to a problem with the power supply, which affected the reliability of the logger and its data. The data is currently un-ratified and may change due to the problems identified with the logger.

Figure 2.7 Trends in SO₂ Concentrations

SO₂ levels have historically been low. As stated, the data for 2012 is un-ratified and is expected to change significantly due to the problems stated with data capture.



Page 69

2.2.4 Benzene

No benzene monitoring carried out during 2012.

2.2.5 Other Pollutants Monitored

PM_{2.5}

There are two new PM_{2.5} standards, one relating to an annual mean concentration (25µg/m³ by 2020), and the other a 10% net reduction in concentrations at urban background locations, measured as a 3-year mean.

The site at Farringdon Street is a kerbside site, and so the only relevant standard is the annual mean concentration. The proposed standard is for an annual mean concentration of 25µg/m³ to be achieved by 2020. Table 2.10 shows the annual mean result in 2011 and 2012. Raw data has been scaled by dividing by a factor of 1.21.

Table 2.10 – Results of Automatic Monitoring of PM_{2.5} – Annual mean

Site ID	Site Type	Within AQMA	Valid data capture 2012 %	Annual Mean Concentration (µg/m ³)	
				2011	2012
CT2 (Farringdon)	Kerbside	Y	83.4	24	25

Ozone

Local objectives for improving ground level ozone are not included in the Air Quality Regulations 2000. The UK Air Quality Strategy suggests a running 8-hour average of 50ppb (100µg/m³) should not be exceeded more than 10 times per year. In 2012 there were 9 days when the running 8 hour average exceeded this level at Senator House (CT1). There were three O₃ episodes in London during 2012; one in May, July and August. There was also high ozone on the 24th July. The annual average ozone concentrations are shown in table 2.11 below:

Table 2.11 – Results of Automatic Monitoring of Ozone – Annual Mean

Site ID	Site Type	Within AQMA	Valid data capture 2012 %	Annual Mean Concentration (µg/m ³)	
				2011	2012
CT1 (Senator)	Urban Background	Y	65	31.2	36.1

Summary of Compliance with AQS Objectives

The City of London Corporation has examined the results from monitoring in the City of London.

Concentrations within the AQMA still exceed the 1 hour mean objective for Nitrogen Dioxide at the following locations and the AQMA should remain:

- CT4 – Beech Street
- CT6a – Walbrook Wharf Foyer
- CT6b – Walbrook Wharf Roof

Concentrations within the AQMA still exceed the annual mean for Nitrogen Dioxide at all locations, except Speed House and the AQMA should remain.

Concentrations within the AQMA still exceed the 24hour mean objective for PM₁₀ at the following locations and the AQMA should remain:

- CT4 – Beech Street
- CT8 – Upper Thames Street

Concentrations within the AQMA meet the annual mean objective for PM₁₀ at all locations.

The SO₂ concentrations within the AQMA for 15 minute, 1-hour and 24-hour mean objectives were all achieved at Senator House (CT1).

3 New Local Developments

The City of London is in a constant state of redevelopment. New developments are either commercial or residential in nature, there are no industrial developments. Any air quality assessments undertaken always indicate negligible impact on local air quality. This is due to the high background levels of pollution, energy efficient designs and low NOx boilers installed. Very few developments include spaces for car parking, and where they do, it is for a small number of vehicles, <5. Emissions associated with the demolition and construction phase are controlled through our own code of practice which is updated annually to reflect best practice.

The City of London Corporation confirms that there are no new or newly identified local developments which may have an impact on air quality within the Local Authority area.

The City of London confirms that all the following have been considered:

- **Road traffic sources**
- **Other transport sources**
- **Industrial sources**
- **Commercial and domestic sources**
- **New developments with fugitive or uncontrolled sources.**

4 Local / Regional Air Quality Strategy

The City of London published its Air Quality Strategy in 2011. It runs from 2011 to 2015 when it will be reviewed. It is available at www.cityoflondon.gov.uk/air. It contains a range of actions, progress with each action is detailed in section 8.

5 Air Quality Planning Policies

The City of London Core Strategy requires development to “positively address ... local air quality, particularly nitrogen dioxide and particulates PM₁₀ (the City’s Air Quality Management Area pollutants).”

Actions in the City of London Air Quality Strategy 2011-2015 relate specifically to planning:

Action 17	Air quality will be a consideration in all development and the City of London will require developers to undertake detailed air quality impact assessments of major developments adjacent to sensitive premises, such as residential properties, schools and St Bartholomew’s Hospital. This will form part of the Environmental Impact Assessment (EIA).
Action 18	Major developments will be encouraged to obtain maximum points for the pollution section of the BREEAM assessment relating to NOx emissions i.e. to meet a dry NOx emission rating of <40 mg/kWh for boilers (this is equivalent to a NOx rating >5).
Action 20	Developers will be encouraged to install non-combustion renewable energy technology to work towards energy security and carbon reduction targets.
Action 21	A detailed air quality impact assessment will be required for any development where biofuel or biomass is proposed for on-site energy generation.
Action 23	Where appropriate, the City of London will secure air quality improvements through the S106 process.

6 Local Transport Plans and Strategies

The City of London Local Implementation Plan 2011 has the following key policies relating to air quality:

LIP 2011.1: To reduce the pollution of air, water and soils and excessive noise and vibration caused by transport in the City.

LIP 2011.4: To reduce the adverse effects of transport in the City on health, particularly health impacts related to poor air quality and excessive noise and the contribution that travel choices can make to sedentary lifestyles.

7 Climate Change Strategies

The City of London has produced a Climate Change Mitigation Strategy, which sets out how the City plans to encourage action to reduce greenhouse gas emissions in the Square Mile. The Air Quality Strategy forms part of the delivery mechanism for the Climate Change Mitigation Strategy.

The City of London obtained funding to commission a best practice guidance document Air Quality and Climate Change: Integrating Policy in Local Authorities. It outlines how local authorities can integrate air quality and climate change policy and the importance of integrating both policy areas into other plans and strategies that guide local authority functions. This document informs policy development at the City, and the following action in the Air Quality Strategy:

Action 2	The City of London will ensure that, if possible, policies introduced to improve air quality will also have a positive benefit on reducing greenhouse gas emissions and policies introduced to reduce greenhouse gas emissions will have a positive benefit on air quality.
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8 Implementation of Action Plans

Table 9.1 Action Plan Progress

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
1	The City of London will continue to monitor air pollutants to ensure that air quality objectives and Limit Values are being met, and to assess the effectiveness of national, regional and local policies to reduce levels of pollution.	The City has been monitoring nitrogen dioxide, PM ₁₀ , PM _{2.5} , ozone and sulphur dioxide. Air quality data from Senator House, Sir John Cass School, Upper Thames Street and Walbrook Wharf has been made available on the London Air Quality Network www.londonair.org.uk	A review of the monitoring needs of the City was undertaken at the end of 2012. The Senator House background site was closed as sulphur dioxide is not now a problem and the NO _x / NO ₂ readings are the same as Sir John Cass School background site. Beech Street PM ₁₀ data was added to the London Air web site. An annual report for 2012 data has been produced and will be made available on the City of London web site.	On going
2	The City of London will ensure that, if possible, policies introduced to improve air quality will also have a positive benefit on reducing greenhouse gas emissions, and policies introduced to reduce greenhouse gas emissions will have a positive benefit on air quality.	Using Defra air quality grant, the City of London Corporation commissioned Environmental Protection UK to produce a document to advise local authorities on integrating air quality and climate change policy. This document has been used to guide policy development at the City e.g. in the production of planning guidance for combined heat and power plant. The document is called Air Quality and Climate Change: Integrating Policy in Local Authorities 2011.	The City of London continues to encourage non-combustion renewable energy sources in new developments and to ensure that carbon reduction policies do not have a negative impact on local air quality.	On going

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
3	Options for managing traffic in the City to improve air quality locally will be considered during 2011. Air quality impact assessments will be undertaken for transport schemes that involve significant changes to traffic type and movement on City roads.	<p>Potential changes to the road network associated with the removal of the Aldgate gyratory system were modelled for their impact on local air quality, particularly at Sir John Cass School. The local air quality impact was taken into account when designing the final scheme.</p> <p>Air quality improvement is now a key part of the City of London Local Implementation Plan and has been written into the following key policies:</p> <ul style="list-style-type: none"> • LIP 2011.1: To reduce the pollution of air, water and soils and excessive noise and vibration caused by transport in the City. • LIP 2011.4: To reduce the adverse effects of transport in the City on health, particularly health impacts related to poor air quality and excessive noise and the contribution that travel choices can make to sedentary lifestyles. 	<p>The City has secured funding to look at potential ways to reduce emissions associated with taxi running in the City. Surveys were conducted to assess passenger and taxi cab use at ranks across the city and this was rolled out to neighbouring Boroughs.</p> <p>Funding was secured via Defra air quality grants, the GLA and City Local Implementation Plan spending to reduce the impact of traffic emissions on the children at Sir John Cass School.</p> <p>The City of London, via the Central London Sub Regional Transport Partnership, commissioned research to look at the potential impact on air quality of 20mph zones.</p>	On going
4	The City of London will model the air quality impact of further controls over taxi emissions, the use of low emission buses on routes through the City and a central and inner London Low Emission Zone.	An assessment of the air quality impact of a range of traffic management scenarios has been undertaken. The scenarios considered were different options for a central and inner London Low Emission Zone, a reduction in boiler emissions and the impact of reducing emissions from taxis. This information was used to lobby Transport for London for low emission buses in the City and further action to reduce emissions from taxis.	As a result of the taxi emission modelling, the City has secured funding for a project to look at reducing emissions associated with taxi running in the Square Mile.	2014

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
5	The City of London will investigate further options for using parking policy to promote the use of low emission vehicles in the Square Mile	No progress made to date as parking policy review was planned for 2013	Parking policy is being reviewed in 2013. This will incorporate options for using the policy to promote the use of low emission vehicles in the Square Mile.	2014
6	The City of London will continue to manage its vehicle fleet to reduce emissions of NO _x , PM ₁₀ and CO ₂ year on year.	The City of London started to manage and reduce emissions from its own fleet, and that of its contractors, in the financial year 2008/9. By 2009/10, a reduction in NO _x from vehicles of 33% had been achieved from the 2008/9 baseline, together with a reduction in PM ₁₀ of 45%. 2010/11 saw a further reduction in PM ₁₀ of 9% with NO _x levels remaining the same. The City of London has been awarded Gold member status for Transport for London's Freight Operator Recognition Scheme, which recognises good practice in freight management including the environmental impact of the fleet	The City achieved a further 7 % reduction in PM10 and 3% reduction in NO _x from its fleet.	On-going

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
7	The City of London will continue to trial alternatively fuelled vehicles and increase the number of low emission vehicles in the fleet, where appropriate.	The City of London considers the emissions profile of every new vehicle purchased. The City has been conducting a trial of Ashwoods Ecodrive+ on two vehicles. The Ecodrive+ is a device that monitors and manages driving style with a view to improving driving habits and is estimated to lead to a reduction in fuel consumption of up to 25%.	Weekly reports are received for the Ecodrive have led to an improvement in driver behaviour and a reduction in overall fuel consumption. The City trialled a stop-start petrol hybrid vehicle, two types of electric vehicle and has reduced the overall fleet number by a further two vehicles. The City also purchased an additional electric van. The City has been benchmarking its fleet management to make further efficiency savings and won Public Sector Fleet of the year for under 250 vehicles in the Green Fleet Awards 2012. The fleet manager was highly commended in the award scheme.	On-going

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
8	The City will continue to encourage its contractors to use low emission vehicles.	At the City of London, air quality is now a key component of tender questionnaires for major contracts. The City's new refuse collection contractor uses 6 plug in electric hybrid refuse collection vehicles which should lead to a 20% fuel saving. They also employ electric manual road sweepers, so the City is expecting a big reduction in emissions of NOx and PM ₁₀ going forward. The contractor has set a target reduction in carbon emissions of 35% in the first year.	<p>The Cleansing contractor has purchased a range of hybrid diesel vans and is looking at options for introducing hydrogen technology. The Cleansing contractor is working with the City Police to increase fleet efficiency and reduce fuel consumption.</p> <p>The highways contractor is working to reduce emissions associate with their fleet year on year. Their fleet comprises 10% petrol hybrid vehicles, 35% diesel hybrid and 22% of diesel vehicles with Adblu. Monthly fuel use data is submitted to the City to assist in the management and reduction of emissions.</p> <p>The air quality impact of transport is a key component of the draft parking enforcement policy document.</p>	On-going

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
9	The City of London will work with public and private bodies to develop low emission procurement guidance.	The document available at www.lowemissionstrategies.org/les_procurement_guidance.html	The City worked with Investec to produce a procurement guide for City businesses as part of the CityAir campaign. This is available on the City of London web site :www.cityoflondon.gov.uk/cityair The City published a 'low and zero emission procurement directory' for services and goods procured by the City of London. This has been made available to other local authorities and City businesses on request and is being further developed by the Central London Sub Regional Transport Partnership.	Complete

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
11	The City of London will continue with its efforts to establish effective ways to prevent drivers from leaving vehicle engines idling unnecessarily in the City	From January 2012, the City of London made a commitment to issue Fixed Penalty Notices to drivers who refuse to turn their vehicle engines off when asked to do so by authorised officers. The City undertook a widespread publicity campaign to reduce the amount of vehicle idling and has produced a set of posters aimed at specific vehicle types. Letters have been written to coach companies, taxi operators and key delivery companies to outline the requirement to turn vehicle engines off when parked. The City of London Police is supporting the City of London Corporation on this initiative.	The City has been working closely with construction sites to ensure drivers do not leave engines running. Construction sites display City of London 'no idling' posters and give leaflets out to drivers. Areas that have a problem with delivery vehicles leaving engines on have been targeted by delivering letters by hand to all businesses in the area asking them to ensure drivers of delivery vehicles turn their engines off. Other drivers are approached as officers see them as they walk around the City. The City's cleansing contractor is introducing toolbox talks to ensure drivers don't leave engines idling unnecessarily. No engine idling is also promoted through the CityAir campaign.	On-going
12	The City of London will work with the Mayor of London to designate the whole of London a no-idling zone.	The Mayor of London has not implemented this action, so the City of London has undertaken the action detailed above	No further progress	2012

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
13	The City of London will work with Transport for London to trial a method of dust suppression along the route from Victoria Embankment through to Tower Hill.	The City of London supported TfL in its trial of dust suppression along the route from Victoria Embankment through to Tower Hill. The trial ended in March 2012.	A final report was released indicating that dust suppression is most effective where there is a lot of re suspended dust e.g. at waste transfer sites, some construction sites and in tunnels.	2012
14	If dust suppression is shown to be effective at reducing PM ₁₀ concentrations, the City will consider rolling it out to other areas of concern in the Square Mile and encourage Transport for London to apply it on other roads in the City that they are responsible for, particularly Mansell Street and Farringdon Street.	The City of London worked with TfL to find a demolition site in the City to conduct a trial of dust suppression. Unfortunately the trial couldn't go ahead as the substance used for dust suppression reacts with bentonite, which is found on demolition sites.	TfL applied dust suppression to roads in the City during the Olympics. This was supported by the City of London. The City of London has undertaken a trial of targeted water suppression to reduce re suspended dust in Beech Street tunnel. Depending upon the results, the City will consider the application of CMA in the tunnel	2014
15	The City of London will continue to explore and implement energy efficiency measures to reduce emissions of carbon, NOx and PM ₁₀ from its buildings.	The City of London began to manage and reduce emissions from its buildings in the financial year 2008/9. By 2009/10, a reduction in NOx from buildings 7% had been achieved and a reduction in PM ₁₀ of 9%. 2010/11 saw a further reduction in NOx of 9 % and PM ₁₀ of 11%.	Further reduction in NOx and PM10 emissions have been made leading to an overall reduction in emissions of 15% PM10 and 14.5% NOx since the 2008/9 baseline year	On-going

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
16	The City of London will engage with City businesses to gain their support for improving air quality in the Square Mile.	The City of London has used Defra air quality grant funding to implement its CityAir project to engage local businesses in emission reduction. The work has been very successful with a range of guidance being produced. This year the concept was rolled out to the City of Westminster and Royal Borough of Kensington and Chelsea. Businesses have been very supportive with 20 organisations undertaking CityAir walking campaigns to date. CityAir has a twitter account @_Cityair. For further information see www.cityoflondon.gov.uk/cityair	The CityAir model is now being replicated by the London Borough of Wandsworth, London Borough of Camden, London Borough of Islington, City of Westminster and Royal Borough of Kensington and Chelsea. In the City over 50 premises have been engaged which represents over 40,000 employees. CityAir employee walking campaigns continue to be very popular.	2015
17	Air quality will be a consideration in all development and the City of London will require developers to undertake detailed air quality impact assessments of major developments adjacent to sensitive premises, such as residential properties, schools and St Bartholomew's Hospital. This will form part of the Environmental Impact Assessment (EIA).	This action is on-going and actively implemented	3 Environmental Impact Assessments were submitted as part of the planning application process. All show a negligible impact on air quality due to the high background levels.	On-going

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
18	Major developments will be encouraged to obtain maximum points for the pollution section of the BREEAM assessment relating to NOx emissions i.e. to meet a dry NOx emission rating of <40 mg/kWh for boilers (this is equivalent to a NOx rating >5).	This action has been very successful with all major developments now installing low NOx boilers automatically.	All new developments include proposals for a low NOx boiler, often below 40 mg/kWh	On-going
19	The City of London will develop local best practice guidance for controlling emissions from gas Combined Heat and Power plant.	This action is complete and the document will be made available on the City of London web site	Documents available and will be updated to reflect best practice	Complete
20	Developers will be encouraged to install non-combustion renewable energy technology to work towards energy security and carbon reduction targets.	This is written in to planning informatives and has become the norm for all new major developments	This is now in the City of London Core Strategy	On-going

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
21	A detailed air quality impact assessment will be required for any development where biofuel or biomass is proposed for on-site energy generation.	No such proposals were made, so no impact assessments required.	One proposal for a liquid biofuel CCHP plant was made. A detailed air quality impact assessment was requested which has still to be submitted.	On-going
22	The City of London will consider cost effective ways of minimising emissions from back up generators by the end of 2011.	This action is complete and the document will be made available on the City of London web site.	Action complete	Complete
23	Where appropriate, the City of London will secure air quality improvements through the S106 process.	This action is on-going. Where uplift from developments is likely to lead to an increase in local emissions, a contribution is sought through the Section 106 process to assist in reducing emissions locally	The City has secured £176,000 for air quality projects associated with a number of developments	On-going
24	The City of London will continue to establish best practice for minimising emissions from construction, demolition and street works and update the City of London Code of Practice for Demolition and Construction Sites to reflect this.	The City of London Code of Practice was updated in 2011 to reflect current best practice.	The Code of Practice was updated in 2013, again to reflect best practice	On-going

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
25	The City of London will pay particular attention to controlling emissions of PM ₁₀ from construction, demolition and street works in and around the route from Victoria Embankment through to Tower Hill. This is to assist the Government to achieve the PM ₁₀ Limit Value.	Demolition sites along this route have been requested to use on site machinery that conforms to Euro IIIA emission standards and consider the routes that construction vehicles take. This will be reinforced through the new Construction Logistics Plans.	This is an on going action that is applied to new sites as they are set up.	On-going
26	The City of London will assist the Mayor of London to update the Greater London Authority and London Councils' Best Practice Guide for Controlling Dust and Emissions from Construction and Demolition.	The City of London was part of a review group in 2011 that was established to update the guidance	No further action during 2012, awaiting consultation draft	2013

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
27	The City of London will encourage the use of green walls and green roofs in new and existing buildings, particularly in close proximity to the priority location Victoria Embankment, Upper and Lower Thames Street through to Tower Hill.	The City is implementing this action through the development control process	Four planning applications were approved with green roofs in the last 12 months	On-going
28	The City of London will continue to increase public understanding of poor air quality through initiatives such as pollution alert systems and its work with City businesses.	<p>The City of London continues to be a member of airTEXT which provides air pollution alerts for vulnerable people. The City used Defra air quality grant funding to support the production of an air quality video by Kings College London and the alterations to their web site following the change in the air quality banding system.</p> <p>www.londonair.org.uk/london/asp/news.asp?NewsId=AQIndexfilm&StartIndex=1</p> <p>The City of London held a stakeholder event at the Guildhall to mark World Environmental Health Day, the theme of which was air quality.</p> <p>The City has also used Defra air quality grant funding to embark on an air quality publicity campaign to persuade the public that we can all take action to improve air quality</p>	158 people have signed up to Airtex alerts for the Square Mile and 3560 for the central London area. Alert information is also available via Londonair smart phone apps and Google chrome. The City of London is developing its own Smartphone App to provide advice and information on air quality in the Square Mile.	On-going

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
29	The City of London will continue to promote, reward and disseminate best practice for tackling poor air quality through the Sustainable City Awards and the Considerate Contractor Scheme Environment Award.	The Sustainable City Award for Air Quality and Considerate Contractors Environment Award are both run on an annual basis	The 2012 winner of the SCA for Air Quality was the greater London Authority and Transport for London for their work on the Clean Air Fund 1. The runner up was Close the Door Campaign. The 2012 winner of the CCS Environment Award will be announced in May 2013, it was delayed due to the Olympics. CityAir information was made available to businesses at the Clean City Awards event and there will be a specific air quality award for 2013 to mark European Year of Air.	On-going
30	The City will continue to work in partnership with key organisations to develop local, regional and national air quality policy.	The City of London continues to be an active member of the central London air quality cluster group, is a member of the Environmental Protection UK air quality committee was a member of the Health Protection Agency Group for air quality during the Olympics.	The City is an active member of the Central London Sub Regional Transport Partnership and has been working on joint air quality projects. The City also worked with other London Boroughs and the University of Newcastle and Kings College London on a research project to look at vehicle emissions in urban areas.	On-going

City of London Corporation

No.	Action	Progress to Date	Progress in Last 12 Months	Estimated Completion Date
31	The City of London will continue to lobby the Mayor of London and the Government to ensure that the Limit Values for PM ₁₀ and nitrogen dioxide are met in the Square Mile.	The City of London wrote to the Mayor of London in 2012 to register concern over taxi emissions. The City also hosted a breakfast meeting in March 2012 for City of London, London Borough of Camden and City of Westminster officers and politicians to advance closer working between the authorities and develop an improved dialogue with the Greater London Authority and Transport for London.	The City wrote to the Mayor about taxi emissions, which is a key area of concern. Representatives from the City attended a further meeting with London Borough of Camden, City of Westminster and GLA/ TfL representatives and has signed up to a joint letter to be sent to Defra from all London Boroughs	On-going

9 Conclusions and Proposed Actions

9.1 Conclusions from New Monitoring Data

Nitrogen dioxide was monitored at ten sites in the City, and the annual mean objective was exceeded at nine out of ten sites. This was similar to results in previous years. The hourly mean objective for NO₂ was exceeded at three of the four continuous monitoring sites; Beech Street, Walbrook Wharf roof and roadside sites. This has occurred in previous years.

PM₁₀ was monitored at three sites in the City. The annual mean objective was not exceeded at any site, and the 24-hour mean objective was exceeded at Upper Thames Street and Beech Street. This is the first year the Beech Street Site has exceeded the 24hour mean. This exceedence at Beech Street may be attributable to an increase in traffic flow as a result of road closures associated with Crossrail construction works and this will be investigated during 2013. PM₁₀ levels were higher prior to 2008, when the new volatile correction model (VCM) was first used.

A detailed assessment is not required and it is not appropriate to revoke the AQMA.

9.2 Proposed Actions

The new monitoring data from 2012 has not identified the need to proceed to a detailed assessment for any pollutant. The data has not identified a need for any additional monitoring. There are no changes required for any existing AQMAs.

The next course of action will be to continue to implement the actions set out in the City of London Air Quality Strategy 2011-2015, and to submit another progress report in early 2013, which will discuss the monitoring data collected during 201.

The City of London will investigate the potential reasons behind the exceedence of the PM₁₀ daily mean at Beech Street.

10 References

London Air Quality Network. 2012. Statistics.

www.londonair.org.uk

City of London air quality management documentation, including the City of London Air Quality Strategy 2011-2015

www.cityoflondon.gov.uk/air

The Volatile Correction Model

www.volatile-correction-model.info

Diffusion tube inter-comparison exercise

<http://laqm.defra.gov.uk/bias-adjustment-factors/national-bias.html>

Laboratory WASP Results

<http://laqm.defra.gov.uk/diffusion-tubes/qa-qc-framework.html>

Appendices

Appendix A: Quality Assurance / Quality Control (QA/QC) Data

- Diffusion Tubes:
 - Diffusion Tube Bias Adjustment Factors
 - Factor from Local Co-location Studies (if available)
 - Discussion of Choice of Factor to Use
- PM Monitoring Adjustment
- Short-term to Long-term Data adjustment
- QA/QC of Automatic Monitoring
- QA/QC of Diffusion Tube Monitoring

Appendix A: QA:QC Data

Diffusion Tube Bias Adjustment Factors

Tubes supplied by:	Bureau Veritas
Analysed by:	Gradko International Ltd.
Method:	50% TEA v/v in Acetone / analysed using U.V. Spectrophotometry.
adjustment:	The 2012 LWEP Bias Adjustment factor was used, supplied by Bureau Veritas.

Factor from Local Co-location Studies (if available)

There were no co-location studies conducted in 2012.

Discussion of Choice of Factor to Use

The LWEP bias adjustment factor was used as it is the most appropriate factor to use for London sites (Bias factor of 1.04); the National factor available is 1.01 and is more conservative. The results would have been slightly lower using the National factor so the use of the LWEP factor provides a worse case scenario; however, the sites exceeding the annual average would still have exceeded using the National factor.

PM Monitoring Adjustment

PM₁₀ data from the two TEOM sites (CT4 Beech Street and CT8 Upper Thames Street) has been adjusted using the Volatile Correction Model (VCM). PM_{2.5} data from the BAM at Farringdon Street has been divided by a factor of 1.21, in accordance with guidance.

Short-term to Long-term Data adjustment

The NO₂ annual mean value at CT1 was “annualised” as in Box 3.2 of TG(09) (<http://laqm.defra.gov.uk/technical-guidance/index.html?d=page=38>), as valid data was capture less than 75%. The un-annualised mean was 50(µg/m³) and the ratio used was 1.045 derived from data as follows:

AURN Site	Annual Mean (Am)	Period Mean (Pm)	Ratio (Am/Pm)
Kensington - North	35.9	33.7	1.065
Camden - Bloomsbury	50.8	49.9	1.018
		Average Ratio	1.045

QA/QC of Automatic Monitoring

Site	Data Management:	Site Serviced and repaired by:	Site audited by:	CoL Calibration / Maintenance
CT1 (Senator)	Kings College	SupportingU (every 6 months)	National Physics Laboratory (every 6 months)	Every 2 weeks
CT2 (Farringdon)	City of London	Enviro-technology (every 6 months)	--	Filter change every 8 weeks
CT3 (SJC)	Kings College	SupportingU (every 6 months)	National Physics Laboratory (every 6 months)	Every 2 weeks and BAM filter change every 8 weeks
CT4 (Beech St NOx)	City of London	SupportingU (every 6 months)	--	Every 2 weeks
CT4 (Beech St PM10)	Kings College	SupportingU (every 6 months)	--	Filter change
CT6a (Walbrook Foyer)	Kings College	SupportingU (every 6 months)	National Physics Laboratory (every 6 months)	Every two weeks
CT6b (Walbrook Roof)	City of London	SupportingU (every 6 months)	--	Every two weeks
CT8 (UTS)	Kings College	SupportingU (every 6 months)	National Physics Laboratory (every 6 months)	Filter change

QA/QC of Diffusion Tube Monitoring

Gradko International is a UKAS accredited laboratory and participates in the Workplace Analysis Scheme for Proficiency (WASP) for NO₂ diffusion tube analysis and the Annual Field Inter-Comparison Exercise. These provide strict performance criteria for participating laboratories to meet, thereby ensuring NO₂ concentrations reported are of a high calibre. The lab follows the procedures set out in the Harmonisation Practical Guidance. In the latest available WASP results, rounds January to December 2012) Gradko International Ltd have scored have scored 100% (ref: <http://laqm.defra.gov.uk/diffusion-tubes/qa-qc-framework.html>). The percentage score reflects the results deemed to be satisfactory based upon the z-score of $< \pm 2$. The tube precision for the NO₂ Annual Field Inter-comparison at Marylebone Road was rated as 'good'.

(ref: <http://laqm.defra.gov.uk/bias-adjustment-factors/national-bias.html>)

Appendix B: Pollution Episodes in London during 2012

Pollution Episode	Date
Winter Smog	Mid-January
PM _{10 / 2.5}	Late January Early February Early March Mid-march Late March
PM ₁₀ / Ozone	Mid-May
High Ozone	24 th July 2012
Ozone	24 th July Early August
PM _{10/2.5}	Late October Mid-November
Wintertime Smog	Mid-December

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Agenda Item 8

Committee(s):	Date(s):	
Port Health & Environmental Services Committee	2 July 2013	
Subject: Approval of the 2013-2014 Food Safety Enforcement Plans for the City and the London Port Health Authority	Public	
Report of: Director of Markets & Consumer Protection	For Decision	
<u>Summary</u>		
<p>This report seeks your Committee's approval for two Food Service Enforcement Plans; one for the City of London and one for the London Port Health Authority.</p> <p>The Food Standards Agency (FSA) is the central competent authority for the administration of Regulation EC 882/2004 on official food and feed control in the UK and they have powers in the Food Standards Act 1999 to set standards of performance and audit and monitor local authorities. The FSA have set up a Framework Agreement with local authorities in England which we are obliged to follow when developing our food and feed services and planning our enforcement activity.</p> <p>Under this agreement, the FSA also requires each local food authority to publish an annual Food Service Enforcement Plan. for their food safety work and due to the City Corporation being the competent authority for both the City and the London Port Health Authority, we are required to produce a plan for each service.</p> <p>Recommendations</p> <p>I recommend that your Committee approves:</p> <ul style="list-style-type: none">a) the City of London Food Service Enforcement Plan 2013-2014 (see Appendix 1); andb) the London Port Health Authority Food Service Enforcement Plan 2013-2014 (see Appendix 2)		

Main Report

Background

1. EC Regulation 882/2004 sets out the approach that competent authorities of Member States must adopt for official feed and food controls with the Food Standards Agency (FSA) acting as the central UK food authority and they in turn have devised a Framework Agreement that sets out what they expect from local authorities (LAs) acting as “food authorities” who are charged with the delivery of official controls on feed and food legislation.
2. Each such ‘food authority’ must produce an annual Food Service Enforcement Plan that describes the activities, techniques and approaches that will ensure they deliver on their obligations and it is a requirement that these plans are approved by elected members.
3. The Framework Agreement also contains ‘the Standard’ which LAs are obliged to follow on service delivery as well as a template to develop the service plan itself which our plans follow.

Current Position

4. The City Corporation must ensure that the services we provide to support and achieve business compliance with food safety law address the whole package set out in ‘the Standard’, and that we deliver this in line with the Government’s better regulation agenda.
5. We must also however, continue to meet the local needs of City businesses, residents, workers and visitors as set out in the Vision, Strategic Aims and Key Policy Priorities of the City of London Corporate Plan 2013-2016; this is achieved through our departmental Business Plan and individual service plans which detail the work that will be done and which is judged by our key performance indicators.
6. The City Corporation publishes its Food Service Enforcement Plans as the FSA expects as an expression of its commitment to the development of food safety in the Port and City of London and it is my intention to continue to make these plans available to our stakeholders including publishing them on the City of London website.
7. The Food Service Enforcement Plans set out the direction of future enforcement work and we aim to:-
 - a) target poor performing food businesses appropriately to secure improvements;
 - and
 - b) work with better performing businesses to ensure they maintain full compliance.
8. However there are continuing challenges which we face and these are set out below:-

The national Food Hygiene Rating Scheme

9. Last year the City Corporation successful migrated from the London **Scores on the Doors** scheme to the FSA’s national Food Hygiene Rating Scheme (FHRS). This year in partnership with all other local authorities across the country, we have been asked to continue to promote the scheme and its [website](#) as widely as possible to the public so they can make informed choices on where to eat or purchase food and overall standards will be improved.

10. The Welsh Assembly recently passed legislation which will make the display of a business' FHRs score sticker compulsory in Wales so that the public are fully aware of how hygienic a business is this may well become the situation UK wide in the next few years.

Dealing with poor performing food businesses

11. Whilst the vast majority of City food businesses are compliant with 58% currently in the highest category of 5●, there are a continuing group of poor performers of approximately 150 who are zero to 2●, and we will be concentrating time and resources on these particular businesses to improve their levels of food hygiene compliance.

Increased Food Standards work

12. In the wake of the recent horse meat crisis, the City Food Safety and Port Health Teams will be increasing their compositional sampling work in partnership with the other Port Health and London local authorities to ensure all food products are as described and are from traceable and reputable sources.

Review of Official Control of Food and Feedstuffs

13. The FSA recently cancelled their review of the delivery of official controls of food and feed by local authorities and port health authorities but it is possible that some issues were already identified and therefore some changes to current delivery models may be forthcoming latter this year.

Corporate and Strategic Implications

14. The two Enforcement Plans reflect the detailed operational work undertaken by our regulatory enforcement teams in support of the strategic aims of the City and through:-
 - a) ensuring by advice and enforcement that the City's business community is legally compliant and that it continues to produce food hygienically and which is safe to eat; and
 - b) ensuring that food products entering the country through our ports meet the food safety requirements of the whole of the UK.
15. The plans are linked into our Departmental and Service Business Plans through setting out detailed activities which support our Key Performance Indicators.
16. Approval of these Plans will ensure that the City Corporation as a both a Food and a Port Health authority meets its fundamental obligations under the requirements of the FSA's Framework Agreement.
17. As previously stated, it is my intention to make these plans available to all stakeholder businesses operating within City of London which will include publication on the City of London's website. In accordance with the stated intentions of the FSA, this will make the City's intentions transparent and accountable to all relevant parties and also enables any comments received on the documents to be taken into account at the next revision for 2013-2014

Other Implications

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

Conclusion

19. The attached service plans follow the existing format within the Official Controls Framework Agreement
20. The service plans will be updated annually, subject to your approval and they will form part of the Business Plan 2013-16 for the Port Health and Public Protection Service.

Background Papers:

The background papers to this report:-

- | | |
|------------|--|
| Appendix 1 | City Food Service Enforcement Plan 2013-2014 |
| Appendix 2 | London Port Health Authority Food Service Enforcement Plan 2013-2014 |

will be made available in the Members' Reading Room and on the City Corporation's intranet via this link.

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CITY OF LONDON CORPORATION – DEPARTMENT OF MARKETS & CONSUMER PROTECTION PORT HEALTH & PUBLIC PROTECTION SERVICE - FOOD SAFETY ENFORCEMENT PLAN 2013-14

Introduction

At the City of London Corporation, official food controls are delivered by the Food Safety Team, the Smithfield Enforcement Team and the Port Health Service. All are part of the Port Health & Public Protection Service (PH&PP) which is itself part of the Department of Markets & Consumer Protection. This Plan covers the work of the Food Safety and Smithfield Teams.

The food, catering and hospitality sectors make a significant contribution to City corporate life and to the wellbeing of residents, workers and visitors and the proper regulation of food safety within food businesses remains an important priority for the City.

The Corporate Plan¹ is the City of London Corporation's main strategic planning document providing a framework for the delivery of all services with three strategic aims. The Corporate Plan itself remains informed by the sustainable community strategy: The City Together Strategy: The Heart of a World Class City 2008-2014² – This was developed by The City Together (the City's local strategic partnership) on behalf of its communities and our teams contribute to the “....**supports our communities**” theme in this Strategy. The main goal is to help ensure that food is hygienically prepared and safe to eat.

Ensuring a safe, healthy and sustainable food chain remains one of five national priorities for regulatory outcomes endorsed in November 2011 by a Local Better Regulation Office (LBRO) - now the Better Regulation Delivery Office, BRDO - report³ on Priority Regulatory Outcomes and in its report on Regulation and Growth, the then LBRO also noted that

¹ The Corporate Plan 2012-16

<http://colinet/Departments/Town%20Clerks/Corporate%20Performance%20and%20Development/Documents/Corporate%20Plan/Corporate%20Plan%202012-16.pdf>

² "The City Together Strategy: The Heart of a World Class City 2008 – 2014

www.cityoflondon.gov.uk/Corporation/LGNL_Services/Community_and_living/Community_advice/Community_strategy/community.htm

³ LBRO, 2011 - A new approach to refreshing the national enforcement priorities for Local Authority Regulatory Services

“...it is often the day-to-day experience of how regulation is delivered and enforced that matters most to businesses. It is at this level that regulators can develop their understanding of local businesses and build good relationships with them; assessing the risks that affect them, working with them to enable compliance and interacting in a way that builds confidence and trust”⁴.

This interaction is a central tenet of our Service and in performing the two teams' work, there is a need to strike a balance between support for businesses, especially smaller businesses, and protecting consumers and others from fraudulent and illegal practices.

There are now 1776 “food businesses” registered with the City of London and with the London Port Health Authority as being involved in the preparation, production, storage or sale of food. The majority of these are shops, bars, restaurants or other types of catering establishments such as staff restaurants and corporate caterers or craft on the river. There are an increasing number of temporary businesses some registered elsewhere that set up during various events and in outdoor spaces such as city church yards.

In addition the City of London Corporation is home to Smithfield Market the largest wholesale meat market in the UK. There are 44 trade premises operating from the Market in respect of which the City of London Corporation is the enforcing authority for food standards. The Food Standards Agency is the enforcing authority for food hygiene at these premises.

This Plan aims to ensure that our two services remain targeted, proportionate, consistent and transparent, and sets out the framework for the services delivery. It has been prepared as required by the FSA and in accordance with their “Food Law Enforcement Service Planning Guidance”. The format and content of the Plan provide the basis upon which the City Corporation’s Food Safety Enforcement Service will be monitored and audited by the FSA.

⁴ March 2012- LBRO Regulation and Growth- <http://www.bis.gov.uk/assets/brdo/docs/publications-2012/12-688-regulation-and-growth.pdf>

1. Service Aims and Objectives

1.1 Aims

The Port Health & Public Protection (PH&PP) Service aims to ensure that i) all food and drink that is produced, stored, or sold by food businesses within the City of London is hygienically prepared and safe to eat and ii) is described and labelled correctly. This links to the Service Aim for PH&PP which is “to create, develop and maintain a safe, fair and healthy environment for the workers, residents and visitors of the City of London.”

1.2 Links to corporate objectives and plans

This Food Service Enforcement Plan forms an appendix of the Markets & Consumer Protection Department’s overall Business Plan for 2013-16

1.3 Objectives and plans

The teams’ main objectives are to :-

- Carry out regular interventions within City food businesses at a frequency determined by national risk criteria and local intelligence;
- Assist businesses in achieving legal compliance and good standards of food safety management through the provision of targeted advice, support and training;
- Investigate food poisoning outbreaks associated with City food businesses;
- Investigate serious complaints about food purchased in the City and complaints about City food premises;
- Undertake an annual food sampling programme in liaison with other neighbouring authorities and colleagues in other agencies;
- Take appropriate and timely action in response to ‘food alerts’ issued by the FSA;
- Take appropriate enforcement action for failures to meet legal standards.

2. Background

2.1 Profile of the Local Authority

The City of London Corporation is an unusually diverse organisation that supports and promotes the City as the world's pre-eminent financial centre and provides local government and police services for the "Square Mile". It provides valued services to London and the nation as a whole including management of Guildhall Art Gallery, the Barbican Centre, the Central Criminal Court at the Old Bailey, 4,240 hectares of open space, three wholesale food markets and acts as London's Port Health Authority. The political and governance structures are not based on party politics and the City Corporation uses its own private funds to finance the promotional work it does on behalf of the UK-based financial and business services industry.

The City's working population is forecast for 2013 to be around 400,000 with people working in many different business sectors but largely concentrated in finance, banking and the law. There are reminders of the City's past in the markets such as Smithfield and Leadenhall but other industries have grown to service the needs of the businesses and people who work in the City including the provision of food with over 17,000 working in accommodation and food services sectors.

Retail developments including food outlets are expanding in the City and 2010 saw the opening of the large New Change shopping complex with an increasingly diverse retail corridor being developed around it in Cheapside. Hotel developments continue to expand and there is a thriving night-time economy including world class venues such as the Barbican Centre and numerous bars and restaurants. The City has a small residential population currently around 8,800. The City is a popular destination for visitors, especially around St Paul's Cathedral and there are estimated to be over 10,000 visitors each day to the City.

2.2 Organisational Structure

The Food Safety Team is located on the 'commercial' side of PH&PP and the team is managed by a Food Safety Team Manager whose work is dedicated to food enforcement and who reports to an Assistant Director (Public Protection).

The Smithfield Enforcement Team is managed by a Principal Environmental Health officer who reports to the Port Health & Public Protection Service Director.

2.3 Scope of the Feed and Food Service

The Food Safety Team is responsible for enforcing legal requirements relating to food safety (standards and hygiene), occupational health & safety, statutory nuisances (other than noise) arising from commercial food businesses' activities and the investigation of food-related infectious diseases.

The Smithfield Enforcement Team is responsible for delivering food standards and health and safety interventions at Smithfield Market and ensures food hygiene is maintained in vehicles transporting product from the market. The team also oversees the processing and disposal of animal by-products produced on the market to prevent them from re-entering the human food chain. The Feedstuffs enforcement function in the City is carried out by the Trading Standards Team.

More details on the extent of the teams' work is reported in the section below which looks back on the work completed in recent years and planned for 2013-14. There are separate food enforcement activities in the Port Health Service and this has its own separate enforcement plan.

2.4 Demands on the Feed and Food Service							
Establishments profile: Registered food premises							
Rating and Frequency of Food Hygiene Inspections (under Food Law Code)	Total number premises 2009-10	Total number premises 2010-11	Total number premises 2012-13	Food Hygiene inspections due 2013-14	FHRS Rating	Number Premises (inc Port Health)	
A rated = Inspected 6 monthly	10	6	19	12	0	13	
B rated = Inspected annually	90	59	96	67	1	61	
C rated = Inspected 18 months	907	940	943	627	2	69	
D rated = Inspected 2 yearly	243	214	216	73	3	171	
E rated = Inspected ever 3 years	208	254	289	89	4	345	
Unrated	50	36	21		5	925	
			75		AI ⁵	75	
Total	1508	1509	1659	868		1659	
Approved food premises	1	1	(1) ⁶	0			

In addition to the interventions identified above, there are some 200 vehicles that transport product from Smithfield Market daily that are outside the inspection programme. These cannot be inspected at a set frequency due to their mobile nature but they are inspected periodically as part of an on-going project. See below.

⁵ AI=Awaiting inspection

⁶ This excludes, Smithfield Market where enforcement is overseen by the FSA (for food hygiene).

2.4 Demands on the Feed and Food Service cont'd.

The Food Safety Team is located at Walbrook Wharf, 78-83 Upper Thames Street, London, EC4R 3TD and the Smithfield Enforcement Team at 202 Poultry Market, Smithfield. The food team's office reception is open from 8am to 6pm each day but we only occasionally receive callers (unless by pre-arranged appointment). Smithfield office is open from 4am to 1pm daily and the animal by-product facility is open between 6am and mid-day.

Access to services is largely by telephone, e-mail, via the City Corporation's web site and the City Corporation's Contact Centre or through our own proactive interventions on site. Field enforcement officers normally work between the hours of 8am to 6pm. Smithfield officers work between 4am and 11am. In the event of an 'out of hours' emergency senior managers are all contactable via telephone. Food safety information is displayed on the City Corporation's new website: www.cityoflondon.gov.uk.

2.5 Regulation Policy

The City Corporation is committed to the principles of the Regulators' Compliance Code, a statutory code for all regulators. PH&PP as part of the Department of Markets & Consumer Protection has a Policy Statement on Enforcement which has been approved by the Port Health & Environmental Services Committee and sets out its approach to enforcement.

3. Service Delivery

3.1 Interventions at Food and Feeding stuff establishments

The City of London Food Team inspects premises according to the FSA'S Food Law Code of Practice. Interventions are based on risk and inspection frequencies calculated using Annex 5 of the Code. Planned interventions at Smithfield are based around the Code's Food Standards risk rating scheme.

The details of our intervention work are outlined in the Service Work Plan section below. Interventions primarily centre on risk based inspection and on follow up interventions which are determined on the extent of an establishment's legal compliance. Premises rated 0, 1 or 2 in the FHRs scheme will receive additional visits; this is based on work done with poor performing businesses in the City and elsewhere in the last few years which showed there was some success in maintaining or improving compliance through regular (face to face) contact.

The purpose of the additional interventions is two-fold; to support those willing to make improvements and to regularly monitor those who have previously been unable to maintain the required standards between routine inspections.

For the vast majority of other food businesses in the City, there is considerable overlap between Food Hygiene and Food Standards work, making simultaneous inspections where they are due the best intervention option⁷, assisting both businesses, through minimising disruption and limiting multiple visits, and allowing the service more resources to deal with the poorer performing businesses.

Each new establishment will receive a Food Hygiene and Food Standards intervention to assess their compliance with the relevant legislation. We will endeavour to do so within 28 days of their opening, the establishment will then be risk-rated to trigger future inspections at appropriate intervals and to determine any further appropriate intervention.

The Teams also consider appropriate health & safety interventions during some food controls including those in new premises. The health and safety regulatory landscape continues to evolve with the publication of the new Regulators Code which will inform our future health and safety interventions.

Officers carrying out Food Hygiene interventions will also consider the appropriate application of the FSA's current *E. coli* guidance where this is applicable. Having migrated to the new national Food Hygiene Rating Scheme (FHRS) in April 2012, the food team will continue to use and promote the scheme to help ensure that the public continue to be able to determine how well a business performs in relation to food safety.

Other interventions, those classed as not an audit or inspection will continue and they include sampling visits, visits to check compliance after complaints and revisits to check progress on implementing remedial action following an inspection. These are seen as a very important part of the service, especially in poor performing businesses, as they help to ensure a regulatory presence is maintained; the City Corporation believes that this helps to ensure that standards are improved where required, or at least maintained.

All team members are encouraged to identify new premises and report details to the Operational Support Team to ensure our database is kept up to date.

⁷ Existing food businesses due an inspection for Food Hygiene in the year will be simultaneously inspected for Food Standards if such an inspection is due any time within that year or if it is overdue.

Intelligence on new premises is also acquired from colleagues in other PH&PP teams - e.g. Licensing, Trading Standards - and other City departments – e.g. Planning, Building Control - as well as formally through new food business registrations. Any appropriate Feed work will be considered in light of the review of Feed controls. Full details of the team's work planned for 2013-14 are set out below.

3.2 Feed and Food Complaints

The Food Safety Team and Smithfield Enforcement Team will continue to respond to all complaints but decisions on the depth of investigations will be made according to whether:-

- food is suspected as causing food poisoning or does not satisfy food safety requirements;
- the City of London Corporation has enforcement responsibility; and
- It is suspected that there could be a significant breach of the law.

Views and information received from the FSA and Home / Primary Authorities will also be taken into account when determining the extent and direction of any investigation.

Authorised officers and where appropriate the team managers make an assessment of the complaints to determine the most appropriate follow up action, previous intelligence and compliance history are both considered.

Feed complaints are investigated by Trading Standards. None were received in 2012-13. Several supermarket chains have now registered as feed premises as certain waste foods are now being recycled into the feed chain.

3.3 Home Authority Principle and Primary Authority Scheme

A Food Safety- related Primary Authority Partnership was signed with **Virgin Active**, the national health and fitness club chain in late 2012.

3.4 Advice to Business

Food safety advice to businesses is an integral part of the service and forms a significant part of the discussions with food business operators at various times including at the design stage for new premises or refurbishments and during inspections and following other service requests. We are encouraging businesses to use web based resources to help answer initial enquiries they may have; these include ERWIN, Everything regulation when it's needed.

Not all food businesses consult directly prior to carrying out works. New developments and their associated permissioning processes in the City can be complex and the teams' endeavour to engage with them through Planning, Building Control and Licensing in order to advise and influence on food hygiene and health & safety believing this to be the best time to secure sustainable improvements through adequate investment.

3.5 Feed and Food Sampling

The City Corporation strives to be an active contributor to national and regional sampling programs and the sampling program is developed with its neighbours in the SE London Food Group and through the pan-London Food Co-ordinating Group.

The group also takes advice and guidance from the Health Protection Agency soon to be Public Health England and the Public Analysts and a sampling plan is devised that considers the co-ordinated programs as well as locally important issues.

Samples are submitted to the Food Examiner or appointed Analyst as necessary for the selected projects or in response to specific complaints and there is a contingency fund for this work.

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

The City Corporation is in the North East and North Central Health Protection Unit (HPU)'s area and operates with the HPU to investigate outbreaks and selected notifications. The makeup of this group is not currently expected to alter significantly with the creation of Public Health England

In April 2010, Health Protection legislation in England was updated. The revised measures are contained within the amended Public Health (Control of Disease) Act 1984 and accompanying Regulations and local authorities have powers and duties to prevent and control risks to human health from infection or contamination, including by chemicals and radiation.

The legislation adopts an all hazards approach, and, in addition to the specified list of infectious diseases, there is a requirement to notify cases of other infections or contamination which could present a significant risk to human health.

3.7 Feed/Food Safety Incidents

The service has arrangements in place to ensure that it is able to respond to Food Alerts issued by the FSA.

Warnings are received electronically and all urgent Food Hazard Warnings receive immediate attention and action where necessary with staff able to be co-opted from other teams if necessary.

Out of hours arrangements have altered since the last service plan (2012-13) was compiled. Arrangement to be confirmed

3.8 Liaison with Other Organisations

The City is a member of the SE Sector London Boroughs Food Group and its representatives regularly attend meetings with the Director of Public Health and with the Consultants in Communicable Disease with the City acting as hosts for London Food Coordinating Group meetings. It is also a member of the SE London Quadrant for health & safety and the All-London Boroughs' Health & Safety Liaison Group.

The Food Safety Team is also routinely involved in work with its Licensing colleagues and the City of London Police.

For a number of years the City Corporation has maintained active links with the Better Regulation Delivery Office being involved with a number of Primary Authority arrangements and it has contributed to improvement and development work for local authority regulatory services at national level.

The Smithfield Enforcement Team works collaboratively with the Food Standards Agency to deliver food safety project work and with Billingsgate Seafood Training School and the University of Derby to deliver training to student Environmental Health Officers. Regular liaison is maintained with trade bodies such as the Smithfield Market Tenants Association and the FSA's contactor for hygiene enforcement at Smithfield Market.

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

Joined up working and promotion of information is seen as important and the City Corporation encourages SMEs to seek advice and to utilise resources such as ERWIN. The Smithfield Enforcement Team will continue to deliver food safety educational initiatives to operators of meat delivery vehicles in collaboration with the FSA.

4. Resources

4.1 Finance

The 2012-13 the allocated budget was £523,000 including income of £22,000 from various Government grants in support of Olympic related work. In 2013-14 the net planned expenditure before any grants is of the same order at £501,000. In 2012/13 expenditure for the Smithfield Enforcement team was £433,000. In 2013-14, the planned expenditure is £407,000 excluding income from the ABP facility. Legal provision for enforcement action is part-funded locally from the Team's budget and part centrally through the Comptroller & City Solicitor's department, with counsel engaged for all prosecutions.

4.2 Staffing

The Food Safety Team Manager is responsible for day-to-day operations of the Food Safety Team comprising seven Environmental Health Officers (EHOs) and reporting to an Assistant Director (Public Protection). The Smithfield Enforcement Team is managed by a Principal Environmental Health Officer and consists of 2 Authorised Officers and 2 Porters. The Principal Officer reports directly to the Port Health and Public Protection Director.

This is also an Operational Support Team that administers the Northgate M3 PP database system for PH&PP, adding new premises, registrations and reporting/data extraction..

Posts	FTE	FTE
Food Safety Team		Smithfield Enforcement Team
1x Food Safety Team Manager	1.0	1 x Principal Officer
7 x EHO posts	5.8	2 x Authorised Officers
1 x AD Commercial	0.25	2 x Porters
9		5
		4.4

4.3 Staff Development Plan

Staff development is managed through the City Corporation's Performance & Development Framework (P&DF) appraisal scheme. Specific assessments are used such as the HSE's Regulator's Development Needs Analysis (RDNA) tool and CPD requirements for Food Officers and generally for EHOs members of CIEH and IOSH etc., are taken into account. This year the service will introduce the BRDO's more general RDNA tool which now covers food safety work. The main targets for training are on the delivery of this Enforcement Plan and the development of staff competencies that can best achieve this. Value for money is considered and the best results have been achieved by engaging external trainers to deliver specific courses with training records kept for all staff.

5. Quality Assessment

5.1 Quality assessment and internal monitoring

Monitoring is by way of:-

The P&DF appraisal scheme links individual officer's work to this plan and the overall aims of the organisation. These require preparation, a meeting, a six monthly follow-up and an end of year review. [12 days' work]

The workload monitoring process ties in with appraisal objectives and regular one-to-one meetings are held with officers to monitor how objectives are proceeding. These also consider all enforcement action taken and the officer's interaction with individual food businesses. As a signatory to the national Food Hygiene Rating Scheme, the City Corporation have further monitoring and consistency obligations but aside from an initial training period, these are not any more onerous than those for the previous London **Scores on Doors Scheme** [24 days]

There are separate procedures for monitoring enforcement decisions, investigations and formal notices this time is incorporated in the above tables

Regular (6 weekly) team meetings [16 days]

The Food Service contributes to the local Food Sector and H&S Quadrant work that reviews the arrangements that are in place to meet our service obligations. [6 days Food, 2.5 days H&S]

6. Review

6.1 Review against the Service Plan for 2012-13

See the Service Work Plan below

6.2 Identification of any Variation from the Service Plan

See the Service Work Plan below

6.3 Areas of Improvement

See Service Development below

Service Work Plan							
1. Food Hygiene inspections							
<ul style="list-style-type: none"> ▪ Risk based targeted interventions, including use of alternative controls and enforcement for compliance with Food Hygiene legislation. Target 90% of food premises due and any overdue for intervention:-New Premises to receive a full inspection within 28 days of registration (or opening) ▪ Category A, B and C (not broadly compliant) premises to receive a full inspection. 							
Food Hygiene Inspections Rating and Frequency	Due 2013-14	Done 2012-13	Done 2011-12	Done 2010-11	Done 2009-10	Predicted commitment (per inspection, not including follow up)	
A rated = Inspected 6 monthly	11	32	23	20	12	10 days	
B rated = Inspected annually	59	98	81	77	70	45 days	
C rated = Inspected 18 months	628	597	640	704	608	250 days	
D rated = Inspected 2 yearly	72	138	67	114	65	20 days	
E rated = Inspected ever 3 years	90	105	96	96	112	15 days	
Unrated			2				
Totals	860	970	909	1011	867	340 days	
	(1)⁸						

In addition to the above, 1,000 inspections of delivery vehicles associated with Smithfield Market will be undertaken.

⁸ The premises, Smithfield Market, is approved as a cutting plant. Hygiene requirements are enforced directly by the FSA whilst the City Corporation carries out interventions in relation to food standards and related operations in the market.

2. Food Standards interventions							
Continue action plan as agreed with our Port Health & Environmental Services Committee for 2010-11 with all high risk premises rated and all others including any overdue inspections being picked up when the relevant Food Hygiene intervention is due thus eventually removing any backlog by 31 March 2012							
Food Standards Inspections Rating and Frequency	Due 2013-14	Done 2012-13	Done 2011-12	Done 2010-11⁹	Done 2009-10	Predicted commitment	
A = Annually	1	1	0	0	1		
B = Two yearly	19	36	18	80	57		
C = Five yearly	171	214	292	443	376		
Unrated				0	0		
Outstanding				77	111		
Total	191	251	298	523	545	21 days	
44 premises at Smithfield Market will be risk rated by the Smithfield Enforcement team using the FSA's Food Standards Risk Rating Scheme							

⁹ Based upon the number of inspections completed up to the end of January 2011

3. Health and safety in food premises						
▪ Risk based intervention/Inspections; focus on the highest risks and identified local and national issues of concern ¹⁰ .						
	Due 2013-14	Done 2012-13	Done 2011-12	Done 2010-11	Done 2009-10	Predicted commitment
Health and Safety inspections	NB see note ¹¹	0	89	355	291	Uncertain following changes to work patterns ¹²
Accidents	Uncertain ¹³	85	95	104	155	50 hours work ¹⁴
LOLER/POWER reports	~5	9	3	2	5	

4. To receive and investigate appropriately all requests for service, food incidents and complaints about food and food premises.						
▪ Identify and follow the most appropriate enforcement response in accordance with this plan our procedures and our enforcement policy						
Complaints & Service Requests	N/K	318	375	364	355	44 days (10/12)

¹⁰ This work will develop in 2012-13 as more guidance is published following the **Löfstedt Review** of health & safety

¹¹ Following a report to the City Corporation's Port Health & Environmental Services Committee in January 2012, health & safety interventions will continue in new food premises and the Teams will also continue to complete health & safety interventions where problems are discovered during other work. Full health & safety inspections have all but ceased following revised HSE guidance See www.hse.gov.uk/lau/lacs/67-2.htm, the proposed new National Local Authority Enforcement Code – Health and Safety and the proposed new Regulators Compliance Code.

¹² Previously based upon 1 Hour per inspection when combined with Food Hygiene; new premises likely to be similar, more serious reactive interventions will take longer

¹³ There are changes to both RIDDOR notifications and to HSE investigative criteria meaning that fewer incidents are likely to be reported and less investigated. See www.hse.gov.uk/lau/lacs/22-13.htm for details on incident selection criteria

¹⁴ If no major investigative work is required following a serious accident etc.

5. Follow up enforcement action in food premises. Identify and follow the most appropriate enforcement response in accordance with this plan our procedures and our enforcement policy						
	<u>Estimated</u> 2013-14	Done 2012-13	Done 2011-12	Done 2010-11	Done 2009-10	Predicted commitment
Letters with legal requirements	Not Known	TBC	664	930	835	Inc. in Inspection Time quoted above.
Numbers of HIN's	Not Known	17	19	27	35	3-5 days
HSW Notices	Not Known	4	2	1	1	Negligible
Voluntary Closures	Not Known	2	3	3	1	3 days per case
Emergency Prohibitions	Not Known	2	2	1	0	5 days per case
Legal Proceedings	Not Known	1	1	3	1	21 days per case

Work Activity	2012-13 Review	2013-14 Plan
<p>6. Devise and deliver a sampling program.</p> <ul style="list-style-type: none"> ▪ In accordance with the current Sampling Policy ▪ An annual commitment for the Food Safety Team selected from national and local sampling initiatives developed through recommendations from the London Food Coordinating Group and work in the SE London Food Group. ▪ The level of work to fit within the allotted (free) allocation of samples from HPA and our sampling budget for those consigned to the Public Analyst (see above). 	<ul style="list-style-type: none"> ▪ Sampling Plan devised and delivered as planned ▪ Sample allocation from HPA completed ▪ Spend with Public Analyst limited (mainly Olympic related sampling through ALEHM) ▪ Study 47 most beneficial <p>All based on, National, London Food Co-ordinating Group and local SE London Sector Food Group devised projects with actual projects selected where they are of most relevance to the City.</p>	<ul style="list-style-type: none"> ▪ Studies to be agreed as per Sampling Policy ▪ Sampling at Smithfield will focus on food authenticity and composition.
<p>7. Continue to concentrate our presence with Food Businesses that are not compliant (in the lower tiers of the FHRS 0, 1 & 2)</p> <ul style="list-style-type: none"> ▪ Reinforcing the intervention strategy with additional follow up; revisits and coaching sessions as deemed necessary to improve food hygiene performance. ▪ Use the "Safe Food, Better Business" model where this is appropriate. ▪ Use any other appropriate food safety management guidance ▪ Formal enforcement action is not precluded and this will be informed by our Policy Statement on Enforcement. 	<ul style="list-style-type: none"> ▪ The level of activity in premises not broadly compliant increased and part of this work was funded with FSA Olympic monies (see below). ▪ A number of food businesses were closed this year with most concerns related to pest activity. This was done using hygiene emergency powers. The primary aim to protect public health (by closing the premises) whilst problems were resolved. ▪ It has not always been possible to follow these closures with legal proceedings. A number of 	<ul style="list-style-type: none"> ▪ The Food Safety Team will continue to focus attention on food businesses that need to improve compliance because they are poor performers and therefore rated in the lower categories of the FHRS system. ▪ Part of this work will include assessment of compliance with FSA E Coli 0157 guidance (where this is appropriate). ▪ The Teams will also consider poor performance with food standards legislation especially if this relates to issues of authenticity.

Work Activity	2012-13 Review	2013-14 Plan
<p>8. Special Events; Street Trading; Olympic preparation and reputational risk</p> <ul style="list-style-type: none"> ▪ Agree a policy on outside events. ▪ Catering at outdoor events is a high risk activity whether at an established venue or market or at a temporary or mobile function. Potentially large numbers of people, frequent use of temporary staff, the temporary nature of the accommodation and high-risk products for sale place specific pressure on food safety management. ▪ Sampling surveys have indicated that outdoor events are vulnerable to food safety problems. ▪ Devise a system for gathering intelligence on these events in advance. ▪ Gather information and comment to the relevant duty holders ▪ Visits sites as necessary with follow-up action taken as necessary ▪ Contribute to the auditing of caterers on 	<p>formal investigations will roll over into 2013-14 where proceedings are planned or reported for approval.</p> <ul style="list-style-type: none"> ▪ Attention was focused on compliance with the FSA E Coli 0157 guidance in businesses where this required. ▪ The formal policy on street trading is dependent on the outcome of legislation for street trading. ▪ ASAG¹⁵ formed in 2011, PH&PP represented, much improved coordination and communication for larger special events that feed into the ASAG process. ▪ We have looked at the performance of Guildhall caterers at Guildhall events. ▪ Other smaller events and issues around trading outside are not so readily quantifiable; some events are not planned or not notified to the City Corporation. ▪ The landscape of street trading has evolved with many more public spaces now used to host temporary food events with 	<p>143 premises are 0, 1 or 2 rated under FHRS 150 days</p> <ul style="list-style-type: none"> ▪ Legislation for the City of London on street trading is currently passing through Parliament; outcome still awaited. ▪ In the absence of new legislation the City of London can still only prosecute for illegal street trading; there is no power to remove or seize equipment. ▪ The next round of audits of approved Guildhall caterers will be completed. ▪ We will continue to engage with the organisers of outside events (that take place on private land) to ensure that food businesses that come to the City are properly scrutinised.

¹⁵ ASAG - Augmented Safety Advisory Group for the City of London and partners during the London 2012 Olympics

Work Activity	2012-13 Review	2013-14 Plan
<p>the Remembrancer's approved list.</p> <p>9. Consider the impact of changes to health and safety regulatory work. The latest is the new National Local Authority Code for Health and Safety at Work (the code). This has a direct effect on health and safety at work interventions in food premises</p>	<p>markets now held on a regular basis at New Change, New Street Square, Swiss Re and City Point's regular markets.</p> <ul style="list-style-type: none"> ▪ We maintain established contacts with the organisers of these events. ▪ "Pop up" style vendors now receive public acclaim in parts of London and contribute to a vibrant street scene. Properly vetted these vendors add value to the street scene. <ul style="list-style-type: none"> ▪ The Teams proactive health and safety inspection work all but ceased in 2012-13; following Government direction to do so in all but the highest risk premises 	<ul style="list-style-type: none"> ▪ The code considers that matters of evident concern should continue to be raised with business and the team are likely to come across these when performing official food controls ▪ The code contains an Annex of activities and industry sectors where more proactive interventions can be considered including food related areas for which we will need to consider a work program (if they remain included in the final document) ▪ The (draft) code does allow

Work Activity	2012-13 Review	2013-14 Plan
<p>10. Continue to develop the programme to consolidate procedures and protocols to improve consistency of inspection, enforcement, advice, accuracy and consistency of record keeping and procedures.</p> <ul style="list-style-type: none"> ▪ Consider the any further accreditation using an ISO:9001 quality system ▪ Develop further work to improve consistency and effectiveness with reference to the FSA Framework Agreement, Health Protection Agency Protocols and good practice. ▪ Individual officers will be given specific process related work as part of their Performance & Development Framework objectives. 	<ul style="list-style-type: none"> ▪ To continue to work on developing workable consistent processes and procedures. ▪ The teams had to develop their service content for the revised City website; this process took some-time to develop. ▪ Procedures and protocols were required for the FHRS system and developed in Q4 2011-12 and Q1 2012-13. ▪ The ISO quality system was not retained and lapsed at the end of Q3. ▪ PH&PP have examined various off the shelf commercial systems; none were suitable to cover the broad range of procedures across PH&PP ▪ Work focused on specific issues developed by our service commitments during the Olympics. ▪ Capacity building and training of staff were considered in the event of a serious food incident/crisis /infection affecting public health. 	<p>for the continued investigation of complaints and accidents.</p> <ul style="list-style-type: none"> ▪ Procedures and protocols are required for the continued development of the UKFSS sampling system. ▪ Legal proceedings work is underway managed by the AD (PH&PP). ▪ Develop further training following the completion of the Performance and Development Appraisal for each Officer, their RDNA assessment and this year's work program ▪ Continue to develop our service content for the revised City Corporation website;

Work Activity	2012-13 Review	2013-14 Plan
<p>11. Increase awareness and effectiveness of pest control management in food businesses.</p> <ul style="list-style-type: none"> ▪ Training for field officers has been completed. ▪ Westminster-Aiming High initiative¹⁸ - will this result in improvements in the City? ▪ Small food businesses do not grasp the potential seriousness of pest activity and how quickly it can escalate; standard pest control contract work does not often properly address infestations. ▪ Pest Control companies and their standard contracts - will eradication contracts work better and will there be 	<ul style="list-style-type: none"> ▪ The City adopted the UKFSS¹⁶ system for recording food and feed samples. This is a database that can be used by all local authorities and laboratories (the HPA¹⁷ and Public Analyst) ▪ The UKFSS system at HPA does not yet allow result certificates to be added automatically but this will change in 2013. ▪ Closures of food premises in 2012 all related, at least in part, to a failure to control pests. Pest control companies were also engaged before these closures were made. ▪ Lack of understanding and commitment to pest control management and active pest problems therefore continues to have a significant impact. 	<ul style="list-style-type: none"> ▪ Some food businesses and pest controllers still consistently fail to coordinate pest control activities effectively when there is an active infestation. This has a significant potential impact on public health and their business. ▪ The Food Safety Team will continue to engage with food establishments during our interventions.

¹⁶ UKFSS- UK Food Surveillance Scheme See www.food.gov.uk/enforcement/monitoring/fss

¹⁷ Health Protection Agency has a food water and environmental reference laboratory at Colindale which provides the City with microbiological services

¹⁸ An initiative to make pest control companies and their client food businesses take a more proactive approach to pest control management. www.hpa.org.uk/ProductsServices/InfectiousDiseases/RegionalMicrobiologyNetwork/FoodWaterEnvironmentalMicrobiologyServices/FWEColindale/

Work Activity	2012-13 Review	2013-14 Plan
<p>sign up by the pest control companies to them?</p> <p>12. Evaluate the City Corporation's commitment to food hygiene training events.</p> <ul style="list-style-type: none"> Training can help improve poor performance with better trained food handlers supporting businesses to meet their legal requirements, especially in relation to effective Food Safety Management Systems. 	<ul style="list-style-type: none"> Businesses are currently directed to other providers for food hygiene courses. We consider specific assistance to food establishments to meet their food safety management duties. 	<ul style="list-style-type: none"> No further work is planned to set up specific food hygiene courses. The work with poor performers will continue and will include assistance with determining training and supervision commensurate with duties.
<p>13. Commitment to the national Food Hygiene Rating Scheme (FHRS) in the City.</p> <ul style="list-style-type: none"> Following a concerted effort by the FSA in late 2011 to lobby all Local Authorities to adopt a single national scheme in England and Wales, the City determined, with many other London Boroughs, that we would adopt the FHRS. A London launch was planned prior to the Olympics 	<ul style="list-style-type: none"> Migration preparation work commenced in Q4 of 2011-12 following a formal agreement with the FSA. The FHRS scheme was formally launched in the City at the start of 2012 and all food premises were provided with an FHRS rating; either based on previous scores or following a new inspection. All ratings are now listed under the new scheme (as of April 2012). The London wide launch of the scheme was held just prior to the Olympics with the majority of London Boroughs now in or 	<ul style="list-style-type: none"> The City and Port Health food services will continue to embed the FHRS scheme. Continue to encourage display of the rating sticker within premises and to promote the use of the FHRS rating website especially through mobile media, http://ratings.food.gov.uk The FSA plan further work to promote the FHRS system and to increase its use and acceptance with businesses and the public. The City will endeavour to support this work to highlight the scheme and promote its benefits.

Work Activity	2012-13 Review	2013-14 Plan
	<p>committed to join.</p> <ul style="list-style-type: none"> ▪ It is hoped the FHRS rating scheme continues to be a success, contributing to an improvement in hygiene standards in businesses in our area. ▪ Hygiene rating schemes provide consumers with published readily accessible information about hygiene standards in food premises operating in the City and beyond. 	<ul style="list-style-type: none"> ▪ There devolved Government in Wales has now made display mandatory; Northern Ireland is considering a similar move. This will increase the profile of the scheme and the FSA are watching these developments, before considering further recommendations in England.
<p>14. Olympic works funded by FSA</p> <ul style="list-style-type: none"> ▪ This work involved preparations for the Games; ▪ It involved an increased program of interventions in about 60 business in the lowest two tiers of the FHRS system ▪ There was an enhanced sampling program ▪ Funding included an element of work on the FHRS system (rolled over from 2011-12) ▪ ATP meters (4) were provided ▪ A large number of (short) visits to premises to gauge their readiness for the Games challenges 	<ul style="list-style-type: none"> ▪ The plans for a coordinated London Olympic food project were developed between ALEHM and the FSA between November 2011 and January 2012 ▪ The Food Team prepared a bid for FSA funding for work in the City in line with this project. ▪ The agreed program of work was delivered 	<ul style="list-style-type: none"> ▪ Lessons learnt from previous work with poor performing businesses and the work for the Games has been considered as the Team draws up further intervention work with poor performers
<p>14. Work with the Data Management Team to carry out a database 'clean-up' of food premises.</p>	<ul style="list-style-type: none"> ▪ Work on improvements continues and there have been various upgrades to the 	<ul style="list-style-type: none"> ▪ Further development work is envisaged with Data Management.

Work Activity	2012-13 Review	2013-14 Plan
<ul style="list-style-type: none"> ▪ Data management remains an important priority and must be considered under the FSA Framework Agreement. ▪ Data management is an important part of the FHRS System ▪ The Food Team joined the national UKFSS¹⁹ sampling system in 2012. 	<p>Northgate M3 system.</p> <ul style="list-style-type: none"> ▪ We continue to develop procedures that encompass the needs of all the (various) users of the PH&PP database with the Licensing Team now incorporated. ▪ We secured funding for migration to the FHRS system and procedures are developed to keep data up to date. 	<ul style="list-style-type: none"> ▪ The UKFSS will be further developed and will be used by the Smithfield Enforcement Team making data management and reporting to FSA easier. ▪ Work to complete integration of the Smithfield Enforcement data into the Northgate M3 database will be completed.
<p>15. Develop options for encouraging businesses to provide Healthy Eating Choices including setting up a Healthy Eating Award for businesses that can demonstrate good standards of Food Hygiene and include healthy options on their menu</p>	<ul style="list-style-type: none"> ▪ An application for further funding to contribute to the London wide Health Catering Commitments Campaign was applied for but not secured. This work was not pursued in 2012-13. ▪ With the increased public health responsibility for local authorities we are now considering further work around the 'Public health responsibility deal' and 'Healthy Catering Commitments'. 	<ul style="list-style-type: none"> ▪ The City needs to consider the most appropriate framework for the mix of different food businesses in the City and the evidence base for health concerns within our communities. A number of the larger companies have signed up to the Department of Health Public Health Responsibility Deal. ▪ On-going ▪ On-going
<p>16. Develop the Primary Authority Programme with potential partner organisations.</p>	<ul style="list-style-type: none"> ▪ Work was developed with the fitness chain Virgin Active and a Primary Authority Partnership Agreement signed in late Q3 	

¹⁹ UKFSS- The Food Standards Agency UK Food Surveillance System

Work Activity	2012-13 Review	2013-14 Plan
<p>17. Introduce a Category 3 Animal By-Product (ABP) Processing and Disposal Service at Smithfield Market to complement the Category 2 Service.</p>	<ul style="list-style-type: none"> ▪ Some 150 tonnes of Category 2 ABP processed and disposed of 	<ul style="list-style-type: none"> ▪ Increase the throughput of ABP over 2012/13 level
<p>18. Work collaboratively with the FSA on meat delivery vehicle initiatives (Smithfield Enforcement Team).</p>	<ul style="list-style-type: none"> ▪ Developed educational food safety leaflet for food delivery vehicle operators. ▪ Consulted Smithfield Market Tenants Association 	<ul style="list-style-type: none"> ▪ Deliver educational interventions
<p>19. Work in collaboration with Billingsgate Seafood Training School to develop and deliver meat identification / recognition and fitness training. (Smithfield Enforcement Team)</p>	<ul style="list-style-type: none"> ▪ Training delivered to University of Derby student Environmental Health officers. 	<ul style="list-style-type: none"> ▪ Deliver training for Derby University as 2012/13 ▪ Identify new markets for meat training
<p>Food Safety Enforcement Targets - Key Performance Indicators [KPI's]</p>		
<ul style="list-style-type: none"> ▪ Secure a positive improvement in the overall FHRs ratings profile for City of London food establishments 	<p>Baseline profile at 31st March 2012</p>	
<ul style="list-style-type: none"> ▪ 75% food businesses inspected will receive a report/letter detailing the outcome of their inspection within 5 working days and the remainder within 10 working days. This will accord with standards within the FHRs system 		<p>100% within 10 days</p>
<ul style="list-style-type: none"> ▪ All authorised Food Safety staff to receive/complete the necessary professional development with at least 10 hours CPD on Food Safety tailored to delivery of this Enforcement Plan; and to complete their RDNA assessment 		<p>Completed</p>
<ul style="list-style-type: none"> ▪ In 2013/14 risk rate 100% of Smithfield businesses in accordance with the FSA's Food Standards Risk Rating Scheme 		<p>100%</p>

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Agenda Item 9

Committee(s):	Date(s):	
Port Health & Environmental Services Committee	2 July 2013	
Subject: Approval of the Health & Safety Intervention Plan 2013-2014	Public	
Report of: Director of Markets & Consumer Protection	For Decision	
<u>Summary</u>		
<p>This report seeks your Committee's approval for the Health & Safety Team's Intervention Plan 2013-2014 for which the City of London Corporation is required to obtain Member approval and subsequently publish.</p> <p>The Health & Safety Executive (HSE) requires local authorities to produce an annual Health & Safety Intervention Plan in accordance with its Section 18 Standard for Health & Safety Enforcing Authorities. Under this standard, every authority such as the City of London Corporation is required to make a formal, corporate commitment to improving health & safety outcomes locally and all Intervention Plans should be agreed by Members.</p> <p>In addition to routine intervention work in areas such as cooling towers, accident and complaint investigation, specific projects will be undertaken on the "Workplace Wellbeing Charter" and running an information campaign for businesses and the public on key health and safety issues.</p>		
Recommendations		
I recommend that your Committee approves the key work areas outlined in this report and detailed in the Health & Safety Intervention Plan 2013-2014.		

Main Report

Background

1. In order to be transparent and accountable, local authorities are required to publish plans setting out their enforcement work in key areas, and Health & Safety is one of a number of areas for which we are required to publish by the Government agency, the Health & Safety Executive.
2. Specific information above and beyond that is contained in Departmental and Service Business Plans is required to be published as is performance against previous plans.
3. The highlights of our health & safety intervention work during the past year 2012-2013 were that:-
 - a) we advised on and intervened where necessary at, City-based Olympic activities such as the Olympic and Paralympic Marathons, test events, the Torch Relay, the

- Athletes Parade and the running of the various National Olympic Committee Houses, to ensure overall, a safe and successful London 2012 Olympic Games;
- b) we developed and hosted a pan-London exercise to embed the London Legionella Outbreak Protocol with the HSE, all London local authorities and the Health Protection Agency (HPA);
 - c) we delivered 'Cooling Tower Inspection' training to over 47 Environmental Health Officers and Health & Safety Executive Inspectors across London and the UK, an important contribution to improving knowledge and competence on Legionella issues for regulators;
 - d) we redesigned and launched the team's webpages on the new City of London [website](#);
 - e) we launched a Twitter account [@SafeSquareMile](#) - "*signposting the way to safety, health and well-being for all who work in the historic "Square Mile"*"; and
 - f) we developed the team's chargeable Primary Authority Partnerships with **CBRE** and **Virgin Active** on health & safety management systems, audited their performance, provided speakers at conferences and training events and dealt with a variety of regulatory queries and challenges from other UK local authorities.

Current Position

4. Under the HSE's Section 18 Standard for Health & Safety Enforcing Authorities (HSEAs), every enforcing authority such as the City of London Corporation should make a formal, corporate commitment to improving health & safety outcomes and produce a written intervention plan agreed by senior management and Members.
5. The HSE's Section 18 Standard is so called because it is made under powers conferred upon them by Section 18 of the Health & Safety Act 1974. It is a prescribed standard encompassing matters such as having a competent inspectorate, an enforcement policy, annual intervention plans such as Appendix 1, and partnership working arrangements with the HSE and other local authorities. The health & safety enforcement operations of all Health & Safety Enforcing Authorities are judged against this standard. Previously it was only guidance, but from the April 2009, it became statutory.
6. A local authority's health & safety intervention plan should set out their overall aims and priorities and include a range of risk-based interventions such as pro-active inspections of high risk businesses, specific local enforcement initiatives, accident and complaint investigations, revisits to check on earlier enforcement action, the provision of advice to new and existing businesses, and awareness raising and promotional activities in general.
7. These interventions should all be targeted at:-
 - the most serious health & safety risks and/or least well-controlled hazards;
 - those businesses that seek economic advantage from non-compliance with health & safety law;
 - securing action by dutyholders to reduce health & safety risks; and
 - improving health & safety outcomes for employees.
8. The health & safety intervention plan, which can be annual or part of a longer, rolling and annually reviewed process, should also:-
 - set out how the authority intends to deliver its health & safety enforcement service;

- make reference to its performance against any previous year's intervention plan; and
 - be a stand-alone document, or part of a broader plan of regulatory services, as long as it clearly identifies the health & safety priorities and plans for intervention of the local authority.
9. As well as being based upon both local needs, and whenever possible, regional and national initiatives, all our interventions are in accordance with the Government's current guidance on health & safety enforcement and for 2013-2014, as well as continuing with our proactive and reactive intervention work on:-
- a) cooling towers and other at-risk water systems;
 - b) massage and special treatment risks;
 - c) Primary Authority Partnerships with **CBRE** and **Virgin Active**; and
 - d) investigating accidents and health & safety complaints.
- and we will also:-
- e) be continuing to develop an engagement strategy for promoting our new project on the "Workplace Wellbeing Charter" - an opportunity for employers to demonstrate their commitment to the health and well-being of their workforce; and
 - f) running an information campaign for businesses and the public on key health & safety issues, as Members requested at a previous Committee.

Proposals

10. I therefore recommend that your Committee approves the Health & Safety Intervention Plan 2013-2014.

Corporate & Strategic Implications

11. The Health & Safety Intervention Plan reflects the detailed operational work undertaken by regulatory enforcement teams as set out in the Vision, Strategic Aims and Key Policy Priorities of the City of London Corporate Plan 2013-2016; this is achieved through our departmental Business Plan and individual service plans which detail the work that will be done and which is judged by our key performance indicators.
12. Approval of these Plans will ensure that the City meets its fundamental obligations under the requirements of the HSE's Section 18 Standard for Health & Safety Enforcing Authorities.
13. As previously, it is my intention to make the plan available to all stakeholder businesses operating within City of London which will include publication on the City of London's website. In accordance with the stated policy of the HSE, this will make the City's intentions transparent and accountable to all relevant parties, and also enables any comments received on the documents to be taken into account at the next revision for 2014-2015.

Other Implications

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

Conclusion

15. The Health & Safety Intervention Plan is also in the Port Health & Public Protection Business Plan 2013-2014 and will be also be updated annually, subject to your approval.

Background Papers:

The background papers to this report:-

Appendix 1 Health & Safety Intervention Plan 2013-2014

will be made available in the Members' Reading Room and on the City Corporation's intranet via this link.

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HEALTH & SAFETY INTERVENTION PLAN 2013-2014

1. Introduction

The range of advisory and enforcement activities of the Health & Safety Team's 3.5 FTE staff continues to directly contribute to and support the [City of London sustainable Community Strategy 2008-2014](#) which, in its five themes, recognises that we are "**A World Class City**" and through the City Corporation's role as a Health & Safety Enforcing Authority, the team directly supports two of these themes:-

A World Class City which.....supports our communities

- ***To improve people's health, safety and welfare within the City's environment through proactive and reactive advice and enforcement activities; and***
- ***To ensure through advice and enforcement, that the City's business community is legally compliant and that it continues to pose only minimal risks to the health and safety of all.***

A World Class City which.....is safer and stronger

- ***To continue to ensure the City is a safe place in which to do business, work, visit and live.***

In terms of the City's [Corporate Plan 2012-2016](#), the Health & Safety Team supports the plan's Strategic Aim of:-

- ***To provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes.***

through supporting the cross-cutting Key Policy Priorities of:-

- ***KPP2 - Seeking to maintain the quality of our public services whilst reducing our expenditure and improving our efficiency***
- ***KPP3 - Engaging with London and national government on key issues of concern to our communities including police reform, economic crime and changes to the NHS.***

2. Our Key Challenge for 2013-16

The key challenge for the Health & Safety Team for the forthcoming years is to respond to the changes and challenges to health & safety enforcement following the Government's commissioning of Professor Löfstedt's independent review of

health & safety legislation¹, the Government's response² and the resulting National Local Authority Enforcement Code³ (the Code). However this is whilst the team continues to ensure that the health & safety risks in the City are not only managed effectively by dutyholders, but also that there is a reduction in the rates of work-related deaths, injuries and ill-health in the Square Mile; the Health & Safety Team is committed to focussing on the real risks to health & safety that City workers face and ensuring that dutyholders clearly understand what is required of them.

3. KPIs for 2013-2014

The following are the team's Key Performance Indicators for this year:-

- To complete a risk-based intervention programme for all cooling towers systems within the year.
- To complete all Health & Safety Intervention Plan projects within the year.
- To respond to all Primary Authority requests for advice within 1 working day.

3. Ensuring Quality and Consistency

In order to ensure that the service we offer to businesses and residents is competent and high quality we will ensure that:

- all officers carrying out enforcement work are appropriately authorised, according to their ability, qualifications, expertise and experience;
- officer's competence is continually assessed and that we support officers to develop their skills and widen their experience;
- we will ask for feedback from businesses and residents on the quality of the service we provide and strive to continually improve; and
- we will continue to participate in peer reviews with other local authorities to ensure consistency and promote best practice.

4. Health and Safety at Work etc. Act 1974 Section 18 Standard

There is a statutory requirement that all Health & Safety Enforcing Authorities in the UK make adequate arrangements for enforcement and they must be properly managed, with adequate resources, policies and procedures and with competent officers. In order to comply with this requirement an Action Plan was implemented to achieve the Health & Safety Executive (HSE)'s [Section 18 Standard for Enforcing Authorities](#) which has the following four key themes:-

Make it happen.....

To "make it happen" every Enforcing Authority shall have.....

¹ [Reclaiming Health & Safety for All](#)

² [The Government's Response to the Löfstedt Review](#)

³ [Consultation on proposals for a National Local Authority Enforcement Code – Health and Safety at Work, England, Scotland and Wales](#)

- set out their commitment, priorities and planned interventions.
- into place the capacity, management infrastructure, performance management and information systems required to deliver an effective service and to comply with their statutory duties
- operate systems to train, appoint, authorise, monitor, and maintain a competent inspectorate

Does it right.....

To "do it right" every Enforcing Authority shall.....

- use interventions, including enforcement action, in accordance with their enforcement policy and within the principles of proportionality, accountability, consistency, transparency and targeting.

Works together.....

To "work together" every Enforcing Authority shall.....

- work within their own organisation, in partnership with other Enforcing Authorities and with other regulators and stakeholders to make best use of joint resources and to maximize their impact on local, regional and national priorities.
- actively contribute to liaison, policy and governance arrangements at a local, regional and national level.

Sells the story.....

To "sell the story" every Enforcing Authority shall.....

- promote sensible risk management

The Action Plan for achieving compliance with the standard commenced on 1st April 2011 and has now been implemented and the City of London will continue to comply with the 'Section 18 Standard' until this is superseded by the Code.

5. National Priorities for the UK

Since early 2010⁴ ['The Health and Safety of Great Britain'](#) has been the HSE's strategy and the City Health & Safety Team continues to demonstrate its commitment by developing its own delivery plans linked to the strategy themes.

Through all of its work, the team incorporates whenever possible, the strategy's themes of:-

- ***[Director Leadership](#)*** – *through exploiting all opportunities it is presented with to engage face-to-face at senior management level, by encouraging leadership behaviours at all times and by promoting HSE guidance;*

⁴ www.hse.gov.uk/strategy published November 2011

- **Worker Involvement** – through promoting the importance of the improved involvement of workers/ reps and the ownership of H&S issues;
- **Vulnerable Workers** – through intelligence-led interventions with dutyholders, especially those employing migrant workers; and
- **Competence and Consultancy** – by promoting competence in terms of basic, sensible and proportionate health & safety management, and good practice in the use of third parties and challenge and, where appropriate, enforce against, incompetent health & safety consultants.

Further sector specific strategies represent the focused approach required for the implementation of the overall health & safety strategy, **'Be Part of the Solution'**. Their focus is upon the priority sectors with the highest actual health & safety problems or perceived threats, in terms of both incident rates and their severity. The evidence and analysis within these sector strategies is used to inform the specific delivery plan elements that the City Corporation will act on and will be included in its annual Health & Safety Intervention Plan.

6. Local Priorities for the City of London

There are also specific City-related issues which the team will also be seeking to address and these are:-

- **Legionella Control** – through conducting risk-based audits because of the large number of water systems such as cooling towers within the City that require robust risk control.
- **Management of Contractors** – continuing with securing legal compliance by investigating the many RIDDOR accident reports received from the multitude of contractors in the overtly out-sourced world of the City of London.
- **New Building Design** – through promoting compliance with CDM2007 and the principle of reducing risk "As Low As Reasonably Practicable", with our colleagues in Planning and Building Control

and in a combination of national priorities and City of London priorities, the team's service targets for the year are set out in detail in **ANNEX B**.

7. Working in Partnership

In order to achieve its aims and objectives, the City of London will continue to work with a variety other agencies, stakeholders and intermediaries and these include:-

- **HSE** – to share good practice and expertise;
- The **City of London Police** – on violence and crime in the Retail and Hospitality sector and other area's detailed in the Memorandum of Understanding between the City Corporation and the Police;
- **Better Regulation Delivery Office**– on Primary Authority and other projects regarding Local Authority Regulatory Services ;
- **London Banks Health & Safety Forum** - to encourage consistency and share best practice across the Financial Services sector

- [The Legionella Control Association](#) - to raise standards in service providers involved in the supply of goods and services relating to the control of Legionella bacteria in water systems.
- [Cleaning Industry Liaison Forum](#) – to work with industry trade associations, training bodies and trade unions to improve health, safety and welfare standards in the cleaning industry.

There will be joint working on projects and interventions and in training between the Food Safety, Trading Standards, Pest Control and Health & Safety teams of the Port Health & Public Protection (PH&PP) Service so as to develop and encourage consistency and the exchange of advice and guidance.

8. Governance

The City of London as a Health & Safety Enforcing Authority looks towards the following for guidance on both technical and legal matters and on policy and intervention approaches:-

- the **Health & Safety Executive** – for national guidance and London operational assistance;
- the **London Partnership and Strategy Group**, the [Association of London Environmental Health Managers](#) and the **All-London Boroughs Health & Safety Liaison Group** – so as to encourage consistency across London through being actively involved in a variety of London-wide health & safety initiatives; and
- **Neighbouring London Boroughs** – both in the **South East London Quadrant** (the City of London plus the London Boroughs of Bexley, Bromley, Croydon, Greenwich, Lewisham, Southwark and Westminster) and through cross-border working with its central London neighbours of Kensington and Chelsea, Camden, Hackney, Islington, Tower Hamlets, Southwark and Westminster in areas of mutual and local concern;

PH&PP will seek to ensure all its enforcement decisions are consistent with:-

- with the current PH&PP Policy Statement on Enforcement; and
- the HSE and Local Authorities' Enforcement Management Model

and will continue to train and develop its staff to be competent using the current [Regulators' Development Needs Assessment \(RDNA\)](#) tool so as to ensure proportionate, consistent, transparent and accountable enforcement as part of the Better Regulation agenda.

9. Service Development

PH&PP will also seek to develop and improve its overall health & safety enforcement through a number of improvement projects as set out below in support of the above theme of "**Works together.....**".

The Health & Safety Team will continue to actively contribute to the development of health & safety across London local authorities and the HSE by helping ensure

the role of the HSE's Enforcement Liaison Officers and their teams both in London and across the UK are protected and developed.

As part of this, it will work through the All-London Boroughs' Health & Safety Liaison Group and nationally with the HSE, the Better Regulation Delivery Office and other regulators on the development of Better Regulation standards and initiatives whenever possible.

The team will actively support all London local authority health & safety events, and continue to host training courses for the HSE and the All-London Boroughs' H&S Liaison Group whenever possible to ensure that the City of London maintains its position at the forefront of health & safety regulation in the capital and the UK as a whole. In support of this it will continue to attend and support national industry groups such as the Legionella Control Association and the Cleaning Industry Liaison Forum where these are closely linked to the City's local health & safety priorities.

We will develop and increase the level of competency and confidence of the officers in the Food Safety Team and Smithfield Enforcement as health & safety regulators through a assessing their current level of competency using the generic RDNA tool to identify areas for further learning and development.

The Food Safety Team will be included in all health & safety project working and competency development initiatives and whenever possible, representatives from both teams will attend the All-London Boroughs' Health & Safety Liaison Group.

Sells the story.....

Finally, the Health & Safety Team will take every opportunity to promote and publicise The City Corporation's work as both a Health & Safety Enforcing Authority and the providers of quality and authoritative advice and information to City businesses and workers.

Jon Averbs
Port Health & Public Protection Service Director

March 2013

HEALTH & SAFETY TEAM SUCCESSES 2012-2013

Last year, the Health & Safety Team undertook the following wide range of activities.

London 2012 Olympic Games Delivery

- Advised on and intervened where necessary at City-based Olympic activities such as the Olympic and Paralympic marathons, test events, the Torch Relay, the Athletes Parade and the running of the various National Olympic Committee Houses, to ensure overall, a safe and successful London 2012 Olympic Games.
- 12 high risk hotels hot and cold water systems, cooling towers and spa pools targeted for Legionella sampling prior to the Olympic Games. One positive sample gained and was followed through to compliance.

Legionella Control Activities

- Developed and hosted a pan London exercise to embed the London Legionella Outbreak Protocol with the HSE, local authorities and the Health Protection Agency (HPA).
- Delivered 'Cooling Tower Inspection' training to over 47 Environmental Health Officers and Health & Safety Executive Inspectors across London and the UK, an important contribution to improving knowledge and competence on Legionella issues for regulators.
- Hosted site visits to spa pools and cooling towers for consultant medical practitioners from the European Centre for Disease Control.
- Assisted the HPA by providing site visits for a national *Legionella* outbreak investigation and control course to demonstrate risk assessment in practice for cooling towers and spa pools
- Showcased our work on *Legionella* control to leading businesses from the water treatment industry at a number of conferences and events, promoting the City of London and key public health messages concerning managing this risk.

Health and Safety Information Campaign

The team began a campaign around current key issues in health & safety as they affect the wide variety of City businesses from SMEs to multinational organisations and across different industry sectors. This included:-

- Redesigning and launching the team's webpages
- Launch of a Twitter account [@SafeSquareMile](#) - "The City of London Corporation's Health & Safety Team, signposting the way to safety, health and well-being for all who work in the historic "Square Mile"
- Ran a stall promoting Health & Safety work at the City-wide "Love Health" event in Guildhall

Interventions and Inspections

- 70 'control of legionella in cooling tower' interventions.
- 66 project visits carried out including:-
 - 25 *Asbestos Project interventions.*
 - 8 *'Seasonal Overstocking' project interventions*
 - 12 *higher risk sites targeted for Legionella sampling*
 - 21 *Decommissioned cooling tower risk audit interventions*

with the team successfully completing all its planned projects for the year.

Complaints and service requests

232 complaints and service requests were received and investigated to including:-

- 9 *Asbestos notifications*
- 60 *LOLER lift inspection reports*
- 27 *Pressure vessels inspection reports*
- 72 *Health & safety complaints*
- 51 *special events applications reviewed and advised upon*
- 13 *Massage and Special Treatment license applications reviewed and visited*

Accidents, Ill-health and Dangerous Occurrences

- Investigated 284 reportable accidents (inc. 109 in food premises) comprising:-
 - 1 *fatal accident*
 - 3 *cases of work-related ill-health*
 - 9 *dangerous occurrences*
- Provided regulatory advice to businesses and evidence in Coroner's Court cases following a number of high profile suicides in the Square Mile.

Primary Authority Partnership Work

Up until the end of March 2013, 207 chargeable hours were spent on advising the team's Primary Authority partners, **CBRE** (50 hours) and **Virgin Active** (157 hours) on health & safety management systems, auditing of performance, speaking at conferences and training events and dealing with regulatory queries and challenges from other local authorities.

Legal Action

- A Prohibition Notice was served under Section 22 of the Health & Safety At Work Etc. Act 1974 preventing unsafe window cleaning activities at a City office building following the death of a window cleaner.
- Two prohibition notices were served in respect of an electrical supply in a food business that presented a risk to its workers.
- Legal proceedings were concluded against a property management company for failing to take lifts out of use following a statutory notification of defects that posed a danger to persons using them. The company was fined a total of £7,000 and ordered to pay £19,052 costs.

Other Activities

Operational Development

To ensure optimum operational effectiveness, the team:-

- worked with the Better Regulation Delivery Office to further develop its two Primary Authority agreements with **CBRE** and **Virgin Active**, in order to continue provide streamlined and improved regulation in line with the Government's better regulation agenda;
- continued to foster close working relationships with the London Fire Brigade through joint working on the Seasonal Overstocking Project and through the improved sharing of intelligence;
- successfully piloted the **London Workplace Wellbeing Charter** to improve workplace health in City businesses, resulting in one City business, Deloitte, receiving the highest "Excellent" award;
- ensured that all outdoor events in the City ran safely and including advice and assistance given to all the Olympic and Paralympic Marathons, the Lord Mayor's Show, the London Marathon, and the Smithfield Nocturne as well as smaller events such as corporate charity fundraisers – e.g. abseiling.

Systems Development

To ensure increased operational efficiencies, the team also:

- completed an Action Plan which detailed the work needed for the team to fully comply with the HSE's Section 18 Standard for health and safety enforcing authorities;
- identified training needs across the service using the RDNA tool and other methods and provided training to meet those needs; and
- continued to develop our intranet-based operational procedures for greater consistency in all our health & safety work.

HEALTH & SAFETY INTERVENTION PLAN TARGETS 2012-2013				
PROACTIVE INTERVENTIONS				
Sector, premises type or specific cross sector activity	Evidence that identified the concern and set its priority⁵	Planned intervention type⁶	Rationale for intervention	Planned activity or resource
Control of legionella interventions: cooling towers and other at risk water systems.	<p>Local priority.</p> <p>151 cooling towers sites within the City</p> <p>Risk of Legionnaires' disease outbreak affecting the square mile is considered an unacceptable reputational risk</p> <p>Poor performers identified via established risk ratings and local intelligence</p>	<p>Inspection and enforcement</p> <p>Education and awareness</p>	<p>Due to the complex nature of the water systems involved it is essential to carry out a detailed audit in order to make a competent assessment of risk</p> <p>Established intervention protocol utilised</p> <p>Outputs measured via decreased risk rating following intervention</p>	<p>Risk-based audit of highest risk of a population of 151 City sites</p> <p>Revisits and enforcement action taken as necessary</p> <p>Approximately 80 premises at 5 hours per site = 57 days or 400 hours</p>
Health and safety interventions in food premises	<p>Risk rating, past performance, EHO intelligence from food safety inspection, confidence in management</p>	<p>Inspection (Cat A), and enforcement</p> <p>Matters of evident concern</p> <p>Education and awareness</p>	<p>In accordance with the Joint Guidance for Reduced Proactive Inspections ⁷</p>	<p>Interventions focusing on the highest risk hazard and matters of evident concern with enforcement action taken as necessary</p>

⁵ Evidence types detailed in Supplementary Materials 6 of LAC 67-2 rev3
www.hse.gov.uk/lau/lacs/67-2/supplementary-material-6-potential-sources-of-information-to-aid.pdf

⁶ Planned Intervention Types detailed in Annex A of LAC 67-2 rev3
www.hse.gov.uk/lau/lacs/67-2/annexe-a-Intervention-types.pdf

⁷ Health and Safety Executive and Local Government Group Joint Statement
www.hse.gov.uk/lau/pdfs/reduced-proactive-inspections.pdf

Sector, premises type or specific cross sector activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Planned activity or resource
Health and Safety interventions at Smithfield Meat Market	Risk rating, past performance, FSA / Meat Inspector intelligence from food safety inspection, and confidence in management	Inspection (Cat A), and enforcement Matters of evident concern Education and awareness	Targeting uncontrolled risks in the stallholder areas	Interventions focusing on the highest risk hazard and matters of evident concern with enforcement action taken as necessary
Massage and Special Treatment License Inspections and revisits	Massage and Special Treatment (MST) Licensing Scheme Provision of licence implies that premises have been 'approved' to public Hazards and risks within industry accepted across UK and therefore inspection justified	Inspection and enforcement Education and awareness	Requests for inspection and advice on compliance with license conditions by City Licensing Team.	Inspections focusing on highest risk hazard Revisits and enforcement action taken as necessary Inspection of 15 premises at 4 hour per site = 60 hours (8.5.days)
Special Events Consultations	City Corporation is host to many high profile events such as the Lord Mayor's Show and it is a local priority to mitigate reputational risks and negative publicity on health & safety grounds Officers sit on the City's Safety Advisory Group (SAG) and intelligence is shared at the SAG from Met and City of Police, London Ambulance, Highways, etc	Education and awareness	Requests for competent advice by City Corporation's Highways service	Review all event plans and risk assessments Visits to site as necessary Follow-up action taken as necessary 50 events at 3 hours per event = 21 days or 150 officers hours

Sector, premises type or specific cross sector activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Planned activity or resource
<p>Primary Authority CBRE and Virgin Active</p>	<p>Ensuring progress towards the Government's better regulation agenda, providing streamlined and improved regulation</p>	<p>Partnerships Motivating Senior Managers Supply Chain Design and supply Best practice</p>	<p>Partnerships established as part of the Better Regulation Delivery Office's initiative</p>	<p>Appraisal of each company's health & safety policies, procedures and practices</p> <p>Appraisal of each company's contractors and management arrangements</p> <p>Audit and review the health & safety arrangements, to including strategy and organisational implementation.</p> <p>Advising on related documentation as required</p> <p>Advising the Company upon new developments in health & safety legislation and best practice</p> <p>Respond to challenges to each company from other health & safety regulators</p> <p>CBRE = 50 hrs pa Virgin = 100 hrs pa</p>

Sector, premises type or specific cross sector activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Planned activity or resource
Joint London Fire Brigade Seasonal Overstocking Project	Based on intelligence from London Fire Brigade	Partnerships Education and awareness Inspection and enforcement	Issues such as blocked fire exits, impeded access / egress are immediate and serious issues best identified by site visits	Joint inspections with City & Islington LFB In December 2013 Inspect for hazards relating to overstocking around Christmas Provision of advice to business Enforcement as necessary to achieve compliance 2 days (14 hours)
London Banks Health and Safety Forum	There are over 3,000 Financial Services sector businesses in the City of London The banks are dutyholders for a large proportion of the contracted services industry that takes place in the City which makes up a significant proportion of the RIDDOR reportable accidents that are received	Partnerships Motivating Senior Managers Supply Chain Sector and industry wide initiatives Education and awareness Best practice	An important opportunity to build relationships and influence 12 of our key City stakeholders The Forum aims to share knowledge and experience of managing health and safety issues in London based banking environments Working collectively, the forum benchmarks performance, policy and best practice to reduce risks and add value to their individual organisations	4 meetings pa + preparation time = 6 officer days pa

Sector, premises type or specific cross sector activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Planned activity or resource
Legionella Control Association Management Committee	The risk of Legionnaires disease is one of the City's key health and safety risks	Partnerships Motivating Senior Managers Supply Chain Design and supply Sector and industry wide initiatives Education and awareness Intermediaries Best practice	An important opportunity to build relationships and influence the water treatment industry, key to influencing City stakeholders	4 meetings pa + preparation time = 5 officer days pa
Cleaning Industry Liaison Forum⁸	RIDDOR reportable accidents in the cleaning sector make up a large proportion of those received by the City CILF recognises the following key identified risks to cleaning workers and members of the public as a result of cleaning operations: <ul style="list-style-type: none"> • Musculo-skeletal disorders • Slips and Trips • Falls from Height • Dermatitis 	Partnerships Motivating Senior Managers Supply Chain Design and supply Working with those at risk Sector and industry wide initiatives Education and awareness Intermediaries Best practice	The Cleaning Industry Health and Safety Liaison Forum (CILF), comprises representative bodies from all parts of the cleaning industry together with the HSE. CILF is committed to a cleaning industry that is safe and healthy for both workers and members of the public An opportunity to build relationships and influence the Cleaning Industry, key to influencing City stakeholders	2 meetings pa + preparation time = 4 officers days pa

⁸ 8 Members include the Federation of Windows Cleaners and the Worshipful Company of Environmental Cleaners

Sector, premises type or specific cross sector activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Planned activity or resource
Healthy workplaces / Workplace Wellbeing Charter	<p>The Charter is an opportunity for employers to demonstrate their commitment to the health and well-being of their workforce</p> <p>The positive impact that employment can have on health and wellbeing is well documented</p> <p>There is also strong evidence to show how having a healthy workforce can reduce sickness absence, lower staff turnover and boost productivity - this is good for employers, workers and the wider economy</p>	Recognising good performance	As part of the steering group working with the Department of Health / GLA to promote engagement and business uptake with the Charter post pilot.	<p>Engagement strategy utilises resources such as City Business Library contacts database.</p> <p>Promotional event with focus on workplace wellbeing / stress.</p> <p>Working with any interested businesses towards an award.</p>
Health and Safety Information Campaign	<p>Requested by Members in order that:-</p> <p>Businesses will have a better understanding of key health & safety issues and consequently be able to manage their risks with greater knowledge and confidence</p> <p>Businesses will be more comfortable with approaching the City Corporation and the HSE for future health & safety information needs</p>	Education and awareness	To continue the promotional campaign, began in 2012, around current key issues in health & safety as they affect the wide variety of City businesses from SMEs to multinational organisations and across different industry sectors	<p>Daily Twitter tweets updates</p> <p>Training / Seminars</p> <p>New CoL website kept up-to-date and visitor usage analysed using Google Analytics</p> <p>Specific information on 'work at height' produced for briefings</p> <p>Trialling the video / audio presentation of health & safety information via the CoL website</p>

Reactive Interventions				
Sector, premises type or specific cross sector activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Planned activity or resource
Accident AND Dangerous Occurrence Notifications under RIDDOR	Accidents and Dangerous Occurrences are indicators and intelligence of both common safety risks and areas of non-compliance across both industry sectors and City businesses as a whole	Incident and ill health investigation	In accordance with the Incident Selection Criteria Guidance LAC 22/13⁹	Establish key facts and available evidence Determine whether further investigation is required in accordance with LAC 22/13 Follow-up action taken as necessary
Ill-health Notifications under RIDDOR	Work-related ill-health are indicators and intelligence of both common health risks and areas of non-compliance across both industry sectors and City businesses as a whole	Incident and ill health investigation	In accordance with the Incident Selection Criteria Guidance LAC 22/13	Establish key facts and available evidence Determine whether further investigation is required in accordance with LAC 22/13 Follow-up action taken as necessary

⁹ Health and Safety Executive and Local Authorities Enforcement Liaison Committee (HELA) Incident Selection Criteria www.hse.gov.uk/lau/lacs/22-13.htm

Sector, premises type or specific cross sector activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Planned activity or resource
<p>Complaints & Service Requests</p> <ul style="list-style-type: none"> • Complaints • Asbestos notifications • LOLER reports • Pressure vessels 	<p>Statutory Adverse Insurance Reports (AIR's) may indicate poor management and /or maintenance practices</p>	<p>Dealing with issues of concern or complaints</p> <p>Incident and ill health investigation</p>		<p>Establish key facts and available evidence</p> <p>Determine whether further investigation is required in accordance with local policy</p> <p>Follow-up action taken as necessary</p> <p>Typically 230 + pa</p>
<p>To review planning applications and make representations where appropriate</p>	<p>Working with architects, designers, planners and engineers at planning stage is essential to design-out issues that can become a risk to health and safety on completion of the build</p> <p>Discussions are primarily held on the subjects of work at height i.e. window cleaning, legionella control, prevention of slips and trips</p>	<p>Education and awareness</p>	<p>Requested by CoL Planning Department as part of the planning process</p>	<p>Scrutinise and comment on applications where appropriate</p> <p>Advise on CDM regulations & workplace regulations</p> <p>Visits to premises as necessary.</p> <p>15 applications per annum at 2 hours per application = 4.3 days or 30 hours</p>

Sector, premises type or specific cross sector activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Planned activity or resource
Provision of expert speakers on health or safety topics.	<p>The team receives requests from a wide variety of bodies to speak on key issues</p> <p>Priority is dependent on topic requested and the audience to whom it will be delivered</p>	<p>Partnerships</p> <p>Motivating Senior Managers</p> <p>Supply Chain</p> <p>Education and awareness</p> <p>Best practice</p>	<p>To utilise available opportunities to promote the CoL</p> <p>To maintain constructive relationships with our stakeholders</p>	<p>Approximately 6 engagements per year – dependent on demand</p>

Agenda Item 10

Committee(s):	Date(s):
Port Health and Environmental Services Committee	2 July 2013
Subject: Noise Service Delivery Policy/Noise Complaint Policy	Public
Report of: Director of Markets and Consumer Protection	For Decision
<u>Summary</u>	
<p>The 'City of London Noise Strategy 2012 – 16' outlines a range of policies and actions to address noise issues including the City's service for responding to noise complaints and incidents.</p> <p>The City receives over 2000 noise related requests each year for service, such as planning, licensing and streetworks applications, as well as complaints about the impact of noise happening either at the time, regular intervals or sporadically.</p> <p>The processes involved in dealing with these matters have always been determined by officers using their judgement case by case. However, it is important that the policy principles upon which they act are the subject of scrutiny and agreement of Committee Members, so a policy has been drafted concerning the way in which noise complaints should be handled.</p>	
Recommendations	
<p>It is recommended that</p> <ul style="list-style-type: none">• Members consider and agree the proposed policy document set out in Appendix 1 taking account of points arising from the discussion of this report at Committee.• Members agree the continuance of the trial shared noise service with Westminster City Council to March 2014	

Main Report

Background

1. The City Corporation provides a dedicated noise response service via the Pollution Control Team to investigate and resolve justifiable noise complaints, including a rapid response and an 'out of hours' service to deal with complaints requiring urgent action.
2. In order to provide clarity and consistency of the approach taken by the Officers that deal with these complaints, it was considered sensible to ensure their working practices and priorities are agreed by your Committee and are then made available to users of the service to ensure the transparency of our approach.
3. The 'City of London Noise Strategy 2012 – 16' outlines a range of policies and actions to address noise issues including the City's service for responding to noise complaints and incidents. The service has evolved in response to changing demands, legislation, expectations and resources and therefore the Noise Strategy commits the service to reviewing, updating and consolidation of service delivery policies and procedures. This report introduces the noise service delivery policy and an on-going trial for delivering the service out of normal office hours.

Current Position

4. Noise is part of the everyday experience for residents, workers and visitors to the City of London. For some people noise can be invigorating and an essential element of a lively City. However, it can also be a source of annoyance and disturbance affecting people's health and well-being.
5. Considerable work is undertaken by the Pollution Control Team in examining planning and licensing applications, recommending conditions, reviewing technical submissions, as well as liaison with development sites and street work utilities in an effort to stop or mitigate the potential for noise impacts in the City. In 2012/13 1512 service requests were received for these actions in dealing proactively with the impact of noise in the City.
6. Despite these preventative measures the Pollution Control Team received 1047 noise complaints in 2012/13.
7. The City Corporation has a statutory obligation to investigate complaints of excessive noise. Similarly Part 3 of the Environmental Protection Act 1990 allows the City to serve notices on persons responsible for causing a list of statutory nuisances to stop these or prevent them from re-occurring as far as is practicable. It also has an obligation to use its functions as a planning authority to minimise noise from new developments, and as a licensing authority to minimise noise from entertainment.
8. Much of the enforcement activity carried out is informal as this is much quicker most efficient and effective in providing solutions to noise concerns raised with us for most problems.
9. In January this year the Chairman and Deputy Chairman agreed, as a matter of urgency, to a service level agreement with Westminster City Council for the City Corporation to share their Noise service for a trial period of three months. This was to provide service for noise complaints received and ensure there was qualified officers available to respond to noise complaints after normal office hours on a 24/7 basis.
10. At the same time the capability of the City's Street Enforcement Officers (SEO's) who are also available at night and weekends is being reviewed and steps are being taken to enhance their qualifications and experience in dealing with noise matters.
11. The trial period has been extended to July 2013 but so far it has been very quiet with relatively few complaints received. Although the experience of the service from Westminster has been good so far it is intended to extend the pilot period to March 2014. This will provide a better trial of the service, give time to enhance the capability of SEO's and consider the best way for the City to structure this enhanced service provision for noise complaints occurring at night and weekends.
12. Officers deal with noise matters on a case by case basis using current legislation and guidance produced by government and industry best practice, including the City's own Code of Practice for Deconstruction and Construction agreed at your Committee on 30 April 2013. This has now been set out in a policy document which includes the legal framework, response times and setting of priorities; the Noise Service Delivery Policy/Noise Complaint Policy (Appendix 1). Your Committee's views and subsequent agreement concerning the document are sought so that there is a formally approved policy for the way in which the City Corporation responds to noise complaints.

Proposals

13. I propose that the attached Noise Service Delivery Policy/Noise Complaint Policy is published, subject to any amendments agreed by Members at your Committee meeting.

14. The trial period for the shared Noise service provided by Westminster be extended to March 2014.

Corporate & Strategic Implications

15. The control of environmental impact from noise fits with one of the City Corporation's three aims of the Corporate Plan 2012 – 2016 in that it seeks to evolve a service 'to provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes'. It also meets one of the five key policy priorities KPP2 in that it seeks to 'maintain the quality of our services whilst (reducing our expenditure and) improving our efficiency'.

Implications

16. The work undertaken in carrying out this work is expected to remain within the existing budgets of the Markets and Consumer Protection Department.

Conclusion

17. The principles and processes involved with responding to noise issues are set out in the policy document in Appendix 1 and form the basis for agreement by Committee Members and on-going implementation by City Officers for the protection of the acoustic environment of people within the City.

Background Papers:

The City of London Noise Strategy 2012 – 2016; May 2012 Port Health and Environmental Services Committee

Appendices

Appendix 1 Noise Service Delivery Policy/Noise Complaint Policy

Contact:

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City of London

Markets and Consumer Protection Department

Noise Response Service Delivery Policy/Noise complaint policy

1. Background and Introduction

The City of London provides a dedicated noise response service to investigate and resolve justifiable noise complaints, including a rapid response and an ‘out of hours’ service to deal with complaints requiring urgent action.

The service is delivered by the Pollution Team of the Markets and Consumer Protection Department. Each year the department receives over 2000 complaints or requests for service to deal with noise problems.

The ‘City of London Noise Strategy 2012 – 16’ outlines a range of policies and actions to address noise issues including the City’s service for responding to noise complaints and incidents. The service has evolved in response to changing demands, legislation, expectations and resources and therefore the Noise Strategy commits the service to reviewing, updating and consolidation of service delivery policies and procedures.

2. Scope

There are a number of activities the Service engages in to minimise noise levels and disturbance due to noise¹ affecting residents and businesses. However noise can and does result in complaints despite proactive measures taken. This policy focuses on the Pollution Team responding to and investigating noise complaints.

Residents and businesses expect noise issues affecting them and referred to the City Corporation to be promptly resolved. A significant number of complaints are resolved through informal action and good-will. However if formal enforcement action is required, options to resolve problems may be constrained by legislation that can result in unmet expectations.

3. Role / remit and scope of the service: Responding to and investigating Complaints

The Environmental Protection Act 1990 imposes a duty on the City of London to:

¹ Refers to environmental, neighbour and neighbourhood noise, and excludes occupational noise exposure

- Inspect its area from time to time to detect any statutory nuisances which ought to be dealt with;
- Take such steps as are reasonably practicable to investigate a complaint of a statutory nuisance made by a person living in its area;
- Serve an abatement notice where the local authority is satisfied that a statutory nuisance exists or is likely to occur or recur within the City.

To meet this duty and contribute to the improvement of the health and wellbeing of City communities, the purpose of the noise complaint response service is to investigate complaints and prevent, stop or mitigate noise nuisance or unreasonable disturbance to City residents, businesses, workers or visitors, by making the most effective use of available resources and enforcement powers or duties.

The main noise sources of complaint are:

- Building construction and street works
- Leisure activities, particularly ‘people’ noise associated with licensed premises
- Noise from other Commercial premises activities e.g. deliveries, plant and equipment noise, alarms
- Neighbour noise (e.g. music / TV), alarms,
- Transport (e.g. road, aircraft, railways, sirens)

4. Delivery Principles

Wherever practicable, complainants will be encouraged to informally resolve noise problems affecting them informally before making a formal complaint to the City Noise Service. Similarly, known noise ‘sources’ will be encouraged and sometimes required to liaise with neighbours to minimise noise disturbance e.g. through Planning conditions to comply with the City of London Deconstruction and Construction Sites Code of Practice.

Informal remedies to resolve justified noise complaints can provide quicker and more acceptable solutions to noise problems than formal legal enforcement investigation and action; therefore informal solutions will be considered wherever practicable and sustainable.

The City Corporation has a statutory duty to inspect the City for statutory nuisances and serve nuisance notices where they exist. Therefore investigating complaints and taking enforcement action in respect of statutory nuisance will take priority.

Other law enforcement remedies to resolve complaints will be used where available and appropriate and in accordance with the Department’s Enforcement Policy. Remedies may also be sought through legislation enforced by other agencies or COL Departments, e.g. Planning, licensing or anti-social behaviour legislation.

There are some noise sources for which the service does not have statutory powers or duties to carry out formal investigations and take formal enforcement action in response to complaints e.g.:

- i. Civil or military aviation including helicopters,
- ii. Noise from motor vehicle traffic using public highways,
- iii. Noise from the operation of a statutory undertaking e.g. underground, railway.
- iv. Noise from emergency vehicle sirens
- v. Noise from people in the street or noise from loud speakers used as part of a political demonstration
- vi. Noise for which the City of London Corporation are responsible

However provided the complaint is justified² and there is a reasonable prospect of resolving it, then subject to other service demands, we will consider investigating and seeking to secure an improvement or prevent worsening of the problem where practicable to do so. Resources used will be guided by the extent of community impact and concern, prospect of achieving a sustainable solution.

When complaints concerning noise disturbance are made, the service will respond, investigate and resolve them in a timely fashion and according to priority.

It will also aim to achieve a sustainable solution to meet the expectations of the complainant and others who may be affected wherever practicable and reasonable to do so.

The City is a noisy place as a consequence of the intensity of activity and sometimes conflicting needs of its different communities. Therefore the service is required to take into account the locality, reasonableness and practicability of solutions in order to make balanced decisions on whether complaints are justified, and whether and what enforcement or other action should be taken.

5. Complaint Receipt

Complaints can be made by Telephone, Email. Letter or by calling in person at City of London offices. Complaints about noise ‘happening now’ can be made by telephone ‘24/7’.

Complainants will be expected to provide sufficient information to assist with identifying the noise source, it’s nature and impact.

Complaint Response and Investigation

² Likely to cause disturbance or annoyance but no enforcement remedy available or appropriate

The service aims to respond³ to complaints and service requests within one working day, or within 45 minutes if the noise is ‘happening now’. Where there are conflicting demands complaints and service requests will be prioritised using the Prioritisation Guidelines in appendices.

The investigating officer may use a variety of investigation, monitoring and enforcement techniques in order to resolve cases involving noise complaints. Formal enforcement options may include the service of notices, seizure of equipment, works in default. It may also involve taking complementary action such as involving planning, social services, licensing departments or police e.g., where anti-social behaviour is associated with the complaint.

The service is unlikely to meet every complainant’s expectations. Complainant’s will be advised at the initial response and other key stages of an investigation what possible action can be taken or is proposed, as well as what action cannot be taken, to prevent or reduce the noise problem.

Complainants will be informed of the steps which will be taken to investigate their complaint and when they can next expect to receive feedback on progress.

Complainants and duty holders will be kept informed of key actions taken or intended to be taken e.g. writing to the person causing the problem or serving of a notice.

Many complaints are resolved quickly and informally. However some complaints may not be so easy to resolve and it may be necessary to obtain sufficient evidence, such as a City of London officer witnessing the noise, in order to take formal action.

Therefore complainants may be requested to:

- Keep records of the noise (dates, times, duration and effect);
- Report noise to the Noise Team when it occurs;
- Allow access for responding officers to premises in order to witness the noise or set up noise monitoring equipment; this may be at unsocial times, e.g. at night;
- If necessary, provide witness statements and be willing to provide evidence in court, (although court appearance is not often required).

6. Complaint Resolution

The closure and resolution of a noise complaint may occur when the Investigating Officer has followed investigation through to its completion and resulting in one of the following:

- The noise complaint has been resolved (the noise or the recurrence of it has been prevented, stopped or reduced) through informal action e.g. email, telephone call or a warning letter;
- A statutory notice has been served and complied with or work carried out in default;

³ ‘Response’ means contact by telephone, email, letter, text or meeting.

- Where other formal enforcement action has been taken and the noise or it's recurrence has been prevented, stopped or reduced e.g. Service of notices to restrict construction site times of noisy operations;
- No statutory nuisance or other formally actionable noise has been identified by the investigation carried out and no informal resolution is likely;
- The matter has been referred to an external agency or another department;
- The investigation of the complaint or effective action is not reasonably practicable;
- The complainant withdraws their complaint;
- The complainant does not cooperate with reasonable and necessary requests to assist with investigating the complaint or is otherwise unreasonable in their behaviour.

The complainant(s) will be informed, usually in writing of the outcome of their complaint and if appropriate will be offered advice on taking their own action.

Appendix - Prioritisation Guidelines for responding to complaints

Complaints will be dealt with in the chronological order in which they are received. The following considerations may however justify dealing with cases out of strict time sequence or deferring investigation of certain complaints until other higher priority complaints have been dealt with:

- Where the officers believe that an investigation is likely to result in witnessing a statutory nuisance or contravention of a statutory notice and that contravention is likely to lead to legal proceedings;
- Where noise is occurring 'now' including noise from street works or construction sites during City of London 'quiet hours'
- Where the noise occurs at night resulting in potential sleep disturbance,
- Where a noise incident is likely to affect a greater number of households or businesses (e.g. construction works, parties, alarms and incidents involving multiple complaints);
- Where early intervention can forestall the likely occurrence of a serious nuisance and/or safety hazard (e.g. to deal with a problem before it gets going);
- Where early intervention can improve the overall effectiveness of the service (eg to witness an alarm nuisance and serve notice, returning to the premises later for work in default/enforcement); and
- Where an officer has already made a commitment to a caller to visit, and another call is received which would normally receive higher priority, the officer may, at their discretion, deal with the arranged visit first.

There are circumstances when it may be appropriate to give a lower priority to certain types of complaint such as:

- Anonymous complainants;
- Where complaints are made outside office hours, complainants who are not willing to be contacted or be visited by noise service officers or who do not want any action to be taken 'on the night';
- Complainants who do not allow investigating officers access to their premises to assess whether noise constitutes a nuisance;
- Complaints where the investigating officer has insufficient information in order to carry out an investigation.

Committee(s): Port Health and Environmental Services	Date(s): 2 July 2013
Subject: Revenue Outturn 2012/13	Public
Report of: The Chamberlain Director of the Built Environment Director of Markets and Consumer Protection Director of Open Spaces	For Information

Summary

This report compares the revenue outturn for the services overseen by your Committee in 2012/13 with the final agreed budget for the year. Overall total net expenditure during the year was £15.6m, whereas the total agreed budget was £16.5m, representing an underspending of £0.9m as set out below:

Summary Comparison of 2012/13 Revenue Outturn with Final Agreed Budget			
	Final Approved Budget £000	Revenue Outturn £000	Variations Increase/ (Reduction) £000
Direct Net Expenditure			
Director of the Built Environment	8,444	8,104	(340)
Director of Markets and Consumer Protection	3,229	2,869	(360)
Director of Open Spaces	(352)	(370)	(18)
City Surveyor	714	438	(276)
Total Direct Net Expenditure	12,035	11,041	(994)
Capital and Support Services	4,419	4,530	111
Overall Totals	16,454	15,571	(883)

Chief Officers have submitted requests to carry forward underspendings, and these requests will be considered by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.

Recommendations

- It is recommended that this revenue outturn report for 2012/13 and the proposed carry forwards of underspendings to 2013/14 are noted.

Main Report

Revenue Outturn for 2012/13

1. Actual net expenditure for your Committee's services during 2012/13 totalled £15.6m, an underspend of £0.9m compared to the final approved budget of £16.5m. A summary comparison with the final agreed budget for the year is tabulated below. In this and subsequent tables, figures in brackets indicate income or in hand balances, increases in income or decreases in expenditure.

Summary Comparison of 2012/13 Revenue Outturn with Final Agreed Budget				
	Final Approve d Budget £000	Revenue Outturn £000	Variation Increase/ (Reduction) £000	Variation Increase/ (Reduction) %
Local Risk				
Director of the Built Environment	7,746	7,454	(292)	(3.8)
Director of Markets and Consumer Protection	3,221	2,861	(360)	(11.2)
Director of Open Spaces	(369)	(387)	(18)	(4.9)
City Surveyor	714	438	(276)	(38.7)
Total Local Risk	11,312	10,366	(946)	(8.4)
Central Risk				
Director of the Built Environment	698	650	(48)	(6.9)
Director of Markets and Consumer Protection	8	8	0	0
Director of Open Spaces	17	17	0	0
Total Central Risk	723	675	(48)	(6.6)
Capital and Support Services	4,419	4,530	111	2.5
Overall Totals	16,454	15,571	(883)	(5.4)

2. The main local risk variations comprise:

- **Director of the Built Environment** – a reduction in the net cost of waste disposal due to changes in the composition of the waste stream and in market prices for disposal of recyclables together with additional income from third party waste disposal, £184,000.
- **Director of Markets and Consumer Protection** – an increase in net income at the Heathrow Animal Reception Centre due to a combination of additional income from quarantine and fish import services, and savings across a number of budgets including premises repairs and maintenance and veterinary fees, £305,000.
- **City Surveyor** – a reduction in repairs and maintenance costs mainly as a result of rephasing of the Additional Works Programme, £276,000.

3. The £111,000 variation in capital and support services relates mainly to an increase in IS recharges as a result of changes in the level and attribution of central costs.

4. Appendix A provides a more detailed comparison of the local risk outturn against the final agreed budget, including explanation of significant variations. Appendix B shows the gross local risk expenditure and income against budget for each service.

Local Risk Carry Forward to 2013/14

5. The Director of the Built Environment has a local risk underspending of £292,000 on the activities overseen by your Committee, of which £283,000 is eligible to carry forward to 2013/14. The Director also had local risk underspending totalling £74,000 on activities overseen by other Committees. The Director is proposing that his total eligible underspend of £341,000 be carried forward, of which £92,000 relates directly to activities overseen by your Committee for the following purposes:

- £24,000 contribution towards Operation Poncho, a tripartite agreement between Housing, City Police and Cleansing Services to tackle rough sleepers in the City;
- £35,000 for additional resources to respond to an increased number of Freedom of Information requests; and
- £33,000 for replacement PCs that were ordered in 2012/13 but unable to be supplied until 2013/14.

A further £185,000 is intended to allow planned use of the Landfill Allowance Trading Scheme (LATS) reserve to be deferred to 2014/15 to offset some of the estimated shortfall of £600,000 in that year.

6. The Director of Markets and Consumer Protection has a local risk underspending of £360,000 on the activities overseen by your Committee, of which £307,000 is eligible for carry forward to 2013/14. The Director also had net local risk underspendings totalling £5,000 on activities overseen by the Markets and Licensing Committees. The Director is proposing that his total eligible underspend of £310,000 be carried forward, of which £275,000 relates to activities overseen by your Committee for the following purposes:

- £70,000 for replacement of three vehicles nearing the end of their useful life;
- £55,000 for match funding for a range of air quality projects;
- £28,000 to replace flooring and staffroom seating at the Heathrow Animal Reception Centre;
- £20,000 for re-fit and engine replacement for launches;
- £18,000 to extend three existing apprenticeships for the remainder of 2013/14;
- £18,000 for repairs and refurbishment at two Port offices;
- £15,000 for out of hours support for night time economy and nuisance investigation and enforcement;
- £11,000 for 16 officers to complete the Advanced Professional Certificate in Investigative Practice qualification;
- £10,000 for integration software to provide interface between the City's Corporate Records Management system and the local M3PP database;
- £10,000 to engage expert consultants for noise and vibration work in respect of Crossrail;
- £6,000 to employ two City Business Trainees to assist with several short-term projects;

Appendix A

- £6,000 for training of Street Enforcement Officers to raise competencies to respond to, assess and where necessary take enforcement action in respect of out of hours noise complaints;
 - £5,000 to engage a consultant to undertake an in-depth review of the Public Protection service; and
 - £3,000 for installation of high speed network cabling at new London Gateway Port offices.
7. The Director of Open Spaces has a local risk underspending of £18,000 on the activities overseen by your Committee. The Director had local risk overspending totalling £52,000 on activities overseen by other Committees. The net overspend of £34,000 will be carried forward in full to be met from agreed 2013/14 budgets.
8. The City Surveyor's underspend of £276,000 relating mainly to the Additional Works Programme will be rolled over to 2013/14. The Additional Works Programme has been approved by the Policy and Resources Committee to enable the highest priority schemes and precautionary surveys from the City Surveyor's 20 year plan to proceed as soon as possible. The progress of schemes is monitored quarterly by the Corporate Asset Sub Committee. Budget transfers are permitted between schemes and also between years in order to allow for the rephasing and completion of works.

Appendices

Appendix A – Port Health and Environmental Services Committee – Comparison of 2012/13 Revenue Outturn with Final Agreed Budget

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Port Health and Environmental Services Committee – Comparison of 2012/13 Revenue
Outturn with Final Agreed Budget

	Final Agreed Budget £000	Revenue Outturn £000	Variation Increase/ (Decrease) £000	Variation Increase/ (Decrease)) %	Reasons
LOCAL RISK					
Director of the Built Environment					
City Fund					
Public Conveniences	849	806	(43)	(5.1)	
Waste Collection	155	143	(12)	(7.7)	
Street Cleansing	4,119	4,124	5	0.1	
Waste Disposal	692	508	(184)	(26.6)	1
Transport Organisation	140	135	(5)	(3.6)	
Walbrook Wharf	761	759	(2)	(0.3)	
Cleansing Services Management	352	357	5	1.4	
Built Environment Directorate	678	622	(56)	(8.3)	2
Total City Fund	7,746	7,454	(292)	(3.8)	
Director of Markets and Consumer Protection					
City Fund					
Coroner	44	83	39	88.6	3
City Environmental Health	1,794	1,741	(53)	(3.0)	4
Pest Control	80	56	(24)	(30.0)	
Animal Health Services	(326)	(631)	(305)	(93.6)	5
Trading Standards	242	231	(11)	(4.5)	
Port & Launches	1,024	1,047	23	2.2	
Total City Fund	2,858	2,527	(331)	(11.6)	
City's Cash					
Meat Inspector's Office	363	334	(29)	8.0	
Total City's Cash	363	334	(29)	8.0	
Total Director of M&CP	3,221	2,861	(360)	(11.2)	
Director of Open Spaces					
City Fund					
Cemetery & Crematorium	(369)	(387)	(18)	(4.9)	
Total City Fund	(369)	(387)	(18)	(4.9)	
City Surveyor					
Public Conveniences	48	46	(2)	(4.2)	
Street Cleansing	2	0	(2)	(100.0)	
Walbrook Wharf	245	172	(73)	(29.8)	
Animal Health Services	74	63	(11)	(14.9)	
Meat Inspector's Office	16	4	(12)	(75.0)	
Cemetery & Crematorium	329	153	(176)	(53.5)	
Total City Surveyor	714	438	(276)	(38.7)	6

TOTAL LOCAL RISK	11,312	10,366	(946)	(8.3)
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Reasons for Significant Variations

1. **Waste Disposal** – this underspend is mainly comprised of a reduction in contract costs due to changes in the composition of the waste stream and in market prices for the disposal of recyclables, and additional income from third party waste disposal.
2. **Built Environment Directorate** – this underspend is made up of a number of small variations, the most significant of which is an underspend of £21,000 on IT hardware due to planned replacement PCs which could not be delivered before the year end.
3. **Coroner** – this variance is mainly due to the cost of defending a Judicial Review.
4. **City Environmental Health** – an underspend of £24,000 on employee costs as a result of vacancies, and an underspend of £21,000 on IT hardware as part of a planned replacement programme, together with other small variations.
5. **Animal Health Services** – this underspend comprises:
 - an underspend of £94,000 on premises repairs and maintenance as a result of planned works either being completed at a lower than anticipated cost or not being able to be completed before the year end;
 - an underspend of £29,000 on transport costs resulting from a planned vehicle replacement which could not be delivered before the year end due to a supplier backlog;
 - an underspend of £58,000 on supplies and services, mainly as a result of provision for an increase in veterinary fees that was not required; and
 - additional income of £133,000 from quarantine services and fish imports due to increased throughput.
6. The City Surveyor’s net underspend of £276,000 mainly relates to the rephrasing of the Additional Works Programme over its three year cycle. It is anticipated that this will be spent over the life of the programme.

Port Health and Environmental Services Committee - Revenue Outturn 2012/13

	Final Approved Budget			Revenue Outturn			Variance Increase / (Decrease)
	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	Gross Expenditure £'000	Gross Income £'000	Net Expenditure £'000	£'000
Director of the Built Environment							
Public Conveniences	1,248	(399)	849	1,190	(384)	806	(43)
Waste Collection	968	(813)	155	977	(834)	143	(12)
Street Cleansing	4,531	(412)	4,119	4,570	(446)	4,124	5
Waste Disposal	1,425	(733)	692	1,307	(799)	508	(184)
Transport Organisation	243	(103)	140	306	(171)	135	(5)
Walbrook Wharf	870	(109)	761	875	(116)	759	(2)
Cleansing Management	352	0	352	357	0	357	5
Director and Support	678	0	678	622	0	622	(56)
Total Director of the Built Environment	10,315	(2,569)	7,746	10,204	(2,750)	7,454	(292)
Director of Markets & Consumer Protection							
Comptroller	44	0	44	83	0	83	39
City Environmental Health	1,983	(189)	1,794	1,945	(204)	1,741	(53)
Pest Control	168	(88)	80	149	(93)	56	(24)
Animal Health Services	2,127	(2,453)	(326)	1,959	(2,590)	(631)	(305)
Trading Standards	265	(23)	242	256	(25)	231	(11)
Port & Launches	2,825	(1,801)	1,024	2,856	(1,809)	1,047	23
Meat Inspector's Office	410	(47)	363	384	(50)	334	(29)
Total Director of Markets & Consumer Protection	7,822	(4,601)	3,221	7,632	(4,771)	2,861	(360)
Director of Open Spaces							
Cemetery and Crematorium	3,711	(4,080)	(369)	3,582	(3,969)	(387)	(18)
Total Director of Open Spaces	3,711	(4,080)	(369)	3,582	(3,969)	(387)	(18)
City Surveyor							
Public Conveniences	48	0	48	46	0	46	(2)
Street Cleansing	2	0	2	0	0	0	(2)
Walbrook Wharf	245	0	245	172	0	172	(73)
Animal Health Services	74	0	74	63	0	63	(11)
Meat Inspector's Office	16	0	16	4	0	4	(12)
Cemetery and Crematorium	329	0	329	153	0	153	(176)
Total City Surveyor	714	0	714	438	0	438	(276)
TOTAL PORT HEALTH & ENV SRV COMMITTEE	22,562	(11,250)	11,312	21,856	(11,490)	10,366	(946)

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Agenda Item 15

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

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Agenda Item 16

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