

PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Wednesday, 20 January 2021

Minutes of the meeting of the Port Health & Environmental Services Committee via Microsoft Teams at 11.00 am.

Present

Members:

Deputy Keith Bottomley (Chairman)	Alderman Sir Roger Gifford
Jeremy Simons (Deputy Chairman)	Christopher Hill
Rehana Ameer	Deputy Wendy Hyde
Deputy John Bennett	Deputy Jamie Ingham Clark
Peter Bennett	Alderman Gregory Jones QC
Tijs Broeke	Shravan Joshi
John Chapman	Deputy Robert Merrett
Deputy Peter Dunphy	Deputy Andrien Meyers
Mary Durcan	Deputy Henry Pollard
Deputy Kevin Everett	Jason Pritchard
Anne Fairweather	Deputy Elizabeth Rogula

In attendance:

John Edwards
Andrew McMurtrie

Officers:

Rofikul Islam	- Town Clerk's Department
Gemma Stokely	- Town Clerk's Department
Kerry Nicholls	- Town Clerk's Department
Kristina Drake	- Town Clerk's Department
Jon Aaverns	- Department of Markets & Consumer Protection
Gavin Steadman	- Department of Markets & Consumer Protection
Rachel Pye	- Department of Markets & Consumer Protection
Ruth Calderwood	- Department of Markets & Consumer Protection
Joanne Hill	- Department of Markets & Consumer Protection
Donal Perry	- Department of Markets & Consumer Protection
Paul Chadha	- Comptroller & City Solicitors
Jim Graham	- Department of Built Environment
Elisabeth Hannah	- Department of Built Environment
Ian Hughes	- Department of Built Environment
Joe Kingstone	- Department of Built Environment
Richard Steele	- Department of Built Environment
Gary Burks	- Department of Built Environment
Gerry Kiefer	- Department of Built Environment
Julie Smith	- Chamberlain's Department
Jenny Pitcairn	- Chamberlain's Department
Simon Owen	- Chamberlain's Department
Aqib Hussian	- Chamberlain's Department

1. **APOLOGIES**

Apologies for absence were received from Vivienne Littlechild.

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

None

3. **MINUTES**

RESOLVED - That the public minutes of the meeting held virtually on Tuesday, 24 November 2020, be approved as a correct record.

3.1 **Outstanding Actions**

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

Electric Vehicle Charging

Officers are exploring the Electric Vehicle Charging capacities in the Barbican center and at the Barbican Estate. Members will receive a further update on this later on in the year.

Garden Waste Recycling

Due to COVID-19 and the risk the trial posed to staff and the public, the trial was canceled after one week. The City of London will need to extend the postponement of the Garden waste trial and review the situation in March 2021.

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

Members were informed that due to COVID-19, any progress on this has been difficult. However, the engagement with London Underground continues to take place. Officers updated the Committee, reporting that there is no decision from the London Underground Board on the noise and vibration activity spend. Officers reported that they are continuing to work with the Board to respond to the spending agreed, and to ensure that priority is given to the Barbican Estate issues. Members were informed of TfL's City of London Stakeholder Transport Forum, taking place virtually. Members will receive an invite via email.

A Member took the opportunity to thank the Officers involved for their hard work so far.

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

The Committee received a verbal update of the Director of Port Health and Public Protection. Members were informed that a lot has happened since the last Committee meeting, with a 'deal' being reached just before Christmas. The new partnership agreement for cooperation and trade covers many areas, including free and sustainable trade, connectivity and sustainability, security, Zero tariffs, and quotas.

Additionally, the Committee was informed that this does not include sanitary and phytosanitary checks on food safety, animal health, and plant health, which means that the City of London will have to undertake border checks on food and feed entering the UK from the EU. Members were reassured that Officers have been planning for this and have taken appropriate measures in advance.

The Committee was further informed that December was the busiest month in 2020, and that things do not look as though they are slowing down. As with any new regime, there have been teething problems – holds being placed on all EU goods jamming up one of the ports due to the use of codes in manifest systems, but this was quickly rectified. The Committee was further reassured that the flow through the ports had been maintained.

Members were reminded of the proposals to phase in checks and the City of London's discussions with various Government bodies about the pressures this may bring, and as such, checks on organic products have been moved back to later in the year. easements relating to remote and electronic documentary checks have been extended – the City of London is now asking for easements to be made permanent.

The Chairman of the Committee and the Chair of Policy and Resources have written to the Minister of State for the Department for Environment, Food and Rural Affairs to raise the Port Health's concerns.

In terms of the City of London's preparations, Members were reminded of the funding which the City of London had received from the Food Standards Agency and the Department for Environment, Food and Rural Affairs to increase the City of London's staffing resource in preparation for checks of EU imports of food and feed, which was only approved late last year. Members were advised that the Port Health Service are progressing well and have recruited 8 of the 22 additional posts with two pending start dates (OVs) and 10 pending interviews. The next challenge on this is to provide the appropriate training in a COVID-19 secure way,

The Director of the Port Health and Public Protection also informed the Committee that from speaking to other Port Health Authorities and the Department for Environment, Food and Rural Affairs, the City of London remains the most advanced in terms of recruitment. Also, the City of London's ports are advanced in their plans to develop inspection facilities, with further works now underway.

Members were also informed that in terms of the Heathrow Animal Reception Centre, that it has been a slow start to the year, mainly as a result of travel restrictions, and there has undoubtedly been some confusion about the new rules, such as around pet passports. There have been talks in the trade that more movements are likely through air cargo, but Officers are not seeing the impact of them yet.

The Chairman appreciated the briefing provided to the Committee in December 2020 and was reassured to hear that there are no red flags in this area of work. The Chairman was pleased to note that the recruitment has been carried out and the use of the City of London's current graduates and apprentices progressing into the roles.

RESOLVED - That Members noted the verbal update.

5. REVENUE AND CAPITAL BUDGETS 2021/22

The Committee considered a joint report of the Chamberlain, the Director of the Built Environment, the Director of Markets and Consumer Protection, and the Director of Open Spaces on Revenue and Capital Budgets 2021/22, along with the report of the Director of the Built on the Environment on the DBE Service Changes & Budget Proposals. It was agreed that items 5 and 6 be taken together.

The Chairman noted that the choices provided on the reports are challenging and complex. There are two elements to the reports, the first being to agree on the annual estimates to remain within the resource envelope set by the Resource Allocation Sub-Committee, which includes the Target Operating Model required saving (Item 5 of the Agenda). The second relating to the challenge faced by DBE to set a balanced budget before the Target Operating Model reductions are applied (Item 6). A number of options to deliver a balanced budget are outlined in the report at Item 6, and if the adopted options do not balance the budget, savings will need to be made elsewhere.

The Director of Markets & Consumer Protection noted that in terms of item 5, various Departments have contributed to the report with some input from the Director of Open Spaces concerning the Cemetery and Crematorium. The Committee was informed that the budget for 20/21 had been prepared within the resource envelope allocated to each Director by the Resource Allocation Sub Committee in December 2020. In terms of DBE, Members were informed that in order to remain within the Director's resource envelope before the 12% reduction, changes to service provision would be required, and as such, the savings to be delivered by this Committee are £2.2M.

In terms of Markets and Consumer Protection, the Director informed the Committee that the Department had identified savings proposals which, if delivered, will enable the Department to remain within the resource envelope, including the required 12% reduction. There have been early discussions with the Chairman and Deputy Chairman of the Committee regarding the options and impacts of meeting the required Target Operating Model savings. These proposals will be set out to the Committee in the future, once the new Director of Environment is in post.

The Deputy Director (Highway Operations), Transportation & Public Realm, informed the Committee that the Department of the Built Environment is working towards the saving requirement set by the Resources Allocation Sub Committee. The Department of the Built Environment is reliant on income, which had been significantly impacted by the COVID-19 Pandemic; in addition to that, there had been the historical impact of income reductions linked to Brexit prior to the first lockdown in 2020. The Department of the Built Environment's budget is primarily made out of three factors, which are staff costs, contractors costs, and income streams. The anticipated staff restructuring will be the focus of the Target Operating Model after the new Department of the Environment Director is in post. Additionally, it was noted that generating income at present for the Department of Built Environment is not looking very promising at this stage; the contractor costs are the only viable solution to meet the savings required.

The Assistant Director of Cleansing and Streetscene also mentioned that the Department of Built Environment faces a very unusual challenge with COVID-19 and the legacy budgetary issues, which has impacted the services as a whole across

sweeping, waste, and public conveniences. The Department of Built Environment will need to make radical adjustments in its services to make as much saving as possible, effectivity resetting the standards already set in place, and Members will notice the difference in services which when redesigned, will be more similar in standards to our neighboring boroughs. The Department of Built Environment will seek the Committee's approval on the future local environmental quality standards. The service will be moving towards a reactive approach and addressing matters arising rather than focus on scheduled planned works.

The Assistant Director of Cleansing and Streetscene assured the Committee that the recommendations put in place are the best solution for now.

A Member commented that he fully supports the work and the proposal put in place. He asked about the closure of the Royal Exchange (Bank) and Eastcheap facilities and wanted to know if the City of London owns the freehold of the mentioned facilities. The Assistant Director of Cleansing and Streetscene noted that if the Department were not to close one or the other toilet, (Royal Exchange (Bank) or Eastcheap) then the Department would have to find a compensatory savings of £70K from somewhere else. Regarding the asset values, the Assistant Director of Cleansing and Streetscene agreed to get back to the Member after the meeting.

This was followed by another Member who asked if the Royal Exchange (Bank) was closed for some time in 2019 and asked whether the public convenience could not be closed permanently but rather as a short term measure in light of COVID-19. The Member noted that Royal Exchange (Bank) and Eastcheap is a point of arrival for many people who use the public services from across the country and internationally, who may not want to get out of the station and find a community toilet by walking 10 minutes down the road.

The Assistant Director of Cleansing and Streetscene responded that he was not aware of the Royal Exchange (Bank) toilets being closed in 2019 and agreed to come back to the Member on the matter if they had been closed. Regarding the Community Toilet Scheme (CTS), the Committee was informed that the scheme covers a range of establishments and not just restaurants and bars. The Assistant Director also advised the Committee that Officers are in the process of exploring faith-based venues and other more family orientated locations to enroll them as part of the CTS with the aim or providing an inclusive service to all.

The Assistant Director of Cleansing and Streetscene further advised the Committee that the present CTS was an important part of the City's public convenience service which provides a broad range of locations for publicly accessible toilets. In addition to the 63 CTS members a recent 2019 street survey identified 150 extra facilities which allowed free public access to their toilets facilities.

Another Member asked if the budget cuts to the City Surveyors AWP are linked to the risk report. The Chamberlains responded that if there are any elements of cause for concern from the City Surveyors AWP budget cuts, this will be usually picked up in the Department's risk registers. A DBE Officer (Richard Steele) commented that the risk report can look at the consequences and implications of the budget cuts only. The Department's risk registers are monitored and assessed regularly. The Director of

Markets and Consumer Protection also mentioned that an internal audit is underway to look at maintenance, responsibilities and risks.

This was followed by another Member who queried, what happens if the savings are not made, what the backup plans are. The Department of Markets & Consumer Protection commented that any overspend would be carried over to the future year following the closure of accounts, as is the normal practice for overspending service committee budgets. Any further budget assistance requests would need to be put Resource Allocation Cttee.

Another Member raised concerns that when essential services are reduced that this is usually not restored. How can the City make savings when the services are provided by contractors and are there any jobs at risk as part of the saving. The Assistant Director of Cleansing and Streetscene replied that the services' adjustment would result in the deletion of several posts from the City of London and the current contractors. At present, these posts are covered by agency staff; however, there is a possibility of job losses, along with redundancy for our contractors for which the City of London may have to cover the costs.

Another Member noted that there are diversity and access issues about public conveniences, which are being highlighted by the Museum of London in its lecture on the 100th anniversary of the Representation of the People Act, which first gave women the right to vote. The Alderman asked, in terms of street cleaning reduction, what assessments had been carried out and what impact it will have on the City of London in terms of presentation and post-covid-recovery. The Assistant Director of Cleansing and Streetscene replied that the proposal provided would meet the legal threshold under the environmental protection act 1990. The Department will continue to work hard to acheive a high standard of service and value for money, however the enhanced services from the past may not be viable in the future.

The Assistant Director of Cleansing and Streetscene noted that if the recommendations were accepted by the Committee, the Department could mothball Royal Exchange (Bank) and Eastcheap rather than permanently close, still allowing for the proposed savings to the Department to be achieved. If permanently closed rather than mothballed, the Department would simply pass the properties over to the City Surveyors along with ongoing utilities and essential legacy maintenance budgets. Another Member reassured the Committee of the audit into the operational facilities, which is still in draft stages and finalized over the coming weeks.

The Committee agreed to send a Resolution to the Policy and Resources Committee as part of its recovery task force on how the City of London's street cleansing, waste collection and public conveniences are managed.

RESOLVED - That Members:

- i) reviewed and approved the proposed revenue budget for 2021/22 for submission to Finance Committee;
- ii) reviewed and approved the proposed capital budgets for 2021/22 for submission to Finance Committee;
- iii) authorised the Chamberlain, in consultation with the Directors of the Built Environment, Markets and Consumer Protection, and Open Spaces, to

revise these budgets to allow for any further implications arising from subsequently approved savings proposals, amended 2021/22 pay award, and changes to the Cyclical Works Programme;

iv) agreed that amendments for 2020/21 and 2021/22 budgets arising from changes to recharges during budget setting be delegated to the Chamberlain; and

v)) agreed the overall approach to identifying savings at this time, including the changes in service provision outlined in this report as they relate to the Cleansing service with the exception that the public conveniences at Royal Exchange and Eastcheap which are to be closed and subsequently mothballed indefinitely.

6. **DBE SERVICE CHANGES & BUDGET PROPOSALS**

This was taken with item 5.

RESOLVED - That Members

- I) reviewed and approved the proposed revenue budget for 2021/22 for submission to Finance Committee;
- II) reviewed and approved the proposed capital budgets for 2021/22 for submission to Finance Committee;
- III) authorised the Chamberlain, in consultation with the Directors of the Built Environment, Markets and Consumer Protection, and Open Spaces, to revise these budgets to allow for any further implications arising from subsequently approved savings proposals, amended 2021/22 pay award, and changes to the Cyclical Works Programme; and
- IV) agreed that amendments for 2020/21 and 2021/22 budgets arising from changes to recharges during budget setting be delegated to the Chamberlain.

7. **DRAFT HIGH-LEVEL BUSINESS PLANS 2021/22**

The Committee considered a joint report of the Director of the Built Environment, the Director of Markets and Consumer Protection, and the Director of Open Spaces on the High-Level Draft Business Plans 2021/22.

The Director of Markets and Consumer Protection informed the Committee that the report's format shows a joined-up report from the three Departments that feeds into the Committee's work.

The Chairman informed the Committee that in the future, the Committee would see more of such collaborative reports.

RESOLVED - That Members approved, subject to the incorporation of any changes sought by this Committee, the 2021/22 high-level Departmental Business Plans for the

- o Open Spaces Department (Appendix 1),
- o The Department of the Built Environment (Appendix 2 (DBE))
- o Department of Markets and Consumer Protection (Appendix 3).

8. **BUSINESS PLANS 2020/2021: PROGRESS REPORT (PERIOD 2)**

The Committee received a joint report of the Director of the Built Environment, the Director of Open Spaces, and the Director of Markets and Consumer Protection on the Business Plans 2020/2021: Progress Report (Period 2).

RESOLVED - That Members noted the content of the report and its appendices.

9. **CEMETERY AND CREMATORIUM FEES AND CHARGES 2021/22**

The Committee considered a report of the Director of Open Spaces on the Cemetery and Crematorium Fees and Charges 2021/22.

A Member asked if the Department knew how much their competitor's prices have changed in comparison over the year. The Superintendent, Cemetery & Crematorium responded that the prices of competitors vary, and he noted that some of the competitors in the private sector would have increased their prices in the last few weeks.

Another Member noted that Cremation statistics and fees for other London Crematoria seemed to have declined from 2017-2019 and questioned if the situation has changed in light of COVID-19. The Superintendent of the Cemetery & Crematorium responded that in 2019 the City of London carried out 2730 cremations. He agreed that there had been a decline in cremations due to people moving out of the City. He noted that compared to other local authorities, the City of London is in a unique position in the sense that the City of London has large burial sites and is reclaiming and reusing graves, whereas other local authorities are running out of burial spaces.

A Member also expressed his hesitancy to increase the rates due to demands. The Superintendent of the Cemetery & Crematorium responded that the services provided by the City of London reflect its charges. He agreed that to increase the price due to demand is not something the Department aspires towards. There is a CMA report on cremation charges, and the City of London manages that very carefully.

RESOLVED - That Members agreed on the fees and charges as set out in this report and shown in Appendix 1 for implementation with effect from 1 April 2021 and agreed to the introduction of a funeral streaming fee as detailed in paragraph 13 (from 1st Feb 2021).

10. **ANIMAL RECEPTION CENTRE - HEATHROW AIRPORT: ANNUAL REVIEW OF CHARGES**

The Committee considered a report of the Director of Markets and Consumer Protection Animal Reception Centre – Heathrow Airport: Annual Review of Charges.

The Director of Port Health and Public Protection brought to the Committee's attention a few minor typos in the annex to the report, but noted that the errors do not change the report's content or its recommendation on the proposed fees for the next financial year.

The Director of Port Health and Public Protection also commented that subject to the Committee's approval; the report will be passed onto the Court of Common Council to consent to this becoming a byelaw.

A Member of the Committee noted that the Animal Reception Centre – Heathrow Airport generates substantial income for the City of London, given the high level of revenue involved; and therefore questioned at what stage this Committee could request to see more detailed financial statements. The Member also noted that the pet travel scheme is a non-statutory role but makes up the bulk of the revenue and stated that it will be helpful for the Committee to understand how much of the £4.5million income the pet travel scheme accounts for. The Member asked a supplementary question on what the asset value of the Animal Reception Centre is.

The Chairman suggested for good governance reasons a separate Members Briefing on the Heathrow Animal Reception Centre, whereby Members can cover this in more detail. Officers agreed to the suggestion and Members will be invited to the briefing.

RESOLVED - That Members;

- approved the charges included in the Appendix to this report with the effect from 1 April 2021, or as soon as practicable thereafter; and
- approved the proposed Byelaws contained in the Appendix to this report and recommend to the Court of Common Council that the Byelaws be made, and that the Comptroller and City Solicitor be instructed to seal the Byelaws accordingly.

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

The Committee received a joint report of the Director of the Built Environment, the Director of Markets and Consumer Protection, and the Director of Open Spaces on the Risk Management – Periodic Update Report.

At this point in the meeting, Chairman informed the Committee that Richard Steele would be retiring from the City of London and wished him well and thanked him for his service to the Committee.

A Member commented that the risk register needed to be updated due to the possible consequence of the cuts the Committee must make, and this needed to be added to the risk register. Officers agreed to review the risk register and present a revised paper to the Committee.

Another Member noted that there is no heat map on the report nor the Brexit risks. Officers agreed that this needs to be thought through, and in the future, a report can be provided to the Committee. In terms of the Brexit risks, Officers explained that there is a regular Officers' meeting to discuss Brexit and the associated risks, as this remains a high priority and is a fast-moving subject.

RESOLVED - That Members noted the report and the actions taken by each Department to monitor and effectively manage risks arising from their operations.

12. **DEEP DIVE CR21 AIR QUALITY**

The Committee received a report of the Director of Markets and Consumer Protection on the Deep Dive: CR21 Air Quality.

The Air Quality Manager informed the Committee that the report was also presented to the Audit and Risk Management Committee, where it had been well received. The Committee asked several questions, including what it will take for the City of London to meet the World Health Organisation guideline to meet the PM2.5 target by 2030 and Members sought further details of the business engagement program to improve air quality in the City of London.

The Air Quality Manager informed the Committee that air quality is improving within the City of London. It was also noted that in December 2020 an inquest had concluded that air pollution was a contributory factor in the death of a London child. This is the first time that air pollution had been noted on an individual's death certificate. The Department is waiting for the Prevention of Future Deaths report to see what more, if anything, the City Corporation should be doing.

The Committee was informed that the Environment Bill is still working its way through Parliament; the Bill will place an additional onus upon local authorities to take action to improve air quality

A Member asked if the Environment Bill included the ability to control emissions from large combustion plant. The Air Quality Manager responded that the Bill does not provide local authorities with relevant powers, which is why the proposals in the Emission Reduction (Local Authorities in London) Bill are still required

Another Member asked about the contents of the Environment Bill and the timeline for the Emission Reduction (Local Authorities in London) Bill. The Committee were informed that the Department is still waiting for a date for the second reading of the Emission Reduction (Local Authorities in London) Bill.

RESOLVED - That Members note the content of the report.

13. REPORT OF ACTION TAKEN

The Committee received a report of the Town Clerk on action taken.

RESOLVED - That Members noted the contents of the report.

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

Port of London Authority

A Member questioned whether the City of London is confident with its level of consultation concerning the Port of London Authority and Harbour Revision Orders. The Director of Port Health and Public Protection agreed to respond to the Member in writing after the meeting.

15. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

Massage & Special Treatment Licence Fees 2020/21 (Reduction for COVID-19 restrictions)

The Committee considered a report of the Director of Markets & Consumer Protection on Massage & Special Treatment Licence Fees 2020/21 (Reduction for COVID-19 restrictions). The Director of Port Health and Public Protection reported that the reduction is proposed to reflect that many of these licensable activities have not been able to carry on for large parts of 20/21 due to various COVID-19 restrictions.

RESOLVED - That Members agreed the proposed reduction of fees for 2020/21 as set out in Appendix 2 (column two).

Thames Estuary Partnership

John Edwards informed the Committee that the Thames Estuary Partnership enables integrated planning, management, and community engagement along the Thames from Chelsea Bridge to the North Sea. This region runs through the most densely populated city in Europe and some of the UK's most extensive marine and protected coastal areas, so effective collaboration and communication are essential for positive results.

The Thames Estuary Partnership provides advice to local authorities, central government, and other agencies and generates its revenues through research.

Thames 21

Andrew McMurtrie informed the Committee that Thames21 is the voice for London's waterways, working with communities to improve rivers and canals for people. The City of London was one of its founding Members 25 years ago. Thames 21 links up communities and schools.

The Chairman of the Committee has agreed to meet with the CEO of Thames 21, and this will help the Committee learn more about its work.

City of London Crematorium - live streaming of funeral services

The Superintendent & Registrar informed the Committee that the BT installation of the fibre connection had now been installed which allowed for high-quality streaming services. Several tests had been carried out and had proven to be successful. The streaming services will be going live from 1 February 2021.

Veolia Environmental Services, staff incident over Christmas.

The Assistant Director Cleansing and Streetscene informed the Committee that a Member of Staff from Veolia had collapsed while on duty and sadly passed away three days later in Barts Hospital. Mr. Chris Oldfield had been working in the City of London since 1986, as a valued member of staff.

The Chairman and the Committee passed on their condolences to Mr. Oldfield's family.

16. OUTSTANDING ACTIONS

This was taken with item 3.

17. EXCLUSION OF THE PUBLIC

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

18. NON-PUBLIC MINUTES

RESOLVED - That the non-public minutes of the meeting held virtually on Tuesday, 24 November 2020 be approved as a correct record.

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

There were no questions.

The meeting closed at 1.01 pm

Chairman

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