

PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 16 March 2021

Draft Minutes of the meeting of the Port Health & Environmental Services Committee held virtually at 11.00 am

Present

Members:

Deputy Keith Bottomley (Chairman)	Anne Fairweather
Jeremy Simons (Deputy Chairman)	Sophie Anne Fernandes
Deputy John Absalom	Deputy Wendy Hyde
Alexander Barr	Deputy Jamie Ingham Clark
Deputy John Bennett	Shravan Joshi
Peter Bennett	Deputy Robert Merrett
Tijs Broeke	Deputy Andrien Meyers
John Chapman	Deputy Henry Pollard
Deputy Peter Dunphy	Henrika Priest
Mary Durcan	Deputy Elizabeth Rogula

Officers:

John Cater	- Clerk
Kristina Drake	- Media Officer
Kerry Nicholls	- Clerk
Jon Avern	- Director of Markets & Consumer Protection
Rachel Pye	- Assistant Director Public Protection
Gavin Stedman	- Port Health & Public Protection Director
Jim Graham	- Department of the Built Environment
Samantha Tharme	- Department of the Built Environment
Elisabeth Hannah	- Department of the Built Environment
Colin Buttery	- Director of Open Spaces & Heritage
Aqib Hussain	- Technology Support Partner
Jenny Pitcairn	- Chamberlain's Department
Julie Smith	- Chamberlain's Department
Paul Chadha	- Chief Lawyer

1. APOLOGIES

Apologies for absence were received from Rehana Ameer, Alderman Roger Gifford, Alderman Gregory Jones, and Jason Pritchard.

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

There were no declarations.

3. **MINUTES**

RESOLVED - That the public minutes of the meeting held virtually on Wednesday, 20 January 2021, be approved as a correct record.

4. **OUTSTANDING ACTIONS**

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

Electric Vehicle Charging

The following points were made:

- The EV points in the Baynard House carpark were still on course for an operational start by the summer.
- Progress is being made with the installation of additional EV points across the Barbican Estate and the expectation is that these will be up and running by the spring (officers are trying to establish a firmer date). To note these EV points will be for residents only, so, whilst of broad interest, the PHES Committee does not have a direct remit over this matter. The Chairman proposed that an update be provided to the Committee in six months' time.
- Thanks to a renewed grant scheme, officers were currently scoping out the potential for new charging points in residential locations near Middlesex Street; it was anticipated that these would be operational in 12 months.
- Officers are looking to roll-out further EV points at sites with a heavy taxi presence, as the current provision has proved very popular and taxi drivers are asking for additional sites.
- In response to a query, officers confirmed that the electricity used to charge vehicles is paid for by the vehicle's user, not the Corporation.

Garden Waste Recycling

Given the disruption caused by lockdown, officers were concerned that the findings from the trial would not reflect post-covid norms; a review was due to be carried out in April and commencement of the trial could be coordinated with the lifting of covid restrictions. Officers assured Members that, should conditions be favourable, we could go live quickly. Officers would keep the Chairman and the Deputy Chairman updated in the interim and a further update would be provided to the full Committee in May.

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

Officers advised Members that whilst progress was slow, there were indications that things may improve in the medium term. They would provide a further update in May.

5. PHES RESOLUTION TO POLICY & RESOURCES COMMITTEE CONCERNING STREET CLEANSING, WASTE COLLECTION AND PUBLIC CONVENIENCE SERVICES - UPDATE

The Committee received a verbal update from the Chairman regarding the PHES Resolution to the Policy & Resources Committee concerning street cleansing, waste collection and public convenience services.

The Chairman informed Members that the resolution was discussed at P&R and that he held a subsequent discussion with the Director of Innovation and Growth (who chairs the Corporation's Recovery Task Force) to make him aware of the Committee's concerns. The Chairman was reassured that these issues would be given the proper scrutiny by the Taskforce and by the Department for the Built and Environment.

The Taskforce was due to submit a Report later in the spring which would include a review and options for cleansing, waste collection, and public conveniences.

The Chairman added that, in due course, Members and officers should also give consideration to the balance of funding over the Medium-Term, as maintaining the City's high standards of cleanliness was a key component of our continued attraction to businesses, residents, and tourists.

RESOLVED – that the Committee noted the verbal update.

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

The Committee noted an update of the Port Health and Public Protection Director in relation to the impact of the UK leaving the EU (Brexit) on Port Health and Public Protection.

Brexit

The Port Health and Public Protection Director opened the update by reminding Members that LPHA, and other Port Health Authorities across Great Britain, had been planning for a phasing in of border controls since June 2020. This had included full checks on food and feed from the rest of the world travelling via the EU from January 2021, full documentary checks from April 2021 and 1% physical checks from July 2021.

The Service, along with other PHAs, the trade, and Port Operators expressed concern about the readiness of many ports for the very tight deadlines. It was encouraging, therefore, that last Thursday (11th March), after careful

consideration, the Government confirmed a revised timetable as it recognised the significant disruption Covid had caused to the readiness of ports.

For the Service this has meant that the phases have been pushed back for six months, which will help it to continue to recruit and train new staff and prepare the trade.

The Director confirmed that the Government announced a clear revised timetable for the introduction of controls, as follows:

- Pre-notification requirements for Products of Animal Origin (POAO), certain animal by-products (ABP), and High-Risk Food Not Of Animal Origin (HRFNAO) will not be required until 1st October 2021. Export Health Certificate requirements for POAO and certain ABP will come into force on the same date.
- Physical Sanitary and Phytosanitary (SPS) checks for POAO, certain ABP, and HRFNAO will not be required until 1st January 2022. At that point they will take place at Border Control Posts
- From March 2022, checks at Border Control Posts will take place on live animals.

The Director reminded Members that the Department for Environment, Food and Rural Affairs (DEFRA) had provided financial support to UK Port Authorities to prepare for the changes to Border rules and this funding lasts until the end of the 2021/22 financial year. Given the delay to full implementation, a funding extension was being considered; the Director would keep developments monitored and report back to the Committee in due course.

In response to a query, the Director confirmed that documentary checks on goods from ‘Rest of the World’ countries (i.e. non-EU) were still as rigorous as was the case pre-Brexit. The Government had set expectations for 100% documentary checks on EU goods from April 2021; to ensure a smoother transition, this was subsequently reduced to 10% (with the full 100% coming later in 2021), and then, as per the most recent government announcement, implementation of documentary checks was delayed to 1st October 2021; it was still to be confirmed whether this would be at 100% or 10% (with a transition to 100% later in 2021/early 2022).

In terms of physical checks on EU goods, the initial target is 1% per commodity; this represented a pragmatic approach which was appropriate to the current risk profile. The Director added that post-Brexit, the UK can decide to alter risk profiles in the longer term, this could mean ramping up checks on goods from certain countries, or indeed, reducing them based on risk.

In response to a separate query, the Director stressed that LPHA still had access to the EU alert system for dangerous products. He added that alongside other similar global alert systems, this played a critical role in terms of safeguarding. He further stressed that, post-Brexit, once an alert had been issued, the UK had more scope to put mitigating actions in place at a quicker pace than had often been the case previously.

Freeports

The Director updated Members on the recent announcement in the Chancellor of the Exchequer's Budget concerning 'Freeports'. Eight 'Freeports' across England had been given the greenlight, these included:

- Thames Freeport (London Gateway, Tilbury, Barking etc.)
- East Midlands Airport
- Felixstowe and Harwich
- Humber region
- Liverpool City Region
- Plymouth
- Solent
- Teesside

The benefits gained through 'freeport' status include favourable customs duties and processing, suspension of VAT, business rates relief, zero national insurance contributions, enhanced capital allowances, simplified planning and development rules, and stamp duty reliefs.

In terms of the London Port Health function relating to the checking of imported food and feed, the 'Freeport' status role will not affect our requirement to carry out checks on high-risk products. That said, if the port is more commercially attractive because of its 'Freeport' status it is likely to increase all imports to some degree.

The Director reminded Members that LPHA have now signed the s101 agreement with Thurrock Council and this gives LPHA regulatory responsibility (in line with Port Health functions) for the London Gateway Logistics Park (LGLP) (LPHA already covers the Port of Tilbury site). Consequently, it is at the LGLP that LPHA may have additional work – in the sense that products may be brought in and processed, with some entering the UK and the rest exported to other countries. We may therefore have more food premises/processors and storage facilities which need inspecting and authorising.

This may provide LPHA with the ability to clear the goods at one port and move them to another e.g., clear at London Gateway and move them to the new market site via the river, or break the load and clear part of the consignment for movement to another port, or even break and allow clearance at the other port subject to the correct facilities etc. This is at a very early stage and further detailed discussions will be required with each of the sites, Defra and the Food Standards Agency.

In response to a query, the Director confirmed that whilst the broad geographical boundaries of the 'freeports' (including the Thames 'freeport') had been confirmed and were available to view on the HM Treasury website, further detailed information was still emerging and would be reviewed by officers and

other stakeholders over the coming weeks. The Director would provide an update on the Thames 'Freeport' at the May meeting of the Committee.

In response to a query, the Director assured Members that LPHA worked closely with the port operators on current and future planning for spacing and staff requirements; the ports were built and designed for high throughputs, and there was ample room to expand if demand increased. Projections indicated that the ports may, over the medium-term, double their current workload; LPHA staffing and funding resources are already structured in a way to handle an increase of that magnitude, although further recruitment may be needed. The Director emphasised that LPHA had done well in the past with on-the-job-training and apprenticeships, and he was confident that the LPHA would, in the event of a significant increase in workload, meet the challenge.

He added that, in the event that trade declined, the workforce was structured adaptably, with a significant number of staff on fixed-term contracts – which could be flexed appropriately.

Covid-19

The Director stressed that, the Heathrow Animal Reception Centre (HARC) & LPHA have continued to operate throughout the pandemic and the various easings and restrictions. Trade in the ports is above that of previous years and although HARC has been affected by the various restrictions on air travel, overall, it is on target to meet budgeted expectations, with February performing well.

In terms of the City, the Director added that, by way of overview, new national regulations, local regulations, regulations on face coverings or rules on travel quarantine, have been changed at least 64 times and passed into law on average every four-and-a-half days since the first restrictions were introduced in spring 2020. Amongst many other implications, this has had a profound effect on the number of hospitality venues open in the City, with an estimated 15% open for takeaway food in January compared to >60% open in some form in early December.

The City based teams have continued to be physically present to address emerging risks and support businesses in complying with the regulations; compliance has been, on the whole, positive.

The teams have been involved in track and trace and initiatives with the Health & Safety Executive (HSE) to undertake spot checks of close contact services and more recently offices; Members may have noted the press release encouraging employees to report their concerns if they feel that they are being asked to work in inappropriate conditions.

We are now preparing to support business as we move through the new roadmap to recovery. This has included providing information and guidance, meeting with the Business Improvement Districts (BIDs), the trade, and the various recovery groups. To further aid recovery, the City are drawing up details for a 'Recovery Fund' to support businesses bounce back; one of the

criteria is that potential applicants for funding should be members of the City of London's COVID Compliant Accreditation Scheme, so as to reassure customers that they have systems in place to minimise risks associated with COVID-19, and that their premises are safe to visit.

The Director added that, as the City recovers there is an increased potential for noise to be more apparent, and he took the opportunity to remind Members that the City's 24/7 Noise Service has been operating throughout the pandemic and will continue to do so.

7. **AMENDMENT TO KPI TPR 11 OF THE DBE BUSINESS PLAN 2021/22**

The Committee considered a report of the Director of Department of Markets and Consumer Protection regarding the amendment to KPI TPR 11 of the DBE business plan 2021/22.

Several points were raised:

- In response to a query around the definition of “unacceptable” amount of litter, the Assistant Director of Cleansing and Streetscene referred Members to the photographs in the Report; “unacceptable” was defined as a failure to reach a standard of B+. The Assistant Director added that the standard regime itself had been established by the organisation, Keep Britain Tidy.
- In response to a separate query around the service becoming “more reactive”, the Assistant Director Service explained that, in the past, the City had a scheduled service, i.e. regardless of need a street would be serviced on a consistent basis; due to the £800,000 reduction in funding, officers had needed to identify a new approach, this involved the monitoring and observation of known “hotspots” around the City (e.g. Liverpool Street and St Paul's), with mobile teams ready to respond; whilst this approach may result in longer response times, he was confident that the monitoring measures in place, and our long term knowledge of local problems and hotspots, will enable us to keep on top of the situation.
- The Assistant Director reassured Members that the Department was fully aware of the challenges presented by the Bishopsgate Ward, particularly around Liverpool Street Station, and confirmed that the new Veolia contract provided for significant cover at weekends in that area (which, pre-covid, often had greater footfall than weekdays). More widely, the Assistant Director reiterated that, thanks to the Department's local knowledge, resources were being deployed in known hotspots, and had long been geared up to handle the multiple and varied challenges presented by the weekday commuter environment, tourism at weekends, and the night time economy.
- The Assistant Director informed Members that Surveys would now be carried out twice yearly, and, whilst in the interim, any major deterioration would be acted on, a comprehensive picture should emerge in 12 months.

- The Chairman asked that the Assistant Director bring back an update Report to the September meeting of the Committee which outlined any early indications of the impact of the change from 2% to 5%.

RESOLVED - that the Committee agreed to the revised corporate target for KPI TPR 11 in the DBE Business Plan 2021/22 from 2% to 5%.

8. DELIVERY OF THE CITY'S ELECTRIC REFUSE COLLECTION VEHICLE (ERCV) FLEET

The Committee received a verbal update of the Assistant Director of Cleansing and Streetscene concerning the Delivery of the City's Electric Refuse Collection Vehicle (ERCV) fleet.

The Chairman thanked the Assistant Director, Jim Graham, the Business Performance & Transport Group Manager, Vince Dignam, and their colleagues, for their hard work in getting this project over the line. The vehicles represented a significant, and very positive development for the City.

RESOLVED – that the Committee noted the verbal update.

9. PROPOSED CHARGES FOR STREET CLEANSING, WASTE COLLECTION AND PUBLIC CONVENIENCES 2021/22

The Committee considered a Report of the Director of Markets and Consumer Protection in relation to Proposed Charges for Street Cleansing, Waste Collection and Public Conveniences in 2021/2022.

Turning to page 31 (appendix 3), a Member queried why there was a significant difference in estimated income from recycling between the City of London School (£2,500) and the City of London School for Girls (£11,000), the Chairman asked the Assistant Director to come back to the member after the meeting with more information.

RESOLVED – that the Committee approved that with affect from 1 April 2021:

- Charges for Street Cleansing services to external clients are increased by 1.20% in line with RPI
- Charges for special events and other ad-hoc works provided to third parties continue to be made at full cost, plus 30%, to cover the City's management and administration costs
- The charge for the collection of bulky waste is increased from £34 to £35 for up to three items
- Bulky waste collection continues to be offered free of charge on request to those who are in receipt of means tested benefits and to those who are infirm or disabled receiving assisted collections

- The general waste charges for educational establishments are increased by 1.20% and food and recycling collection charges should be maintained at the current level
- Charges for the removal of highway obstructions to remain at the existing £60 and for the removal of uncollected bagged waste to remain at £125 for up to 10 bags and £5 per bag thereafter
- Charges for the staffed toilet facilities at Tower Hill and Paternoster Square conveniences to remain at 50p per use
- Smart bins (post mounted cigarette bins) sold to businesses be charged at cost plus 20% to cover the City's administration costs
- Clean City Awards Scheme membership fees are kept the same

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

There was one urgent item of other business.

49th City of London Thames Fishing Research Experiment

The Chairman highlighted that that this year's Fishing Experiment would take place on Saturday, 18th September, subject to Covid restrictions in place at that time. A formal note will be circulated to Members in due course.

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

There were no questions.

12. **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.

13. **NON-PUBLIC MINUTES**

RESOLVED, that the non-public minutes of the meeting held virtually on Wednesday, 20 January 2021 be approved as a correct record.

14. **PORT HEALTH AND ENVIRONMENTAL SERVICES DEBTORS -PERIOD ENDING 31 DECEMBER 2020**

The Committee received a joint report of Director of the Built Environment, the Director of Markets and Consumer Protection and the Director of Open Spaces concerning the Port Health and Environmental Services Debtors – period ending 31 December 2020.

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

There were no questions.

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

There was no other business.

The meeting closed at 12.07 pm

Chairman

Contact Officer: John Cater

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