

PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Monday, 10 October 2022

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

Present

Members:

Deputy Keith Bottomley (Chairman)	Caroline Haines
Mary Durcan (Deputy Chairman)	Deputy Ann Holmes
George Abrahams	Elizabeth Anne King
Timothy Butcher	Deputy Natasha Lloyd-Owen
Deputy Simon Duckworth (Chief Commoner)	Andrew McMurtrie
Deputy Peter Dunphy	Deputy Dr Giles Shilson
John Edwards	Mandeep Thandi
Helen Fentimen	Luis Felipe Tilleria
Deputy Marianne Fredericks	Glen Witney
Steve Goodman	Irem Yerdelen
Alderman Prem Goyal	Henrika Priest

Officers:

Ruth Calderwood	- Air Quality Manager
Gavin Stedman	- Port Health & Public Protection Director
Jenny Pitcairn	- Chamberlain's Department
Rachel Pye	- Assistant Director of Public Protection
Gary Burks	- Superintendent & Registrar, City of London Cemetery & Crematorium
Ian Hughes	- City Operations Director (City Streets & Spaces)
Joe Kingston	- Assistant Director (Gardens & Cleansing)
Vincent Dignam	- Business Performance & Transport Group Manager
Adam Collins	- Environment Department
Elisabeth Hannah	- Environment Department
Robin Whitehouse	- Environment Department

1. APOLOGIES

Apologies were received from Shahnaz Bakth, Christopher Boden, Caroline Haines, Wendy Hyde, Henry Jones, Henry Pollard, Oliver Sells KC, and Aletha Silk.

The Chairman thanked all those involved in delivering this year's 50th Anniversary Fishing Experiment event (8th October). He highlighted the event

brochure, which was available in the Committee room, as well as the souvenir paperweight which was available upon request.

The Chairman informed Members that Port Health and Environmental Services Committee ties are available for Members (via Gavin Stedman); he also informed Members that alternatives clothing items to the ties are being looked at and Members will be updated in due course.

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 and non-public summary of the meeting held on 22 July 2022 were approved as an accurate record.

4. **PUBLIC OUTSTANDING ACTIONS**

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

The Chairman highlighted the upcoming meeting at 12 Brandon Mews (27th October) with Seb Dance, Deputy Mayor for Transport. Given the recent financial settlement between central Government and TfL, the Chairman was hopeful that a positive resolution can be achieved for the residents impacted. An update would be provided to Members in due course.

In response to a query about operational rail noise issues at King William Street, the Chairman would endeavour to follow up with TfL; although he was keen for them to prioritise the residents of the Barbican, given the longstanding detrimental impact the noise was having on people's physical and mental health.

Lighting Guidance Note

The Chairman noted that this would be raised later in the agenda.

Note on the increase of anti-social behaviour

The Chairman noted that this would also be raised later in the agenda.

Chairman to write the Director of Innovation and Growth to formally request that Destination City addresses concerns relating to investment in cleaning and public services.

The Chairman proposed closing this action as he had written to the Director and received an understanding from Destination City on the concerns highlighted.

5. **COMMITTEE EVENTS**

The Committee received a Report of the Town Clerk outlining the Committee's upcoming events.

RESOLVED – that the Committee noted the Report.

6. **BREXIT UPDATE**

The Committee received an oral Report of the Executive Director, Environment concerning Brexit.

RESOLVED – That the Committee noted the Report.

7. **CLEANSING UPDATE**

The Committee received an oral Report and Presentation of the Executive Director, Environment concerning cleansing.

Members raised a number of queries:

Officers confirmed that whilst QR codes were visible on the posters by the public toilets (which provided details of alternative toilet provision if closed) the codes were not currently included on the anti-urination posters, they would, however, look to include this going forward.

A Member highlighted that whilst the City's toilet finder app showed in real time where each toilet was located and its opening time, in the interest of ease and accessibility, these "live" details should also be added to the online map on the City's website.

Members asked officers to maintain analysis of how footfall in the City across the week matched up with public toilet provision – e.g. Sunday night and Bank Holidays for instance would have a potential coverage issue, given many premises operating community toilets would be shut during these times; map and app users should be clearly signposted during these times to the provision that was available, and more broadly, this data should be used to inform the City about the demands for extra provision to cover these quieter periods.

It was also apparent that apps and online tools could only go some way to resolving the issues. Clearly, there were hotspots, such as Bishopsgate, where, if toilet provision was not immediately available, individuals would urinate in public settings; more thought needed to be given about how to mitigate this, including, for example, the temporary installation of portable street urinals to meet demand.

Officers assured Members that, whilst successfully collecting enforcement penalties from third party landlords/holding companies wasn't always simple, the City was robust and determined in collecting what was due.

In response to a Member highlighting frustrations about additional pieces of litter being left on top of bin bags waiting for collection, officers emphasised that businesses were instructed to leave their refuse outside their premises at

allocated times (which in the City are between 8pm and 6am) which should minimise the opportunity for additional items of litter being deposited; businesses failing to meet this basic requirement will be encouraged to stick to the guidance (it was also pointed out that internal collections could be arranged if a businesses operating hours didn't allow for easy collections). Officers also clarified that whilst the City was responsible for cleansing highways, businesses should be encouraged to take pride in their immediate vicinities and clear up where possible the land adjoining their premises. This was a specific area of focus for the Clean Streets Partnership.

Responding to a supplementary query, officers confirmed that a condition for operators with a tables and chairs licence was to keep their immediate area clean and tidy, whilst this point was highlighted by the City's communications, robust systems were also in place to ensure enforcement if operators failed to comply.

In response to a query, officers informed Members that the issues with the BigBelly bin near St Paul's had been rectified.

In response to a query, officers confirmed that the City did work with other local authorities (including Westminster) on best practice and benchmarking. They took on board a suggestion to approach Westminster and Kensington and Chelsea concerning the clean-up strategy for the Notting Hill Carnival and whether any learnings from that event could also be applied to the City.

Officers confirmed that a great deal of work was going into rectifying the issues outside the Savage Garden LDN bar near the Tower.

Reflecting on the changes in the City over the past decade, a Member pointed out that the growth in the night-time economy had, after the pause due to the pandemic, maintained its upward trend. Given the wider shifts in the economy and the proposals in the Destination City strategy, this was likely to continue over the medium-long term; consequently, this required a holistic approach to the City's entire night-time provision. She welcomed the work carried out by the Department this year, as pandemic restrictions were lifted, and the night-time economy reopened but stressed that resources and funding needed to match up to the current demands and future ambition and encouraged fellow Members to make the case to the Chairmen of the Policy & Resources Committee and the Finance Committee to ensure this support was forthcoming and fulsome.

Officers welcomed these comments and, whilst encouraged by the passion shown by Members about securing additional resources and funding, stressed that a great deal of work was being done in order to more effectively deploy our current resources as well as ensuring that, when businesses were falling foul of the rules (e.g., operators with pavement licences not fulfilling their conditions) frontline staff were taking a robust and proactive approach to enforcement. The Department was now back to close to operating a full compliment of enforcement officers and, whilst it was acknowledged that resources and funding was not as generous as had been the case in the past, it was

committed to ensuring enforcement was robust, effective communication strategies were deployed, and collaboration with businesses and other stakeholder was maintained and built upon. In terms of the funding settlement, bi-laterals were currently taking place with the Chamberlain and the Chairman of Finance, in preparation for finalising the departmental allocation for 2023/24; in parallel, the Department was looking at income generating and other opportunities.

A Member offered to share details about Wandsworth Council's night-time strategy – this took a holistic approach to the night time economy across the Borough which canvassed the views of all stakeholders. It potentially offered lessons for the City as a model for a more high-level strategic approach and was something which could be helpful to the Safer City Partnership.

Members requested that officers work with the Chairman to determine the best way in which data around enforcement action was reported back to the Committee and whether, given they served as the eye and ears across the City, this information could also be cascaded on Ward-by-Ward basis. Officers would coordinate with the Chairman on the correct approach.

RESOLVED – that the Committee noted the Report.

8. ***CITY OF LONDON LIGHTING SUPPLEMENTARY PLANNING DOCUMENT**

The Committee received a Report of the Executive Director, Environment concerning City of London Lighting Supplementary Planning Document.

In response to a query, officers advised Members that lighting from film productions was considered a temporary use, however, whilst this meant it was out of scope for the Charter, it was something which, if potentially creating excessive light pollution, could be picked up as an objective when Planning colleagues were assessing filming requests.

A Member, whilst commending the content for the Report, asked if an executive summary with clear signposting could be included at the beginning of the document. Separately a Member suggested that objectives around climate change and sustainability had not been given enough prominence and should be given more visibility at the beginning of the document. In addition, it was proposed that a simple guiding principle that commercial property owners should turn off their lights when the building was not in operation should be outlined first and foremost on the first page of the document in order to leave nobody in any doubt about the City's view on this issue. Officers thanked Members for these comments and would look to rejig and amend the draft to reflect them.

Officers informed Members that in addition to the advice provided by Speirs Major, they were open to further external comment from stakeholders across the lighting industry and were organising an event to get cross-industry buy-in.

Officers confirmed that, whilst the City can't apply these new policies retrospectively, the Charter is designed to put reputational pressure on existing businesses to try to meet the expectations.

In response to a query about the scope the City had around compelling businesses when designing PIR lighting systems for their buildings, officers, whilst again stressing the overall objective of keeping light use down to a minimum, urged caution about how ambitious we could be about prescribing specific and set rules in this area, as practically it was difficult to impose a granular, one-size-fits-all approach to multiple and varying different types of buildings with different layouts and operational hours.

In response to a query, officers confirmed that they would reach out to the Remembrancers team about the potential for lobbying MPs around strengthening anti light pollution policies.

RESOLVED – That the Committee noted the Report.

9. ***AIR QUALITY ASR FOR 2021 COMMITTEE REPORT**

The Committee received a Report of the Executive Director, Environment concerning the Air Quality Annual Status Report.

The Committee received a Report of the Executive Director, Environment concerning the Air Quality Annual Status Report.

In response to a query, an officer pointed out that the reductions in particulate matter due to Covid were clearly apparent when the data in 2020 was analysed against 2019 (this is picked up in the 2021 Annual Status Report); however, as the economy has reopened over the course of 2022, the data so far does not indicate a reversion to pre-Covid levels and it was hoped that this trend would endure over the longer term.

In response to a query, an officer pointed out that whilst the WHO guidelines concerning levels of nitrogen dioxide were significantly below the current readings in the City, it should be kept in mind that the Government's legal limits are higher than the WHO's and, as a starting point, the City should be aiming to comply with these limits.

In terms of achieving material reductions over the medium-long term, officers stressed that this would be challenging; a fundamental shift will occur as the economy shifts towards non-combustible forms of energy; however, projecting the scale and speed of this shift is still difficult to predict at this point.

The Chairman and officers assured Members that air quality in the City was a key priority, it is an issue that is on the Corporate Risk Register and officers took a cross-departmental approach so as to align our activities in this area. It would be an issue which would continue to be closely monitored over the long-term. The Chairman added that a relationship has been fostered with the new Secretary of State at Defra and stressed that, whilst the City would continue to play a leading role in addressing air pollution, it could not work in isolation, and

pan-London as well as UK wide approaches to this issue would be required to tackle it over the long-term.

RESOLVED – that the Committee noted the Report.

10. ***RISK MANAGEMENT UPDATE REPORT**

The Committee received a Report of the Executive Director, Environment concerning Risks Management in the Department.

Picking up on (ENV-CO-GC 002 - Road traffic collision caused by City of London staff or contractor who is unfit to drive while on City business), officers informed Members that a longer-term solution, in collaboration with HR, was being worked on, in the interim period, the Risk was being mitigated by management staff undertaking these checks manually.

RESOLVED – That the Committee noted the Report.

11. ***BUSINESS PLANS 2022/23: PROGRESS REPORT (PERIOD 1, APRIL-JULY)**

The Committee received a Report of the Executive Director, Environment concerning the Departmental Business Plan Period 1 update.

In response to a query about the projected departmental overspend at the end of the financial year, officers confirmed that, unless there were exceptional circumstances, overspends were carried forward into the following financial year as a matter of course; the upcoming bilateral meetings between the department and the Chamberlain and the Chairman of Finance Committee would provide confirmation on this matter.

When it came to income forecasts for the remainder of 2022/23, the outlook was mixed; with much depending on levels of trade at Heathrow and the Port over the coming months, it was difficult, given global uncertainties, to predict with certainty how the Department would fully achieve its targets in short-medium term.

A Member proposed greater consideration of income generation, via sponsorship and advertising across the Square Mile and the City's operational assets elsewhere. Officers confirmed that these types of opportunities were regularly considered, albeit with other considerations kept in mind and they would come back to Members in due course with options.

Officers confirmed that the purchase of the excavator at the City of London cemetery had been delayed due to the wider pause on the majority of operational projects ordered by the Operational Property and Project Sub-Committee at its July meeting. It was anticipated that as the OPPSC Review was now resolved, the purchase would be proceed by the end of October.

In response to a query, officers confirmed that utility companies were responsible for notifying the City and residents before carrying out works in the street/public domain. The City pushes back on any company not complying. It

was also confirmed that the recent work at Golden Lane was due to an emergency; the provision around notification in emergency cases is less stringent.

Officers would come back to a Member after the meeting to provide an update concerning the issues at the Five Guys branch at Bishopgate.

RESOLVED – That the Committee noted the Report.

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

There were two questions.

In response to a query concerning the City's position around managing and enforcement of "party boats" on the Thames, the Chairman asked officers to return to the Committee with a Report with further details and options about funding enforcement.

In response to a query concerning the correspondence between the Chairman of the Committee and the Government concerning the discharging into the Thames, the Chairman asked officers to come back to the Member after the meeting with some background details.

13. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There was no other business.

14. 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 Schedule 12A of the Local Government Act.

15. NON-PUBLIC MINUTES

RESOLVED- That the non-public minutes of the meeting held on 22 July 2022 were approved as an accurate record.

16. LEASE RENEWAL LAUNCH SERVICE :FORMER ISOLATION BLOCK, MARK LANE, DENTON, GRAVESEND, KENT DA12 2QE

The Committee considered a Report of the Executive Director, Environment concerning the Former Isolation Block site at Mark Lane, Denton, Gravesend.

17. *PORT HEALTH AND ENVIRONMENTAL SERVICES DEBTORS - PERIOD ENDING 30 JUNE 2022

The Committee received a Report of the Executive Director, Environment concerning the level of debts in connection with Environmental Health, Trading Standards, HARC, Port Health, Cleansing, and Cemetery and Crematorium services provided by the Environment Department.

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

There were no questions.

19. 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 1pm

Chairman

**Contact Officer: John Cater
John.Cater@cityoflondon.gov.uk**