

# **PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE**

**Tuesday, 29 November 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	Henry Jones
Deputy Christopher Boden	Deputy Henry Pollard
Timothy Butcher	Jason Pritchard
Deputy Peter Dunphy	Oliver Sells KC
John Edwards	Deputy Dr Giles Shilson
Helen Fentimen	Alethea Silk
Deputy Marianne Fredericks	Luis Felipe Tilleria
Steve Goodman	Irem Yerdelen
Alderman Prem Goyal	

#### **Officers:**

Juliemma McLoughlin	- Executive Director, Environment
Gavin Stedman	- Port Health & Public Protection Director
Jenny Pitcairn	- Chamberlain's Department
Rachel Pye	- Assistant Director of Public Protection
Tim Bage	- Assistant Director of Port Health
Joe Kingston	- Assistant Director (Gardens & Cleansing)
John Cater	- Committee Clerk
Ben Dunleavy	- Committee Clerk

### **1. APOLOGIES**

Apologies were received from Alderman Barr, Wendy Hyde, Liz King, Deputy Natasha Lloyd-Owen, Henrika Priest, Mandeep Thandi, Glen Witney, and Alderman Zaman.

The Chairman welcomed the new clerk to the Committee, Ben Dunleavy.

The Chairman welcomed Tim Bage, Assistant Director, Port Health. Tim began working with the City Corporation on 21<sup>st</sup> November.

### **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 10<sup>th</sup> October 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 Committee noted that discussions were continuing with Transport for London (TfL) but wanted to ensure that pressure was kept up to solve this issue once and for all. The Chairman asked officers to maintain a dialogue with counterparts at TfL and look to get a concrete programme timeline confirmed from them as soon as possible.

Mr Bakth (who attended the meeting via Teams) updated Members on the recent visit of Seb Dance, Deputy Mayor of London for Transport and Esther Sharples, LUL Director of Asset Renewals and Capital investment to Brandon Mews. It was encouraging that political support was there to get this resolved, options for interim measures included speed restrictions but it was clear that longer-term permanent solutions would need to be considered by all stakeholders over the coming year.

5. **BREXIT UPDATE**

The Committee received an oral Report of the Port Health & Public Protection Director concerning Brexit.

In response to a query about asking the government for recompense for the investment made at the Ports to prepare for increased checks post-Brexit, the Director confirmed that all the costs, to date, have been, in the main, covered by central government (the City was communicating with DEFRA about some additional legacy costs); he added that the workforce had grown to cater for the recent significant increases in rest-of-the-world trade.

Separately, the Director informed the Committee that, prior to Brexit, an equivalence agreement was in place with the EU which provided for checks to take place in EU ports on imports from Rest of the World(i.e., non-EU countries) where the final destination point was the UK; post-Brexit this is no longer the case. This creates a potential loophole, which would need to be addressed by government and UK wide port health authorities over the coming period.

A Report would be submitted to the next meeting of the Committee detailing recent trends around trade volumes.

**RESOLVED** – That the Committee noted the Report.

6. **REVENUE AND CAPITAL BUDGETS 2023/24**

The Committee considered a joint Report of the Chamberlain and the Executive Director, Environment concerning the revenue and capital budgets for the Port Health & Environmental Services Committee for 2023/24.

After a brief introduction from the Chairman, the Executive Director emphasised the renewed focus for the Department on income generation (e.g., increasing the scope for advertising in the Square Mile) and changes around the uses of other reserves (e.g., the on-street parking reserve) as ways in which the Department could deliver on its front-line priorities, such as street cleansing. Whilst the last several years had been characterised by retrenchment, with £10m being delivered in efficiency savings, it was now the time to end this cycle of “salami slicing” and concentrate instead on enhancing services; this budget round and the accompanying bilateral with the Chairman of the Finance Committee and the Chamberlain had proven very helpful in establishing a new financial base from which the department could work from over the medium to longer term.

In response to a query, officers would clarify who in the Corporate directly controlled the On-Street Parking Reserve. It was added that a Report would be coming back to the Committee in 2023 concerning future options around the Reserve and the Community Infrastructure Levy (CIL). It was also clarified that the current scope of any reserve funds managed by the Department carried restrictions, namely, that as most services operated by the Department were on a cost neutral basis, any use of the reserves could only be on the service it was originally raised from (e.g., any annual surpluses deriving from income from the Port Health Service could be utilised in future years to solely support the service).

It was clarified that the budget needed the approval of the service committee, it would then be subsumed into the wider Corporation budget for approval by the Finance Committee in February 2023, and the Court of Common Council in March.

In response to a query, officers clarified that the 2023/24 Budget was less than the current run-rate for the 2022/23 financial year, due to several carry forwards and revised phasing across the cyclical works programme in the Surveyor's Department which, in the main, were impacting this financial year.

The Executive Director assured Members that significant work was going into resolving the unidentified savings target; “Green rated” income generation options were now ready to be rolled out, whilst “amber” and “red” options, despite needing further consideration by officers and Members due to the additional political risks involved, if delivered, had the potential to have a very meaningful impact on the department's finances over the medium-longer term. The Chairman welcomed these remarks and suggested that an additional incentive for departments to generate greater income would be for those funds, once raised, to remain locally managed (i.e., to not be turned over to the corporate centre). The Chairman asked the Executive Director to bring back to the Committee the presentation that was used at the recent bi-lateral meeting for Members' information.

The Chairman also asked that the cost and income for each individual service was brought back to Members after the meeting and this information was provided in future rounds of financial reporting.

It was stressed that the current budget for the provision of public toilets would not meet the projected demand on this service created by the increased footfall in the Square Mile as a result of Destination City. It was envisaged that funds from increased income generation would cover the costs of additional provision over the medium term.

It was clarified that the mechanical digger at the City of London Cemetery had now been commissioned, but that it would take some time for it to be delivered. More broadly, the Chairman confirmed that due to the pressure on the Corporation's capital expenditure in 2022/23, bids for capital spending had only been progressed on the basis of having a clear health and safety concern. The Chairman asked that the Executive Director return to the Committee in early 2023 with the medium-term capital expenditure plan for Members' information.

In response to a query, officers would come back to a Member after the meeting concerning the fluctuations between the budgets for costs related to Trading Standards.

In relation to a separate query, it was anticipated that the increased costs derived from higher energy prices, would be taken centrally as opposed to departmentally. It was further pointed out that the power purchase agreement (PPA) had gone some way in limiting the City Corporation's exposure to the significant increases in energy costs in 2022. The solar farm in Dorset now supplied half of the of the City Corporation's operational buildings' energy requirements.

**RESOLVED** – that the Committee:

- Reviewed and approved the proposed revenue budget for 2023/24 for submission to the Finance Committee;
- Reviewed and approved the proposed capital budgets for 2023/24 for submission to the Finance Committee;
- Agreed that amendments for 2022/23 and 2023/24 budgets arising from changes to recharges or any further implications arising from subsequently approved savings proposals, energy price increases and other reviews, changes to the Cyclical Works Programme, or changes to the resource envelope be delegated to the Chamberlain in consultation with the Executive Director Environment.

## **7. RESIDENTIAL GARDEN WASTE TRIAL OUTCOME**

The Committee considered a Report of the Executive Director, Environment concerning the trial to collect garden waste at the Barbican Estate, the Golden Lane Estate, and Tudor Rose Court.

It was stressed that the recommendation to not proceed with a permanent garden waste collection was due to low participation and significant amounts of contamination during the trial and was not due to financial concerns. Any

alternative suggestions for private garden waste recycling across the City would be welcomed.

**RESOLVED** - That the Committee agreed that officers pursue alternative methods for residents to recycle their garden waste instead of introducing a permanent garden waste collection service.

8. **CASHLESS PUBLIC CONVENIENCE TRIAL**

The Committee considered a Report of the Executive Director, Environment concerning the contactless payment trial at Tower Place Public Conveniences.

In an effort to dig down a little deeper on the data in this area, particularly around the 38% figure (for contactless payments), a Member proposed that a contactless payment only trial should be undertaken at one of the City's public conveniences (keeping in mind the City's responsibilities to provide accessibility) and for the results to be fed back to the Committee following this. The Chairman supported this proposal and asked officers to come back to the Committee in due course.

**RESOLVED** – That the Committee agreed to continue accepting contactless and cash payments at Tower Place public conveniences and introduce contactless payment alongside cash at Paternoster Square public conveniences.

9. **ANIMAL HEALTH SERVICE - HARC CHARGES**

The Committee considered a Report of the Executive Director, Environment concerning the annual review of charges for the animal health team and the Schedule of Charges in respect of services provided at the Heathrow Animal Reception Centre (HARC), for the forthcoming financial year 2023/24.

In response to a query, officers emphasised that, given the increased level of competitors in this field, the fees were set in order for the services to remain competitive. It was also pointed out that elements of HARC's work had to be cost neutral.

The Department was aware of the pricing structure of competitors as this information was in the public domain, given the similarities in operations, it also had a good gauge of their likely costs.

**RESOLVED** – that the Committee:

- Approved the proposed new Animal Health Service contract fee structure.
- Approved a 5% increase for 2023/24 inspection fees, included in Appendix 1 of this Report, with effect from 1<sup>st</sup> April 2023.
- Approved a 3% increase for HARC fees through the proposed Byelaws contained in Appendix 2 of 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.

10. **50TH CITY OF LONDON THAMES FISHERY RESEARCH EXPERIMENT**

The Committee considered a Report of the Executive Director, Environment concerning the 50<sup>th</sup> City of London Thames Fishery Research Experiment.

Several Members raised concerns about the appropriateness of the methodology involved in the Experiment, in particular, it was queried whether continuing to hold this as a competition was the most relevant, sophisticated and scientifically sound way forward, and, whether officers could look at ways in which the details the Experiment can be amended, given the practices elsewhere.

In addition, Members queried whether external funding by way of sponsorships could be secured for future years (e.g., the Fishmonger's Company)

Noting a Member's query about the recent news of a decline in mussels in the Thames near Reading, officers would add further detail around shellfish sampling and general volumes to the Report concerning wider Trade volumes discussed at Item 5.

**RESOLVED** – That, whilst supportive in principle the of the Experiment to take place in 2023, the Committee asked officers to return to the Committee in early 2023 with further ideas about amending the practices of the Experiment and securing funding via sponsorships.

11. **NOISE CONTROL ON THE TIDAL THAMES**

The Committee received a Report of the Executive Director, Environment concerning noise control on the tidal Thames.

A Member informed the Committee that a separate application for a "party boat" had been submitted to Westminster Council in recent weeks (this was in addition to the Ocean Diva application to Newham which had attracted circa 1,000 representations).

A Member asked whether the number of patrols could be increased from the current number of six and whether the borough councils of Tower Hamlets and Southwark could be approached with a view to asking them whether they would be interested in paying for additional patrols. Officers responded that they would raise this proposal when they next met the riparian Boroughs

In response to a separate query, officers highlighted the establishment of a new riparian cross boundary task group which the City was a Member of; they would provide a background note detailing the make-up, objectives and agenda of the group after the meeting.

**RESOLVED** – that the Committee noted the Report.

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

There were no questions.

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

There was one item of business:

The Committee were informed that the outline proposal for a community bin programme (analogous to the community toilet programme) where businesses would provide their bins for the public to use, proved to be legally difficult, as the City Corporation had a statutory duty to collect litter itself, and not to effectively delegate this to others. Therefore, this proposal would not be progressed at this time.

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 10th October 2022 were approved as an accurate record.

16. **Q2 DEBT REPORT**

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 as at 30<sup>th</sup> September 2022.

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

There were no questions.

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

There were two items of non-public urgent business.

**The meeting closed at 12.42 pm**

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Chairman

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