

Committee(s): Port Health and Environmental Services Committee	Dated: 24 January 2023
Subject: Port Health Authority Update	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1, 5 11
Does this proposal require extra revenue and/or capital spending?	N
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Summary

This report provides an update to Members on the current position in respect of the post-Brexit checks on imported food and feed from the EU and Rest of World. Additionally, it provides information about the wider role of the London Port Health Authority (LPHA) in relation to food hygiene and food standards official controls performed by the LPHA including shellfish sampling, International Health Controls and Environmental Protection.

Recommendation(s)

Members are asked to:

- Note the report.

Main Report

Background

The City of London Corporation is the London Port Health Authority (LPHA) for 94 miles of the tidal Thames, from Teddington lock to the outer estuary. The LPHA covers the ports at London Gateway, Tilbury, Tilbury 2, Purfleet, Thamesport, Sheerness and London City Airport – and over 60 other wharves. The LPHA aims to protect public, animal and environmental health. Appendix 1 shows the spread of the main ports with the LPHA Area.

Brexit update

1. On 12 December 2022, the Minister of State, Baroness Neville-Rolfe DBE CMG, provided PHAs and other stakeholders with an update on the timeline for the Target Operating Model (TOM) for Sanitary and Phytosanitary (SPS) checks on goods from the European Union (EU) and Rest of World (RoW). Legislation has been passed that has allowed the Transitional Staging Period (TSP) applying to SPS goods imported from EU to GB to be extended until 31 January 2024.

2. A period of engagement will now follow on the proposed operating model with Defra and the FSA. The Committee have previously agreed six key principles that will form the basis of our when representing the City Corporation in discussions with Government and its agencies. (Appendix 2)
3. It is probable that a new timetable will be proposed which will outline how the UK will work towards full implementation. This is likely to coincide with the establishment of a Single Trade Window (STW) as detailed in the UK Border Strategy for 2025, which will use technology and data to inform an approach that provides a seamless trading environment whilst upholding bio-security.
4. On 19 December 2022, Defra confirmed in writing to the Town Clerk that it will continue to fund eight staff at LPHA for the financial year 2023/2024 and payments will be made through the Port Health Transition Fund (PHTF). This will allow retention of capacity and skills for delivery of the TOM as well as continuing the ongoing work on managing biosecurity risks (e.g. African Swine Fever). Defra has separately confirmed that this will include legacy costs (e.g. redundancy payments etc.).
5. Officers will continue to keep the Committee apprised of any new developments in this area of policy.

Port Health Authority Performance Indicators

6. The Port Health Authority has the following KPIs reported in the High-Level Business Plan for 2022/23:
 - **All Products** - 85% of imported food and feed consignments that satisfy the checking requirements are cleared within 5 days
 - **Products of Animal Origin (POAO)** - 85% of imported food and feed consignments that satisfy the checking requirements are cleared within 5 days
 - **High Risk Products of Non-Animal Origin (HRPNAO)** - 85% of imported food and feed consignments (Products of Non-Animal Origin) are subjected to mandatory documentary controls within 5 days.
7. These KPIs are solely focused on food imported through our ports. However, it should be noted that the LPHA provides a wide range of International Health and Food Hygiene related functions, these are outlined below.
8. Progress made against KPIs is reported to Members on a regular basis. An update on progress during Period 2 (August-November) of 2022/23 is provided in a separate report to this Committee.

London Port Health Authority Responsibilities

Imported Food

9. The Official Control Regulations (2017/625 and 2019/627) give the powers to LPHA to regulate the flow of imported food through its ports into the UK.
10. Imported food and feed throughput in 2021/22 was 600,000 and is on course to clear 700,000 in 2022/23. The sharp growth from 2021 onwards is attributed to the UK's exit from the EU since when all goods are now classed as 'Rest of World'. Although income growth does not correlate directly to container throughput, imported food and feed income in 2021/22 was £3,550k and for 2022/23 is projected to be in the region of £4,000k to 4,075k, solely based on Rest of Work trade. This serves to highlight the potential impact of any target operating model that puts the EU on a similar footing to the RoW with check levels similar to those currently conducted.
11. Appendix 3 contains a graph and map showing growth in trade and spread of international trade into London's ports. Figure 1 shows the growing trend in food imports. Figure 2 shows the spread of origin of international trade in foodstuffs.

International Health (Ships, Aircraft and other 'conveyances')

12. LPHA has powers under the Public Health (Ships) Regulations 2007 (as amended) and Public Health (Aircraft) Regulations 2007 (as amended) which enable the monitoring and enforcement of the International Health Regulations 2005. Each week, 100 commercial vessels visit the Thames, and London City Airport clears an average of 14,000 passengers (2021). The legislation is aimed at controlling infectious disease, whilst these powers originate from 1884, they were thrown into sharp focus over the last three years because of the COVID pandemic. In 2022, LPHA received 3816 Maritime Declarations of Health, boarded 78 vessels and issued 41 ship sanitation certificates. Additionally 382 water samples were taken from vessels or shore side supplies to ensure that water supplied to vessels is fit for use in either drinking or bathing.

Food Hygiene

13. Within the ports and docks of London there are 141 food production premises, ranging from small cafes through to manufacturing operations. These businesses require routine inspection for food hygiene purposes to ensure that they are handling food hygienically, the premises meet set standards, and they have risk management systems in place. Some of the premises are located on the river, so the River Division support Port Health Officers to access these premises further up the Thames. The LPHA has a Section 101 agreement with Thurrock Council to inspect food premises within the London Gateway Logistic Park area on their behalf; therefore the number of food businesses are likely to increase. The LPHA is currently on track to inspect all

premises this financial year and currently all premises, but 4, are deemed to be broadly compliant.

Shellfish Monitoring

14. LPHA have 21 beds encompassing the Rivers Roach, Crouch and Thames Estuary. The species monitored for fitness for human consumption are: pacific oysters, native oysters, cockles, mussels, manilla clams, razor clams and hard clams. The River Division collect samples each month to monitor E.coli. Some beds are biotoxin monitoring sites: frequency of the biotoxin samples depends on the season. The team is required to take approximately 250-275 programmed samples per year. Should a bed fail to meet the required standards, powers exist to allow LPHA to close the bed until satisfactory samples are obtained. LPHA collects 5 monthly classification and biotoxin samples for the Swale Borough Council and 2 classification samples for Thanet Borough Council.

Environmental Protection

15. The Environmental Permitting (England) Regulations 2016 (as amended) require LPHA to permit, monitor and enforce air quality emissions with any activities that require regulation. These range from concrete crushing and batching, paint spraying, animal feed storage etc. There are currently 14 permitted processes monitored by LPHA. Alongside protecting air quality from industrial sources, the team has numerous powers to monitor pollution such as dust and noise from the ports, and the river.
16. The Environmental Protection Act 1990 provides powers in respect of statutory nuisance. LPHA is duty bound under this legislation to investigate complaints of statutory nuisance arising from activities within the ports. The complaints received are mainly related to noise and dust, but can extend to other sources such as gases, light or accumulations.

Mosquito Monitoring

17. In partnership with the UK Health Security Agency (UKHSA) LPHA monitor a number of ports and other related sites for invasive mosquito activity. With ships, aircraft and lorries entering the UK from a wide range of international destinations, surveillance is important to monitor for evidence of invasive mosquito activity and trends over time. LPHA establish sites each year in conjunction with the UKHSA.

Case Studies

18. Appendix 4 contains two case studies of recent inspection work conducted by LPHA.

Conclusion

19. The regime for checking of imported food into the UK remains unclear but officers are engaged with government agencies, trade bodies and colleagues in other PHAs, in order to shape and influence this important area of policy. Members will be kept updated on the proposals as they emerge.
20. Members are asked to note the wide range of work conducted by the Port Health Team in keeping London safe, whilst ensuring London's ports are the best to do business through.

Appendices

Appendix 1: Spread of Ports across the LPHA area

Appendix 2: City Corporation - Six Key Brexit Principles

Appendix 3: Graph and Map showing growth in trade and spread of origin of food stuffs into London's Ports.

Appendix 4: Case Studies of LPHA inspection work

Background Papers

- Impact of the UK leaving the EU (Brexit) on Port Health & Public Protection – report to Port Health & Environmental Services Committee, 19 September 2017.
- Update on the impact of the UK leaving the EU (Brexit) on Port Health & Public Protection – report to Port Health & Environmental Services Committee
 - 6 March 2018
 - 16 July 2018
 - 27 November 2018
 - 24 September 2019
 - 26 November 2019
 - 3 March 2020

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