

<b>Committee:</b>	<b>Date:</b>	
Port Health and Environmental Services Committee	30 April 2013	
<b>Subject:</b> Report of Action Taken Between Meetings	<b>Public</b>	
<b>Report of:</b> Town Clerk	<b>For Information</b>	
<p style="text-align: center;"><b><u>Summary</u></b></p> <p>In accordance with Standing Order 41(a) and 41(b), this report provides Members with the details of decisions taken since the Committee's last meeting.</p> <p><b>Recommendation</b></p> <ul style="list-style-type: none"><li>• That the contents of the report be noted.</li></ul>		

### **Main Report**

#### **Background**

1. Standing Order Nos. 41(a) and 41(b) provide mechanisms for decisions to be taken between scheduled meetings of the Port Health and Environmental Services Committee where it is urgently necessary that a decision be made.

#### **Decisions Taken Between Meetings**

2. In accordance with Standing Order 41 (a), a decision has been taken in respect of the following matter -

#### **Service Level Agreement with the City of Westminster Council**

#### **Background**

3. The Director of Markets and Consumer Protection submitted a report to Licensing Committee on 16 July 2012 that was subsequently presented to Port Health Committee on 12 September 2012. The report was titled "Public Nuisance associated with Licensed Premises" and it resulted from Members' concerns that there was insufficient provision in the City at night to deal with anti-social behaviour, primarily patron noise from licensed premises.
4. The report described the setting up of a Licensing Steering Group by the Town Clerk under the chairmanship of the Comptroller. The purpose of the Group is to keep under review and identify improvements in all areas of the City's licensing activities, and it was recommended that the Group oversee identified improvements to deal with anti-social behaviour.
5. The Licensing Steering Group wishes the new arrangement to be in place for the Christmas season and it is important to have the Service Level Agreement finalised and signed before the next meeting of the Port Health Committee in January.

6. It was therefore recommended and approved under urgency procedures that: -
- 1) The Comptroller and City Solicitor is authorised to enter into the attached Service Level Agreement with the City of Westminster Council pursuant to all relevant powers, and
  - 2) The Agreement to include an indemnity to officers of the City of Westminster Council; and
  - 3) Subject in both cases to the Comptroller and City Solicitor having authority in conjunction with the Director of Markets and Consumer Protection to agree minor variations to the Agreement or form of indemnity that do not materially affect the risk on the City.
7. In accordance with Standing Order 41 (b), a decision has been taken in respect of the following matter -

**Amendment of Terms of Reference of Port Health and Environmental Services**

8. The Director of Markets and Consumer Protection reports directly to Licensing Committee therefore it was felt that Licensing Committee should be involved in the appointment process, in the same way that a representative from Port Health and Environmental Services Committee was recently added to the appointment panel of the Director of Open Spaces.
9. Under Urgency, the following amendment to the Terms of Reference of Port Health and Environmental Services Committee was therefore agreed –
- “Responsible for the appointment of the Director of Markets and Consumer Protection (in consultation with Markets Committee and Licensing Committee).”
10. In addition, a further amendment was made to take account of a decision taken by Government which placed new functions relating to healthcare on local authorities which they also call “public health” in legislation such as the Health and Social Care Act 2012.
- “To be responsible for all the City of London Corporation's ~~public health~~ environmental health, port health, animal health, consumer protection, licensing (with.....the exception of those which are in the province of another Committee), public conveniences, street cleansing, refuse collection and disposal, and cemetery and crematorium functions.”
11. This change now fits in with how the Department currently refers to this area of work.

**Conclusion** - Members are asked to note the contents of this report.

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