

Committee: Port Health and Environmental Services Committee	Date: 7 May 2024
Subject: Report of Action Taken	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	See background papers
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Town Clerk	For Information
Report author: Kate Doidge, Governance Officer	

Summary:

This report provides details of delegated decisions taken under urgency between Committee meetings.

Recommendation

Members are asked to note the report.

Delegated Decisions Under Standing Order 41A

London Port Health Authority Order

1. The City of London Corporation is the Port Health Authority ('LPHA') for the tidal Thames. The London Port Health Authority Order 1965 currently governs the functions and jurisdiction of the LPHA.
2. The London Port Health Authority Order 1965 ('the Order') is in urgent need of renewal to reflect changes in legislation that are relevant to the exercise of its functions and jurisdiction, which has remained a long-running project with the City of London Corporation. The changes are 'updating' in their nature, and do not practically alter the way in which the LPHA operates nor the cost of carrying out its functions. The changes do ensure that its legislative underpinning is fit for purpose.
3. The Remembrancer finalised a draft Order which needs to be made by Ministers in Department of Health and Social Care under section 7 of the Public Health (Control of Disease) Act 1984. The text of the draft Order had been finalised with the Department of Health and Social Care.
4. A short consultation on the proposed renewal of the Order was held in late 2022. Maldon District Council and Rochford District Council have been consulted as a change made by this Order deals with what is currently 'no man's land', where there is a boundary between port health authorities that is non-contiguous (i.e., a gap). Whilst it has not caused practical problems to date, it was deemed sensible to have contiguous borders and both Councils have confirmed they are content, being the only Councils whom such a change might impact given proximity to their areas.
5. The request under urgency was for the City of London Corporation to ask the Department of Health and Social Care to proceed to recommend to their Ministers that the Order be signed. Once signed, it would come into force the following day. Agreement under urgency procedures was sought as this was a long-running project which had already had delays with the Department of Health and Social Care to finalise the wording of the draft Order. With uncertainty of when a General Election is to be held, it was inadvisable for any further delay as the Order would be unable to proceed due to the pre-election period, causing a delay of several months. In addition, the Department of Health and Social Care had indicated that they were in a position to recommend to their Ministers to signed the Order.
6. The Town Clerk therefore agreed, in consultation with the Chairman and Deputy Chairman of Port Health and Environmental Services Committee, to request that the City of London Corporation ask the Department of Health and Social Care to proceed to recommend to their Ministers that the London Port Health Authority be signed. This would enable the Order to come into force without any further delay.

Background Papers

Memorandum – The London Port Health Authority Order – March 2024

Kate Doidge

Governance Officer

Deputy Town Clerk's Department

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